

**CITY OF MASON
PLANNING COMMISSION SPECIAL MEETING
MINUTES OF DECEMBER 19, 2013**

Reeser called the meeting to order at 6:36 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Green, Naeyaert, Reeser, Waxman, Waltz
Absent: Commissioners: Barna (excused), King (excused), Sabbadin (excused), Trotter (excused)
Also present: Martin A. Colburn, City Administrator
David Haywood, Zoning & Development Director
Deborah J. Cwierniewicz, City Clerk

PEOPLE FROM THE FLOOR

None.

PUBLIC HEARING

Special Use Permit – Landings at Rayner Ponds

Reeser opened the public hearing at 6:39 p.m.

David Haywood, Zoning and Development Director, elaborated on his submitted reports of December 13, 2013, and December 19, 2013. He also gave an overview of the special use permit process.

Jeff Kyes of KEBS Inc. informed the Commission that the number of buildings for the development were increased from 10 to 18, the building coverage was reduced by 14%, and six less driveways are proposed. There were no changes to utilities or the storm water system. He briefly explained the principle of site condominium development.

Gordon Shaffer of 54 Harrogate Drive stated concern that the site plan proposed when he and his wife purchased their condo has changed on this site plan from multiple units to single units.

George Graeber of 35 Harrogate Drive asked to have this matter denied or postponed until an agreement can be reached regarding the Master Deed fifth amendment between the co-owners and developer. He stated concern that many issues have not been addressed.

Marilyn Shaffer of 54 Harrogate Drive stated that the duplex condominiums and those proposed should be similarly designed.

Mary Myers of 55 Harrogate Drive stated that the developer had not kept home owners informed as they said they would. She encouraged communication between Mayberry Homes and the Association. She stated that she did not want the integrity of the community to change.

Duane Marlon of 83 Wildemere Drive stated that a restriction should be made to keep the development to single story homes with a similar facade as the existing condos.

Donald Erickson of 16 Avimore Drive stated concern that the rights of current homeowners would change by adoption of the proposed amendment in several ways. He feels that there needs to be discussion between the developer and home owners prior to the Planning Commission taking action.

He asked the Commission to table the resolution. He asked if the developer would be willing to agree to table the resolution to further discuss homeowner concerns.

Dawn Ketcheson of 230 Coppersmith Drive asked the Commission to explain the process of approval.

Roy Ketcheson of 230 Coppersmith stated that he is an advisor to the homeowner's association board. Mayberry promised to meet with the homeowners and never did. He stated concerns that paragraph four read that it overrides everything else that has happened in the past. Removal of that restriction needs to go before the board. He added that the Master Deed provides for a two-third vote of property owners regarding an amendment.

Norman Mackay of 65 Wildemere Drive stated that he has questions for Mayberry Homes regarding the new homeowners and association policy.

Cindy McKay of 65 Wildemere Drive stated concern regarding loss of value to their condo with the new development.

Jeff Greeneisen of Rescue LLC, representative for applicant Summit Landings, stated that they would like to keep Mayberry Homes in the project and spoke regarding the financing challenges for attached duplexes and triplexes especially with distressed properties. He expressed that he did not want to agree to association approval for fear of losing Mayberry Homes due to bank time limits and distressed assets policies. It is the bank's position that the changes are by right and do not need association approval. He does not want any higher standard placed on them than what is stated in the Master Deed. He requested legal interpretation of the Master Deed language if it was a condition and suggested placing a stipulation for further legal review as one of the conditions.

Will Randle of Mayberry Homes spoke to the concerns that were expressed by those present and stated that it is their position to be involved with the home owner's association, to communicate with the board and have a joint effort, friendly, amiable position with the association, or he would rather not build on the 18 lots. He briefly spoke to the complexities of bank-owned real estate that is going into a merger.

Donald Erickson of 16 Avemore Drive spoke again, stating that paragraph four of the proposed agreement is the concern. He felt that based on the developers remarks, it could be worked out and he would be agreeable to the preliminary resolution with its conditions

Reeser closed the public hearing at 8:07 p.m.

Resolution No. 2013-14 – A Resolution Approving a Preliminary Site Plan and Special Use Permit Amendment for Phases II And III of the Landings at Rayner Ponds Condominium Development to Convert the Remaining Undeveloped Land in Each Phase to Single Family Condominium Lots

MOTION by Green, second by Waltz,
to consider Resolution No. 2013-14 read.
MOTION APPROVED UNANIMOUSLY

Resolution No. 2013-14 was introduced by Green and seconded by Waxman.

Discussion ensued regarding both attorney reviews. Haywood commented that both attorneys agree that home owner association review is required. He cited the portion of Michigan Compiled Law from the city attorney's memorandum dated December 6, 2013. Item number 5 of the resolution was further discussed.

A brief recess was taken to allow the Commission to prepare appropriate amendment language for Resolution No. 2013-14 at 8:30 p.m. The meeting reconvened at 8:43.

MOTION by Waltz, second by Waxman,
to amend Resolution No. 2013-14, in the sixth whereas, item number five, by
inserting the following language to the end of the sentence: and that the
amendment be approved by the Landings Co-Owners Association.

Discussion ensued whether the amendment would be necessary considering that it is State law and in the memorandum referenced in the resolution.

VOTE ON THE MOTION:

Yes (1) Waltz

No (4) Green, Naeyaert, Reeser, Waxman

Absent (4) Barna, King, Trotter, Sabbadin

MOTION FAILED

**CITY OF MASON
PLANNING COMMISSION RESOLUTION NO. 2013-14
A RESOLUTION APPROVING A PRELIMINARY SITE PLAN AND SPECIAL USE
PERMIT AMENDMENT FOR PHASES II AND III OF THE LANDINGS AT RAYNER
PONDS CONDOMINIUM DEVELOPMENT TO CONVERT THE REMAINING
UNDEVELOPED LAND IN EACH PHASE TO SINGLE FAMILY CONDOMINIUM LOTS
December 19, 2013**

WHEREAS, a request has been received from Summit Landings LLC for preliminary site plan and special use permit approval to be allowed to convert the remaining undeveloped land in Phases II and III in the Landings at Rayner Ponds Condominium Development to single family condominium lots; and

WHEREAS, the subject property is further described as:

A part of the South 1/2 of Section 4, T2N, R1W, City of Mason, Ingham County, Michigan, described as commencing at the Northeast corner of Lot 110, Rayner Ponds Estates No. 3, as recorded in Liber 50 of Plats, Pages 35, 36 and 37, Ingham County Records, being N00°28'58"E 1648.50 feet and S89°31'02"E 400.13 feet from the South 1/4 corner of said Section 4; thence N65°06'13"E 66.00 feet to the Easterly right of way line of Coppersmith Drive as recorded in Liber 2504 of Deeds, Page 860, Ingham County Records: thence along said right of way line Northwesterly 574.27 feet along the arc of a 508.00 foot radius curve to the left whose central angle is 64°46'13" and whose chord bears N57°16'54"W 544.18 feet; thence N89°40'00"W 204.08 feet to the point of beginning; thence continuing along said right of way line the following three courses, N89°40'00"W 257.46 feet; thence Northwesterly 316.82 feet along the arc of a 267.00 foot radius curve to the right whose central angle is 67°59'12" and whose chord bears N55°40'24"W 298.56 feet; thence Northwesterly 235.44 feet along the arc of a 333.00 foot radius curve to the left whose central angle is 40°30'32" and whose chord bears N41°56'04"W 230.56 feet; thence N30°23'38"E 201.73 feet; thence N00°20'00"E 163.13 feet to the East-West 1/4 line of said Section 4; thence along said East - West 1/4 line S89°40'00"E 560.78 feet; thence S00°28'58"W 675.27 feet to the point of beginning, containing 8.43 acres of land, more or less, and subject to any easements or rights of way of record. And Also A part of the Southwest 1/4 of Section 4, T2N, R1W, City of Mason, Ingham County, Michigan, described as beginning at a point N00°28'58"E 363.13 feet and N00°28'58"E 1.00 feet and N89°31'02"W 25.30 feet and N00°28'58"E 403.64 feet and N89°49'05"W 263.84 feet along the North line of the Griffin's Addition as recorded in Liber 45 of Plats, Pages 316, 317, and 318, Ingham

County Records and N00°36'24"E 815.16 feet from the South 1/4 Corner of said Section 4; thence continuing N00°36'24"E 9.64 feet; thence N89°56'49"W 697.88 feet; thence N29°12'50"E 356.51 feet along the West line of Lot 48 of Assessor's Plat No 1, as recorded in Liber 12 of Plats, Page 44, Ingham County Records; thence N63°37'59"W 392.31 feet along the southeasterly extension of the lot line common to Lots 45 and 46 of said Assessor's Plat to the East right of way line of Okemos Road; thence along said right of way line N27°44'29"E 60.40 feet; thence S82°46'40"E 131.69 feet; thence N27°48'40"E 160.00 feet; thence N55°02'20"E 64.11 feet to the South right of way line of Coppersmith Drive, as recorded in Liber 2504 of Deeds, Page 860, Ingham County Records; thence along said right of way line the following three courses, Southeasterly 188.77 feet along arc of a 267.00 foot radius curve to the right whose central angle is 40°30'32" and whose chord bears S41°56'04"E 184.87 feet; thence Southeasterly 395.13 feet along the arc of a 333.00 foot radius curve to the left whose central angle is 67°59'12" and whose chord bears S55°40'24"E 372.36 feet; thence S89°40'00"E 284.59 feet; thence S00°00'00"W 256.49 feet; thence S61°20'45"W 128.51 feet to the point of beginning, containing 7.09 acres of land, more or less, and subject to any easements or rights of way of record. And Also A part of the South 1/2 of Section 4, T2N, R1W, City of Mason, Ingham County, Michigan, described as beginning at a point N00°28'58"E 363.13 feet and N00°28'58"E 1.00 feet and N89°31'02"W 25.30 feet and N00°28'58"E 403.64 feet and N89°49'05"W 263.84 feet along the North line of the Griffin's Addition as recorded in Liber 45 of Plats, Pages 316, 317, and 318, Ingham County Records and N00°36'24"E 409.70 feet from the South 1/4 corner of said Section 4; thence continuing N00° 36'24"E 405.46 feet; thence N61°20'45"E 128.51 feet; thence N00°00'00"E 256.49 feet to the South right of way line of Coppersmith Drive, as recorded in Liber 2504 of Deeds, Page 860, Ingham County Records; thence along said right of way line the following two courses, S89°40'00"E 176.95 feet; thence Southeasterly 499.66 feet along the arc of a 442.00 foot radius curve to the right whose central angle is 64°46'13" and whose chord bears S57°16'54"E 473.48 feet to the Northeast corner of Lot 110, Rayner Ponds Estates No. 3, as recorded in Liber 50 of Plats, Pages 35, 36 and 37, Ingham County Records; thence along the North and West lines of said Rayner Ponds Estates No. 3 the following six courses, S65°06'13"W 135.00 feet; thence S12°16'47"E 134.11 feet; thence S12°57'13"W 134.11 feet; thence S35°00'45"W 100.73 feet; thence S45°32'42"E 135.00 feet; thence S44°27'18"W 66.00 feet; thence S90°00'00"W 80.00 feet; thence S45°00'00"W 55.00 feet; thence S90°00'00"W 185.47 feet; thence N00°00'00"E 115.03 feet; thence S90°00'00"W 256.36 feet to the point of beginning, containing 9.55 acres of land, more or less, and subject to any easements or rights of way of record. And Also A part of the South 1/2 of Section 4, T2N, R1W, City of Mason, Ingham County, Michigan, described as beginning at a point N00°28'58"E 363.13 feet from the South 1/4 corner of said Section 4; thence continuing N00°28'58"E 1.00 feet; thence N89°31'02"W 25.30 feet to a found iron deeded to be 198.00 feet North of the Northeast corner of Lot 16, Block 10, Griffin's Addition to the City of Mason as recorded in Liber 46 of Deeds, Pages 316 -318, Ingham County Records; thence N00°28'42"E 403.64 feet along the East line of Blocks 9 and 10 to the Northeast corner of Lot 8, Block 9, of said Griffin's Addition; thence N89°49'05"W 263.84 feet along the North line of said Griffin's Addition; thence N00°36'24"E 409.70 feet; thence S90°00'00"E 256.36 feet; thence S00°00'00"E 115.03 feet; thence N90°00'00"E 185.47 feet; thence N45°00'00"E 55.00 feet; thence N90°00'00"E 80.00 feet; thence S45°32'42"E 66.00 feet; thence S44°27'18"W 99.46 feet; thence S00°29'00"W 625.36 feet along Rayner Ponds Estates No. 3 as recorded in Liber 50 of plats, pages 35,36, & 37, Ingham County Records, and along Rayner Ponds Estates as recorded in Liber 36 of plats, pages 50 & 51, Ingham County Records; thence N89°14'20"W 251.50 feet to the point of beginning, containing 7.10 acres of land, more or less, and subject to any easements or rights of way of record.

WHEREAS, a public hearing on the request was noticed and held at the Planning Commission's special meeting of December 19, 2013, with testimony given and public comment solicited; and

WHEREAS, upon compliance with the conditions listed herein, the plans will comply with the site plan review standards listed in Section 8.8 of Ordinance No. 135; and

WHEREAS, the Planning Commission does hereby make written findings that the proposed use of the property, upon compliance with the conditions listed herein, will comply with the conditional use standards listed in Section 203 of Ordinance No. 81 as set forth in staff's memorandums, including attachments, of December 13 and 19, 2013, which statement is incorporated herein by reference; and

WHEREAS, approval is granted with the condition that the applicant shall provide an explanation as to the timing of build-out of the proposed lots, and

WHEREAS, approval is granted subject to the conditions that the applicant provide an analysis of surety

to cover the installation of sidewalk and street trees prior to final site plan approval, and

WHEREAS, approval is granted with the condition that the applicant shall submit a revised site plan with the following changes **prior to final site plan approval**:

- 1) The plan shall show the zoning and current land uses on adjacent properties, and
- 2) The plan shall correctly label Coppersmith Drive as “public”, and
- 3) The plans shall address the expectations of the Superintendent of Public Works as stated in his memorandum of December 4, 2013, and
- 4) The plans shall address the expectations of the City Engineer as stated in his letter of November 25, 2013, and
- 5) The applicant provide a revised master deed amendment addressing the concerns of the City Attorney in his memo of December 6, 2013; and
- 6) The plan address the requirements in Section 8.6.3A of Ordinance No. 135, which are the following:
 - 1 Contiguous boundary of the development – The site plan shows Phase II and II, but does not show Phase I
 - 2 The plan should be amended to show the entire legal boundary of the development and should match the legal description provided
 - 3 current zoning and land uses immediately adjacent to the subject site
 - 4 Sidewalks and street trees having minimum separation of 60 feet
 - 5 Location of existing and proposed easements (storm water)
 - 6 Grading plan showing the existing and proposed grading
 - 7 Location of existing and proposed storm water systems, including engineer’s calculations for any changes or additions
 - 8 Architect elevations of proposed structures or probable building designs
- 7) The plan shall show the existing and proposed easement location, grant of easement documents, and construction drawings for the proposed storm sewer relocation, and

NOW THEREFORE BE IT RESOLVED, that the Mason Planning Commission does hereby approve a Preliminary Site Plan and Special Use Permit amendment to convert the remaining undeveloped land in Phases II and III in the Landings at Rayner Ponds Condominium Development to single family condominium lots.

RESOLUTION APPROVED UNANIMOUSLY

ADJOURNMENT

The meeting adjourned at 8:56 p.m.

Deborah J. Cwierniewicz, City Clerk

Jim King, Secretary

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF DECEMBER 10, 2013**

Reeser called the meeting to order at 6:30 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: King, Reeser, Sabbadin, Trotter, Waltz, Waxman
Absent: Commissioner: Barna, (excused) Green, (excused) Naeyaert (excused)
Also present: Martin A. Colburn, City Administrator
David Haywood, Zoning & Development Director
Deborah J. Cwierniewicz, City Clerk

APPROVAL OF MINUTES: Regular Meeting Minutes of November 12, 2013

The Regular Meeting Minutes of November 12, 2013, were approved as presented.

PEOPLE FROM THE FLOOR

Leon Clark, City of Mason Mayor, informed the Commission that it was the last meeting of Commissioner Waltz. He commended his diligence as a Planning Commissioner.

ANNOUNCEMENTS

- Planning Commission Special Meeting – December 19, 2014

REGULAR BUSINESS

Discussion – Used Vehicle Sales at Auto Body Shops throughout the Community

Staff was requested to provide information regarding the implications of Ordinance No. 195 involving auto sales as an accessory use to auto body repair shops, to analyze the impact of allowing used vehicle sales as an accessory use to auto body shops in other zoning districts in the city. Mr. Haywood presented his findings of evaluating the different zoning districts involved, the current uses allowed, and what the allowed uses would be under a special use permit, as requested by the Commission at its November 12, 2013, meeting. A brief discussion ensued. It was suggested to form an ad hoc committee to further consider the matter.

Members of the audience were offered the opportunity to speak to the matter.

Mr. Haywood stated that he spoke with Mr. Derry of Uptown Body Shop, who informed him that he is not interested in selling used cars.

Bruce Wiggington of Mason Auto Body stated that they have no interest in selling used cars. He stated concern that cars that are purchased for resale are totaled and require extensive repair are often not repaired properly or to the standards that they should be. He recommended not making any changes that would allow any and all body shops to sell used cars.

Daryl Benedict of Benedict Auto Body stated that it would be unconstitutional to prohibit an individual who holds a dealer's license to sell cars.

Eric Harter of Andrew's Automotive stated that there are various classes of vehicle licenses for the Commission to consider that could help with their deliberations.

Mark Howe, Mason DDA Chairperson, stated concern regarding the Master Plan and in consideration of the C-1 District. He asked that the Commission include a DDA member on the ad hoc committee, if one is formed, to represent the C-1 District.

Leon Clark, City of Mason Mayor, gave a brief background of why the City Council remanded consideration of used vehicle sales at auto body shops throughout the community to the Planning Commission. He intended that the Commission would discuss establishing standardized rules that would apply equally to similar businesses for consideration in the future.

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

CORRESPONDENCE

Distributed. Discussion was held regarding the history of the site plan review process.

LIAISON REPORTS

Colburn informed commissioners regarding current City Council business.

DIRECTOR REPORT

Haywood informed the Commission regarding current zoning and development business.

ADMINISTRATOR'S REPORT

Colburn informed the Commission regarding current City business.

ADJOURNMENT

The meeting adjourned at 7:16 p.m.

Deborah J. Cwierniewicz, City Clerk

Jim King, Secretary

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF NOVEMBER 12, 2013**

Reeser called the meeting to order at 6:30 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Barna, Green, Naeyaert, Reeser, Sabbadin, Trotter, Waxman, Waltz
Absent: Commissioner: King (excused)
Also present: Martin A. Colburn, City Administrator
David Haywood, Zoning & Development Director
Deborah J. Cwierniewicz, City Clerk

APPROVAL OF MINUTES: Regular Meeting Minutes of October 15, 2013

The Regular Meeting Minutes of October 15, 2013, were approved as presented.

PEOPLE FROM THE FLOOR

None.

ANNOUNCEMENTS

- Light Parade and Fireworks – November 29, 2013

PUBLIC HEARING

Amendment of Section 94-151 of Chapter 94 – Zoning – of the Code of the City of Mason to Amend Subsection (D) to Add a New Subsection (4) to Permit the Sale of Repaired, Used Vehicles, by Special Use Permit as an Accessory Use to a Body and Paint Shop for Automobiles and Other Vehicles

Reeser opened the public hearing at 6:32 p.m.

Stan Jordan of 310 East Sycamore Street stated support for amending Mason Code, Chapter 94 – Zoning, Section 94-151.

Being there were no further comments, Reeser closed the public hearing at 6:33 p.m.

Resolution No. 2013-11 – A Resolution Recommending that the City Council Adopt Ordinance No. 195 – An Ordinance to Amend Section 94-151 of Chapter 94 – Zoning – of the Code of the City of Mason to Amend Subsection (D) to Add a New Subsection (4) to Permit the Sale of Repaired, Used Vehicles, by Special Use Permit as an Accessory Use to a Body and Paint Shop for Automobiles and Other Vehicles

_MOTION by Waltz, second by Naeyaert,
to consider Resolution No. 2013-11 read.
MOTION APPROVED UNANIMOUSLY

Resolution No. 2013-11 was introduced by Waltz and seconded by Naeyaert.

Discussion ensued regarding annual fees for special use permits, whether the privacy fence requirement should be included, and to eliminate the language that would prohibit “off-premises” advertising.

Mr. Lee Klein, President of JME Consultants Inc., stated he was representing the applicant, Darrell Benedict, who was also present to answer questions, if needed. He spoke regarding the amendment Mr. Benedict is proposing for the M-1 District.

MOTION by Waltz, second by Naeyaert,
to amend Resolution No. 2013-11 to accept the city attorney's edited version by striking
the language requiring an annual Special Use Permit renewal fee, striking the
requirement for a privacy fence, and, strike the advertising language.
Yes (7) Green, Naeyaert, Reeser, Sabbadin, Trotter, Waxman, Waltz
No (1) Barna
Absent (1) King
MOTION APPROVED

CITY OF MASON
PLANNING COMMISSION RESOLUTION NO. 2013-11

A RESOLUTION RECOMMENDING THAT THE CITY COUNCIL ADOPT ORDINANCE NO. 195 –
AN ORDINANCE TO AMEND SECTION 94-151 OF CHAPTER 94 – ZONING – OF THE CODE OF
THE CITY OF MASON TO AMEND SUBSECTION (d) TO ADD A NEW SUBSECTION (4) TO
PERMIT THE SALE OF REPAIRED, USED VEHICLES, BY SPECIAL USE PERMIT AS AN
ACCESSORY USE TO A BODY AND PAINT SHOP FOR AUTOMOBILES AND OTHER VEHICLES
November 12, 2013

WHEREAS, Darrel Benedict of Benedict Auto Body has submitted a petition to amend the Mason Zoning Ordinance to amend the M-1 (Light Manufacturing) zoning district to permit the sale of used vehicles by special use permit as an accessory use to a body shop; and

WHEREAS, the Planning Commission recommends that the City Council amend Ordinance No. 195 to include the recommendations from the City Attorney described in his memorandum of September 16, 2013 as shown in his edited ordinance attached thereto; and

WHEREAS, the Planning Commission further recommends that the City Council amend Ordinance No. 195 by striking subsection 94-151(d)(4)f; and

WHEREAS, the Planning Commission further recommends that the City Council amend Ordinance No. 195 by accepting the City Attorney's edits as shown in his memorandum dated September 16, 2013; and

WHEREAS, the Planning Commission further recommends that the City Council amend Ordinance No. 195 by recommendation of the City Attorney by striking subsections 94-151(d)(4)l and m; and

WHEREAS, the Planning Commission finds that proposed Ordinance No. 195, including the amendments recommended herein, is consistent with the Section 94-396(a) and offers the following as findings of fact:

1. Compliance with the Master Plan of the city. The proposed amendment supports Objectives #2, 3, 4, 5, and 7 of the Industrial Development Goals of listed in Chapter Two, Planning Issues, Goals and Objectives, of the Mason Master Plan.

The proposed amendment does not significantly strengthen the position of industrial in the vicinity of the Elevator Site listed in the Industrial Areas component of the Future Land Use strategy of Chapter Three, Future Land Use Strategy, to the extent that it undermines or adversely affects the adjacent commercial center and adjacent residential neighborhoods.

The proposed amendment supports strategy #1 of the Industrial Development Implementation Strategy component of Chapter Four, Implementation Strategy, of the Mason Master Plan, in that it provides a new opportunity for local industrial business expansion.

2. What, if any, identifiable conditions related to the proposed amendment have changed which justify the proposed amendment? There does not appear to be any changes in the vicinity.

3. What, if any, error in judgment, procedure or administration was made in the original chapter which justifies the petitioner's change in zoning? There is no known error of this sort.

4. What are the precedents and the possible effects of such precedent which might result from the approval or denial of the petition? The precedents and possible effects might be additional vehicles, limited to 18 per year, on site in various states of repair. However, the proposed amendment proposes to shield any visual affect via fencing from casual view. The effect will be negligible compared to the current activity related to auto repair facilities.

5. *What is the impact of the amendment on the ability of the city and other governmental agencies to provide adequate public services and facilities, and/or programs that might reasonably be required in the future if the petition is approved?* There appears to be no impact of this type. The site is currently served with the necessary public utilities.

