



DOWNTOWN DEVELOPMENT AUTHORITY

Quality Services for a Quality Community

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William Mansfield, Chair
Douglas Jester, Vice Chair
Peter Dewan, Treasurer
George Lahanas, Secretary
Brad Ballein
Lynsey Clayton
Colin Cronin
James Croom
David Krause
Eric Rosekrans
Mayor Nathan Triplett

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City of East Lansing
DEPARTMENT OF
PLANNING, BUILDING &
DEVELOPMENT

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MEETING MINUTES

May 28, 2015 - 12:00 p.m.
Conference Room A, 2nd Floor
410 Abbot Road

Present: William Mansfield, Brad Ballein, David Krause, Peter Dewan, Colin Cronin, Douglas Jester, George Lahanas, Lynsey Clayton, James Croom, Mayor Nathan Triplett, Eric Rosekrans

Absent: None

Staff Members Present: Lori Mullins, Heather Pope, Terri Soliday, Tim Dempsey, Darcy Schmitt

Guests: Ralph Monsma, Jim Anderson

1) Call to Order

The meeting was called to order at 12:06 p.m. by Chair Mansfield.

A) Roll Call

At the taking of the roll, Mayor Nathan Triplett was absent.

B) Approval of Agenda

Mansfield indicated Old Business Item 7C Capital Improvements would be moved to Business Agenda Item 6D. Also, they will be considering Old Business before New Business.

Jester moved to approve the Agenda as amended; Clayton seconded the motion. Vote: All yeas, motion carried unanimously.

C) Approval of Minutes

i. April 23, 2015

Ballein moved to approve the minutes of April 23, 2015 as written; Jester seconded the motion. Vote: All yeas, motion carried unanimously.

- 2) **Financial Reports**
 - A) **Treasurer's Report for April 2015**

The Board accepted the Treasurer's Report.

- 3) **Written Communications**
 - A) **Letter of recognition to Dan O'Connor**
 - B) **Referral letter – CVS – 240 M.A.C. Avenue**
 - C) **Referral letter – Lingg Brewer's project – 500 Albert/122 Division**

These letters were included in the packet.

- 4) **Communications from Staff**
 - A) **Development Agreement with Park District Investment Group**

Mullins said the latest version of the Development Agreement was sent out to the Board with markups. Staff is still awaiting NDC's review of the financial piece, as well as due diligence on the parking structure. She said the intention is to have the reports back by next month to be reviewed by the committees and the full Board. She indicated the entire Board may attend the June Project & Infrastructure meeting.

B) ROW Applications for Cosi and Harper's Restaurant & Brewpub

Pope said the right-of-way applications are the same as in previous years, which staff approved. Pope said there was a question at the Project & Infrastructure meeting about the \$50 fee for Harper's to use the ROW. She explained because it is a temporary ROW for only five days, it is only \$50. The \$50 per seat charge is for restaurants with outdoor dining during March through October.

- 5) **Communications from Audience**

Ralph Monsma, 1350 Red Leaf Lane, said the financial review of PDIG is just starting and felt that only looking at partners who are over 20% invested is too low a bar; he felt that the background of all of the partners should be looked at since the management of PDIG has been a concern.

Jim Anderson, 968 Roxburgh, commented on the May 20th Staff Report for 1301 and 1307 E. Grand River Avenue & 116-132 Spartan Avenue. He asked the Planning Commission to be more sensitive to Site Plan Review Requirement b(5) Environmental Protection. He stated the large oak tree on this property might be the tree which the City of East Lansing logo is based on, and he felt it is of extraordinary value to this community.

- 7) **Old Business Agenda**
 - A) **1301 and 1307 East Grand River Avenue & 116-132 Spartan Avenue Site Plan and Special Use Permit**

Mullins indicated this was discussed at the Project & Infrastructure meeting and at the Planning Commission meeting last evening. She said the building was redesigned to go around the large oak tree and has changed dramatically—it is now six stories with one level of underground parking. She said it has a very nice landscape feature and is a better design with open greenspace.

Triplett arrived at 12:20 p.m.

Schmitt stated the Planning Commission voted unanimously to recommend approval of this application. They are trying to save the tree but are aware that it might not survive. She said the developer has been in contact with Robert Phipps, who was concerned about visibility since his building is not as tall. Schmitt stated a difference in height between adjoining buildings is not unusual in an urban setting. Ballein expressed concern about more TIF dollars which may be spent because of building around the tree. Joe Goodsir, the applicant, said he is meeting with a consultant this afternoon about the TIF. He said he has responded to the community's concerns as he initially did a four-story building, which had less stories than is allowed there in the B-2 District. Mullins said the Brownfield request is not yet before the Board. Clayton pointed out there was a gas station here, and it is the ideal site for a Brownfield development.

Jester moved to recommend approval of the Site Plan and Special Use Permit; Krause seconded the motion. Krause said he felt the site plan has really improved and that this is a quality project.

