



301 East Main Street  
Lowell, Michigan 49331  
Phone (616) 897-8457  
Fax (616) 897-4085

CITY COUNCIL/PARKS AND RECREATION COMMISSION JOINT MEETING AGENDA  
DECEMBER 3, 2018, 5:30 P.M.

1. CALL TO ORDER; ROLL CALL
2. APPROVAL OF THE AGENDA
3. CITIZEN COMMENTS FOR ITEMS NOT ON THE AGENDA

IF YOU WISH TO ADDRESS AN AGENDA ITEM, PUBLIC COMMENT FOR EACH ITEM WILL OCCUR AFTER THE INITIAL INFORMATION IS SHARED ON THE MATTER AND INITIAL DELIBERATIONS BY THE PUBLIC BODY. PUBLIC COMMENT WILL OCCUR BEFORE A VOTE ON THE AGENDA ITEM OCCURS

4. RFP FOR RIVERWALK PARK PROPERTY
5. COUNCIL/PARKS COMMENTS
6. ADJOURNMENT

NOTE: Any person who wishes to speak on an item included on the printed meeting agenda may do so. Speakers will be recognized by the Chair, at which time they will be required to state their name and will be allowed five (5) minutes maximum to address the Council.

**LOWELL CITY ADMINISTRATION**  
**INTER OFFICE MEMORANDUM**



**DATE:** November 29, 2018  
**TO:** Mayor DeVore and the Lowell City Council  
**FROM:** Michael T. Burns, City Manager MD  
**RE:** RFP for Riverwalk Park Property

---

For approximately the past year, I have been working with developers interested in redeveloping the Unity School property. As part of their proposed project, they requested a 263.3' X 7' piece of property along the eastern region of the Riverside Park property to facilitate their development.

Downtown property redevelopment is a challenging task because of the many issues that are encountered which many greenfield developments do not have. This is no different. There are many items to address with this development, mainly due to the request for park property.

Our City Charter requires a vote of the people to sell, transfer or dispose of any property in a Master Plan of the City. Currently, Riverside Park is in the Parks and Recreation Master Plan. The requested portion of property is technically in the plan, however, this is undeveloped property. If a sale were to occur, this portion must be removed from the Parks and Recreation Master Plan.

If the portion of property were to be sold, transferred or disposed of, there is another issue to address. In 2012, the City of Lowell received a Michigan Department of Natural Resources Trust Fund Grant to redevelop the path and the boat launch at Riverside Park. A condition of receiving this grant requires the park remain in perpetuity or the grant money received must be returned. However, over time, the DNR recognizes situations such as private development encroaching park property. The DNR allows a land transfer component whereby the municipality receives new land to use as park property in exchange for the land where the Trust Fund Grant was provided for. In addition, the value/size of land must be equal to or greater than the land being removed from the affected park.

In October, I presented this project to the City Council and there was interest, I was directed by them to write an RFP, and at some point set a meeting with the Parks and Recreation Commission to discuss this. I have followed these directives.

The RFP was purposely written prior to a joint meeting so we can review all possibilities coming in and have officially requested information to consider and move forward on this process. This RFP was difficult to develop as the steps provided in the Charter must be followed. This parcel of property being considered is a non-conforming parcel and can never be sold on its own per the Michigan Land Division Act, the parcel must be adjacent to a contiguous property and added to it. The RFP was worded in a way to address the City Charter and the Land Division Act concerns.

On November 29, 2018 the City received one bid from the RFP. This bid was from Unity School Investors, LLC which includes Dr. Jerry Zandstra and Todd Schaal. These two individuals approached the City in October regarding on this project.

They are proposing to transfer a 48' X 67' parcel or 3,216 sq. ft. of property owned by them to be transferred to the City as park property in return for the 263.2' X 7' ft. of property at Riverside Park.

In October, there was discussion about possibly vacating High Street for the development. This has not been formally requested to the City Council at this time nor was it part of the RFP process.

If the City is interested in moving forward on this development in the manner requested, the steps of removing it from the Parks and Recreation Master Plan and addressing the DNR Trust Fund issues must occur. The City Administration is open to feedback, concerns or other options to consider if they wish for this development to occur.