6. *Does the proposed amendment adversely affect the value of the surrounding property?* The proposed amendment will not adversely affect the value of the surrounding property.

7. *Are there any significant environmental impacts which would reasonably occur if the petitioned zoning change and resulting allowed structures were built?* There are no known environmental impacts associated with the proposed amendment.

8. *The ability of the property in question to be put to a reasonable economic use in the zoning district in which it is presently located.* There is no proposed change in zoning district. The only proposed change is a limited expanded use; and

WHEREAS, the Planning Commission did properly notice and conduct a public hearing on the proposed amendment at its regular meeting held November 12, 2013.

NOW THEREFORE BE IT RESOLVED, that the city of mason planning commission does hereby recommend that the city council adopt ordinance no. 195 – an ordinance to amend section 94-151 of chapter 94 – zoning – of the code of the city of mason to amend subsection (d) to add a new subsection (4) to permit the sale of repaired, used vehicles, by special use permit as an accessory use to a body and paint shop for automobiles and other vehicles

RESOLUTION APPROVED UNANIMOUSLY

REGULAR BUSINESS

Resolution No. 2013-12 – A Resolution Approving a Final Site Plan to Permit the Operation of a Bed and Breakfast at 604 South Barnes Street

MOTION by Naeyaert, second by Waxman,
to consider Resolution No. 2013-12 read.

MOTION APPROVED UNANIMOUSLY

Resolution No. 2013-12 was introduced by Naeyaert and seconded by Waltz.

**CITY OF MASON
PLANNING COMMISSION RESOLUTION NO. 2013-12
A RESOLUTION APPROVING A FINAL SITE PLAN TO PERMIT THE OPERATION OF A BED AND
BREAKFAST AT 604 SOUTH BARNES STREET
November 12, 2013**

WHEREAS, a request has been received from Jettie Feintuch, for final site plan and approval to be allowed to operate a bed and breakfast at 604 South Barnes Street; and

WHEREAS, the subject property is further described as: Lots 5 & 6, Block 25, Sec 9 T2N R1W, City of Mason, Ingham Co; and

WHEREAS, upon compliance with the conditions listed herein, the plans will comply with the site plan review standards listed in Section 94-227 of the Mason Code; and

THEREFORE BE IT RESOLVED, that the Mason Planning Commission does hereby approve a final site plan for a bed and breakfast on property located at 604 South Barnes Street based on the site plan dated August 21, 2013.

RESOLUTION APPROVED UNANIMOUSLY

Resolution No. 2013-13 – A Resolution Approving a Preliminary and Final Site Plan for the Expansion of a Commercial Structure at 309 North Street

MOTION by Naeyaert, second by Waxman,
to consider Resolution No. 2013-13 read.

MOTION APPROVED UNANIMOUSLY

Resolution No. 2013-13 was introduced by Waltz and seconded by Naeyaert.

**CITY OF MASON
PLANNING COMMISSION RESOLUTION NO. 2013-13**

**A RESOLUTION APPROVING A PRELIMINARY AND FINAL SITE PLAN FOR THE
EXPANSION OF A COMMERCIAL STRUCTURE AT 309 NORTH STREET**

November 12, 2013

WHEREAS, a request has been received from Jeff Taylor for a concurrent preliminary and final site plan approval to be allowed to construct an addition to the existing commercial building at 309 North Street for the purpose of providing rental service and storage of rental equipment; and

WHEREAS, upon compliance with the conditions listed herein, the plans will comply with the site plan review standards listed in Section 94-227; and

WHEREAS, approval is granted with the following general conditions:

- 1) Future site and exterior structure lighting shall be consistent with Section 94-293(e) of the Zoning Ordinance. All light sources shall be shielded from direct view, and
- 2) This site plan approval does not permit the applicant to use the property adjacent to the south as a means of access to the site. Any future easements or agreements for site access from this direction shall be brought to the Zoning Administrator for review and approval, and
- 3) Future signage shall comply with the regulations listed for signs in Chapter 58 of the Mason Code, and

NOW THEREFORE BE IT RESOLVED, that the Mason Planning Commission does hereby approve a preliminary and final site plan to construct a new commercial structure on property located at 309 North Street based on the site plan received November 12, 2013.

RESOLUTION APPROVED UNANIMOUSLY

Discussion – Used Vehicle Sales as an Accessory Use to Auto Body Shops

Staff was requested to provide information regarding the implications of Ordinance No. 195 involving auto sales as an accessory use to auto body repair shops, to analyze the impact of allowing used vehicle sales as an accessory use to auto body shops in other zoning districts in the City

A brief discussion ensued. It was the consensus of the Commission to request Mr. Haywood to elaborate further on the memorandum he provided by evaluating the different zoning districts involved, the current uses allowed, and what the allowed uses would be under a special use permit.

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

Naeyaert informed commissioners regarding current City Council business.

DIRECTOR REPORT

Haywood informed the Commission regarding current zoning and development business.

Waltz reported on the Mason – Holt – Lansing Non-Motorized Trial Workshop he attended.

ADMINISTRATOR'S REPORT

Colburn informed the Commission regarding current City business.

ADJOURNMENT

The meeting adjourned at 7:42 p.m.

Deborah J. Cwierniewicz, City Clerk

Jim King, Secretary

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF OCTOBER 15, 2013**

Reeser called the meeting to order at 6:30 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Green, King, Naeyaert, Reeser, Sabbadin, Waxman, Waltz
Absent: Commissioner: Barna (excused) Trotter (excused)
Also present: Martin A. Colburn, City Administrator
Deborah J. Cwierniewicz, City Clerk

APPROVAL OF MINUTES: Regular Meeting Minutes of September 10, 2013

The Regular Meeting Minutes of September 10, 2013, were approved as submitted.

PEOPLE FROM THE FLOOR

None.

ANNOUNCEMENTS

- Community Garden Update

PUBLIC HEARING

Operation of a Bed and Breakfast at 604 South Barnes Street

Reeser opened the public hearing at 6:32 p.m. Being there were no comments, Reeser closed the public hearing at 6:33 p.m.

Resolution No. 2013-10 – A Resolution Approving a Preliminary Site Plan to Permit the Operation of a Bed and Breakfast at 604 South Barnes Street

MOTION by Naeyaert, second by Waxman,
to take Resolution No. 2013-10 from the table.

MOTION APPROVED UNANIMOUSLY

Resolution No. 2013-10 was introduced by Waxman, and seconded by Green at the September 10, 2013 meeting. It was stated that proper notification was given for the public hearing and that no written comments were received. A brief discussion was held regarding bedroom and bathroom ratios as well as parking sufficiency.

Jettie Finetuch, applicant and resident of 604 South Barnes Street, stated that her request complies with Mason Code regarding the ratio of bedrooms to bathrooms and parking spaces.

MOTION by Naeyaert, second by Sabbadin,
to approve the special use permit and preliminary site plan with the amendment to Resolution No. 2013-10 as follows:

- Approval is granted with the condition that the total number of rooming units be limited to four, and compliance with the standards listed in Section 94-192(7).

MOTION APPROVED UNANIMOUSLY

**CITY OF MASON
PLANNING COMMISSION RESOLUTION NO. 2013-10
A RESOLUTION APPROVING A PRELIMINARY SITE PLAN AND SPECIAL USE PERMIT
TO PERMIT THE OPERATION OF A BED AND BREAKFAST AT 604 SOUTH BARNES STREET
September 10, 2013**

WHEREAS, a request has been received from Jettie Feintuch, for preliminary site plan and special use permit approval to be allowed to operate a bed and breakfast at 604 South Barnes Street; and

WHEREAS, the subject property is further described as: Lots 5 & 6, Block 25, Sec 9 T2N R1W, City of Mason, Ingham Co; and

WHEREAS, upon compliance with the conditions listed herein, the plans will comply with the site plan review standards listed in Section 94-227 of the Mason Code; and

WHEREAS, approval is granted with the condition that the total number of rooming units be limited to four, and compliance with the standards listed in 94-192(7); and

THEREFORE BE IT RESOLVED, that the Mason Planning Commission does hereby approve a preliminary site plan special use permit for a bed and breakfast on property located at 604 South Barnes Street based on the site plan dated August 21, 2013.

RESOLUTION APPROVED UNANIMOUSLY

REGULAR BUSINESS

Master Plan Recommendation

MOTION by Waltz, second by King,
to recommend that City Council approve the final draft Master Plan dated October 11, 2013 for public distribution and public hearing as required by the Michigan Planning Enabling Act.

MOTION APPROVED UNANIMOUSLY

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

Naeyaert informed commissioners regarding current City Council business.

DIRECTOR REPORT

Colburn informed the Commission regarding current zoning and development business.

ADMINISTRATOR'S REPORT

Colburn informed the Commission regarding current City business.

ADJOURNMENT

The meeting adjourned at 7:06 p.m.

Deborah J. Cwierniewicz, City Clerk

Jim King, Secretary

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF SEPTEMBER 10, 2013**

Reeser called the meeting to order at 6:30 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Green, King, *Naeyaert, Reeser, Sabbadin, Trotter, Waxman, Waltz
Absent: Commissioner: Barna (excused)
Also present: Martin A. Colburn, City Administrator
David E. Haywood, Zoning & Development Director
Deborah J. Cwiertniewicz, City Clerk

APPROVAL OF MINUTES: Regular Meeting Minutes of August 13, 2013

The Regular Meeting Minutes of August 13, 2013, were approved as submitted.

PEOPLE FROM THE FLOOR

None.

*Mayor Pro Tem Naeyaert arrived at 6:34 p.m.

ANNOUNCEMENTS

- Mason Cares – September 11, 2013 - James M. Pelton Fire Station No. 1
- 9-11 Ceremony – September 11, 2013 – Lower Level of the James M. Pelton Fire Station No. 1
- Pancake Breakfast and Golf Ball Drop – September 21, 2013 - James M. Pelton Fire Station No. 1

PUBLIC HEARING

Operation of a Bed and Breakfast at 604 South Barnes Street

Jettie Finetuch, applicant and resident of 604 South Barnes Street, stated that she is requesting a Special Use Permit to operate a bed and breakfast at her residence, estate of her father, David Feintuch. She gave a brief overview of the plan and stated that a bed and breakfast has not been operated in the city before. Ms. Finetuch showed the site plan for parking and stated that the primary entrance would be the front entrance on Barnes Street.

Reeser opened the public hearing at 6:39 p.m.

Kathy Doig of 603 South Barnes Street stated that she and her husband had questions regarding the proposal as they had not seen the plans. The commission allowed her to ask questions of the applicant.

William Art Wood of 619 South Barnes Street stated that he is not opposed to the proposed use of the property; he would like that the property remain residential and would be opposed to it becoming a rental property.

Reeser closed the public hearing at 6:51 p.m.

REGULAR BUSINESS

Resolution No. 2013-10 – A Resolution Approving a Preliminary Site Plan to Permit the Operation of a Bed and Breakfast at 604 South Barnes Street

Haywood elaborated on his submitted report. Discussion ensued regarding the number of bathrooms planned in consideration of the number of bedrooms and that signage for the business was not proposed.

MOTION by Waltz, second by Sabbadin,
to consider Resolution No. 2013-10 read.
MOTION APPROVED UNANIMOUSLY

Resolution No. 2013-10 was introduced by Waxman, and seconded by Green. It was discussed that although the Master Plan designates the establishment of bed and breakfast development, it has not been utilized in Mason.

MOTION by Waltz, second by Green,
to table Resolution No. 2013-10 to enable further research and to resume discussion following the public hearing on October 15, 2013.
YES (6) Green, King, Naeyaert, Reeser, Waltz, Waxman
NO (2) Sabbadin, Trotter
ABSENT (1) Barna
MOTION APPROVED

Master Plan Update – City Council Workshop Comments

Haywood informed the Commission regarding the list of City Council comments on the proposed Master Plan. The Commission reviewed and categorized each comment as follows: Items of Agreement by both bodies, Items of Question for City Council, and Items for Further Discussion between the Commission and City Council. A joint meeting will be scheduled between City Council and the Planning Commission.

A brief recess was taken at 8:50 p.m. and the commission reconvened at 9:00 p.m.

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

Naeyaert informed commissioners regarding current City Council business.

DIRECTOR REPORT

Haywood informed the Commission regarding current zoning and development business.

ADMINISTRATOR'S REPORT

Colburn informed the Commission regarding current City business.

ADJOURNMENT

The meeting adjourned at 9:51 p.m.

Deborah J. Cwiertniewicz, City Clerk

Jim King, Secretary

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF AUGUST 13, 2013**

Reeser called the meeting to order at 6:30 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Barna, Green, King, Naeyaert, Reeser, Trotter, Waxman, Waltz
Absent: Commissioner: Sabbadin (excused)
Also present: Martin A. Colburn, City Administrator
David E. Haywood, Zoning & Development Director
Deborah J. Cwiertniewicz, City Clerk

APPROVAL OF MINUTES: Regular Meeting Minutes of July 9, 2013

The Regular Meeting Minutes of July 9, 2013, were approved as submitted.

PEOPLE FROM THE FLOOR

None.

ANNOUNCEMENTS

- A special needs swing has been installed at Laylin Park
- Art Maul was commended for laying the cement slab for the shed at the Mason Community Garden

REGULAR BUSINESS

Resolution No. 2013-08 - A Resolution Approving a Preliminary and Final Site Plan to Allow the Renovation of a 17,730 Square Foot Building Located at 124-140 East Ash Street

MOTION by Naeyaert, second by King,
to consider Resolution No. 2013-08 read.

MOTION APPROVED UNANIMOUSLY

Haywood informed the Commission regarding the proposal to renovate the building located at 124 - 140 East Ash Street. Discussion ensued regarding holding preliminary and final site plan at the same meeting rather than holding final site plan review at the subsequent meeting following preliminary site plan review.

Mr. Ryan Henry, partner of Kincaid Henry Building Group, Inc., spoke regarding the history of the building located at 124-140 East Ash Street. It is currently designated a Brownfield property. Final site plan approval is being requested tonight due to three separate time-bound financial incentives coming from the State of Michigan that include final site plan approval. Two of the three incentives have final site plan approval and financing packages as part of their conditions.

Resolution No. 2013-08 was introduced by Green and seconded by Trotter.

**CITY OF MASON
PLANNING COMMISSION RESOLUTION NO. 2013-08
A RESOLUTION APPROVING A PRELIMINARY AND FINAL SITE
PLAN TO ALLOW THE RENOVATION OF A 17,730 SQUARE
FOOT BUILDING LOCATED AT 124/140 EAST ASH STREET
August 13, 2013**

WHEREAS, a request has been received from RKH Investments, LLC for preliminary and final site plan approval to be allowed to renovate a 17,730 square foot building at 124/140 E. Ash St., said property having parcel numbers 33-19-10-09-110-007, 33-19-10-09-110-015, and 33-19-10-09-110-021.

WHEREAS, the subject property is further described as:

124 E. Ash St.:
E 2/3 OF LOT 2, BLOCK 17, SEC 9 T2N R1W, CITY OF MASON, INGHAM CO.

140 E. Ash St.:
W 2/3 OF LOT 3, BLOCK 17, SEC 9 T2N R1W, CITY OF MASON, INGHAM CO.

Alley 17:
N 41 FT OF LOT 9, BLOCK 17, SEC 9 T2N R1W, CITY OF MASON, INGHM CO.

WHEREAS, upon compliance with the conditions of approval, the plans will comply with the site plan review standards listed in Sections 94-227 of Chapter 94, Zoning, of the Mason Code.

WHEREAS, approval is granted subject to the following general conditions:

- 1) That site lighting be consistent with the lighting requirements listed in Section 94-177(e) of the zoning ordinance; and
- 2) The applicant meet the expectations of the Superintendent of Public Works' comments in his letter dated August 7, 2013; and
- 3) The applicant meet the expectations of the City Engineer's comments in his letter dated July 31, 2013; and
- 4) Tapping the water main in Ash Street shall be done live; and

WHEREAS, approval is granted subject to the following conditions being met prior to the issuance of a building permit:

- 1) The applicant provide an executed easement for the dumpster access; and
- 2) The applicant provide a revised site plan showing a privacy fence along the east and south edges of the parking lot on the south side of the alley; and
- 3) The applicant shall provide a revised site plan showing the required dumpster gate pursuant to Section 94-173(j)(6)f; and
- 4) The applicant obtain a soil erosion and sedimentation permit from the Zoning and Development Department prior to the issuance of a building permit; and
- 5) The applicant obtain Historic District Commission approval for improvements affecting the exterior appearance of the building; and
- 6) The applicant shall obtain an MDOT permit for work within the M-36 (Ash Street) right-of-way; and
- 7) The applicant provide a revised site plan showing the following:
 - Detail sheets for water, sewer and storm water construction
 - Detail sheet for meter placement and isolation valve locations; and

WHEREAS, approval is granted subject to the following conditions being met prior to the issuance of an occupancy permit:

- 1) The applicant shall submit an executed drainage facilities maintenance agreement between and City and responsible party to the private storm water management system prior to the issuance of an occupancy permit.

NOW THEREFORE BE IT RESOLVED, that the City of Mason Planning Commission does hereby approve a preliminary and final site plan for the renovation of a 17,730 square foot building located at 124/140 East Ash based on the plans dated June 22, 2013.

RESOLUTION APPROVED UNANIMOUSLY

Resolution No. 2013-09 – A Resolution Approving a Preliminary and Final Site Plan to Allow Efficiency Productions, Inc. to Construct a 13,000 Square Foot Building Addition to the Existing Industrial Manufacturing Facility Located at 685 Hull Road

MOTION by Naeyaert, second by Waltz,
to consider Resolution No. 2013-09 read.

MOTION APPROVED UNANIMOUSLY

Haywood informed the Commission regarding the proposal by Efficiency Productions, Inc. to construct a 13,000 square foot building addition to the existing industrial manufacturing facility located at 685 Hull Road. A lengthy discussion ensued regarding concerns of the wash bay and fire response due to a similar request submitted by the applicant in 2012.

Resolution No. 2013-09 was introduced by Green and seconded by Trotter.

Haywood explained that a building permit would not be issued until all conditions documented in the resolution are met.

MOTION by Waxman, second by King,
to amend Resolution No. 2013-08 by striking *Final Site Plan* throughout, approving a preliminary site plan.

Yes (4) Barna, King, Waltz, Waxman

No (4) Green, Naeyaert, Reeser, Trotter

Absent (1) Sabbadin

MOTION FAILED

MOTION by Waltz, second by Waxman,
to amend Resolution No. 2013-08 by inserting the following:

- 4) The applicant provide a list of chemicals and cleaners used in the wash bay area to the Zoning and Development staff; and

in the fifth paragraph, as No. 4, and adjust the remaining list accordingly.

MOTION APPROVED UNANIMOUSLY

**CITY OF MASON
PLANNING COMMISSION RESOLUTION NO. 2013-09
A RESOLUTION APPROVING A PRELIMINARY AND FINAL SITE PLAN TO ALLOW EFFICIENCY
PRODUCTIONS, INC. TO CONSTRUCT A 13,000 SQUARE FOOT BUILDING ADDITION TO THE
EXISTING INDUSTRIAL MANUFACTURING FACILITY LOCATED AT 685 HULL ROAD
August 13, 2013**

WHEREAS, a request has been received from Efficiency Productions, Inc. (EPI) for preliminary final site plan approval to be allowed to construct a 13,000 square foot building addition to the existing manufacturing facility at 685 Hull Road, said property having parcel numbers 33-19-10-16-100-017 and 33-19-10-16-100-025.

WHEREAS, the subject property is further described as:

TAX ID#33-19-10-16-100-017: COMMENCING AT THE WEST 1/4 CORNER OF SECTION 16, THENCE S89°53'41"E ALONG THE EAST-WEST 1/4 LINE 1165.25 FEET TO THE POINT OF BEGINNING, THENCE S89°53'41"E ALONG SAID 1/4 LINE 758.51 FEET TO THE WESTERLY RIGHT OF WAY LINE OF CONRAIL RAILROAD, THENCE N07°08'04"W ALONG SAID RIGHT-OF-WAY LINE 498.7 FEET, THENCE ALONG SAID RIGHT-OF-WAY LINE 157.14 FEET ON A CURVE TO THE LEFT, WITH A RADIUS OF 2861.25 FEET, A DELTA ANGLE OF 03°08'48" AND CHORD BEARING N08°41'01"W 157.12 FEET, THENCE N89°53'41"W 673.73 FEET, THENCE S00°04'38"E 109.89 FEET TO THE RIGHT-OF-WAY LINE OF AN EASEMENT, THENCE SOUTHERLY 117.65 FEET ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 75.00 FEET, A DELTA ANGLE OF 89°52'39" AND CHORD BEARING S00°04'38"E 105.95 FEET, THENCE S00°04'38"E 434.16 FEET TO POINT OF BEGINNING, PART OF THE NORTHWEST 1/4, SECTION 16, T2N, R1W, CITY OF MASON, INGHAM COUNTY, MICHIGAN.

ALSO: TAX ID# 33-19-10-16-100-025: COMMENCING AT THE WEST 1/4 CORNER OF SECTION 16, THENCE S89°53'41"E ALONG THE EAST-WEST 1/4 LINE 1923.76 FEET; THENCE N07°08'04"W ALONG THE WEST LINE OF CONRAIL RAILROAD 498.70 FEET, THENCE ALONG SAID WEST LINE 157.14 FEET ON A CURVE TO THE LEFT, WITH A RADIUS OF 2861.25 FEET, A DELTA ANGLE OF 03°08'48" AND CHORD BEARING N08°41'01"W 157.12 FEET TO THE POINT OF BEGINNING, THENCE N89°53'41"W 673.75 FEET, THENCE S00°04'38"E 109.93 FEET, THENCE 116.29 FEET ALONG A CURVE TO THE LEFT WITH A RADIUS OF 75.00 FEET, A DELTA ANGLE OF 88°50'28" AND CHORD BEARING N89°23'58"W 104.99 FEET, THENCE 57.50 FEET ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 75.00 FEET, A DELTA ANGLE OF 43°55'31" AND CHORD BEARING S68°08'33"W, THENCE N89°53'41"W 57.14 FEET, THENCE N00°06'19"E 416.74 FEET, THENCE S89°53'41"E 534.20 FEET, THENCE 468.82 FEET ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 429.28 FEET, A DELTA ANGLE OF 62°34'21" AND CHORD BEARING S51°54'02"E 445.86 FEET, THENCE 10.89 FEET ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 2861.25 FEET, A DELTA ANGLE OF 00°13'05" AND CHORD BEARING S10°23'37"E 10.88 FEET TO POINT OF BEGINNING, PART OF THE NORTHWEST 1/4, SECTION 16, T2N, RIW, CITY OF MASON, INGHAM COUNTY, MICHIGAN.

WHEREAS, upon compliance with the conditions of approval, the plans will comply with the site plan review standards listed in Sections 94-227 of Chapter 94, Zoning, of the Mason Code.

WHEREAS, approval is granted subject to the following general conditions:

- 1) That site lighting be consistent with the lighting requirements listed in Section 94-177(e) of the zoning ordinance; and
- 2) The applicant meet the expectations of the Superintendent of Public Works' comments in his letter dated August 7, 2013; and

WHEREAS, approval is granted subject to the following conditions being met prior to the issuance of a building permit:

- 1) The applicant shall provide a revised site plan showing the cul-de-sac right-of-way consistent with recorded deed descriptions of the street; and
- 2) The applicant shall provide a revised site plan showing sidewalk one foot inside the right-of-way; and
- 3) The applicant shall provide a revised site plan showing the wash bay covered and equipped with sanitary sewer, including pre-treatment; and
- 4) The applicant provide a list of chemicals and cleaners used in the wash bay area to the Zoning and Development staff; and
- 5) The applicant obtain a soil erosion and sedimentation permit from the Zoning and Development Department prior to the issuance of a building permit; and
- 6) The applicant shall provide a revised site plan showing the required 10' buffer yard along the west, north and east side of the north parcel and along the west, south and east sides of the south parcel to preserve existing vegetation; and

- 7) The applicant shall provide a storm water management plan per the Superintendent of Public Works' letter of August 7, 2013; and

WHEREAS, approval is granted subject to the following conditions being met prior to the issuance of an occupancy permit:

- 1) The applicant shall submit an executed drainage facilities maintenance agreement between and City and responsible party to the private storm water management system prior to the issuance of an occupancy permit.

NOW THEREFORE BE IT RESOLVED, that the City of Mason Planning Commission does hereby approve a preliminary site plan for the construction of a 13,000 square foot building addition to the existing manufacturing facility located 685 Hull Road based on the plans dated July 18, 2013.