Goodsir said he may have information about the Brownfield later this afternoon and indicated there will probably be contamination from the old gas station. Regarding the health of the tree, Lahanas said this is not the same tree that was the basis for the East Lansing logo. He asked that Goodsir have an arborist check on the health of the tree. Lahanas stated the Brownfield Redevelopment Authority and the City Council will look at the TIF. He felt the project looked very good.

Goodsir indicated there will be 1,600 square feet of retail space, and the building's future tenants will complement the tenants in Brookfield Plaza. He indicated if the tree does not survive, they will preserve the greenspace, as it is still a great park area. In response to a question about the width of the sidewalk running along Grand River Avenue, Schmitt said a minimum of 8 feet is required under City Ordinance, but the Urban Design Guidelines (UDG) trumps the 8-foot minimum. The Planning Commission added a condition of approval which stated the site plan must meet the requirements of the UDG. Ballein expressed concern about soil remediation required by gas station.

Dewan asked how the parking will work for the residents and for the retail. Schmitt said they are proposing the minimum required, and staff encouraged them to reduce that by 25%. Six commercial spaces are required and 139 for residents; they are using bike spaces to get additional bonus points and are meeting the requirements without the 25% reduction. She added that with approval of the plan, the applicant can regulate the parking and has the ability to allocate the residential parking in a different way. Residents do not have to pay for parking spots unless they absolutely need it.

Vote on motion to approve the Site Plan/Special Use Permit for 1301 and 1307 East Grand River Avenue & 116-132 Spartan Avenue: All yeas; motion carried 11 to 0.

B) 565 E. Grand River Avenue Site Plan and Special Use Permit

Jester moved to recuse David Krause from voting; Cronin seconded the motion. Vote: All yeas. Motion carried unanimously.

Schmitt said the Planning Commission liked the architecture of the building and felt it blended in with surrounding developments. The applicant will remove the residential units from the first floor, which will help the balance between residential and commercial. This is partly due to a resident's concern

about students living on the first floor having yard parties. She indicated the Planning Commission also discussed reduction of the amount of four-bedroom units; they felt their amount and size ensures that the building will have predominantly student occupants. She said the applicant is proposing to work with the City to widen the sidewalk on Albert Avenue an additional six feet. There will be an outdoor seating area, which will make the area more appealing to pedestrians. One of the conditions of approval states that residential units will be moved from the first floor.

Schmitt stated the applicant will work with the Department of Public Works on a plan for Bailey Street during construction. Mullins said there are two southbound lanes on Bailey Street, and when you get to Grand River Avenue the only option is to turn right, so it does not make sense to have those two lanes. She said staff talked about removing an entire lane and bumping the curb out six to 10 feet and widening the sidewalk, which would provide enough space for trees and benches.

Schmitt said the alley will be the primary loading and unloading area. Bicycle storage and mail service will be on first floor. Cronin asked if it could be widened on both sides. Krause said there are some soil problems and said he would have liked to have street widening along this project to make more room for the plaza area, which would be a great amenity. He mentioned he purchased excess materials from the Broad Museum.

When asked about the windows which are projecting toward Bailey Street, Schmitt said the windows are overhanging the right of way and the applicant will have to get approval from the City Council.

Jester moved to recommend approval of the Site Plan and Special Use Permit for 565 E. Grand River Avenue to City Council; Clayton seconded the motion. Vote: All yeas 10 to 0; with Krause being recused.

Cronin left at 11:55 p.m.

6) Business Agenda
A) Taxis

Mullins said the draft letter was discussed by the Public Policy Committee and will serve to provide some support for the Greater Lansing Taxi Authority. She indicated City Clerk Marie Wicks came to the Public Policy and Business and Market Development Committee meetings and discussed work being done to license taxis around the region. Right now each jurisdiction has its own requirements. The new program would have consistent requirements for taxi companies—there would be standard training and screening, MDOT physical, background testing, etc. She said they have had a good response from Lansing, the Airport, MSU, and some of the townships. Wicks' letter states eventually the City would like to see more requirements pertaining to the quality of vehicles.

Mansfield stated that the Authority has done a good job so far. He felt it is important for the Taxi Authority to hear from business owners and to also look at standardization across the region of the safety of vehicles, background checks of drivers, ethics, price gouging, etc.

Lahanas said if anything deserves a regional approach, this is it as taxis go across borders. He stated he supports the Taxi Authority as a member of the DDA and from a City approach.

Mayor Triplett noted the Taxi Authority documents provide minimum transportation regulations for companies like Uber. It is unclear if and when the State legislature will have regulations for Uber, which is now exempt from the taxi requirements. He stated the City has worked with Uber to design a set of 13 standards which are responsive to our public safety concerns and have clearly delineated rules. If the legislature adopts a different approach, the City would have to change its rules. He said there is proposed legislation to de-regulate all taxis with fewer than nine passengers in capacity. Right now the adjoining townships only have the State rules. If the legislation passes, the Authority will have the only requirements for taxi companies with fewer than nine vehicles. He indicated that Delta and Meridian Townships have voted to be under the Taxi Authority, and Delhi Township will do so soon; the only jurisdiction which has not joined is Lansing Township.

Croom moved to authorize the Chair of the DDA to sign the letter to the Taxi Authority; Rosekrans supported the motion. Vote: All yeas. Motion carried unanimously.