November 21, 2018

City of Lowell  
301 East Main Street  
Lowell, Michigan 49331

Re. Invitation to Bid – Purchase of Portion of Riverwalk Park Property

Dear City of Lowell,

Regarding the 1,842 sq.ft. configured as 263'2" x 7', in the eastern region of parcel number 41-20-02-260-002 commonly known as 201 High Street, Lowell, Michigan and hereafter referred to as the "Park Property", Unity School Investors, LLC submits as a its bid to purchase the aforementioned, a piece of property 48' x 67' for 3,216 sq.ft. immediately adjacent and north of High Street (commonly known as the launch ramp) and adjacent and immediately east of the Riverwalk Park property, hereafter referred to as the "Offered Property".

Unity School Investors, LLC will landscape the Offered Property in a manner consistent with the Riverwalk Park, if so desired by the City of Lowell.

Unity School Investors, LLC acknowledges said purchase is contingent upon the approval of the Michigan Department of Natural Resources releasing the Park Property from its current restriction of sale and the City Council's removal of the Park Property from the park's master plan.

Reference is made to the attached survey highlighting in yellow the Park Property and Highlighting in blue, the Offered Property.

Unity School Investors, LLC agrees to meet to the requirements as outlined in the attached Invitation to Bid.

The above Bid is respectfully submitted by,

Unity School Investors, LLC

  
Dr. Gerald Zandstra – Member

GZ/gw

Attachments

- Property Exhibit
- City of Lowell Invitation to Bid



CITY OF LOWELL  
INVITATION TO BID

PURCHASE OF A PORTION OF RIVERWALK PARK PROPERTY

The City of Lowell, Michigan will receive sealed bids at the City Clerk's Office, 301 East Main Street, Lowell, Michigan 49331 to purchase an 1842 square foot parcel owned by the City along the eastern portion of Riverwalk Park until Thursday November 29, 2018 at 11:00 AM.

Bids will be publicly open and read at that time in the Flat River Conference Room of the Lowell City Office, 301 East Main St.; Lowell Michigan. Bids should be submitted in sealed envelopes plainly marked "Purchase of portion of Riverside Park – City of Lowell."

Bids are being solicited from those interested in owning the property. The property is currently zoned Public Facility. The property being sold is and must be tied to additional parcels for an applicable use and must be rezoned if using for commercial development.

Purchase of the property would be contingent upon the Michigan Department of Natural Resources releasing the property from its current restriction of sale and the City Council's removal of the property from the park's master plan.

Purchase of the property would require replacement of said property of at least equal value, to be used permanently as public park property upon approval from the Michigan DNR and to be owned by the City. The City will convey the property by quitclaim deed and will not provide either a survey, title insurance or environmental representations with respect to the property.

The prospective purchaser shall provide a development plan for the use of the property including schematic drawings and documentation acceptable to the City of the ability to finance the project. In addition, prospective purchaser would need to enter into a development agreement with the City.

Proposal forms and specifications are on file for the inspection of bidders at the Lowell City Offices, 301 East Main Street and copies may be obtained by qualified bidders. Bidders can also go to [www.lowellmi.gov](http://www.lowellmi.gov) to receive a copy of the bid.

The City reserves the right to reject any or all bids and to accept any bid, or portion thereof, which, in its opinion, is most advantageous to the City or to further negotiate the sale with a bidder.

**Portion of property parcel for sale.**

**PPN: 41-20-02-260-002**

**ADDRESS: 201 HIGH STREET**

**DESCRIPTION: 263'-2" X 7' (1842 sq. ft.) in the eastern region of the parcel.**



# PARK PARCEL DESCRIPTION NTS



© 2013 REGIS All Rights Reserved

This map does not represent a legal document. It is intended to serve as an aid in graphic representation only. Information shown on this map is not warranted for accuracy and should be verified through other means. Any duplication is restricted under copyright laws and the Enhanced Access to Public Records Act, PA 462 of 1996, as amended.

Printed 10/25/2018 3:18:56 PM