Yes (7) Barna, Green, King, Naeyaert, Reeser, Trotter, Waltz

No (1) Waxman

Absent (1) Sabbadin

RESOLUTION APPROVED

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

Naeyaert informed commissioners regarding current City Council business.

DIRECTOR REPORT

Haywood informed the Commission regarding current Zoning & Development business.

ADMINISTRATOR'S REPORT

Colburn informed the Commission regarding current City business. A brief discussion ensued regarding construction of the Rayner Park Stage and Temple Street.

ADJOURNMENT

The meeting adjourned at 8:34 p.m.

Deborah J. Cwiertniewicz, City Clerk

Jim King, Secretary

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF JULY 9, 2013**

Reeser called the meeting to order at 6:30 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Green, Naeyaert, Reeser, Sabbadin, Trotter, Waxman
Absent: Commissioner: Barna (excused), King (excused), Waltz (excused)
Also present: Martin A. Colburn, City Administrator
David E. Haywood, Zoning & Development Director
Deborah J. Cwiertniewicz, City Clerk

APPROVAL OF MINUTES: Regular Meeting Minutes of June 11, 2013

The Regular Meeting Minutes of June 11, 2013, were approved as submitted.

PEOPLE FROM THE FLOOR

None.

ANNOUNCEMENTS

- Community Garden is looking for volunteers
- MSU Federal Credit Union Groundbreaking - Monday, July 8, 2013

REGULAR BUSINESS

Resolution No. 2013-07 - A Resolution Approving the Capital Improvements Plan for the Fiscal Years 2013-2018

MOTION by Naeyaert, second by Sabbadin,
to consider Resolution No. 2013-07 read.

MOTION APPROVED UNANIMOUSLY

Haywood informed the Commission regarding changes from the previous year to the Capital Improvements Plan for Fiscal Years 2013-2018. He was asked to give a brief history of the library and its maintenance issues. The building has continual deterioration and maintenance issues. Some years ago, CADL put a millage proposal on the ballot, which failed. Consideration of moving to a newer building has been discussed. However, the current library building was donated to the City of Mason to be used as a library; if it were not used as a library, ownership would return to Ingham County. Various matters were briefly discussed including, cemetery roads, carpet for the fire department, and sidewalks at rail road crossings.

Resolution No. 2013-07 was introduced by Naeyaert and seconded by Green.

**CITY OF MASON
PLANNING COMMISSION RESOLUTION NO. 2013-07
A RESOLUTION APPROVING THE CAPITAL IMPROVEMENTS PLAN FOR THE FISCAL YEARS 2013-2018
July 9, 2013**

WHEREAS, the Capital Improvements Plan is a result of significant review and consideration by the City of Mason administrative staff of the numerous capital project requests from City department heads for the next six-year fiscal period; and

WHEREAS, prioritization of projects listed in the plan is based on the overall benefit to the community, especially when improving public health, safety and welfare, and so that the most-needed projects will be accomplished first and scarce financial resources are allocated appropriately; and

WHEREAS, the Capital Improvements Plan is consistent with the Capital Improvements Programming component of the Master Plan; and

NOW THEREFORE BE IT RESOLVED, that the City of Mason Planning Commission does hereby approve the Capital Improvements Plan for fiscal years 2013 – 2018.

RESOLUTION APPROVED UNANIMOUSLY

Master Plan Update

Haywood reported that the Master Plan was reviewed by City Council over two separate work sessions. A third work session will be held August 5, 2013, prior to the regularly scheduled Council meeting.

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

Naeyaert informed commissioners regarding current City Council business.

DIRECTOR REPORT

Haywood informed the Commission regarding current Zoning & Development business.

ADMINISTRATOR'S REPORT

Colburn informed the Commission regarding current City business.

ADJOURNMENT

The meeting adjourned at 7:15 p.m.

Deborah J. Cwierniewicz, City Clerk

Jim King, Secretary

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF JUNE 11, 2013**

Reeser called the meeting to order at 6:30 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: King, Reeser, Sabbadin, Trotter, Waltz, Waxman
Absent: Commissioner: Barna (excused), Green (excused), Naeyaert (excused)
Also present: Martin A. Colburn, City Administrator
David E. Haywood, Zoning & Development Director

APPROVAL OF MINUTES: Regular Meeting Minutes of May 14, 2013

The Regular Meeting Minutes of May 14, 2013, were approved as submitted.

PEOPLE FROM THE FLOOR

None.

ANNOUNCEMENTS

None.

REGULAR BUSINESS

Discussion – Master Plan

Haywood reported that the Master Plan was delivered to the City Council on June 3, 2013 and that the comments received were limited as the Council needed additional time to study the changes. Haywood further reported that the Council will discuss the changes and provide comments at a Council work session on June 17, 2013 prior to the regularly scheduled Council meeting. A discussion ensued, which the Commissioners made the following points:

Discussion was held regarding the cover page proposed by Commissioner Barna and provided the following points:

- They generally like the Google image, but had concerns that there may be a conflict with copyrights
- That the image should be more reflective of the community as a whole rather than an image of a “County” building
- City Hall is part of the logo
- Google image is flat and does not grab the reader’s attention
- City hall image has prominence
- Map with pins and balloon could be used to represent different representations of the City

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

None.

DIRECTOR REPORT

Haywood informed the Commission regarding current Zoning & Development business.

ADMINISTRATOR'S REPORT

Colburn informed the Commission regarding current City business.

ADJOURNMENT

The meeting adjourned at 7:03 p.m.

Deborah J. Cwierniewicz, City Clerk

Jim King, Secretary

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF MAY 14, 2013**

Sabbadin called the meeting to order at 6:30 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Barna, Green, King, Sabbadin, Trotter, Waltz, Waxman
Absent: Commissioner: Naeyaert (excused), Reeser (excused)
Also present: Martin A. Colburn, City Administrator
Deborah J. Cwierniewicz, City Clerk

APPROVAL OF MINUTES: Regular Meeting Minutes of April 9, 2013

The Regular Meeting Minutes of April 9, 2013, were approved as submitted.

PEOPLE FROM THE FLOOR

None.

ANNOUNCEMENTS

None.

REGULAR BUSINESS

Discussion – Master Plan Final Draft

Haywood provided a summary of the process for adopting the draft Master Plan and requested comments and questions from Commissioners regarding the draft plan for distribution. A discussion ensued, which the Commissioners made the following points:

- That the vision statement should be changed to reflect the City Council's newly adopted vision statement
- The overall structure and language of the plan should be reevaluated in the future to make it present better to the reader with the focus of marketing in mind, examples include Chelsea, City of DeWitt, and Lapeer
- Consideration should be given to whether the City wants to list itself as a "city" instead of "small town/rural" at the next update
- Phrases such as "dominated by agriculture" should be relaxed at the next update
- The reference to the "roundabout" at the intersection of Jefferson, Okemos and Columbia Streets should be eliminated
- Add language on page 5-5 that indicates that additional projects may be added to the list from year to year
- There is a problem on page 1-1 and appears to be a duplicate statement
- Strike the first full paragraph on page C-4
- Add the date that each water well went on line on page C-6
- Eliminate the reference to M-36 extending north past US-127 on page 1-5

MOTION by Barna, second by King,
to allow the Zoning Administrator to make the changes expressed by the Planning Commission and forward to the City Council to authorize the draft for distribution and public hearing.

MOTION APPROVED UNANIMOUSLY

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

None.

DIRECTOR REPORT

Haywood informed the Commission regarding current Zoning & Development business.

ADMINISTRATOR'S REPORT

Colburn informed the Commission regarding current City business.

ADJOURNMENT

The meeting adjourned at 8:00 p.m.

Deborah J. Cwierniewicz, City Clerk

Jim King, Secretary

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF APRIL 9, 2013**

Reeser called the meeting to order at 6:30 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Barna, Green, King, Naeyaert, Reeser, Sabbadin, Trotter, Waltz, Waxman
Absent: Commissioner: None
Also present: Martin A. Colburn, City Administrator
Deborah J. Cwiertniewicz, City Clerk

APPROVAL OF MINUTES: Regular Meeting Minutes of March 12, 2013

The Regular Meeting Minutes of March 12, 2013, were approved as submitted.

PEOPLE FROM THE FLOOR

None.

ANNOUNCEMENTS

None.

REGULAR BUSINESS

Discussion – Master Plan Final Draft

A brief discussion was held regarding the Master Plan final draft. The commissioners will prepare comments and questions for discussion at the next regular meeting with Zoning & Development Director David Haywood.

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

Naeyaert informed commissioners regarding current City Council business.

DIRECTOR REPORT

None.

ADMINISTRATOR'S REPORT

Colburn informed the Commission regarding current City business.

ADJOURNMENT

The meeting adjourned at 7:06 p.m.

Deborah J. Cwierniewicz, City Clerk

Jim King, Secretary

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF MARCH 12, 2013**

Reeser called the meeting to order at 6:30 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Barna, King, Naeyaert, Reeser, Sabbadin, Trotter, Waltz, Waxman
Absent: Commissioner: Green (excused)
Also present: Martin A. Colburn, City Administrator
David Haywood, Zoning & Development Director
Deborah J. Cwierniewicz, City Clerk

APPROVAL OF MINUTES: FEBRUARY 12, 2013

The Minutes of February 12, 2013, were approved as submitted.

PEOPLE FROM THE FLOOR

None.

ANNOUNCEMENTS

Commissioners welcomed their newest member, Seth Waxman.

PUBLIC HEARING

Special Use Permit – 1140 South Jefferson Street (MSUFCU) – Drive-thru

Reeser opened the public hearing at 6:34 p.m. Being there were no comments, Reeser closed the public hearing at 6:35 p.m.

REGULAR BUSINESS

Resolution No. 2013-06 – A Resolution Approving a Final Site Plan and Special Use Permit to Construct a 7,880 Square Foot Credit Union Facility, Including Drive-Thru, Located at 1140 South Jefferson Street and South Cedar

MOTION by Naeyaert, second by King,
to consider Resolution No. 2012-06 read.

MOTION APPROVED UNANIMOUSLY

Haywood provided a summary of his staff report and detailed description of the conditions of approval as presented in the resolution.

Resolution No. 2012-06 was introduced by Naeyaert and seconded by King.

A brief discussion was held. It was discussed that a sign variance is not required and approval of Resolution No. 2013-06 effectively waives the requirement.

**CITY OF MASON
PLANNING COMMISSION RESOLUTION NO. 2013-06
A RESOLUTION APPROVING A FINAL SITE PLAN AND SPECIAL USE PERMIT TO
CONSTRUCT A 7,880 SQUARE FOOT CREDIT UNION FACILITY, INCLUDING DRIVE-
THRU, LOCATED AT 1140 SOUTH JEFFERSON STREET AND SOUTH CEDAR STREET
March 12, 2013**

WHEREAS, a request has been received from Michigan State University Federal Credit Union, for final site plan and special use permit approval to be allowed to construct a new credit union facility, with drive-thru, at 1140 South Jefferson Street and South Cedar Street; and

WHEREAS, the subject property is further described as:

Overall Legal Description: The Original Monuments On The Boundaries Of Parcels 1 And 2 Were Recovered In The Field And The Overall Exterior Boundary (Based On Found Original Monuments) Being More Particularly Described As Follows: A Parcel Of Land Lying Within The Southeast 1/4 Of The Southeast 1/4 Of Section 8, Township 2 North, Range 1 West, City Of Mason, Ingham County, Michigan, Described As: Commencing At The Southeast Corner Of Said Section 8; Thence North 89°55'35" West 297.33 Feet Along The South Line Of Said Section 8; Thence North 00°09'05" East 201.52 Feet Parallel With The East Line Of The Southeast 1/4 Of The Southeast 1/4 Of Said Section 8 To A Found Capped Iron #28414 And The Point Of Beginning; Thence North 89°56'17" West 197.98 Feet To A Found 1/2" Rod; Thence North 00°03'03" East 201.47 Feet Along The Easterly Right-Of-Way Line Of Cedar Street To A Found 1/2" Rod; Thence South 89°57'02" East 198.06 Feet To A Found 1/2" Rod; Thence South 89°55'11" East 297.61 Feet Through A Found 1/2" Rod; Thence South 00°09'05" West Along The East Line Of Said Section 8; Thence North 89°54'57" West 297.34 Feet Through A Capped Iron #28414 To A Found Capped Iron #28414; Thence South 00°08'28" West 30.55 Feet To The Point Of Beginning.

WHEREAS, upon compliance with the conditions listed herein, the plans will comply with the site plan review standards listed in Section 94-227 of the Mason Code; and

WHEREAS, a public hearing on the request was noticed and held at the Planning Commission's regular meeting of March 12, 2013, with testimony given and public comment solicited; and

WHEREAS, The request is consistent with the basis of determination for Special Use Permits listed in Section 94-191(f) of the Mason zoning ordinance, and

WHEREAS, approval is granted with the following **general conditions**:

- 1) The installation of access drives described herein shall be required within 12 months upon the development of access drives on adjacent properties, and
- 2) That a minimum of 11 parking spaces shall be maintained as pervious surface for the duration of the special use permit, and
- 3) That a City of Mason soil erosion and sedimentation permit will be required prior to the issuance of a building permit, and
- 4) That street trees proposed to be removed at areas of new curb cut are to be relocated or removed and replaced to new location as directed by City on or before October 1, 2013; and
- 5) The plans shall address the expectations of the Public Works Supervisor as stated in his email of March 7, 2013, and
- 6) The plans shall address the expectations of the City Engineer as stated in his letter of March 7, 2013, and

WHEREAS, approval is granted with condition that the applicant provide the following **prior to the issuance of an occupancy permit**:

- 1) An executed Drainage Facilities Maintenance Agreement, and
- 2) Proper documentation, as required by the Ingham County Health Department and the Michigan Department of Environmental Quality, shall be provided indicating that the existing wells on the site have been properly abandoned by a certified well drilling contractor; and
- 3) The two subject parcels having parcel numbers 33-19-10-08-476-002 and 33-19-10-08-476-039 shall be combined to a single parcel; now

THEREFORE BE IT RESOLVED, that the Mason Planning Commission does hereby approve a Final Site Plan and Special Use Permit to construct a credit union facility, including drive-thru,

located on property located at 1140 South Jefferson Street and South Cedar Street based on the site plan dated February 25, 2013.

RESOLUTION APPROVED UNANIMOUSLY

Discussion – Master Plan Update

Haywood stated that a final draft of the Future Land Use Map has been completed. He spoke briefly regarding the Master Plan process for adoption as well as the distribution timeframe. Commissioners will receive a final draft of the document March 25, 2013.

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

Naeyaert informed commissioners regarding current City Council business.

DIRECTOR REPORT

Haywood informed the Commission regarding current planning matters. He and Commissioner Barna attended the Complete Streets Forum sponsored by the Tri-County Planning Commission. A brief discussion followed regarding policy and related matters; commissioners interested in forming and serving on a Complete Streets Committee were asked to inform staff.

ADMINISTRATOR'S REPORT

Colburn informed the Commission regarding current City business.

ADJOURNMENT

The meeting adjourned at 7:34 p.m.

Deborah J. Cwierniewicz, City Clerk

Jim King, Secretary

**CITY OF MASON
PLANNING COMMISSION SPECIAL MEETING
MINUTES OF FEBRUARY 28, 2013**

Reeser called the meeting to order at 6:30 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Barna, Cotter, Green, King, Naeyaert, Reeser, Sabbadin, Trotter, Waltz
Absent: Commissioner: None
Also present: Martin A. Colburn, City Administrator
David Haywood, Zoning & Development Director
Deborah J. Cwierniewicz, City Clerk

PEOPLE FROM THE FLOOR

None.

PUBLIC HEARING

Special Use Permit – 300 East Kipp Road – Disposal of Soils

Reeser opened the public hearing at 6:31 p.m.

John P. Fischer of J&J Properties of Mason, LLC stated that he is proposing to clean up the 300 East Kipp Road property to apply approximately 20,000 cubic yards of clean, compacted clay fill making the property suitable for future construction and improvements.

Being there were no further comments, Reeser closed the public hearing at 6:33 p.m.

REGULAR BUSINESS

Resolution No. 2013-05 – A Resolution Approving a Preliminary Site Plan and Special Use Permit to Dispose Approximately 20,000 Cubic Yards of Soils on Property at 300 East Kipp Road

Haywood provided a summary of his staff report and detailed description of the conditions of approval as presented in the resolution.

MOTION by Green, second by Naeyaert,
to consider Resolution No. 2012-05 read.

MOTION APPROVED UNANIMOUSLY

Resolution No. 2012-05 was introduced by Green and seconded by Naeyaert.

A brief discussion ensued regarding the use of clean fill as well as the route and weight of the gravel trains.

MOTION by Waltz, second by King,
to amend Item No. 2 in Resolution No. 2013-05 by striking the words, as much as practicable, and insert in its place, and Class A all season roads or other suitable route.

MOTION APPROVED UNANIMOUSLY

**CITY OF MASON
PLANNING COMMISSION RESOLUTION NO. 2013-05
A RESOLUTION APPROVING A PRELIMINARY SITE PLAN AND SPECIAL USE
PERMIT TO DISPOSE APPROXIMATELY 20,000 CUBIC YARDS OF SOILS ON
PROPERTY AT 300 EAST KIPP ROAD**

February 28, 2013

WHEREAS, a request has been received from John Fischer, for preliminary site plan and special use permit approval to be allowed to dispose 20,000 cubic yards of soils at 300 East Kipp Road; and

WHEREAS, the subject property is further described as: All that part of South ½ of SW ¼ of Sec. 9 which lies East of MCRR RW and West of Barnes St., Sec. 9, T2N, R1W, City of Mason, Ingham County 24.99 acres; and

WHEREAS, upon compliance with the conditions listed herein, the plans will comply with the site plan review standards listed in Section 94-227 of the Mason Code; and

WHEREAS, approval is granted with the following conditions:

- 1) The hours of operation shall be limited to the hours of 7am to 5pm Monday thru Friday.
- 2) The truck traffic route shall be limited to Kipp Road and U.S. 127 and Class A all season roads or other suitable route, and shall not utilize South Barnes Street.
- 3) That a revised site plan be submitted labeling the site access point for truck and excavation equipment and that truck traffic shall be limited to this single point.
- 4) The applicant shall provide a revised site plan indicating where, what type and in what amount soil will be stockpiled.
- 5) That a City soil erosion and sedimentation permit is required prior to commencement.
- 6) The plans shall address the expectations of the Public Works Supervisor as stated in his memorandum of February 22, 2013.
- 7) The plan shall show 19 additional replacement trees as a result of site disturbance (one tree per 10,000 square feet) pursuant to Section 94-241(c)(8) of the Zoning Ordinance.
- 8) The special use permit shall expire on August 1, 2014, where the site shall be final graded per plan and final soil erosion controls established; now

THEREFORE BE IT RESOLVED, that the Mason Planning Commission does hereby approve a preliminary site plan and special use permit to dispose of approximately 20,000 cubic yards of soil on property located at 300 East Kipp Road based on the site plan dated February 15, 2013.

RESOLUTION APPROVED UNANIMOUSLY

ADJOURNMENT

The meeting adjourned at 7:00 p.m.

Deborah J. Cwierniewicz, City Clerk

Jim King, Secretary

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF FEBRUARY 12, 2013**

Reeser called the meeting to order at 6:30 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Green, King, Naeyaert, Reeser, Sabbadin, Trotter
Absent: Commissioners: Barna, Cotter, Waltz (all excused)
Also present: Martin A. Colburn, City Administrator
David Haywood, Zoning & Development Director
Deborah J. Cwiertniewicz, City Clerk

APPROVAL OF MINUTES: JANUARY 15, 2013

The Minutes of January 15, 2013, were approved as submitted.

UNFINISHED BUSINESS

None.

PEOPLE FROM THE FLOOR

None.

ANNOUNCEMENTS

None.

PUBLIC HEARING

Special Use Permit – 1140 South Jefferson Street (MSUFCU) – Drive-thru

Reeser informed the public that due to a publication error, the public hearing for the proposed drive-thru credit union at 1140 South Jefferson Street and South Cedar Street is deferred to the regularly scheduled Planning Commission meeting of March 12, 2013, to afford time for proper notice.

Rezoning – 114 North Mason Street – R2F (Two Family Residential) to RM (Multiple Family)

Reeser opened the public hearing at 6:35 p.m. and invited the public to speak on the issue.

Jeanette Feintuch (applicant), 604 South Barnes Street spoke in favor of the rezoning request and offered the following comments:

- The unit is currently a single family home
- That three units are desired to make the property marketable
- The subject property had been a three-unit fifteen years ago
- That there are multiple family units in the vicinity
- That there will not be any adverse impacts on the public utility systems serving the site

Matthew Campbell spoke in opposition to the rezoning request and stated the following concerns:

- That the applicant has an outstanding water bill that remains unpaid
- That since he purchased his home in 2009, the neighborhood has changed from two-family to multiple family by identifying a five-unit, a four unit and two three-unit dwellings in the immediate vicinity
- That multiple family developments have the potential for criminal activity

- That allowing the rezoning will create a precedent for more multiple family in the neighborhood
- That although the applicant is only interested in three units now, the requested zoning district allows the current and future owners to add additional units

Being there were no further comments, Reeser closed the public hearing at 6:40 p.m.

REGULAR BUSINESS

Resolution No. 2013-03 – A Resolution Approving a Preliminary Site Plan to Construct a 7,900 Square Foot Credit Union Facility, Including Drive-thru, Located at 1140 South Jefferson Street and South Cedar Street

Haywood provided a summary of his staff report and detailed description of the conditions of approval as presented in the resolution.

MOTION by Sabbadin, second by Naeyaert,
to consider Resolution No. 2012-03 read.

MOTION APPROVED UNANIMOUSLY

Resolution No. 2012-03 was introduced by Green and seconded by Sabbadin.

Gregory McKenzie of Daniels & Zermack spoke on behalf of the applicant and provided an overview of the proposed site improvements, indicating that they take no exception to the conditions listed in the resolution, with the exception that they request to remove the limitation on the hours of operation.

Discussion ensued regarding many aspects of the proposal, primarily related to site buffering, canopy setback and hours of operation.

MOTION by Naeyaert, second by Sabbadin,
to approve Resolution No. 2013-03 and defer action on the hours of operation to the March 12, 2013 regularly scheduled Planning Commission meeting.

MOTION APPROVED UNANIMOUSLY

CITY OF MASON
PLANNING COMMISSION RESOLUTION NO. 2013-03
A RESOLUTION APPROVING A PRELIMINARY SITE PLAN TO CONSTRUCT A
7,900 SQUARE FOOT CREDIT UNION FACILITY, INCLUDING DRIVE-THRU,
LOCATED AT 1140 SOUTH JEFFERSON STREET AND SOUTH CEDAR STREET
February 12, 2013

WHEREAS, a request has been received from Michigan State University Federal Credit Union, for preliminary plan and special use permit approval to be allowed to construct a new credit union facility, with drive-thru, at 1140 South Jefferson Street and South Cedar Street; and

WHEREAS, the subject property is further described as:

Overall Legal Description: The Original Monuments On The Boundaries Of Parcels 1 And 2 Were Recovered In The Field And The Overall Exterior Boundary (Based On Found Original Monuments) Being More Particularly Described As Follows: A Parcel Of Land Lying Within The Southeast 1/4 Of The Southeast 1/4 Of Section 8, Township 2 North, Range 1 West, City Of Mason, Ingham County, Michigan, Described As: Commencing At The Southeast Corner Of Said Section 8; Thence North 89°55'35" West 297.33 Feet Along The South Line Of Said Section 8; Thence North 00°09'05" East 201.52 Feet Parallel With The East Line Of The Southeast 1/4 Of The Southeast 1/4 Of Said Section 8 To A Found Capped Iron #28414 And The Point Of Beginning; Thence North 89°56'17" West 197.98 Feet To A Found 1/2" Rod; Thence North 00°03'03" East 201.47 Feet Along The Easterly Right-Of-Way Line Of Cedar Street To A Found 1/2" Rod; Thence South 89°57'02" East 198.06 Feet

To A Found 1/2" Rod; Thence South 89°55'11" East 297.61 Feet Through A Found 1/2" Rod; Thence South 00°09'05" West Along The East Line Of Said Section 8; Thence North 89°54'57" West 297.34 Feet Through A Capped Iron #28414 To A Found Capped Iron #28414; Thence South 00°08'28" West 30.55 Feet To The Point Of Beginning.