Mayor Triplett left at 12:58 p.m.

B) ROW Application for Sweet Lorraine's Fabulous Mac n' Cheez! – 547 E. Grand River

Pope said Sweet Lorraine's wants to place three tables in the 500 block of East Grand River. The City's Engineering Department said because of the MDOT right of way along Grand River, the tables would have to be against the building and can't protrude out. There are also ADA considerations. Pope indicated the Board could approve the ROW application based on Sweet Lorraine's coming back with a revised table layout and meeting all of the engineering requirements.

Ballein moved to approve the ROW application for Sweet Lorraine's Fabulous Mac n' Cheez! with the condition that they come back with a revised table layout and meet all engineering requirements; Clayton seconded the motion.

Vote on motion to approve the ROW application: All yeas 9 to 0.

C) Management Agreement – Evergreen Properties

Pope said for the past couple of years Metzger Realty has managed the 328, 334, 340 and 344 Evergreen properties, but decided not to renew their contract for next fiscal year. Staff is recommending that the DDA enter into a Maintenance Agreement with John Reynolds dated 6/1/15 through 8/31/16, which is essentially the same agreement the DDA had with Metzger. Jester moved to approve the Management Agreement with John Reynolds; Ballein seconded the motion. Vote: All yeas. Motion carried unanimously.

D) Capital Improvements Program

E) Installation of Rubber Mulch

Pope made a Power Point presentation of the capital improvements projects for fiscal years 2015 and 2016. She referred to the spreadsheet in the packets and said the projects for FY15 have to be completed by June 30, and the items highlighted in yellow have not yet been implemented. Pope reviewed the project locations.

Pope indicated the City will be installing rubber mulch where tree grates used to be in the 200 through 500 blocks of East Grand River, which will then meet ADA requirements. Dewan commented that the bike loops on the back of the fire pit on Ann Street Plaza would impede people's ability to sit along there. Jester expressed concern about other spots for bike loops on the plaza which would disrupt pedestrian flow and seating patterns which we see for performances and suggested using bicycle spaces instead. Mullins said staff did not want clutter on the plaza, and the bike rack along Grove Street will help. The City will install planters to protect the bikes. She said if the Board feels we should have less bike loops on the plaza and put them elsewhere, we could install signage to direct bicyclists to Grove Street. The Board also discussed adding more green planters. Pope discussed adding public art with game tables and more chairs in Ann Street Plaza and a surface-mounted bike rack in front of the Grove Street parking garage.

Pope said the budget for this year for 16 bike loops is \$2330.16, and rubber mulch is \$1,625.00, for a total cost of \$3,955.16. The balance in the Streetscape Budget is \$22,240.00. Mullins said staff is asking for approval of expenditures for the bike loops; staff would decide the final locations based on the discussion here today. Staff is also asking for approval for the rubber mulch. She said the Capital Improvements Plan will be on the Board's Agenda next month.

Jester left at 1:30 p.m.

Clayton asked if some improvements included in next year's budget could be done this year. Pope said next year's budget is \$80,000. Mullins said we are coming to the end of FY15; staff discussed having a Patronicity project for finishing touches on the plazas. She said the City would like community support for a State matched grant through MEDC's Patronicity Program. She said funding of the planters would be good for that.

Dewan moved to approve the recommended changes by staff for this fiscal year in the amount of \$3,955.16, which includes the rubber mulch at a cost of \$1,625.00, with the condition that the bike loops don't restrict access to Ann Street Plaza or the seating areas. Ballein seconded the motion.

Mansfield asked that the subcommittees look at the FY16 improvements and suggested a walk-through with staff.

Vote on motion to approve the recommended changes for FY15: All yeas 8 to 0. Motion carried unanimously.

8) Committee Reports

A) Executive and Finance Committee

- i. Synopsis of May 21, 2015 Meeting**
- ii. Allocation of Funds for Open Mic Night**

Dewan said the allocation of \$350 for Open Mic Night was approved at the Executive and Finance Committee meeting.

B) Business and Market Development

i. Synopsis of May 19, 2015 Meeting

Mansfield said they talked about taxis as well as reviewed the vacant retail space. Rosekrans commented that the State News space will be coming available as they will be moving upstairs.

C) Public Policy

i. Synopsis of May 19, 2015 Meeting

Ballein said the committee discussed taxis.

D) Project and Infrastructure Development

i. Synopsis of May 21, 2015 Meeting

Mansfield stated the items they discussed were covered in today's meeting.

9) Reports from Chair and Boardmembers

A) Parking Task Force

Dempsey said their next meeting is scheduled for next month. He announced that Dan O'Connor retired and the City has hired Caleb Sharrow as the new Parking Administrator. He stated now Sharrow is the Parking Operations Coordinator. Staff will invite him to come to the next meeting.

B) Downtown Management Board

There was no report as Jester had left the meeting.

10) Announcements/Boardmembers Comments

None.

11) Adjournment

There being no further business, Clayton moved to adjourn the meeting at 1:39 p.m.; Krause seconded the motion. All yeas, motion carried.