WHEREAS, upon compliance with the conditions listed herein, the plans will comply with the site plan review standards listed in Section 94-227 of the Mason Code; and

WHEREAS, due to a publication error, the public hearing for the requested special use permit is deferred to the regularly scheduled Planning Commission meeting on March 12, 2013; and

WHEREAS, approval is granted with the following **general conditions**:

- 1) The hours of operation for the drive-thru (not including ATM) be limited to the hours of 7am to 6pm Monday through Friday and 9am to 3pm Saturday, and
- 2) The installation of access drives described herein shall be required within 12 months upon the development of access drives on adjacent properties, and
- 3) That a special use permit is granted prior to or concurrently with final site plan approval, and
- 4) That a minimum of 11 parking spaces shall be maintained as pervious surface for the duration of the special use permit, and
- 5) That a City of Mason soil erosion and sedimentation permit will be required prior to the issuance of a building permit, and
- 6) The applicant be granted a special use permit prior to or concurrently with final site plan approval, and

WHEREAS, approval is granted with the condition that the applicant shall submit a revised site plan with the following changes **prior to final site plan approval**:

- 1) The plan shall show the zoning and current land uses on adjacent properties to the west and east of the subject property, and
- 2) The plans shall address the expectations of the Public Works Supervisor as stated in his memorandum of February 7, 2013, and
- 3) The plans shall address the expectations of the City Engineer as stated in his letter of January 28, 2013, and
- 4) The plans shall address the expectations of the Fire Chief as stated in his memorandum of February 3, 2013, and
- 5) The plan shall show a 20 foot side yard setback adjacent to the residential property to the south, and
- 6) The plan shall show a method of obscuring the parking lot light pole marked LB-25 that adequately screens light for the residential property to the south by use of vegetation or alteration to the light pole or source, and
- 7) The plan shall show the required landscape buffer yard dimension on the perimeter of the entire site and the required landscaping materials along the north property line consistent with the standards in 94-241(f)(1)a, and
- 8) The plan shall show 7 additional replacement trees as a result of site disturbance (one tree per 10,00 square feet) pursuant to Section 94-241(c)(8) of the Zoning Ordinance, and
- 9) The plans shall show a reduction in the number of wall signs for both the principal building and the ATM canopy to one wall sign each, or be granted a variance by the Sign Board of Appeals prior to the issuance of a building permit for signage, and

WHEREAS, approval is granted with condition that the applicant provide the following **prior to the issuance of an occupancy permit**:

- 1) An executed Drainage Facilities Maintenance Agreement, and
- 2) The two subject parcels having parcel numbers 33-19-10-08-476-002 and 33-19-10-08-476-039 shall be combined to a single parcel.

NOW THEREFORE BE IT RESOLVED, that the Mason Planning Commission does hereby approve a Preliminary Site Plan to construct a credit union facility, including drive-thru, located on property located at 1140 South Jefferson Street and South Cedar Street based on the site plan dated January 15, 2013.

RESOLUTION APPROVED UNANIMOUSLY

Resolution No. 2013-04 – A Resolution Recommending the City Council Adopt an Ordinance to Rezone 0.258 Acres of Land Located at 114 North Mason Street from R2F Two-Family Residential to RM Multiple-Family Residential

Haywood elaborated on his report regarding the request to rezone and provided an analysis of how the request is consistent with the standards of approval listed in Section 94-396(a) of the Zoning Ordinance.

MOTION by Sabbadin, second by King,
to consider Resolution No. 2013-04 read.

MOTION APPROVED UNANIMOUSLY

Resolution No. 2013-04 was introduced by Green and seconded by Sabbadin.

A lengthy discussion ensued regarding the rezoning request with the following findings of fact being made:

- The surrounding zoning is R2F Two-Family Residential
- That allowing higher density zoning will upset the single- and two-family land use patten in the immediate vicinity
- That multiple family will negatively impact the neighborhood by generating an increase the number of vehicle trips in the area
- That the applicant has an outstanding water bill that remains unpaid
- That multiple family will negatively impact the neighborhood by increasing the level of noise in the area
- That multiple family will negatively impact the neighborhood with additional building construction and resulting proximity of multiple family structures

Reeser called for the vote on Resolution No. 2013-04

Yes (0)

No (6) Green, King, Naeyaert, Reeser, Sabbadin, Trotter

Absent (3) Barna, Cotter, Waltz

RESOLUTION FAILED

Discussion – Master Plan Update

Haywood gave a brief update of the Master Plan and spoke regarding the future land use map updates and committee's public outreach campaign to educate the residents on the plan.

UNFINISHED BUSINESS

Reeser introduced new commission members.

NEW BUSINESS

None.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

Naeyaert informed commissioners regarding current City Council business.

DIRECTOR REPORT

Haywood informed the Commission regarding current planning matters.

ADMINISTRATOR'S REPORT

Colburn informed the Commission regarding current City business.

ADJOURNMENT

The meeting adjourned at 8:19 p.m.

Deborah J. Cwierniewicz, City Clerk

Jim King, Secretary

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF JANUARY 15, 2013**

Reeser called the meeting to order at 6:31 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Barna, Cotter, Green, King, Naeyaert, Reeser, Sabbadin, Trotter, Waltz
Absent: Commissioner: None
Also present: Martin A. Colburn, City Administrator
David Haywood, Zoning & Development Director
Deborah J. Cwiertniewicz, City Clerk

APPROVAL OF MINUTES: DECEMBER 11, 2012

The Minutes of December 11, 2012, were approved as submitted.

UNFINISHED BUSINESS

None.

ELECTION OF CHAIRPERSON, VICE-CHAIRPERSON, AND SECRETARY

Cwiertniewicz opened nominations for Chairperson.

Nomination by King,
to elect Ed Reeser as Chairperson.

As there were no other nominations for Chairperson, Cwiertniewicz closed the nominations.

ED REESER UNANIMOUSLY ELECTED CHAIRPERSON

Cwiertniewicz opened nominations for Vice Chairperson.

Nomination by Waltz,
to elect John Sabbadin as Vice Chairperson.

As there were no other nominations for Vice Chairperson, Cwiertniewicz closed the nominations.

JOHN SABBADIN UNANIMOUSLY ELECTED VICE CHAIRPERSON

Cwiertniewicz opened nominations for Secretary.

Nomination by Reeser,
to elect Jim King as Secretary.

As there were no other nominations for Secretary, Cwiertniewicz closed the nominations.

JIM KING UNANIMOUSLY ELECTED SECRETARY

PEOPLE FROM THE FLOOR

None.

ANNOUNCEMENTS

- Benefit Dinner/Dance/Silent Auction for the Family of the late Leslie Fire Chief Scott Dunmore – Leslie High School – January 19, 2013

PUBLIC HEARING

Rezoning – 312 North Street – O-1(Office) M-2(General Manufacturing) to C-1

Reeser opened the public hearing at 6:37 p.m. and closed the public hearing at 6:38 p.m. as there were no comments.

REGULAR BUSINESS

Resolution No. 2013-01 - An Ordinance to Amend the Use District Map, as Adopted Pursuant to Section 94-62 of the Mason Code, to Rezone 3.18 Acres of Land Located at 312 North Street from O-1 Office/M-2 General Manufacturing to C-1 Central Business

MOTION by Naeyaert, second by Waltz,
to consider Resolution No. 2012-01 read.

MOTION APPROVED UNANIMOUSLY

Resolution No. 2012-01 was introduced by Naeyaert and seconded by Waltz

CITY OF MASON

PLANNING COMMISSION RESOLUTION NO. 2013-01

**A RESOLUTION RECOMMENDING THAT THE CITY COUNCIL ADOPT ORDINANCE NO. 192
AN ORDINANCE TO REZONE 3.18 ACRES OF LAND LOCATED AT 312 NORTH STREET
FROM O-1 OFFICE/M-2 GENERAL MANUFACTURING TO C-1 CENTRAL BUSINESS**

January 15, 2013

WHEREAS, a rezoning request has been received from Donald Heck of Wolverine Engineering & Surveyors, Inc., to rezone parcel 33-19-10-05-453-016 consisting of 3.18 acres of land located at 312 North Street from O-1 Office/M-2 General Industrial to C-1 Central Business; and

WHEREAS, the subject property is further described as: A part of the East ½ of the Southeast ¼ of Section 5, T2N, R1W, City of Mason, Ingham County, Michigan, described as beginning at a point which is N00d01'04"W 760.47 feet along the North-South ¼ line and N89d44'03"E 1416.60 feet along the North line of North Street from the South ¼ Corner of Section 5; thence N00d23'30"W 268.00 feet; thence N17d34'41"W 236.33 feet; thence S85d51'19"E 344.89 feet; thence S00d13'22"E 467.10 feet to the North line of North Street; thence S89d44'03"W 272.61 feet along said North line to the point of beginning containing 3.18 acres of land more or less and subject to any easements or rights of way of record.

WHEREAS, The request to rezone is consistent with the standards of approval for zoning ordinance amendments listed in Section 94-396(a) of the Mason zoning ordinance, based on the following findings of fact:

1. That the request to rezone the property is consistent with Objective #4 and #13 of the Commercial Development Goal of Chapter Two
2. That the request to rezone the property is consistent with Objective #3 of the Industrial Development Goal of Chapter Two
3. That the request to rezone the property is consistent with "downtown center" area description of the Commercial Areas component of the Future Land Use Strategy in Chapter Three of the Master Plan
4. That the subject property is currently served by the necessary public utilities
5. That there are no significant negative environmental impacts related to the rezoning request
6. That the land uses permitted in the O-1 Office zoning district will not adversely affect the value of the surrounding property.

NOW THEREFORE BE IT RESOLVED, that the City of Mason Planning Commission does hereby recommend that the City Council adopt Ordinance No. 191 to rezone 0.3 acres of land located at 210 State Street from O-1 Office to C-1 Central Business.

RESOLUTION APPROVED UNANIMOUSLY

Resolution No. 2013-02 – A Resolution Approving a Preliminary and Final Site Plan to Allow ServiceMaster to Construct a 9,488 Square Foot Building located at 210 State Street

Haywood elaborated on his report regarding the preliminary and final site plan review to allow ServiceMaster to Construct a 9,488 Square Foot Building Located at 210 State Street.

MOTION by Naeyaert, second by King,
to consider Resolution No. 2013-02 read.

MOTION APPROVED UNANIMOUSLY

Resolution No. 2013-02 was introduced by Naeyaert and seconded by Waltz

A lengthy discussion ensued regarding the RV dump station on the plans. Aaron Tobias and Dan Tobias of Century Construction spoke on behalf of applicant.

The meeting recessed at 7:58 p.m. and reconvened at 8:01 p.m. to allow commissioners to compose an amendment to the resolution on the floor.

MOTION by Naeyaert, second by Waltz,
to amend Resolution No. 2013-02 by stipulating that the "RV type dump station"
be administratively reviewed for proper construction in accordance with Mason
Code and that a dye study be performed.

Yes (7) Barna, Green, Reeser, Sabbadin, Trotter, Waltz

No (2) Cotter, King

MOTION APPROVED UNANIMOUSLY

**CITY OF MASON
PLANNING COMMISSION RESOLUTION NO. 2013-02
A RESOLUTION APPROVING A PRELIMINARY AND FINAL SITE
PLAN TO ALLOW SERVICEMASTER TO CONSTRUCT A 9,488
SQUARE FOOT BUILDING LOCATED AT 210 STATE STREET
January 15, 2013**

WHEREAS, a request has been received from Century Construction for concurrent preliminary and final site plan approval to be allowed to construct a 9,238 square foot building, utilizing existing foundations, at 210 State Street, said property having parcel number 33-19-10-08-231-004.

WHEREAS, the subject property is further described as:

LEGAL DESC: (per Exhibit A of Land Contract as recorded in Liber 2656 Page 805)
Commencing in the West line of State Street in the City of Mason at a point 80 feet Southeastly from the intersection of the Westerly line of State Street with the centerline produced, of Sycamore Street, formerly Mill Street, running thence South 32°14' East in said Westerly line of State Street 17.6 feet, South 52°06' East in said Westerly line of State Street 64 feet, to the intersection of said Westerly line of State Street with the Southeastly line of Lot 4, Block 51, Original Plat, City of Mason, Ingham County, Michigan, according to the recorded plat thereof, as recorded in Liber 2 of Plats, Page 36, Ingham County Records, said point being identical with the intersection of said Westerly line of State Street with the Northwestly line of Lot 1, Block 6, City of Mason, running thence South 44° West along the Northwestly line of said Lot 1, and the Southeastly line of said Lot 4, 63.59 feet, thence Southerly to the Northeast corner of Lot 5, Block 51, thence West along the North line of Lots 5 and 6, Block 51, to a point 12' East of the Northwest corner of said Lot 5, Block 51, thence South to the North line of Maple Street, thence West on the North line of Maple Street 66 feet, at a point 54 feet West of the Southwest corner of Lot 5, Block 51, thence North 99 feet, thence North 15°29' West 92

feet, thence North 60°56' East 159 feet to the place of beginning: Also all that part of Lot 1, Block 6, lying South and West of State Street, formerly the State Road, together with all that part of the alley dividing Block 6, being South and West of State Street, and being adjacent to Lot 1 on the South: together with a perpetual right of way or easement, to be used in common with the owners of the land on the Northwesterly side of the above premises, to remain free and unobstructed as a driveway over and along a strip of land 15 feet wide adjacent to and adjoining the above described land along the Northwesterly side thereof, also right to construct and maintain a tile sewer and drain across said adjoining land Northwesterly to Sycamore Creek.

WHEREAS, upon compliance with the conditions of approval, the plans will comply with the site plan review standards listed in Sections 94-226 and 94-227 of Chapter 94, Zoning, of the Mason Code.

WHEREAS, approval is granted subject to the following general conditions:

- 1) That site lighting be consistent with the lighting requirements listed in Section 94-177(e) of the zoning ordinance; and
- 2) The applicant meet the expectations of the City Engineer's comments in his letter dated January 9, 2013; and
- 3) The applicant meet the expectations of the Superintendent of Public Works' comments in his letter dated January 11, 2013; and
- 4) That the "RV type dump station" be reviewed by staff for proper construction in accordance with existing ordinances and that a dye study be performed; and

WHEREAS, approval is granted subject to the following conditions being met prior to the issuance of a building permit:

- 1) The applicant obtain a soil erosion and sedimentation permit from the Zoning and Development Department prior to the issuance of a building permit; and
- 2) The applicant shall provide a revised site plan that demonstrates adequate maneuvering space for the west side garage doors, or a recorded easement or parking agreement with the adjacent property owner; and
- 3) The applicant shall provide a revised site plan that shows where storm water from the roof drains will be directed; and

WHEREAS, approval is granted subject to the following conditions being met prior to the issuance of an occupancy permit:

- 1) The applicant shall submit an executed drainage facilities maintenance agreement between and City and responsible party to the private storm water management system prior to the issuance of an occupancy permit.

NOW THEREFORE BE IT RESOLVED, that the City of Mason Planning Commission does hereby approve a preliminary and final site plan for the construction of a 9,238 square foot building on existing foundation located at 210 State Street based on the plans dated December 18, 2012 and January 4, 2013.

Yes (6) Barna, Reeser, Sabbadin, Trotter, Waltz

No (3) Cotter, Green, King

RESOLUTION APPROVED

Discussion – Master Plan Update

Haywood gave a brief update of the Master Plan and spoke regarding the committee's public outreach campaign to educate the residents on the plan. Commissioners asked for notice when the plan is released to the public and for a red-line copy.

UNFINISHED BUSINESS

Reeser introduced new commission members.

NEW BUSINESS

None.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

Naeyaert informed commissioners regarding current City Council business.

DIRECTOR REPORT

Haywood informed the Commission regarding current planning matters.

ADMINISTRATOR'S REPORT

Colburn informed the Commission regarding current City business.

ADJOURNMENT

The meeting adjourned at 8:32 p.m.

Deborah J. Cwiertniewicz, City Clerk

Jim King, Secretary

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF DECEMBER 11, 2012**

Reeser called the meeting to order at 6:30 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Barna, *Brown, King, Reeser, Sabbadin, Waltz
Absent: Commissioner: Cotter, Green
Also present: David Haywood, Zoning & Development Director
Deborah J. Cwierniewicz, City Clerk

APPROVAL OF MINUTES: November 13, 2012

The Minutes of November 13, 2012, were approved as submitted.

*Brown arrived at 6:31 p.m.

PEOPLE FROM THE FLOOR

None.

ANNOUNCEMENTS

None.

REGULAR BUSINESS

Discussion – Master Plan Update

Haywood reported on the progress of the final draft of the Master Plan that will be ready around the first of the year.

Discussion – State Street Zoning

Haywood reported that property owners at 230 West Maple Street and 200 State Street have been notified of the intent to rezone the properties from O-1 Office to C-1 Central Business. He elaborated on his report.

UNFINISHED BUSINESS

None.

NEW BUSINESS

Brown commented on his resignation letter from the EDC/BRA Board as a result of his election to City Council.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

Waltz informed commissioners regarding current City Council business.

DIRECTOR REPORT

Haywood informed the Commission regarding current planning and zoning business.

ADMINISTRATOR'S REPORT

None.

ADJOURNMENT

The meeting adjourned at 6:53 p.m.

Deborah J. Cwierniewicz, City Clerk

Jim King, Secretary

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF NOVEMBER 13, 2012**

Reeser called the meeting to order at 6:30 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Barna, Brown, Cotter, Green, Reeser, Sabbadin, Waltz
Absent: Commissioner: King
Also present: Martin A. Colburn, City Administrator
David Haywood, Zoning & Development Director
Deborah J. Cwierniewicz, City Clerk

APPROVAL OF MINUTES: October 9, 2012

The Minutes of October 9, 2012, were approved as submitted.

PEOPLE FROM THE FLOOR

None.

ANNOUNCEMENTS

- The Community Garden donated more than 400 pounds of produce to the Mason Community Food Bank and to Jefferson Street Square in 2012
- Councilmember Elect Marlon Brown was congratulated on his election to City Council

REGULAR BUSINESS

Discussion – Master Plan Draft

Haywood reported that the official final draft of the Master Plan would be ready around the first of the year. He explained the process and the general timeline for adoption of the plan.

Motion – State Street Zoning

At the August 14, 2012 Planning Commission meeting, Mr. Carl Howard of Service Master requested rezoning of the parcel known as 210 State Street, to allow reconstruction of the structure that was recently destroyed by fire. The Planning Commission recommended rezoning 210 State Street from O-1 Office to C-1 Central Business to City Council by Planning Commission Resolution No. 2012-06.

At its August 20, 2012 meeting, City Council held the first reading of Ordinance No. 191, which would grant rezoning 210 State Street; this initiated discussion of rezoning properties on the west side of State Street between Maple Street and the Sycamore Creek to C-1 Central Business to allow for potential future development. By official action, Council directed the Planning Commission to review the zoning classifications on State Street. Council adopted Ordinance No. 191 at its September 4, 2012 meeting. At its September 11, 2012 meeting, the Planning Commission tasked the Master Plan Update Committee to review the matter.

Haywood elaborated on his report and discussion ensued regarding examination of zoning in the area by the Committee.

MOTION by Waltz, second by Brown,
to direct city staff to initiate the process of rezoning two parcels, 200 State
Street and 230 West Maple Street.

MOTION APPROVED UNANIMOUSLY

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

Waltz informed commissioners regarding current City Council business.

DIRECTOR REPORT

Haywood informed the Commission regarding current planning and zoning business.

ADMINISTRATOR'S REPORT

Colburn informed the Commission regarding current city business. He and Commissioner Sabbadin spoke briefly regarding their experience in Viti, Kosovo for delivery of the donated fire truck and equipment.

ADJOURNMENT

The meeting adjourned at 7:08 p.m.

Deborah J. Cwierniewicz, City Clerk

Jim King, Secretary

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF SEPTEMBER 11, 2012**

Reeser called the meeting to order at 5:30 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Barna, Brown, Burns, Cotter, Green, King, Reeser, Sabbadin, Waltz

Absent: Commissioner: None

Also present: Martin Colburn, City Administrator
David Haywood, Zoning & Development Director
Deborah J. Cwierniewicz, City Clerk

APPROVAL OF MINUTES: August 14, 2012

The Minutes of August 14, 2012, were approved as submitted.

PEOPLE FROM THE FLOOR

None.

ANNOUNCEMENTS

- Mason Cares and 9/11 Ceremony – September 11, 2012
- Fire Fighters Association Pancake Breakfast – September 15, 2012
- Down Home Days – September 15, 2012
- Mason Fire Department Open House - October 6, 2012

REGULAR BUSINESS

Resolution No. 2012-07 – A Resolution Approving the Capital Improvements Plan for the Fiscal Years 2012-2017

MOTION by Waltz, second by Sabbadin
to consider Resolution No. 2012-07 read.

MOTION APPROVED UNANIMOUSLY

Resolution No. 2012-07 was introduced by King and seconded by Waltz. A brief discussion ensued regarding the Five-Year Local Street Program

**CITY OF MASON
PLANNING COMMISSION RESOLUTION NO. 2012-07
A RESOLUTION APPROVING THE CAPITAL IMPROVEMENTS PLAN FOR THE FISCAL
YEARS 2012-2017
September 11, 2012**

WHEREAS, the Capital Improvements Plan is a result of significant review and consideration by the City of Mason administrative staff of the numerous capital project requests from City department heads for the next six-year fiscal period; and,

WHEREAS, prioritization of projects listed in the plan is based on the overall benefit to the community, especially when improving public health, safety and welfare, and so that the most-needed projects will be accomplished first and scarce financial resources are allocated appropriately; and,

WHEREAS, the Capital Improvements Plan is consistent with the Capital Improvements Programming component of the Master Plan; and,

NOW THEREFORE BE IT RESOLVED, that the City of Mason Planning Commission does hereby approve the Capital Improvements Plan for fiscal years 2012 – 2017.

RESOLUTION APPROVED UNANIMOUSLY

Discussion – State Street Zoning

Haywood stated that City Council had directed the Planning Commission to review the zoning classifications on State Street. Ordinance No. 191 was adopted by Council, September 4, 2012, which rezoned 210 State Street from O-1 Office to C-1 Central Business; this initiated discussion of rezoning State Street properties between Maple Street and the Sycamore Creek to C-1 Central Business. Waltz elaborated on the Council's discussion of the matter as Council Liaison to the Planning Commission. Discussion ensued to refer the rezoning consideration to the Master Plan Update Committee.

Discussion – Medical Marihuana Case Law Update

Haywood informed the Commission that the city of Wyoming's Medical Marihuana ordinance was struck down by the State Appellate Court. At this time, he has not heard whether the decision has been appealed to the Supreme Court.

Discussion – Master Plan Update

Haywood gave a brief update regarding the Master Plan revision progress. He elaborated on the boundary history and joint planning draft maps provided to the Commission. A brief discussion ensued regarding conditional transfer and annexation, as well as revision matters related to the Master Plan.

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

Waltz informed commissioners regarding current City Council business.

DIRECTOR REPORT

Haywood informed the Commission regarding current planning and zoning business.

ADMINISTRATOR'S REPORT

Colburn informed the Commission regarding current city business.

ADJOURNMENT

The meeting adjourned at 6:19 p.m.

Deborah J. Cwierniewicz, City Clerk

Jim King, Secretary

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF AUGUST 14, 2012**

Reeser called the meeting to order at 6:30 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Barna, Brown, Burns, Green, Reeser, Sabbadin, Waltz
Absent: Commissioners: Cotter (excused), King (excused)
Also present: Martin Colburn, City Administrator
David Haywood, Zoning & Development Director
Deborah J. Cwierniewicz, City Clerk

APPROVAL OF MINUTES: July 10, 2012

The Minutes of July 10, 2012, were approved as submitted.

PEOPLE FROM THE FLOOR

Jon Droscha, City of Mason Councilmember, spoke in support of rezoning 210 State Street. He suggested that the Commission consider rezoning from 210 State Street to the Phoenix Mill property.

ANNOUNCEMENTS

- Mason Cares and 9/11 Ceremony – September 11, 2012

Commissioner Sabbadin asked that he be excused from the September 11 meeting as he will be attending the 9/11 Ceremony.

MOTION by Brown, second by Burns,
to amend the agenda to include a public hearing for rezoning property located at 210 State Street from O-1 Office to C-1 Central Business.

MOTION APPROVED UNANIMOUSLY

PUBLIC HEARING

Rezoning 0.3 Acres of Land Located at 210 State Street from O-1 Office to C-1 Central Business

Chair Reeser opened the public hearing at 6:36 p.m.

Carl Howard of Service Master stated that he plans to rebuild his business located at 210 State Street that was recently destroyed by fire. He would like to rebuild on the foundation and first floor deck that survived the fire and are structurally intact; however, it does not meet the existing front yard setback requirement of 25-feet. Rezoning the property to C-1 Central Business would allow rebuilding on the existing foundation.

Chair Reeser closed the public hearing at 6:44 p.m.

REGULAR BUSINESS

Resolution No. 2012-06 – A Resolution Recommending that the City Council Adopt Ordinance No. 191 an Ordinance to Rezone 0.3 Acres of Land Located at 210 State Street from O-1 Office to C-1 Central Business

Haywood commented on the rezoning request and stated that it is consistent with zoning regulations.

MOTION by Waltz, second by Burns,
to consider Resolution No. 2012-06 read.
MOTION APPROVED UNANIMOUSLY

Resolution No. 2012-06 was introduced by Burns and seconded by Sabbadin.

**CITY OF MASON
PLANNING COMMISSION RESOLUTION NO. 2012-06
A RESOLUTION RECOMMENDING THAT THE CITY COUNCIL ADOPT ORDINANCE
NO. 191 AN ORDINANCE TO REZONE 0.3 ACRES OF LAND LOCATED AT 210
STATE STREET FROM O-1 OFFICE TO C-1 CENTRAL BUSINESS
August 14, 2012**

WHEREAS, a rezoning request has been received from Carl Howard of Service Master to rezone parcel 33-19-10-08-231-004 consisting of 0.3 acres of land located at 210 State Street from O-1 Office to C-1 Central Business; and

WHEREAS, the subject property is further described as: BEG NE COR LOT 5 BLK 51, W 54 FT, S 132 FT, W 66 FT, N 99 FT, N 15-29-00 W 92 FT, N 60-56-00 E 159 FT, S 32-14-00 E 17.6 FT, S 52-06-00 E 64 FT, SELY TO N LN OF LOT 5 EXT, W TO POB BLK 51 & BLK 6, SEC 8 T2N R1W CITY OF MASON, INGHAM.

WHEREAS, The request to rezone is consistent with the standards of approval for zoning ordinance amendments listed in Section 94-396(a) of the Mason zoning ordinance, based on the following findings of fact:

1. That the request to rezone the property is consistent with Objective #4 and #13 of the Commercial Development Goal of Chapter Two
2. That the request to rezone the property is consistent with "downtown center" area description of the Commercial Areas component of the Future Land Use Strategy in Chapter Three of the Master Plan
3. That the subject property is currently served by the necessary public utilities
4. That there are no significant negative environmental impacts related to the rezoning request
5. That the land uses permitted in the O-1 Office zoning district will not adversely affect the value of the surrounding property ; and

WHEREAS, The request to rezone the property is consistent with Objective #4 and #13 of the Commercial Development Goal of Chapter Two and is also consistent with "downtown center" area description of the Commercial Areas component of the Future Land Use Strategy in Chapter Three of the Master Plan; and

NOW THEREFORE BE IT RESOLVED, that the City of Mason Planning Commission does hereby recommend that the City Council adopt Ordinance No. 191 to rezone 0.3 acres of land located at 210 State Street from O-1 Office to C-1 Central Business.

RESOLUTION APPROVED UNANIMOUSLY

Motion – Extension of the Preliminary Site Plan Granted to Efficiency Productions

Haywood stated that Efficiency Productions has requested a six month extension to the preliminary site plan approved by the Planning Commission in February this year to allow securing financing and complete planning for their project.

MOTION by Brown, second by Sabbadin,
To extend the preliminary site plan granted to Efficiency Productions for six months.
MOTION APPROVED UNANIMOUSLY

Report – Master Plan Update

Haywood gave a brief update of the Master Plan. A brief discussion was held.

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

Waltz informed commissioners regarding current City Council business.

DIRECTOR REPORT

None at this time.

ADMINISTRATOR'S REPORT

Colburn informed the Commission regarding current city business.

ADJOURNMENT

The meeting adjourned at 7:11 p.m.

Deborah J. Cwierniewicz, City Clerk

Jim King, Secretary

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF JULY 10, 2012**

Reeser called the meeting to order at 6:30 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Barna, Brown, Green, King, Reeser, Sabbadin, Waltz
Absent: Commissioners: Burns (excused), Cotter (excused)
Also present: David Haywood, Zoning & Development Director
Deborah J. Cwierniewicz, City Clerk

APPROVAL OF MINUTES: June 12, 2012

The Minutes of June 12, 2012, were approved as submitted.

PEOPLE FROM THE FLOOR

None.

ANNOUNCEMENTS

- Cooling Center – Mason First Church of the Nazarene

REGULAR BUSINESS

Resolution No. 2012-05 – A Resolution Approving a Final Site Plan to Allow H&H Welding And Repair, Inc. to Construct a Detached 12,000 Square Foot Building to the Existing Industrial Manufacturing Facility Located at 700 Acme Drive

MOTION by Waltz, second by Sabbadin,
to consider Resolution No. 2012-05 read.

MOTION APPROVED UNANIMOUSLY

Resolution No. 2012-05 was introduced by King and seconded by Green.

**CITY OF MASON
PLANNING COMMISSION RESOLUTION NO. 2012-05
A RESOLUTION APPROVING A FINAL SITE PLAN TO ALLOW H&H WELDING AND
REPAIR, INC. TO CONSTRUCT A DETACHED 12,000 SQUARE FOOT BUILDING TO THE
EXISTING INDUSTRIAL MANUFACTURING FACILITY LOCATED AT 700 ACME DRIVE
July 10, 2012**

WHEREAS, a request has been received from H&H Welding and Repair, Inc. for final site plan approval to be allowed to construct a detached 12,000 square foot building to the existing manufacturing facility at 700 Acme Drive, said property having the following legal description and parcel number 33-19-10-05-102-007:

PART OF NW 1/4 OF SEC 5, T2N R1W, CITY OF MASON, INGHAM COUNTY, MI DESC
AS: COM AT PT ON E LN OF KERNS RD 1793.1 FT N & 663.5 FT E OF W 1/4 COR OF
SEC 5 -E 635.2 FT -S 360 FT -S0D04°W 464.2 FT -N79D17°W 264.8 FT -N55D08°W
456.12 FT -N 514.05 FT TO POB EXC COM AT NW COR OF SEC 5 -S88D56°58'E 661.5
FT ALNG N SEC LN -S0D23°42'W 1335.35 FT ALNG E LN OF KERNS RD -S54D34°22'E

330.02 FT TO POB -S89D32'32"E 367.58 FT -S0D27'28"W 124.01 FT -N78D53'32"W 264.8 FT -N54D34'22"W 130.99 FT TO POB -ALSO THAT PART OF SD NW 1/4 DESC AS: COM AT NW COR OF SEC 5 -S89D55'18"E 1300.01 FT ALNG N SEC LN -S0D34'55"E 1177.27 FT TO POB -S89D55'18"E 316 FT TO EXTN OF E LN OF KIM DR -S0D34'55"E 66 FT - N89D55'118"W 316 FT -N0D34'55"W 66 FT TO POB 10.11 ACRES; and

WHEREAS, upon compliance with the conditions of approval listed herein, the plans will comply with the standards of approval listed in Section 94-227 of Chapter 94, of the Mason City Code; and

WHEREAS, approval is granted subject to the following general conditions:

- 1) The applicant obtain a soil erosion and sedimentation permit from the Zoning and Development Department prior to the issuance of a building permit; and

WHEREAS, approval is granted subject to a revised final site plan or written statement addressing the following conditions prior to the issuance of a building permit:

- 1) A statement indicating if equipment, vehicles and/or trailers will or will not be cleaned or washed in the proposed building; and
- 2) A statement indicating the proposed construction schedule; and

WHEREAS, approval is granted subject to the following conditions being met prior to the issuance of an occupancy permit:

- 1) The applicant shall submit an executed drainage facilities maintenance agreement between and City and responsible party to the private storm water management system; and

WHEREAS, the applicant may reduce the proposed sidewalk width to minimum required width of four feet, if desired; and

WHEREAS, this final site plan approval is valid for a period of 12 months.

NOW THEREFORE BE IT RESOLVED, that the City of Mason Planning Commission does hereby approve a final site plan for the construction of a detached 12,000 square foot building to the existing manufacturing facility located 700 Acme Drive based on the plans dated June 5, 2012.

RESOLUTION APPROVED UNANIMOUSLY

UNFINISHED BUSINESS

None.

NEW BUSINESS

Discussion was held regarding using digital site plans in the future.

CORRESPONDENCE

None.

LIAISON REPORTS

Waltz informed commissioners regarding current City Council business.

DIRECTOR REPORT

Haywood informed the Commission regarding current planning business including a brief update on the Master Plan. A brief discussion was held regarding the Recreation Plan public meeting.

ADMINISTRATOR'S REPORT

None.

ADJOURNMENT

The meeting adjourned at 6:57 p.m.

Deborah J. Cwierniewicz, City Clerk

Jim King, Secretary

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF JUNE 12, 2012**

Reeser called the meeting to order at 6:30 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Barna, Brown, Burns, Cotter, Green, Reeser, Sabbadin, Waltz
Absent: Commissioner(s): King
Also present: Martin A. Colburn, City Administrator
David Haywood, Zoning & Development Director
Deborah J. Cwierniewicz, City Clerk

APPROVAL OF MINUTES: MAY 15, 2012

The Minutes of May 15, 2012, were approved as submitted.

MOTION by Brown, second by Burns,
to reconsider the motion of the May 15, 2012 meeting approving the
Minutes of April 10, 2012.

MOTION APPROVED UNANIMOUSLY

MOTION by Brown, second by Burns,
to amend the April 10, 2012 Minutes, page two, correcting the votes as
follows:

Yes (4) Green, King, Sabbadin, Waltz No (3) Brown, Cotter, Burns.

MOTION APPROVED UNANIMOUSLY

PEOPLE FROM THE FLOOR

None.

ANNOUNCEMENTS

- Fourth of July Parade and Fireworks

REGULAR BUSINESS

None.

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

CORRESPONDENCE

Correspondence was distributed. A brief discussion was held regarding the letter sent by staff to H&H Welding.

LIAISON REPORTS

Waltz informed commissioners regarding current City Council business.

DIRECTOR REPORT

Haywood informed the Commission regarding current planning business including a brief update on the Master Plan as well as articles provided to commissioners.

ADMINISTRATOR'S REPORT

Colburn informed the Commission regarding current City business.

ADJOURNMENT

The meeting adjourned at 7:14 p.m.

Deborah J. Cwierniewicz, City Clerk

Jim King, Secretary

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF MAY 15, 2012**

Reeser called the meeting to order at 6:30 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: *Brown, Burns, Cotter, Green, King, Reeser, Sabbadin, Waltz
Absent: Commissioners: None
Also present: Martin A. Colburn, City Administrator
David Haywood, Zoning & Development Director
Deborah J. Cwierniewicz, City Clerk

APPROVAL OF MINUTES: APRIL 10, 2012

The Minutes of April 10, 2012, were approved as submitted.

*Commissioner Marlon Brown arrived at 6:33 p.m.

PEOPLE FROM THE FLOOR

None.

ANNOUNCEMENTS

The resignation of Matthew Smith has been accepted by the City Clerk.

REGULAR BUSINESS

Discussion – Master Plan Progress and Draft Review

Haywood gave a brief overview of the draft Master Plan. A brief discussion ensued. The Commission commended Zoning & Development Director Haywood for his leadership and work on the Master Plan.

UNFINISHED BUSINESS

Brown requested clarification on the vote for Resolution No. 2012-04 recorded in the Minutes of April 10, 2012. The City Clerk will review the motion.

NEW BUSINESS

None.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

Waltz informed commissioners regarding current City Council business.

DIRECTOR REPORT

Haywood informed the Commission regarding current planning matters.

ADMINISTRATOR'S REPORT

Colburn informed the Commission regarding current City business. Colburn introduced Nate Henne, who is a Public Administration student from Central Michigan University. Mr. Henne was awarded a twelve-week fellowship and selected Mason to learn public administration and city management.

ADJOURNMENT

The meeting adjourned at 7:14 p.m.

Deborah J. Cwierniewicz, City Clerk

Jim King, Secretary

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF APRIL 10, 2012**

Burns called the meeting to order at 6:30 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Brown, Burns, Cotter, Green, King, Sabbadin, Waltz
Absent: Commissioners: Reeser (excused), Smith (excused)
Also present: Martin A. Colburn, City Administrator
David Haywood, Zoning & Development Director
Deborah J. Cwierniewicz, City Clerk

APPROVAL OF MINUTES: MARCH 13, 2012

The Minutes of March 13, 2012, were approved as submitted.

PEOPLE FROM THE FLOOR

None.

ANNOUNCEMENTS

None.

REGULAR BUSINESS

Resolution No. 2012-04 – A Resolution Approving a Preliminary Site Plan to Allow H&H Welding and Repair, Inc. to Construct a Detached 13,200 Square Foot Building to the Existing Industrial Manufacturing Facility Located at 700 Acme Drive

MOTION by Waltz, second by King,
to consider Resolution No. 2012-04 read.
MOTION APPROVED UNANIMOUSLY

Resolution No. 2012-04 was introduced by Waltz and seconded by King.

Haywood stated that the application for this request was submitted late and that it was found to be incomplete. He brought the request to the Commission to start the process. Haywood discussed the preliminary site plan omissions individually, including the omission of a landscape plan. He stated that because there is not enough information to make a decision on preliminary or final site plan approval, staff recommended postponing until the items can be completed.

Applicant Kim Stewart of Jerico Construction responded to questions regarding specific items omitted from the application. She stated that the landscape plan would be completed within the next two days.

MOTION by Waltz, second by Sabbadin,
to amend Resolution No. 2012-04 to reflect the city accepting the application as a preliminary site plan review to allow staff review, as well as time for the applicant to complete the application and landscape plan to present for final site plan review: to strike the phrase "and final" in the title, first and second whereas, as well as in the now therefore paragraph, and to strike 94-227 and insert 94-225 in the second whereas.

A lengthy discussion ensued whether granting preliminary site plan approval would be appropriate because the requirements were not met, including concern that city departments and agencies were unable to perform a preliminary site plan review due to lack of information. It was reasoned that postponement would allow the applicant to revise the site plan to meet the requirements. Conversely, it was discussed that conditions could be stipulated with approval and that by virtue of the request presented for consideration to the Commission, it is the responsibility of the Commission to proceed.

VOTE ON THE MOTION:

Yes (4) Green, King, Sabbadin, Waltz

No (3) Brown, Cotter, Burns

~~Yes (5) Burns, Green, King, Sabbadin, Waltz~~

~~No (2) Brown, Cotter~~

Absent (2) Reeser, Smith

MOTION APPROVED

**CITY OF MASON
PLANNING COMMISSION RESOLUTION NO. 2012-04**

A RESOLUTION APPROVING A PRELIMINARY SITE PLAN TO ALLOW H&H WELDING AND REPAIR, INC. TO CONSTRUCT A DETACHED 13,200 SQUARE FOOT BUILDING TO THE EXISTING INDUSTRIAL MANUFACTURING FACILITY LOCATED AT 700 ACME DRIVE

April 10, 2012

WHEREAS, a request has been received from H&H Welding and Repair, Inc. for preliminary site plan approval to be allowed to construct a detached 13,200 square foot building to the existing manufacturing facility at 700 Acme Drive, said property having parcel numbers 33-19-10-05-102-007; and

WHEREAS, upon compliance with the conditions of approval, the plans will comply with the site plan review standards listed in Sections 94-225 of Chapter 94, Zoning, of the Mason Code; and

WHEREAS, approval is granted subject to the following general conditions:

- 1) The applicant meet the expectations of the Public Works Director in his letter dated April 3, 2012; and
- 2) The applicant meet the expectations of the City Engineer's comments in his letter dated March 28, 2012; and
- 3) The applicant meet the expectations of the Superintendent of Public Works' comments in his letter dated April 3, 2012; and
- 4) The applicant obtain a soil erosion and sedimentation permit from the Zoning and Development Department prior to the issuance of a building permit; and

WHEREAS, approval is granted subject to a revised final site plan submitted addressing the following conditions being met prior to the issuance of a building permit:

- 1) That the site plan utilizes an engineering based scale at 1"=100' minimum; and
- 2) The site plan shall show the required setback lines for the entire site; and
- 3) The site plan shall show the entire property, including the east segment of Acme Drive; and
- 4) The plan shall show and label Kerns Road; and

- 5) The plans shall include a statement indicating if equipment, vehicles and/or trailers will be cleaned or washed in the proposed building; and
- 6) The plan shall include site and building lighting consistent with the lighting requirements listed in Section 94-177(e) of the zoning ordinance; and
- 7) The plan shall show elevation contours at a minimum of two feet, including the "Natural Water Recharge Area"; and
- 8) The plan shall include an analysis of the capacity of the "Natural Water Recharge Area" to accept the proposed storm water discharge into that area; and
- 9) The plan shall be signed and sealed by a licensed engineer, architect, landscape architect or community planner licensed in the State of Michigan; and
- 10) The plan shall show sidewalk one foot inside the right-of-way along Kerns Road; and
- 11) The plan shall show the land uses and zoning districts of the subject site and adjacent properties; and
- 12) The plan shall include a legal description and parcel size of the subject site; and
- 13) The plan shall show all impervious surfaces of the site, including parking areas, parking lot striping and building approaches; and
- 14) The plans shall include a landscape plan consistent with the standards listed in Section 94-241 of the Mason Code; and
- 15) The plans shall include a determination from the Michigan Department of Environmental Quality and/or the Ingham County Drain Commissioner that the "Natural Water Recharge Area" is or is not a wetland or county drain; and

WHEREAS, approval is granted subject to the following conditions being met prior to the issuance of an occupancy permit:

- 1) The applicant shall submit an executed drainage facilities maintenance agreement between and City and responsible party to the private storm water management system prior to the issuance of an occupancy permit.

NOW THEREFORE BE IT RESOLVED, that the City of Mason Planning Commission does hereby approve a preliminary site plan for the construction of a detached 13,200 square foot building to the existing manufacturing facility located 700 Acme Drive based on the plans dated March 8, 2012.

Yes (5) Burns, Green, King, Sabbadin, Waltz

No (2) Brown, Cotter

Absent (2) Reeser, Smith

RESOLUTION APPROVED

Report – Master Plan Update Progress

Haywood gave a brief synopsis of the meetings currently being held to update the Master Plan.

UNFINISHED BUSINESS

Brown informed the Commission that the Let's Save Michigan Campaign Contest, It's About Place, has extended the deadline to Friday. He will submit an email indicating interest by the City of Mason and he asked fellow Commissioners for project suggestions.

NEW BUSINESS

Brown informed the Commission that he has volunteer forms for those who would like to join a committee for the City of Mason Sesquicentennial.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

Waltz informed commissioners regarding current City Council business.

DIRECTOR REPORT

Haywood informed the Commission regarding current planning matters.

ADMINISTRATOR'S REPORT

Colburn informed the Commission regarding current City business.

ADJOURNMENT

The meeting adjourned at 7:37 p.m.

Deborah J. Cwierniewicz, City Clerk

Jim King, Secretary

CITY OF MASON

PLANNING COMMISSION MEETING MINUTES OF MARCH 13, 2012

Burns called the meeting to order at 6:30 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Brown, Cotter, Green, King, Reeser Sabbadin, Waltz
Absent: Commissioners: Burns (excused), Smith (excused)
Also present: Martin A. Colburn, City Administrator
David Haywood, Zoning & Development Director
Deborah J. Cwierniewicz, City Clerk
Mark Reckling, Police Officer

APPROVAL OF MINUTES: FEBRUARY 14, 2012

The Minutes of February 14, 2012, were approved as submitted.

PEOPLE FROM THE FLOOR

Colburn asked Officer Mark Reckling to inform the Planning Commission regarding the Prescription Drug Task Force. Reckling stated that City Hall will be a pharmaceutical drop site for the community in the near future. Detective Corporal Rob Mentink is the primary contact for the Prescription Drug Task Force.

ANNOUNCEMENTS

- City of Mason Sesquicentennial Celebration Planning Meeting will be held Wednesday March 28 in the City Hall Community Room.
- The annual Fire Department St. Patrick's Day Dance will be held March 17, 2012

PUBLIC HEARING

Ordinance No. 188 – An Ordinance to Amend Section 94-121 Of Chapter 94 – Zoning – of the Code of the City of Mason to Prohibit Land Uses that are Contrary to Federal, State or Local Laws or Ordinances and to Repeal Article III of Chapter 10 – Businesses – Sections 10-70, 10-71, 10-72, 10-73, 10-74 and 10-75 of the Code of the City of Mason

Reeser opened the public hearing at 6:36 p.m. and closed it at 6:37 p.m. as there were no comments.

REGULAR BUSINESS

Haywood elaborated on his report regarding proposed Ordinance No. 188.

MOTION by Waltz, second by Sabbadin,
to consider Resolution No. 2012-03 read.
MOTION APPROVED UNANIMOUSLY

Resolution No. 2012-03 was introduced by Waltz and seconded by Sabbadin.

CITY OF MASON
PLANNING COMMISSION RESOLUTION NO. 2012-03
A RESOLUTION RECOMMENDING THAT THE CITY COUNCIL ADOPT ORDINANCE NO. 188
March 13, 2012

WHEREAS, the People of the state of Michigan have adopted, by initiative, the Michigan Medical Marihuana Act (the "Act"); and

WHEREAS, the Act authorizes primary caregivers to assist qualifying patients in obtaining medical marihuana by allowing the primary caregiver to grow, possess, and deliver limited amounts of marihuana to the patients and receive compensation for doing so; and

WHEREAS, the Act's provisions have resulted in primary caregivers combining to form what has come to be termed "dispensaries" in adjacent municipalities in which multiple registered primary caregivers operate from a single building to create situations in which amounts of marihuana greater than the act would otherwise allow for a single primary caregiver are being possessed and stored on single lots and properties; and

WHEREAS, the Act does not regulate or even necessarily allow for dispensaries and many significant aspects of the operation of a dispensary could affect the health, safety and welfare of the citizens of the city of Mason; and

WHEREAS, the Act does not regulate many significant aspects of the operation of a primary caregiver that could affect the health, safety and welfare of the citizens of the city of Mason; and

WHEREAS, the City of Mason, as part of the regulatory process, has adopted an ordinance requiring primary caregiver operations and dispensaries to be licensed; and

WHEREAS, in December of 2010, the Mason City Council adopted the first of three moratoriums on the issuance of licenses for primary caregiver operations and dispensaries, the most recent being Resolution No. 2011-45 for 180 days; and

WHEREAS, the City of Mason has not received any applications for licenses for primary caregiver operations or dispensaries; and

WHEREAS, the Mason Planning Commission has studied how to effectively regulate dispensaries and primary caregiver operations to meet the intent of the Act while preserving the health, safety and welfare of its citizens; and

WHEREAS, the Planning Commission recommends that the best course of action to preserve the health, safety and welfare of the citizens of Mason is to prohibit land uses that are contrary to Federal, State, or Local laws or ordinances; and

WHEREAS, the Mason Planning Commission recommends repealing Article III of Chapter 10, Businesses, Sections 10-70, 10-71, 10-72, 10-73, 10-74 and 10-75 of the Code of the City of Mason.

NOW THEREFORE BE IT RESOLVED, that the City of Mason Planning Commission does hereby recommend that the City Council adopt Ordinance No. 188 to amend Section 94-121 of Chapter 94, Zoning, of the code of the City of Mason to prohibit land uses that are contrary to Federal, State, or Local laws or ordinances and to repeal Article III of Chapter 10, Businesses, Sections 10-70, 10-71, 10-72, 10-73, 10-74 and 10-75 of the Code of the City of Mason.

Yes (6) Brown, Green, King, Reeser. Sabbadin, Waltz

No (1) Cotter

Absent (2) Burns, Smith

RESOLUTION APPROVED

Discussion – Rayner Park Stage

Colburn introduced Mr. Neal Johnson who has volunteered his services to oversee construction of the stage project at Rayner Park. The Mason Rotary Club is donating more than \$10,000 to the project. Colburn gave a brief overview of the project and Mr. Johnson commented on the construction that is being planned. A brief discussion ensued regarding improvements the community has invested in financially for Rayner Park.

Report – 2011 Annual Report – Zoning & Development Department

Haywood elaborated on the 2011 Zoning & Development Annual Report.

UNFINISHED BUSINESS

Reeser informed the Commission that City Council adopted Ordinance No. 187.

NEW BUSINESS

Brown advocated participation in the Let's Save Michigan Campaign Contest, It's About Place, that will award funds to winning entries to complete the submitted projects.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

Waltz informed commissioners regarding current City Council business.

DIRECTOR REPORT

Haywood informed the Commission regarding current planning matters.

ADMINISTRATOR'S REPORT

Colburn informed the Commission regarding current City business.

ADJOURNMENT

The meeting adjourned at 7:37 p.m.

Deborah J. Cwierniewicz, City Clerk

Jim King, Secretary

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF FEBRUARY 14, 2012**

Burns called the meeting to order at 6:30 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Brown, Burns, Cotter, Green, King, Sabbadin, Waltz
Absent: Commissioner: Reeser (excused), Smith (excused)
Also present: David Haywood, Zoning & Development Director
Deborah J. Cwiertniewicz, City Clerk

APPROVAL OF MINUTES: JANUARY 10, 2012

The Minutes of January 10, 2012, were approved as submitted.

UNFINISHED BUSINESS

None.

PEOPLE FROM THE FLOOR

None.

ANNOUNCEMENTS

The Mason Fire Department Annual St. Patrick's Day Dance will be held March 17 at the Ingham County Fair Grounds Building

REGULAR BUSINESS

Resolution No. 2012-02 – A Resolution Approving A Preliminary Site Plan To Allow Efficiency Productions, Inc. To Construct A 17,000 Square Foot Building Addition To The Existing Industrial Manufacturing Facility Located At 685 Hull Road

Haywood elaborated on his report regarding the request by Efficiency Productions, Inc. (EPI) to construct a 17,000 square foot building addition to the existing industrial manufacturing facility located at 685 Hull Road. Steve Thornton, President of Thatcher Construction, explained that the primary use of the proposed addition would be to house the growing rental fleet that EPI has become more involved with in the past few years.

MOTION by Brown, second by Waltz,
to consider Resolution No. 2012-02 read.
MOTION APPROVED UNANIMOUSLY

Resolution No. 2012-02 was introduced by Brown and seconded by Waltz.

**CITY OF MASON
PLANNING COMMISSION RESOLUTION NO. 2012-02**

**A RESOLUTION APPROVING A PRELIMINARY SITE PLAN TO ALLOW EFFICIENCY
PRODUCTIONS, INC. TO CONSTRUCT A 17,000 SQUARE FOOT BUILDING ADDITION TO
THE EXISTING INDUSTRIAL MANUFACTURING FACILITY LOCATED AT 685 HULL ROAD**

February 14, 2012

WHEREAS, a request has been received from Efficiency Productions, Inc. (EPI) for preliminary site plan approval to be allowed to construct a 17,000 square foot building addition to the existing

manufacturing facility at 685 Hull Road, said property having parcel numbers 33-19-10-16-100-017 and 33-19-10-16-100-025.

WHEREAS, the subject property is further described as:

TAX ID#33-19-10-16-100-017: COMMENCING AT THE WEST 1/4 CORNER OF SECTION 16, THENCE S89°53'41"E ALONG THE EAST-WEST 1/4 LINE 1165.25 FEET TO THE POINT OF BEGINNING, THENCE S89°53'41"E ALONG SAID 1/4 LINE 758.51 FEET TO THE WESTERLY RIGHT OF WAY LINE OF CONRAIL RAILROAD, THENCE N07°08'04"W ALONG SAID RIGHT-OF-WAY LINE 498.7 FEET, THENCE ALONG SAID RIGHT-OF-WAY LINE 157.14 FEET ON A CURVE TO THE LEFT, WITH A RADIUS OF 2861.25 FEET, A DELTA ANGLE OF 03°08'48" AND CHORD BEARING N08°41'01"W 157.12 FEET, THENCE N89°53'41"W 673.73 FEET, THENCE S00°04'38"E 109.89 FEET TO THE RIGHT-OF-WAY LINE OF AN EASEMENT, THENCE SOUTHERLY 117.65 FEET ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 75.00 FEET, A DELTA ANGLE OF 89°52'39" AND CHORD BEARING S00°04'38"E 105.95 FEET, THENCE S00°04'38"E 434.16 FEET TO POINT OF BEGINNING, PART OF THE NORTHWEST 1/4, SECTION 16, T2N, R1W, CITY OF MASON, INGHAM COUNTY, MICHIGAN.

ALSO: TAX ID# 33-19-10-16-100-025: COMMENCING AT THE WEST 1/4 CORNER OF SECTION 16, THENCE S89°53'41"E ALONG THE EAST-WEST 1/4 LINE 1923.76 FEET; THENCE N07°08'04"W ALONG THE WEST LINE OF CONRAIL RAILROAD 498.70 FEET, THENCE ALONG SAID WEST LINE 157.14 FEET ON A CURVE TO THE LEFT, WITH A RADIUS OF 2861.25 FEET, A DELTA ANGLE OF 03°08'48" AND CHORD BEARING N08°41'01"W 157.12 FEET TO THE POINT OF BEGINNING, THENCE N89°53'41"W 673.75 FEET, THENCE S00°04'38"E 109.93 FEET, THENCE 116.29 FEET ALONG A CURVE TO THE LEFT WITH A RADIUS OF 75.00 FEET, A DELTA ANGLE OF 88°50'28" AND CHORD BEARING N89°23'58"W 104.99 FEET, THENCE 57.50 FEET ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 75.00 FEET, A DELTA ANGLE OF 43°55'31" AND CHORD BEARING S68°08'33"W, THENCE N89°53'41"W 57.14 FEET, THENCE N00°06'19"E 416.74 FEET, THENCE S89°53'41"E 534.20 FEET, THENCE 468.82 FEET ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 429.28 FEET, A DELTA ANGLE OF 62°34'21" AND CHORD BEARING S51°54'02"E 445.86 FEET, THENCE 10.89 FEET ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 2861.25 FEET, A DELTA ANGLE OF 00°13'05" AND CHORD BEARING S10°23'37"E 10.88 FEET TO POINT OF BEGINNING, PART OF THE NORTHWEST 1/4, SECTION 16, T2N, R1W, CITY OF MASON, INGHAM COUNTY, MICHIGAN.

WHEREAS, upon compliance with the conditions of approval, the plans will comply with the site plan review standards listed in Sections 94-226 and 94-227 of Chapter 94, Zoning, of the Mason Code.

WHEREAS, approval is granted subject to the following general conditions:

- 1) That site lighting be consistent with the lighting requirements listed in Section 94-177(e) of the zoning ordinance; and
- 2) The applicant meet the expectations of the City Engineer's comments in his letters dated January 23 and February 10, 2012; and
- 3) The applicant meet the expectations of the Superintendent of Public Works' comments in his letter dated February 2, 2012; and
- 4) The applicant shall provide confirmation from the Capital Region Airport Authority that the proposed building height does not constitute a safety hazard to aviation traffic prior to the issuance of a building permit.

WHEREAS, approval is granted subject to the following conditions being met prior to the issuance of a building permit:

- 1) The applicant shall submit a revised site plan with the correct overall size of the building; and
- 2) The applicant shall submit a revised site plan showing the required setback lines for the entire site, including the north parcel; and
- 3) The applicant shall provide a revised site plan showing the cul-de-sac right-of-way consistent with recorded deed descriptions of the street; and
- 4) The applicant shall submit the applicant provide an analysis of the number of spaces needed for the facility based on total employees, customer demand, etc. in addition to a revised site plan showing the parking spaces, including ADA accessible parking; and
- 5) The applicant shall provide a revised site plan showing sidewalk one foot inside the right-of-way; and
- 6) The applicant shall provide a statement indicating how potable water will be provided to the building addition; and
- 7) The applicant shall provide a revised site plan showing the location of all public water mains on or near the site, including location of hydrants; and
- 8) The applicant shall provide a revised site plan showing a detail for the "bowl inside drop" proposed at manhole #200; and

- 9) The applicant obtain a soil erosion and sedimentation permit from the Zoning and Development Department prior to the issuance of a building permit; and
- 10) The applicant shall provide on a revised site plan the origin and type of fill material proposed for the northwest corner of the north parcel; and
- 11) The applicant shall provide a revised site plan showing the required fire access lane and fire access gate per City Engineer's letter dated February 10, 2012; and
- 12) The applicant shall provide a revised site plan showing the required 10' buffer yard along the west, north and east side of the north parcel and along the west, south and east sides of the south parcel to preserve existing vegetation; and
- 13) The applicant shall provide a storm water run-off plan per the Superintendent of Public Works' letter of February 2, 2012; and
- 14) The applicant provide a list of chemicals used in the proposed expansion area per City Engineer's letter of February 10, 2012; and
- 15) The applicant provide a revised grading plan to address potential off site impact caused by storm water run-off at the northwest corner of the north parcel per City Engineer's letter of February 10, 2012; and

WHEREAS, approval is granted subject to the following conditions being met prior to the issuance of an occupancy permit:

- 1) The applicant shall demonstrate a proof roll to the Fire Department per City Engineer's letter February 10, 2012; and
- 2) The applicant shall submit an executed drainage facilities maintenance agreement between and City and responsible party to the private storm water management system prior to the issuance of an occupancy permit.

NOW THEREFORE BE IT RESOLVED, that the City of Mason Planning Commission does hereby approve a preliminary site plan for the construction of a 17,000 square foot building addition to the existing manufacturing facility located 685 Hull Road based on the plans dated January 5, 2012.

RESOLUTION APPROVED UNANIMOUSLY

Discussion – Draft Ordinance Prohibiting Medical Marihuana

At its January meeting, the Planning Commission requested staff to prepare a draft ordinance prohibiting enterprises or land uses that are contrary to Federal, State or local laws or ordinances, similar to the city of Livonia. Mr. Haywood stated that the draft ordinance language was based on the City of Livonia ordinance. A brief discussion ensued regarding the vote by Michigan voters versus Federal, State and local laws and holding a public hearing.

MOTION by Waltz, second by Sabbadin,
to direct staff to prepare an ordinance amendment for review by the Planning Commission at the next meeting, that has been reviewed by the attorney, amending Section 94-121 and 94-432, if recommended by the City Attorney; also, an amendment to repeal Ordinance 180.

Yes (6) Brown, Burns, Green, King, Sabbadin, Waltz

No (1) Cotter

Absent (2) Reeser, Smith

MOTION APPROVED

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

Waltz informed commissioners regarding current City Council business.

DIRECTOR REPORT

Haywood informed the Commission regarding current planning matters.

ADMINISTRATOR'S REPORT

Haywood also informed the Commission regarding current City business.

ADJOURNMENT

The meeting adjourned at 7:37 p.m.

Deborah J. Cwierniewicz, City Clerk

Jim King, Secretary

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF JANUARY 10, 2012**

Resser called the meeting to order at 6:30 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Burns, Kenroy, King, Reeser, Sabbadin, *Smith, Vincent, Waltz
Absent: Commissioner: Cotter (excused)
Also present: Martin A. Colburn, City Administrator
David Haywood, Zoning & Development Director
Deborah J. Cwierniewicz, City Clerk

APPROVAL OF MINUTES: DECEMBER 13, 2011

The Minutes of December 13, 2011, were approved as submitted.

UNFINISHED BUSINESS

None.

ELECTION OF CHAIRPERSON, VICE-CHAIRPERSON, AND SECRETARY

Cwierniewicz opened nominations for Chairperson.

Nomination by Brown,
to elect Ed Reeser as Chairperson.

As there were no other nominations for Chairperson, Cwierniewicz closed the nominations.

ED REESER UNANIMOUSLY ELECTED CHAIRPERSON

Cwierniewicz opened nominations for Vice Chairperson.

Nomination by King,
to elect Chris Burns as Vice Chairperson.

As there were no other nominations for Vice Chairperson, Cwierniewicz closed the nominations.

CHRIS BURNS UNANIMOUSLY ELECTED VICE CHAIRPERSON

Cwierniewicz opened nominations for Secretary.

Nomination by Green,
to elect Jim King as Secretary.

As there were no other nominations for Secretary, Cwierniewicz closed the nominations.

JIM KING UNANIMOUSLY ELECTED SECRETARY

*Smith arrived at 6:36 p.m.

PEOPLE FROM THE FLOOR

None.

ANNOUNCEMENTS

None.

PUBLIC HEARING

Ordinance No. 187 – An Ordinance to Amend Section 94-173, at Subsection (e) of Chapter 94, Zoning , of the Code of the City of Mason to Permit Swimming Pools to be Constructed as an Accessory Structure Within Ten Feet of a Rear or Side Property Line

Reaser opened the public hearing at 6:38 p.m.

Karen Maines stated support of the amendment to reduce the swimming pools setback to not closer than 10’ of of a rear of side property line.

Martha Hosek of Matthews Street stated support of the proposed amendment to change the setback to not closer than 10’ of a rear of side property line for swimming pools.

Linda Inman Raging River, stated support of the proposed amendment to change the setback for swimming pools to not closer than 10’ of a rear of side property line.

Jon Jenkins, Chairperson of the Zoning Board of Appeals, stated objection to changing the setback for swimming pools.

Reaser closed the public hearing at 6:43 p.m.

REGULAR BUSINESS

Resolution No. 2012-01 – A Resolution Recommending that the City Council Adopt Ordinance No. 187, An Ordinance to Amend Section 94-173, at Subsection (e) of Chapter 94, Zoning , of the Code of the City of Mason to Permit Swimming Pools to be Constructed as an Accessory Structure Within Ten Feet of a Rear or Side Property Line

A brief discussion ensued regarding the proposed amendment to Section 94-173 (e), to modify the setback to not closer than ten feet of a rear side property line for swimming pools.

MOTION by Waltz, second by Brown,
to consider Resolution No. 2012-01 read.

MOTION APPROVED UNANIMOUSLY

Resolution No. 2012-01 was introduced by Sabbadin and seconded by Brown.

**CITY OF MASON
PLANNING COMMISSION RESOLUTION NO. 2012-01
A RESOLUTION RECOMMENDING THAT THE CITY COUNCIL ADOPT ORDINANCE
NO. 187 – AN ORDINANCE TO AMEND SECTION 94-173 OF CHAPTER 94 –
ZONING – OF THE CODE OF THE CITY OF MASON TO AMEND SUBSECTION (e)
TO PERMIT SWIMMING POOLS TO BE CONSTRUCTED AS AN ACCESSORY
STRUCTURE WITHIN TEN FEET OF A REAR OR SIDE PROPERTY LINE
January 10, 2012**

WHEREAS, it has come to the attention of the Mason Planning Commission that it is difficult to construct a swimming pool in compliance with Section 94-173(e) given the existing development patterns in the city; and

WHEREAS, the issue was studied by the Planning Commission finding that many cities in Michigan allow swimming pools within ten feet of the side and rear property line; and

WHEREAS, the Planning Commission finds that a ten feet side and rear yard setback is appropriate for swimming pools; and

WHEREAS, the Planning Commission finds that it is appropriate to consider a swimming pool an accessory structure; and

WHEREAS, the Planning Commission did properly notice and conduct a public hearing on the proposed amendments at its regular meeting held January 10, 2012.

NOW THEREFORE BE IT RESOLVED, that the City of Mason Planning Commission does hereby recommend that the City Council adopt Ordinance No. 187 to amend Section 94-173 of Chapter 94, Zoning, of the code of the City of Mason at subsection (e) to permit the construction of swimming pools as an accessory structure within ten feet from a side or rear property line.

RESOLUTION APPROVED UNANIMOUSLY

Discussion – Medical Marihuana Ordinance

A lengthy discussion ensued regarding the manner of process to utilize for preparing an ordinance. It was the consensus of the Commission to request staff to prepare a draft ordinance to ban medical marihuana for consideration at the next regular meeting

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

Waltz informed commissioners regarding current City Council business.

DIRECTOR REPORT

Haywood informed the Commission regarding current planning matters.

ADMINISTRATOR’S REPORT

Colburn informed the Commission regarding current City business.

ADJOURNMENT

The meeting adjourned at 7:58 p.m.

Deborah J. Cwierniewicz, City Clerk

Jim King, Secretary

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF DECEMBER 13, 2011**

Reeser called the meeting to order at 6:30 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Brown, Burns, Cotter, Green, King, Reeser, Sabbadin, Waltz
Absent: Commissioner: Smith (excused)
Also present: Martin A. Colburn, City Administrator
David Haywood, Zoning & Development Director
Deborah J. Cwierniewicz, City Clerk

APPROVAL OF MINUTES: November 15, 2011

MOTION by Brown, second by Burns,
To approve the Minutes of November 15, 2011 as presented.
MOTION APPROVED UNANIMOUSLY

PEOPLE FROM THE FLOOR

None.

ANNOUNCEMENTS

None.

REGULAR BUSINESS

Discussion – Swimming Pool Setback Standards

By formal action at the November regular meeting, the Commission directed staff to prepare an amendment for swimming pool setback standards. Haywood presented a draft ordinance stating that it is being reviewed by the city attorney; a public hearing will be held January 10, 2012.

UNFINISHED BUSINESS

Reeser thanked members who attended the Michigan Medical Marihuana Act work session.

NEW BUSINESS

None.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

Waltz informed the Commission regarding City Council business.

ADMINISTRATOR'S REPORT

Colburn informed the Commission regarding City business.

DIRECTOR'S REPORT

Haywood informed commissioners regarding current zoning and development issues.

ADJOURNMENT

The meeting adjourned at 6:53 p.m.

Deborah J. Cwierniewicz, City Clerk

Jim King, Secretary

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF NOVEMBER 15, 2011**

Reeser called the meeting to order at 6:30 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Brown, Burns, Cotter, Green, Reeser
Absent: Commissioner: King, Sabbadin, Smith, Waltz
Also present: David Haywood, Zoning & Development Director
Deborah J. Cwierniewicz, City Clerk

APPROVAL OF MINUTES: October 11, 2011

MOTION by Brown, second by Burns,
To approve the Minutes of October 11, 2011 as corrected.
MOTION APPROVED UNANIMOUSLY

PEOPLE FROM THE FLOOR

None.

ANNOUNCEMENTS

None.

REGULAR BUSINESS

Motion – Swimming Pool Setback Standards

Haywood elaborated on his memorandum regarding swimming pool setback standards. Discussion ensued regarding standards of Michigan cities, standards for pools with decks, and the potential distance of pools to adjacent property. Haywood suggested three ordinance amendment options for consideration. Although Option #3 was preferred, it was deliberated whether the minimum setback should be five or ten feet.

MOTION by Brown, second by Burns,
to ask staff to prepare an ordinance amendment for Section 94-173(e), pool setback standards, pursuing Option #3, as shown in the Memorandum from David Haywood, dated November 10, 2011, with the setback requirement of ten feet, the first two lines to read as follows:

Pools used for swimming or bathing shall not be located in any front yard and shall conform to the applicable yard and setback requirements for an accessory structure. In no instance shall a swimming pool be located closer than ten feet from any property line.

Yes (4) Brown, Burns, Cotter, Reeser

No (1) Green

Absent (4) King, Sabbadin, Smith, Waltz

MOTION APPROVED

Discussion – Tri-County Urban Service Management Study

Haywood explained that the City Council took action to return the Tri-county Urban Service Management Study and its recommendations to the Planning Commission for further study and review and final consideration. Haywood recommended that the Master Plan Committee add the Study to the list of resource/documents as a reference when formulating the goals, objective and implementation strategy in the Master Plan. A brief discussion ensued.

Discussion – Michigan Medical Marihuana Act (MMMA)

Reeser reminded the Commission about the joint work session with City Council and City Attorney Tom Yeadon regarding the Michigan Medical Marihuana Act on Monday, November 21 at 6:30 p.m. Haywood elaborated on the topic and materials he provided on the subject. It was discussed to formally inform Council of the steps taken by the Commission to become informed on the MMMA.

MOTION by Brown, second by Burns,
to direct staff to prepare a Staff Agenda Report for the December 5, 2011 Council Meeting attesting to the Planning Commission's efforts in moving forward with the Michigan Medical Marihuana Act Ordinance for the City of Mason.

MOTION APPROVED

UNFINISHED BUSINESS

Brown stated that the Master Plan Committee received the Michigan Association of Planning Community Planning Principles document and he thanked Mr. Haywood for providing to the Commission as well.

NEW BUSINESS

None.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

None.

ADMINISTRATOR'S REPORT

None.

DIRECTOR'S REPORT

Haywood informed commissioners regarding current zoning and development issues, as well as an update on the progress of the Master Plan Committee.

ADJOURNMENT

The meeting adjourned at 8:12 p.m.

Deborah J. Cwierniewicz, City Clerk

Jim King, Secretary

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF OCTOBER 11, 2011**

Reeser called the meeting to order at 6:30 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Brown, Burns, Green, King, Reeser, Sabbadin, Waltz
Absent: Commissioner: Cotter, Smith
Also present: Martin A. Colburn, City Administrator
David Haywood, Zoning & Development Director
Deborah J. Cwierniewicz, City Clerk

Reeser informed the Commission that the absence of Commissioners Cotter and Smith were excused.

APPROVAL OF MINUTES: September 13, 2011

MOTION by Brown, second by Burns,
To approve the Minutes of September 13, 2011.
MOTION APPROVED UNANIMOUSLY

PEOPLE FROM THE FLOOR

None.

ANNOUNCEMENTS

- Master Plan Public Visioning Survey is available on the City website

REGULAR BUSINESS

Resolution No. 2011-06 – A Resolution Approving a Site Plan for Gestamp Mason

MOTION by Waltz, second by King,
to consider Resolution No. 2011-06 as read.
MOTION APPROVED UNANIMOUSLY

Resolution No. 2011-06 was introduced by Sabbadin and seconded by Brown.

Haywood elaborated on his report regarding the proposed site plan for Gestamp Mason. A brief discussion ensued.

MOTION by Burns, second by King,
to amend Resolution No. 2011-06 by striking the words *Lee Contracting* and inserting *Lamar Construction Company* in its place in the first sentence of the first Whereas.
MOTION APPROVED UNANIMOUSLY

**CITY OF MASON
PLANNING COMMISSION RESOLUTION NO. 2011-06
A RESOLUTION APPROVING A PRELIMINARY AND FINAL SITE PLAN TO ALLOW
GESTAMP MASON TO CONSTRUCT A 106,500 SQUARE FOOT BUILDING EXPANSION
TO THE EXISTING MANUFACTURING FACILITY LOCATED AT 200 E. KIPP ROAD
October 11, 2011**

WHEREAS, a request has been received from Lamar Construction Company on behalf of Gestamp Mason for concurrent preliminary and final site plan approval to be allowed to construct a 106,500 square foot building addition to the existing manufacturing facility at 200 E. Kipp Road, said property having parcel number 33-19-10-16-100-024.

WHEREAS, the subject property is further described as:

PART OF THE NW ¼ OF SECTION 16, T.2N., R.1W., VEVAY TWP., INGHAM COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 16; ALONG THE NORTH SECTION LINE IN KIPP ROAD (100 FEET ROW), THENCE S 89°45'58" E, 1033.64 FT TO THE WESTERLY LINE OF THE CONRAIL RAILROAD ROW, THENCE S24°17'28"E, 1459.66 FT. TO A POINT OF CURVATURE; THENCE CONTINUING SOUTHEASTERLY ALONG THE ARC OF A CURVE TO THE RIGHT 408.57 FT (RADIUS=2861.25 FT., DELTA=8°10'53", CHORD BEARING S20°12'01"E, 408.22 FT) THENCE N89°43'34"W, 820.40 FT; THENCE S00°06'19"W, 31.32 FT; THENCE N89°43'34"W, 197.00 FT; THENCE S00°06'19"W, 386.00 FT; THENCE ALONG THE NORTH RIGHT OF WAY LINE OF TRILLIUM CT. (66 FT ROW) N89°53'41"W, 754.03 FT TO THE WEST SECTION LINE IN HULL ROAD, (100 FT ROW) THENCE ALONG SAID SECTION LINE N00°04'38"W, 2128.84 FT TO THE NW SECTION CORNER AND P.O.B. SAID PARCEL CONTAINS 63.00 ACRES OF LAND, THE NORTH AND WEST 50 FT IS SUBJECT TO ROAD RIGHT OF WAY (-3.5855 ACRES)

WHEREAS, upon compliance with the conditions of approval, the plans will comply with the site plan review standards listed in Sections 94-226 and 94-227 of Chapter 94, Zoning, of the Mason Code.

WHEREAS, approval is granted subject to the following conditions:

- 1) The applicant shall submit a revised site plan showing the entire site, including all existing improvements and utilities, such as landscaping, sidewalks, water and sewer leads, etc. prior to the issuance of a building permit; and
- 2) The applicant shall submit a revised site plan showing the correct adjacent zoning to the east of the railroad and the existing land use descriptions of adjacent properties prior to the issuance of a building permit; and
- 3) That site lighting be consistent with the lighting requirements listed in Section 94-177(e) of the zoning ordinance; and
- 4) The applicant meet the expectations of the City Engineer's comments in his letter dated October 3, 2011; and
- 5) The applicant meet the expectations of the Public Works Supervisor's comments in his letter dated October 5, 2011; and
- 6) The applicant shall submit an executed drainage facilities maintenance agreement between and City and responsible party to the private storm water management system on site prior to the issuance of an occupancy permit; and
- 7) The applicant provide confirmation from the Capital Region Airport Authority that the proposed building height does not constitute a safety hazard to aviation traffic prior to the issuance of a building permit.

NOW THEREFORE BE IT RESOLVED, that the City of Mason Planning Commission does hereby approve a preliminary and final site plan for the construction of a 106,500 square foot building addition to the existing manufacturing facility located 200 E. Kipp Road based on the plans dated and received by the Zoning and Development Department on September 20, 2011.

RESOLUTION APPROVED UNANIMOUSLY

Chairperson Reeser handed the gavel to Secretary King and departed from the meeting at 6:46 p.m.

Resolution No. 2011-07 – A Resolution Recommending the City Council Adopt the 2011 Tri-County Urban Service Management Study and Its Recommendations

MOTION by Waltz, second by Burns,
to consider Resolution No. 2011-07 as read.

MOTION APPROVED UNANIMOUSLY

Resolution No. 2011-07 was introduced by Brown and seconded by Sabbadin.

Haywood elaborated on his report regarding the 2011 Tri-County Urban Service Management Study (USMS). Harmony Gmazel of the Tri-County Regional Planning Commission gave a brief explanation of the study and how the tools it offers would be helpful with visioning for the City's Master Plan.

Stacey Byers, representing Ingham County Agricultural Preservation Board, spoke regarding the significance of adopting the study, stating that it would affirm recognition that the study was conducted and that the principles are followed by the City of Mason.

MOTION by Brown, second by Watzl,
to amend Resolution No. 2011-07 by substituting the second "Therefore Be It Resolved" paragraph to read as follows:

THEREFORE BE IT RESOLVED, that the City of Mason Planning Commission does hereby recommend that the City Council adopt the 2011 Tri-County Urban Service Management Study and will to its full ability follow the subsequent recommendations.

MOTION APPROVED UNANIMOUSLY

**CITY OF MASON
PLANNING COMMISSION RESOLUTION NO. 2011-07
A RESOLUTION RECOMMENDING THE CITY COUNCIL ADOPT THE
2011 TRI-COUNTY URBAN SERVICE MANAGEMENT STUDY AND ITS RECOMMENDATIONS
October 11, 2011**

WHEREAS, the Tri-County Regional Planning Commission has developed a regional vision for land use and development that is called *Regional Growth: Choices for our Future* and has established the Regional Growth Steering Committee and its Urban and Rural Service District/Urban Service Boundary (URSD/USB) Committee to study and develop ways to implement that regional vision; and

WHEREAS, the City of Mason has established its membership on the urban and Rural Service District/Urban Service Boundary (URSD/USB) Committee to study and develop ways to implement that regional vision through its own master planning efforts; and

WHEREAS, the URSD/USB Committee has completed the 2011 Tri-County Urban Service Management Study (the Study) under the *Partnerships for Change: Sustainable Communities Grant Program*, which was partially funded by the City through Resolution 2009-38, dated September 8, 2009; and

WHEREAS, the City of Mason recognizes and values the Study and its recommendations because they will assist in implementing related City Master Plan goals.

THEREFORE BE IT RESOLVED, ~~that the City of Mason will to its full ability follow the Study's recommendations as follows:~~ that the City of Mason Planning Commission does hereby recommend that the City Council adopt the 2011 Tri-County Urban Service Management Study and will to its full ability follow the subsequent recommendations. [insert correction]

- Maintain trust between governmental entities in the region;
- Formalize its commitment to the Study and its recommendations;
- Collaboratively explore and employ tools that support an urban service management area policy;
- Examine, and/or promote the examination of master plan and zoning ordinances to determine where language is needed supporting urban service management policies;
- Work locally or collaboratively to delineate an urban service management area, or revisit existing water/sewer agreement areas using the criteria described in the Study with public participation and input at the county and local level; and now

RESOLUTION APPROVED UNANIMOUSLY

Discussion – Michigan Medical Marihuana Act

Discussion ensued regarding the Michigan Medical Marihuana Act. Commissioner Burns recommended holding a work session regarding the matter to obtain further understanding of the law. Colburn suggested a joint work session with Planning Commission and City Council.

Discussion – Swimming Pool Setback Standards

Haywood stated that he wanted to inform the Commission regarding swimming pool setback standards. In accordance with Mason Code, swimming pools are required to meet the principle setback standard for the zoning district in which they are located. Numerous homeowners have made requests this year for installing a swimming pool, and many of those homeowners have had to appear before the Zoning Board of Appeals due to Code standards. Of the three setback variances requested this year, one was denied. Haywood asked the Commission if they would consider setback standards for swimming pools as a future agenda item. It was the consensus of the Commission to have information provided for review on the matter.

UNFINISHED BUSINESS

None.

NEW BUSINESS

Commissioner Brown informed the Commission regarding the Community Planning Principles that were put out by the Michigan Association of Planning. He suggested placing the four-page document on the next agenda for discussion.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

Waltz informed the Commission regarding current City Council business.

ADMINISTRATOR’S REPORT

Colburn informed the Commission regarding current City business.

DIRECTOR’S REPORT

Haywood informed commissioners regarding current zoning and development issues. Also, he thanked Commissioner Brown for organizing the community visioning work sessions.

ADJOURNMENT

The meeting adjourned at 7:44 p.m.

Deborah J. Cwierniewicz, City Clerk

Jim King, Secretary

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF SEPTEMBER 13, 2011**

Reeser called the meeting to order at 6:30 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: *Brown, Burns, Cotter, Green, King, Reeser, Sabbadin, Waltz
Absent: Commissioner: Smith
Also present: Martin A. Colburn, City Administrator
David Haywood, Zoning & Development Director
Deborah J. Cwiertniewicz, City Clerk

Reeser informed the Commission that the absence of Commissioner Smith was excused.

*Brown arrived at 6:31 p.m.

APPROVAL OF MINUTES: August 9, 2011

MOTION by Burns, second by King,
To approve the Minutes of August 9, 2011.
MOTION APPROVED UNANIMOUSLY

PEOPLE FROM THE FLOOR

None.

ANNOUNCEMENTS

- Master Plan Workshop - Public Visioning – September 12, 20, and 29

REGULAR BUSINESS

Discussion – Michigan Medical Marihuana Act

Haywood elaborated on his report regarding the Michigan Medical Marihuana Act. Discussion was held regarding various issues relating to case law, enforcement, and the moratorium currently in place.

Report – Master Plan Update

Haywood informed the Commission regarding the Master Plan update committee progress. He also spoke briefly regarding the progress of of the Master Plan Workshop - Public Visioning held September 12, 2011.

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

Waltz informed Commission regarding current City Council business.

ADMINISTRATOR'S REPORT

Colburn informed the Commission regarding current City business.

DIRECTOR'S REPORT

Haywood gave a brief synopsis of the permit application process and informed commissioners regarding current zoning and development issues.

ADJOURNMENT

The meeting adjourned at 8:48 p.m.

Deborah J. Cwierniewicz, City Clerk

Jim King, Secretary

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF AUGUST 9, 2011**

Reeser called the meeting to order at 6:30 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Brown, Cotter, Green, King, Reeser, Sabbadin, Waltz
Absent: Commissioners: Burns, Smith
Also present: Martin A. Colburn, City Administrator
David Haywood, Zoning & Development Director
Deborah J. Cwiertniewicz, City Clerk

Reeser informed the Commission that the absence of Commissioners Burns and Smith were excused.

APPROVAL OF MINUTES: July 12, 2011

MOTION by Brown, second by King,
To approve the Minutes of July 12, 2011.
MOTION APPROVED UNANIMOUSLY

PEOPLE FROM THE FLOOR

None.

ANNOUNCEMENTS

- Master Plan Workshop - Public Visioning – September 12, 20, and 29
- Sun Dried Music Festival – August 26-27, 2011

REGULAR BUSINESS

Resolution No. 2011-05 – A Resolution Approving the Capital Improvements Plan for the Fiscal Years 2011/12 through 2016/17

MOTION by Waltz, second by Sabbadin.
To consider Resolution No. 2011-05 read.
MOTION APPROVED UNANIMOUSLY

Haywood elaborated on his report regarding the Capital Improvements Plan for the Fiscal Years 2011/12 through 2016/17.

Resolution No. 2011-05 was introduced by Waltz and seconded by Sabbadin.

WHEREAS, the Capital Improvements Plan is a result of significant review and consideration by the City of Mason administrative staff of the numerous capital project requests from City department heads for the next six-year fiscal period; and,

WHEREAS, prioritization of projects listed in the plan is based on the overall benefit to the community, especially when improving public health, safety and welfare, and so that the most-needed projects will be accomplished first and scarce financial resources are allocated appropriately; and,

WHEREAS, the Capital Improvements Plan is consistent with the Capital Improvements Programming component of the Master Plan; and,

NOW THEREFORE BE IT RESOLVED, that the City of Mason Planning Commission does hereby approve the Capital Improvements Plan for fiscal years 2011/12 – 2016/17.

RESOLUTION APPROVED UNANIMOUSLY

Discussion – Master Plan Update – Review of Appendix I

The Commission reviewed Appendix I of the draft Master Plan.

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

Waltz informed Commission regarding current City Council business.

ADMINISTRATOR'S REPORT

Colburn informed the Commission regarding current City business.

DIRECTOR'S REPORT

Haywood informed commissioners regarding current zoning and development issues.

ADJOURNMENT

The meeting adjourned at 7:30 p.m.

Deborah J. Cwierniewicz, City Clerk

Jim King, Secretary

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF JULY 12, 2011**

Reeser called the meeting to order at 6:34 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Brown, Cotter, Green, King, Reeser, *Smith, Waltz
Absent: Commissioner: Burns, Sabbadin
Also present: Martin A. Colburn, City Administrator
David Haywood, Zoning & Development Director
Deborah J. Cwiertniewicz, City Clerk

Reeser informed the Commission that the absence of Commissioners Burns and Sabbadin were excused.

APPROVAL OF MINUTES: May 10, 2011 and June 7, 2011

MOTION by Waltz, second by Brown,
To approve the Minutes of May 10, 2011 and Special Meeting Minutes of
June 7, 2011 as corrected.

MOTION APPROVED UNANIMOUSLY

*Smith arrived at 6:38 p.m.

PEOPLE FROM THE FLOOR

Colburn recognized Michigan State University journalism students who were present at the meeting.

ANNOUNCEMENTS

None.

PUBLIC HEARING

Special Use Permit – 335 East Elm Street – Child Day Care Home

Reeser opened and closed the public hearing at 6:39 p.m. as there were no comments.

REGULAR BUSINESS

Resolution No. 2011-04 – A Resolution Approving a Special Use Permit for a Group Child Care Home at 335 East Elm Street

MOTION by Brown, second by Smith,
To consider Resolution No. 2011-04 read.

MOTION APPROVED UNANIMOUSLY

Haywood elaborated on his report regarding the request for a special use permit for a group child care home.

Resolution No. 2011-04 was introduced by Smith and seconded by King.

**CITY OF MASON
PLANNING COMMISSION RESOLUTION NO. 2011-04
A RESOLUTION APPROVING A SPECIAL USE PERMIT FOR
A GROUP CHILD CARE HOME AT 335 EAST ELM STREET
July 12, 2011**

WHEREAS, a request has been received from Deborah O'Loughlin, regarding parcel 33-19-10-09-153-012 (commonly known as 335 E. Elm St.) for a Special Use Permit for a group child care home for care of up to 12 individuals; and

WHEREAS, the subject property is legally described as: Lot 12, Block 20, Original Plat City of Mason, Ingham County, Michigan, as recorded in Liber 37 of deeds, page 234 and 235, Ingham County Records.

WHEREAS, the proposed use complies with the site plan review standards listed in Section 94-227 of the Mason Code; and

WHEREAS, approval is granted with the following conditions:

1. The target population of the group day care home not exceed 12 individuals as permitted by State of Michigan licensing.
2. The applicant maintain a valid State of Michigan Group Child Care Home license at all times the use is in operation.

NOW THEREFORE BE IT RESOLVED, that the City of Mason Planning Commission does hereby approve the special use permit for group child care home located at 335 E. Elm St. based on the application received June 13, 2011.

RESOLUTION APPROVED UNANIMOUSLY

Discussion – Master Plan Update – Review of Chapter 4

The Commission reviewed Chapter 4 of the draft Master Plan.

Training – Complete Streets & Walkability

Haywood elaborated on the article from *The Review* magazine entitled "Paving the Way – Complete Streets Myths Debunked." A brief discussion ensued.

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

Waltz informed commissioners regarding current City Council business.

ADMINISTRATOR'S REPORT

Colburn informed the commissioners regarding current City business.

DIRECTOR'S REPORT

Haywood informed commissioners regarding current zoning and development issues.

ADJOURNMENT

The meeting adjourned at 7:20 p.m.

Deborah J. Cwierniewicz, City Clerk

Jim King, Secretary

**CITY OF MASON
PLANNING COMMISSION SPECIAL MEETING
MINUTES OF JUNE 7, 2011**

Reeser called the meeting to order at 6:32 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Brown, Burns, Cotter, King, Reeser, *Smith, Waltz
Absent: Commissioner: Sabbadin
Also present: Martin A. Colburn, City Administrator
David Haywood, Zoning & Development Director
Deborah J. Cwiertniewicz, City Clerk

MOTION by Burns, second by Waltz,
to amend the agenda by inserting, *Introductions*, as Item Number 3 and
moving the remaining items appropriately.
MOTION APPROVED UNANIMOUSLY

INTRODUCTIONS

Waltz introduced newly appointed Council member Commissioner Marlon Brown.

[correction]

PEOPLE FROM THE FLOOR

None.

REGULAR BUSINESS

Resolution No. 2011-03 – A Resolution Approving a Preliminary and Final Site Plan to Allow Gestamp Mason to Construct a 32,000 Square Foot Building Addition to the Existing Manufacturing Facility Located at 200 East Kipp Road

Haywood elaborated on his review of site plan.

*Smith arrived at 6:41 p.m.

Discussion ensued regarding the landscaping and sidewalks that were not installed under the previous agreement and addition constructed by Gestamp Mason.

Lenny Noyes, applicant and project manager for Lee Industrial Contracting, spoke regarding the construction of the addition for Gestamp Mason; he assured the Commission that the sidewalks and landscaping would be completed.

MOTION by Waltz, second by Smith,
to consider Resolution No. 2011-03 read.
MOTION APPROVED UNANIMOUSLY

Resolution No. 2011-03 was introduced by Burns and seconded by Waltz.

MOTION by Waltz, second by Smith,
to amend Resolution No. 2011-03 by inserting under the fourth whereas,
number 8, the following:

The Landscape Plan shall be consistent with conditions listed in Section 94-241(c)(8) and installed prior to the issuance of a occupancy permit; and
MOTION APPROVED UNANIMOUSLY

MOTION by Waltz, second by Smith,
to amend Resolution No. 2011-03 by inserting under the fourth whereas, item number nine, the following:

Applicant shall post with the City a cash bond, certified check, or surety check in the amount sufficient to cover the ramifications of above items 3, 4 and 8 prior to the issuance of a Building Permit. The amount of cash posted will be calculated using the City's real estimated costs to complete the project(s) pursuant to Section 94-100(c). Should applicant fail to complete the items on or before May 1, 2012, the City may exercise its right to complete said items upon seven (7) days written notice to the applicant and apply the cash bond to its cost to complete.

MOTION APPROVED UNANIMOUSLY

**CITY OF MASON
PLANNING COMMISSION RESOLUTION NO. 2011-03
A RESOLUTION APPROVING A PRELIMINARY AND FINAL SITE
PLAN TO ALLOW GESTAMP MASON TO CONSTRUCT A 32,000
SQUARE FOOT BUILDING EXPANSION TO THE EXISTING
MANUFACTURING FACILITY LOCATED AT 200 E. KIPP ROAD
June 7, 2011**

WHEREAS, a request has been received from Lee Contracting on behalf of Gestamp Mason for concurrent preliminary and final site plan approval to be allowed to construct a 32,000 square foot building addition to the existing manufacturing facility at 200 E. Kipp Road, said property having parcel number 33-19-10-16-100-024.

WHEREAS, the subject property is further described as:

PART OF THE NW ¼ OF SECTION 16, T.2N., R.1W., VEVAY TWP., INGHAM COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 16; ALONG THE NORTH SECTION LINE IN KIPP ROAD (100 FEET ROW), THENCE S 89°45'58" E, 1033.64 FT TO THE WESTERLY LINE OF THE CONRAIL RAILROAD ROW, THENCE S24°17'28"E, 1459.66 FT. TO A POINT OF CURVATURE; THENCE CONTINUING SOUTHEASTERLY ALONG THE ARC OF A CURVE TO THE RIGHT 408.57 FT (RADIUS=2861.25 FT., DELTA=8°10'53", CHORD BEARING S20°12'01"E, 408.22 FT) THENCE N89°43'34"W, 820.40 FT; THENCE S00°06'19"W, 31.32 FT; THENCE N89°43'34"W, 197.00 FT; THENCE S00°06'19"W, 386.00 FT; THENCE ALONG THE NORTH RIGHT OF WAY LINE OF TRILLIUM CT. (66 FT ROW) N89°53'41"W, 754.03 FT TO THE WEST SECTION LINE IN HULL ROAD, (100 FT ROW) THENCE ALONG SAID SECTION LINE N00°04'38"W, 2128.84 FT TO THE NW SECTION CORNER AND P.O.B. SAID PARCEL CONTAINS 63.00 ACRES OF LAND, THE NORTH AND WEST 50 FT IS SUBJECT TO ROAD RIGHT OF WAY (-3.5855 ACRES)

WHEREAS, upon compliance with the conditions of approval, the plans will comply with the site plan review standards listed in Sections 94-226 and 94-227 of Chapter 94, Zoning, of the Mason Code.

WHEREAS, approval is granted subject to the following **general conditions**:

- 1) That site lighting be consistent with the lighting requirements listed in Section 94-177(e) of the zoning ordinance, and

- 2) A valid soil erosion and sedimentation permit is obtained from the City Zoning and Development Department prior to the issuance of a building permit; and
- 3) The applicant submit a landscape plan consistent with the conditions listed in City of Mason Planning Commission Resolution No. 2006-12 and that said landscape requirements listed therein are installed prior to the issuance of an occupancy permit; and
- 4) The applicant install the sidewalks shown on the site plan (as previously required in City of Mason Planning Commission Resolution No. 2006-12) prior to the issuance of an occupancy permit; and
- 5) The applicant meet the expectations of the City Engineer's comments in his letter dated June 3, 2011; and
- 6) The applicant meet the expectations of the Public Works Supervisor's comments in his letter dated May 25, 2011; and
- 7) The applicant provide confirmation from the Capital Region Airport Authority that the proposed building height does not constitute a safety hazard to aviation traffic prior to the issuance of a building permit.
- 8) The Landscape Plan shall be consistent with conditions listed in Section 94-241(c)(8) and installed prior to the issuance of a occupancy permit; and
- 9) Applicant shall post with the City a cash bond, certified check, or surety check in the amount sufficient to cover the ram of above items 3, 4 and 8 prior to the issuance of a Building Permit. The amount of cash posted will be calculated using the City's real estimated costs to complete the project(s) pursuant to Section 94-100(c). Should applicant fail to complete the items on or before May 1, 2012, the City may exercise its right to complete said items upon seven (7) days written notice to the applicant and apply the cash bond to its cost to complete.

NOW THEREFORE BE IT RESOLVED, that the City of Mason Planning Commission does hereby approve a preliminary and final site plan for the construction of a 32,000 square foot building addition to the existing manufacturing facility located 200 E. Kipp Road based on the plans dated and received by the Zoning and Development Department on May 20, 2011.

RESOLUTION APPROVED UNANIMOUSLY

ADJOURNMENT

The meeting adjourned at 7:37 p.m.

Deborah J. Cwierniewicz, City Clerk

Jim King, Secretary

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF MAY 10, 2011**

Reeser called the meeting to order at 6:32 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Burns, Cotter, Reeser, Smith, Waltz
Absent: Commissioner: Kenroy, King, Sabbadin, Vincent
Also present: David Haywood, Zoning & Development Director
Deborah J. Cwiertniewicz, City Clerk

Reeser informed the Commission that the absence of Commissioners King and Vincent were excused.

APPROVAL OF MINUTES: APRIL 12, 2011

MOTION by Waltz, second by Smith,
To approve the Minutes of April 12, 2011 as submitted.
MOTION APPROVED UNANIMOUSLY

PEOPLE FROM THE FLOOR

None.

ANNOUNCEMENTS

- Sycamore Creek and Rayner Park clean up will be held Saturday, May 14, 2011

REGULAR BUSINESS

Report – 2010 U.S. Census, Profile of General Population and Housing Characteristics for Michigan and City of Mason

Haywood elaborated on his report regarding the 2010 U.S. Census relating to Michigan and the City.

Discussion – Master Plan Update – Review of Chapter 2 and 3

The Commission reviewed Chapter 2 and 3 of the draft Master Plan.

UNFINISHED BUSINESS

None.

NEW BUSINESS

Discussion was held regarding the city attorney recommendation for the Planning Commission to begin reviewing Mason Codes for inclusion of Medical Marijuana as a new business relating to zoning uses.

CORRESPONDENCE

None.

LIAISON REPORTS

Waltz informed commissioners regarding current City Council business.

DIRECTOR'S REPORT

Haywood informed commissioners regarding current zoning and development business.

ADMINISTRATOR'S REPORT

Administrator Colburn was not in attendance due to illness.

PEOPLE FROM THE FLOOR

None.

ADJOURNMENT

The meeting adjourned at 7:36 p.m.

Deborah J. Cwierniewicz, City Clerk

Jim King, Secretary

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF APRIL 12, 2011**

Reeser called the meeting to order at 6:30 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Burns, Cotter, King, Reeser, Sabbadin, Smith Vincent, Waltz
Absent: Commissioner: Kenroy
Also present: Martin A. Colburn, City Administrator
David Haywood, Zoning & Development Director
Deborah J. Cwiertniewicz, City Clerk

Reeser informed the Commission that the absence of Commissioner Kenroy was excused.

APPROVAL OF MINUTES: MARCH 15, 2011

MOTION by Waltz, second by Smith,
To approve the Minutes of March 15, 2011 as submitted.
MOTION APPROVED UNANIMOUSLY

PEOPLE FROM THE FLOOR

None.

ANNOUNCEMENTS

None.

REGULAR BUSINESS

Discussion – Master Plan Update – Chapter 1 and Build-Out Analysis

Haywood stated that he would be reviewing the existing Master Plan with the Commission chapter by chapter to ensure its accuracy and to become refamiliarized with the document. Chapter one and the build out study were reviewed and discussed at length.

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

CORRESPONDENCE

None.

LIAISON REPORTS

Waltz informed commissioners regarding current City Council business.

DIRECTOR'S REPORTS

Haywood informed commissioners regarding current zoning and development business.

ADMINISTRATOR'S REPORT

Colburn informed the Commission regarding current City business.

PEOPLE FROM THE FLOOR

None.

ADJOURNMENT

The meeting adjourned at 7:36 p.m.

Deborah J. Cwierniewicz, City Clerk

Jim King, Secretary

**7CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF MARCH 15, 2011**

Reeser called the meeting to order at 6:30 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Burns, Kenroy, King, Reeser Vincent, Waltz
Absent: Commissioner: Cotter, Sabbadin, Smith
Also present: Martin A. Colburn, City Administrator
David Haywood, Zoning & Development Director
Deborah J. Cwierniewicz, City Clerk

Reeser informed the Commission that the absences of Commissioners Cotter, Sabbadin and Smith were excused.

APPROVAL OF MINUTES: FEBRUARY 15, 2011

The Minutes of February 15, 2011, were approved as submitted.

PEOPLE FROM THE FLOOR

None.

ANNOUNCEMENTS

None.

REGULAR BUSINESS

Report – 2010 Annual Report – Zoning & Development Department

Haywood elaborated on his 2010 Annual Report that was accepted and placed on file by City Council.

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

CORRESPONDENCE

- Planning and Zoning News

LIAISON REPORTS

Waltz informed commissioners regarding current City Council business.

ADMINISTRATOR'S REPORT

Colburn informed the Commission regarding current City business. Haywood informed the Commission regarding the Master Plan Committee progress. A brief discussion ensued.

PEOPLE FROM THE FLOOR

None.

ADJOURNMENT

The meeting adjourned at 7:16 p.m.

Deborah J. Cwierniewicz, City Clerk

Jim King, Secretary

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF FEBRUARY 15, 2011**

Reeser called the meeting to order at 6:30 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Burns, Cotter, Kenroy, Reeser Sabbadin, Vincent, Waltz
Absent: Commissioner: King, Smith
Also present: Martin A. Colburn, City Administrator
David Haywood, Zoning & Development Director
Deborah J. Cwierniewicz, City Clerk

Reeser informed the Commission that the absence of both Commissioners King and Smith were excused.

APPROVAL OF MINUTES: JANUARY 11, 2011

The Minutes of January 11, 2011, were approved as submitted.

PEOPLE FROM THE FLOOR

None.

ANNOUNCEMENTS

It was announced that the first 2011 Community Garden meeting was held.

REGULAR BUSINESS

Discussion – Legislation Updates – Public Acts 134, 305, and 306

Haywood stated that he wanted to update the Commission regarding recent legislative public acts that were addressed in the last issue of Planning & Zoning News publication. A brief discussion ensued.

Discussion – Master Plan Update – Existing Land Use Survey

Haywood gave a brief update regarding the progress of the Master Plan Update Committee. He asked for volunteers to help with the existing land use survey.

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

Waltz informed commissioners regarding current City Council business.

ADMINISTRATOR'S REPORT

Colburn informed the Commission regarding current City business. Haywood informed the Commission regarding current planning matters.

PEOPLE FROM THE FLOOR

None.

ADJOURNMENT

The meeting adjourned at 7:10 p.m.

Deborah J. Cwierniewicz, City Clerk

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF JANUARY 11, 2011**

Smith called the meeting to order at 6:34 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan. Cwierniewicz administered the Oath of Office to Nancy Cotter and Chris Burns.

Present: Commissioners: Burns, Cotter, Kenroy, King, Sabbadin, Smith, Vincent, Waltz
Absent: Commissioner: Reeser
Also present: Martin A. Colburn, City Administrator
David Haywood, Zoning & Development Director
Deborah J. Cwierniewicz, City Clerk

APPROVAL OF MINUTES: DECEMBER 14, 2010

The Minutes of December 14, 2010, were approved as submitted.

UNFINISHED BUSINESS

None.

ELECTION OF CHAIRPERSON, VICE-CHAIRPERSON, AND SECRETARY

Cwierniewicz opened nominations for Chairperson.

Nomination by Smith,
to elect Ed Reeser as Chairperson.

As there were no other nominations for Chairperson, Cwierniewicz closed the nominations.

ED REESER ELECTED CHAIRPERSON BY AFFIRMATION

Cwierniewicz opened nominations for Vice Chairperson.

Nomination by Kenroy,
to elect Matthew Smith as Vice Chairperson.

As there were no other nominations for Vice Chairperson, Cwierniewicz closed the nominations.

MATTHEW SMITH ELECTED VICE CHAIRPERSON BY AFFIRMATION

Cwierniewicz opened nominations for Secretary.

Nomination by Smith,
to elect Jim King as Secretary.

As there were no other nominations for Secretary, Cwierniewicz closed the nominations.

Yes (7) Burns, Cotter, Kenroy, Sabbadin, Smith, Vincent, Waltz
No (1) King
Absent (1) Reeser
JIM KING ELECTED SECRETARY

PEOPLE FROM THE FLOOR

None.

ANNOUNCEMENTS

None.

PUBLIC HEARING

Special Use Permit Amendment – 1025 East Ash Street (Green Acres Retirement Living) – 20 Unit Building Addition

Smith opened the public hearing at 6:43 p.m. Dennis Johnson of MAAS Development spoke briefly regarding his request to amend the existing special use permit and approved site plan for permission to construct an additional 20 units to the existing assisted living center facility located at 1025 East Ash Street.

Smith closed the public hearing at 6:51 p.m.

Special Use Permit Amendment – 830 Kerns Road (Angel House) – Change in Nonconforming Status

Smith opened the public hearing at 6:52 p.m. Jim Paparella of Child & Family Services, Capital Area, gave a brief explanation of new programming at Angel House providing residential, life change services to pregnant and parenting girls in the foster care system.

Smith closed the public hearing at 6:58 p.m.

REGULAR BUSINESS

Resolution No. 2011-01 – A Resolution Amending a Special Use Permit and Final Site Plan for Green Acres Assisted Living Center

A brief discussion ensued regarding the request to amend the special use permit and final site plan by constructing an additional 20 units for Green Acres Assisted Living Center.

MOTION by Waltz, second by Kenroy,
to consider Resolution No. 2011-01 read.
MOTION APPROVED UNANIMOUSLY

Resolution No. 2011-01 was introduced by Waltz and seconded by Kenroy.

**CITY OF MASON
PLANNING COMMISSION RESOLUTION NO. 2011-01
A RESOLUTION AMENDING A SPECIAL USE PERMIT AND FINAL SITE PLAN FOR GREEN
ACRES ASSISTED LIVING CENTER
January 11, 2011**

WHEREAS, a request has been received from Retirement Living Management, regarding parcels 33-19-10-09-276-006, 33-19-10-09-276-007, and 33-19-10-09-276-008 to amend the existing special use permit and approved site plan to allow the construction of 20 additional units to the assisted living center located at 1025 East Ash Street (M-36); and

WHEREAS, the assisted living center is proposed to be constructed on property described as:

PARCEL "A" Seg. at a point $500^{\circ}21'35''W$ 1662.79 feet along the East line of Section 9, and $N76^{\circ}28'12''W$ 667.73 feet from the NE Corner of Section 9, T2N, R1W, Vevey Township, City of Mason, Ingham County, Michigan, thence $813^{\circ}30'00''W$ 328.13 feet to the North line of Ash Street (M-36); thence $N76^{\circ}36'24''W$ 397.68 feet along the North line of Ash Street (M-36) to the East line of Temple Street; thence $N13^{\circ}30'00''E$ 329.08 feet along the East line of Temple Street; thence $S76^{\circ}28'12''E$ 397.68 feet to the point of beginning and containing 3.00 acres of land and subject to all easements of record.

PARCEL "B" - Beg. at a point in the East line of Section 9, $S00^{\circ}21'35''W$ 1662.79 feet (Deed $S00^{\circ}19'16''W$ 1664.51 feet) from the NE Corner of Section 9, T2N, R1W, Vevey Township, City of Mason, Ingham County, Michigan, thence $N76^{\circ}28'12''W$ 667.73 feet; thence $S13^{\circ}30'00''W$ 328.13 feet to the North line of Ash Street (M-36); thence $S76^{\circ}36'24''E$ 574.56 feet along the North line of Ash Street; thence $N00^{\circ}21'35''E$ 198.00 feet; thence $S89^{\circ}38'23''E$ 132.00 feet; thence $S00^{\circ}21'35''W$ 228.57 feet to the North line of Ash Street (M-36); thence $S76^{\circ}36'24''E$ 33.87 feet along the North line of Ash Street to the East line of said Section 9; thence $N00^{\circ}21'35''E$ 335.18 feet along the East line of said Section 9 to the point of beginning and containing 4.65 acres of land and subject to all easements of record.

PARCEL "B-2" - A part of the East ^{1/2} of the Northeast of Section 9, Township 2 North, Range 21 West, Vevey Township, City of Mason, Ingham County, Michigan, described as beginning at a point on the East Section line $S00^{\circ}21'35''W$ 1662.79 feet from the Northeast Corner of Section 9; thence $S00^{\circ}21'35''W$ 335.18 feet along said section line to the North line of Ash Street; thence $N76^{\circ}38'24''W$ 33.87 feet along said line; thence $N00^{\circ}21'35''E$ 228.57 feet parallel with the East Section line; thence North $89^{\circ}38'23''W$ 132.00 feet; thence $S00^{\circ}21'35''W$ 198.00 feet parallel with the East Section line to the North line of Ash Street; thence $N76^{\circ}36'24''W$ 414.56 feet along said right of way; thence $N13^{\circ}30'00''E$ 327.74 feet; thence $S76^{\circ}28'12''E$ 507.72 feet to the Place of Beginning containing 3.45 acres more or less and subject to any easements or rights of way of recorded.

WHEREAS, upon compliance with the conditions listed herein, the plans will comply with the site plan review standards listed in Section 94-227 of the Mason Code; and

WHEREAS, approval is granted subject to the following general conditions:

- 1) The special use permit does not become effective and until such time that the conditions listed herein have been met; and
- 2) An executed drainage facilities maintenance agreement shall be submitted prior to the issuance of an occupancy permit; and
- 3) A pre-construction meeting will be required with the City Engineer and City staff prior to the commencement of any public utility construction; and
- 4) Utilities will be considered for acceptance by the City once all testing, record drawings, and easements have been provided to the City for review; and

WHEREAS, approval is granted with the condition that the applicant shall submit revised plans that comply with the following prior to the issuance of a building permit:

- 1) The applicant shall apply for and obtain a lot combination for the three parcels in question; and
- 2) The applicant shall obtain a valid soil erosion and sedimentation permit from the City of Mason Zoning and Development Director; and
- 3) The plans shall show parking spaces in excess of 33 as impervious or eliminate eight parking spaces from the plan; and
- 4) The plans shall show public sewer and water, including easement, extending to the east edge of phase III (parcel 33-19-10-09-276-008); and
- 5) The City of Mason Standard Detail Sheet shall be provided.

NOW THEREFORE BE IT RESOLVED, that the City of Mason Planning Commission does hereby approve the amendment to the existing special use permit and site plan to allow the construction of 20 additional units to the assisted living center located at 1025 East Ash Street (M-36) based on the application received November 16, 2010, and the revised plans and correspondence received on January 4, 2011.

RESOLUTION APPROVED UNANIMOUSLY

Resolution No. 2011-02 – A Resolution Amending a Special Use Permit and for Angel House

A brief discussion ensued regarding the request to amend the special use permit and final site plan by constructing an additional 20 units for Green Acres Assisted Living Center.

MOTION by Sabbadin, second by King,
to consider Resolution No. 2011-02 read.

MOTION APPROVED UNANIMOUSLY

Resolution No. 2011-02 was introduced by Sabbadin and seconded by King.

CITY OF MASON
PLANNING COMMISSION RESOLUTION NO. 2011-02
A RESOLUTION AMENDING A SPECIAL USE PERMIT FOR ANGEL HOUSE
January 11, 2011

WHEREAS, a request has been received from Child and Family Services, regarding parcels 33-19-10-05-102-009 and 33-19-10-05-102-009 (commonly known as 830 Kerns Road) to amend the existing Special Use Permit for Angel House to change its nonconforming use status from providing shelter and assessment for children who are victims of abuse to transitional residential programming for young mothers and their children; and

WHEREAS, the subject property is legally described as:

PARCEL A: A parcel of land in Section 5, T2N, R1 W, Vevay Township, Ingham County, Michigan; the surveyed boundary of said parcel being described as commencing at the Northwest corner of said Section 5; thence S88° 56'58"E along the North line of said Section 5 a distance of 661.50 feet to the extended East line of Kerns Road; thence S00° 23'42"W along the extended Easterly line of Kerns Road a distance of 33.00 feet to the Southerly right of way line of Howell Road; thence S00° 23'42"W continuing along the Easterly right of way line of Kerns Road a distance of 417.00 feet to the point of beginning; thence continuing along the Easterly right of way line of Kerns Road a distance of 171.30 feet; thence S89° 16'18"E 513.90 feet; thence N00° 23'08"E 168.41 feet; thence N88° 56'58"W 513.90 feet to the point of beginning, containing 2.00 acres of land, more or less, and subject to any easements or rights of way of record. ALSO: PARCEL B (THIS IS A NON-BUILDABLE PARCEL): A parcel of land in Section 5, T2N, R1 W, Vevay Township, Ingham County, Michigan; the surveyed boundary of said parcel being described as commencing at the Northwest corner of said Section 5; thence S88° 56'58"E along the North line of said Section 5 a distance of 661.50 feet to the extended East line of Kerns Road; thence S00° 23'42"W along the extended Easterly line of Kerns Road a distance of 33.00 feet to the Southerly right of way line of Howell Road; thence S00° 23'42"W continuing along the Easterly right of way line of Kerns Road a distance of 588.30 feet; thence S89° 16'18"E 513.90 feet to the point of beginning; thence continuing S89° 16'18"E 124.26 feet; thence N00° 23'25"E 167.71 feet; thence N88° 56'58"W 124.28 feet; thence S00° 23'08"W 168.41 feet to the point of beginning, containing 0.48 acres of land, more or less, and subject to any easements or rights of way of record.

WHEREAS, the existing use, providing emergency shelter for abused and neglected children, is a legal nonconforming use; and

WHEREAS, the proposed use, providing transitional housing for young mothers and their children, is a nonconforming use; and

WHEREAS, Section 94-325 permits the Planning Commission to allow the use of land to change from one nonconforming status to another nonconforming status via a special use permit; and

WHEREAS, the proposed use complies with the site plan review standards listed in Section 94-227 of the Mason Code; and

WHEREAS, approval is granted with the following conditions:

1. The target population of the Angel House mother/baby program shall be infants, toddlers and young mothers from 0 to 17 years of age.
2. The maximum capacity for the facility shall not be greater than 25 residents inclusive of mothers and their children.

NOW THEREFORE BE IT RESOLVED, that the City of Mason Planning Commission does hereby approve the amendment to the existing special use permit for the Angel House to change its nonconforming use status from providing shelter and assessment for children who are victims of abuse to transitional residential programming for young mothers and their children located at 830 Kerns Road based on the application received December 14, 2010.

RESOLUTION APPROVED UNANIMOUSLY

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

Waltz informed commissioners regarding current City Council business.

ADMINISTRATOR'S REPORT

Colburn informed the Commission regarding current City business. Haywood informed the Commission regarding current planning matters.

PEOPLE FROM THE FLOOR

None.

ADJOURNMENT

The meeting adjourned at 7:30 p.m.

Deborah J. Cwierniewicz, City Clerk

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF DECEMBER 14, 2010**

Reeser called the meeting to order at 6:32 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Burns, Droscha, Kenroy, King, Naeyaert, Reeser, Sabbadin, *Smith, Vincent
Absent: Commissioner: None
Also present: Martin A. Colburn, City Administrator
David Haywood, Zoning & Development Director
Deborah Cwiertniewicz, City Clerk

APPROVAL OF MINUTES: November 9, 2010

MOTION by Naeyaert, second by Kenroy,
to approve the Minutes of November 9, 2010 as corrected.
MOTION APPROVED UNANIMOUSLY

*Commissioner Smith arrived at 6:34 p.m.

PEOPLE FROM THE FLOOR

None.

ANNOUNCEMENTS

None.

INTRODUCTIONS

None.

PRESENTATIONS

None.

PUBLIC HEARING

Special Use Permit Amendment – 1025 East Ash Street (Green Acres Retirement Living)

MOTION by Naeyaert, second by King,
to postpone the public hearing for the Green Acres Retirement Living Special Use Permit
amendment request to allow the applicant time to obtain needed information.
MOTION APPROVED UNANIMOUSLY

REGULAR BUSINESS

**Resolution No. 2010-04 – A Resolution Approving the Capital Improvements Plan for the Fiscal
Years 2010/11 – 2015/16**

MOTION by Naeyaert, seconded by Smith,
to introduce and consider Resolution No. 2010-04 read.
MOTION APPROVED UNANIMOUSLY

**CITY OF MASON
PLANNING COMMISSION RESOLUTION NO. 2010-04
A RESOLUTION APPROVING THE CAPITAL IMPROVEMENTS
PLAN FOR THE FISCAL YEARS 2010/11-2015/16
December 14, 2010**

WHEREAS, the Capital Improvements Plan is a result of significant review and consideration by the City of Mason administrative staff of the numerous capital project requests from City department heads for the next six-year fiscal period; and,

WHEREAS, prioritization of projects listed in the plan is based on the overall benefit to the community, especially when improving public health, safety and welfare, and so that the most-needed projects will be accomplished first and scarce financial resources are allocated appropriately; and,

WHEREAS, the Capital Improvements Plan is consistent with the Capital Improvements Programming component of the Master Plan; and,

NOW THEREFORE BE IT RESOLVED, that the City of Mason Planning Commission does hereby approve the Capital Improvements Plan for fiscal years 2010/11 – 2015/16.

RESOLUTION APPROVED UNANIMOUSLY

Master Plan – Placemaking

Haywood spoke briefly regarding the Master Plan Update Committee's progress.

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

Naeyaert informed the Commission regarding City Council business.

ADMINISTRATOR'S REPORT

Colburn informed the Commission regarding current City business.

Haywood informed the Commission regarding current Zoning and Development business.

ADJOURNMENT

The meeting adjourned at 7:10 p.m.

Deborah J. Cwierniewicz, City Clerk

Jon Droscha, Secretary

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF NOVEMBER 9, 2010**

Reeser called the meeting to order at 6:34 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Burns, Droscha, Kenroy, King, Reeser, Smith, Vincent
Absent: Commissioners: Naeyaert, Sabbadin
Also present: Martin A. Colburn, City Administrator
David Haywood, Zoning & Development Director
Deborah Cwierniewicz, City Clerk

APPROVAL OF MINUTES: October 12, 2010

MOTION by Kenroy, second by Sabbadin Smith,
to approve the Minutes of October 12, 2010, were approved as written.

MOTION APPROVED UNANIMOUSLY

PEOPLE FROM THE FLOOR

None.

ANNOUNCEMENTS

The following announcements were made:

- A retirement celebration will be held November 12 for Norm Austin, who retired from the City of Mason as Finance Director/Treasurer and is now retiring from the Mason Fire Department after 38 years of volunteer service
- The Veteran's Day Parade will be held on November 11
- The Holiday Celebration and Lighted Parade will be held November 26

INTRODUCTIONS

None.

PRESENTATIONS

None.

REGULAR BUSINESS

Master Plan Update

Haywood spoke briefly regarding the Master Plan Update Committee's progress.

Report – Traffic Impact Studies

Haywood spoke briefly regarding the Traffic Impact Studies included in the packet. Discussion ensued.

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

Colburn informed the Commission regarding City Council business and the November General Election results. He and fellow Commissioners congratulated Commissioner Jon Droscha's election to the City Council. Also, Colburn commended City Clerk Cwierniewicz for the administration of the November General Election.

ADMINISTRATOR'S REPORT

Colburn informed the Commission regarding current City business.

Haywood informed the Commission regarding current Zoning and Development business.

ADJOURNMENT

The meeting adjourned at 7:16 p.m.

Deborah J. Cwierniewicz, City Clerk

Jon Droscha, Secretary

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF OCTOBER 12, 2010**

Resser called the meeting to order at 6:32 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Kenroy, King, Reeser, Sabbadin, Vincent
Absent: Commissioners: Burns, Droscha, Naeyaert, Smith,
Also present: Martin A. Colburn, City Administrator
David Haywood, Zoning & Development Director
Deborah Cwierniewicz, City Clerk

APPROVAL OF MINUTES: September 14, 2010

MOTION by Sabbadin, second by Kenroy,
to approve the Minutes of September 14, 2010, were approved as corrected.
MOTION APPROVED UNANIMOUSLY

PEOPLE FROM THE FLOOR

None.

ANNOUNCEMENTS

It was announced that the new Rescue 806 apparatus was delivered Mason Fire Department. Also, a retirement celebration will be held November 12 for Norm Austin. Mr. Austin retired from the City of Mason as Finance Director/Treasurer and is now retiring from the Fire Department after 38 years of volunteer service on the Mason Fire Department. Sabbadin offered to take interested commissioners to the Fire Department to see Rescue 806.

INTRODUCTIONS

None.

PRESENTATIONS

None.

REGULAR BUSINESS

Resolution No. 2010-02 – A Resolution Approving a Preliminary and Final Site Plan to Americhem to Construct a 5,000 SF Truck Scale Building and 144 SF Monitoring/Control Building and Related Site Improvements on Property Located at 340 North Street

Haywood elaborated on his memorandum submitted in the packet and gave a brief overview of the preliminary and final site plan submitted by Americhem to construct a 5,000 SF truck scale building and 144 SF monitoring/control building and related site improvements on the property located at 340 North Street.

Rick Strank, of L. D. Clark Building Company representing Americhem Corporation, spoke regarding the landscaping. Discussion ensued.

Resolution No. 2010-02 was introduced by Sabbadin and seconded by Kenroy.

**CITY OF MASON
PLANNING COMMISSION RESOLUTION NO. 2010-02
A RESOLUTION APPROVING A PRLIMINARY AND FINAL SITE PLAN TO ALLOW
AMERICHEM TO CONSTRUCT A 5,000 SF TRUCK SCALE BUILDING AND 144 SF
MONITORING/CONTROL BUILDING AND RELATED SITE IMPROVEMENTS ON
PROPERTY LOCATED ON 340 NORTH STREET
October 12, 2010**

WHEREAS, a request has been received from Americhem Properties LLC for preliminary and final site plan approval to be allowed to construct a 5,000 square foot truck scale building and 144 square foot monitoring/control building at 340 North Street; and,

WHEREAS, the subject property is further described as:

LEGAL DESCRIPTION — PARCEL 33-19-10-05-403-009 (PER TAX DESCRIPTION) — North Parcel
A parcel of land commencing at the Center of Section 5, T2N, R1W, City of Mason, Ingham County, Michigan, the boundary of said parcel described as; E 374.1 ft, thence S19°00'00" 70 ft to POB, thence S19°00'00"E 163.08 ft, thence E 40 ft, thence S43°24'41"E 541.82 ft, thence W 43.06 ft, thence S19°00'00"E 520 ft, thence S08°41'21"W 182.27 ft, thence S19°00'00"E 72.1 ft, thence N77°22'28"E 331.81 ft, thence S17°39'45"E 114.75 ft, thence S85°59'04"E 217.51 ft, thence N24°11'32"W 1,543.34 ft, thence S89°49'20"W 328.14 ft, thence S06°31'00"E 66.67 ft, thence S89°49'20"W 210.15 ft to POB, said parcel approximately 13.96 acres

LEGAL DESCRIPTION — PARCEL 33-19-10-05-453-011 (PER TAX DESCRIPTION) — South Parcel
A parcel of land in Section 5, 12N, R1W, City of Mason, Ingham County, Michigan, commencing at the S 1/4 Corner section 5, N00°01'04',W 760.47 ft, thence N89°45'50"E 1416.6 ft to the POB, thence S89°45'50"W 257.56 ft, thence N19°00'100"W 560.15 ft, thence N77°22'28"E 339.86 ft, thence S17°39'45"E 351.44 ft, thence S00°21'17"E 268 ft to POB Section 5, T2N, R1W, City of Mason, said parcel approximately 4.28 acres; and,

WHEREAS, upon compliance with the conditions of approval, the plans will comply with the preliminary and final site plan review standards listed in Sections 94-226(c) and 94-227 of Chapter 94, Zoning, of the Mason Code; and,

WHEREAS, approval is granted subject to the following conditions prior to the issuance of a building permit:

- 1) The applicant submit a revised site plan showing a 20 foot wide landscape buffer yard along approximately 450 feet of the east property line, adjacent to the tanker storage and truck maneuvering area, showing coniferous trees at an average spacing of 30 feet and a statement indicating that the applicant will maintain the buffer area.
- 2) The applicant submit a revised construction schedule.
- 3) The applicant submit a revised site plan showing the relocation of the yard hydrant, street hydrant improvements, gate improvements and Knox Box installation as recommended by the Mason Fire Chief and City Engineer as indicated in their correspondence of October 6, 2010 and September 20, 2010, respectively.
- 4) The applicant obtain a soil erosion and sedimentation permit for the proposed project from the Mason Zoning & Development Director.

NOW THEREFORE BE IT RESOLVED, that the City of Mason Planning Commission does hereby approve the preliminary and final site plan for the construction of a truck scale building and monitoring/control building at 340 North Street based on the plans with the revised date September 13, 2010, and received by the Zoning & Development Department on September 15, 2010.

RESOLUTION APPROVED UNANIMOUSLY

Resolution No. 2010-03 – A Resolution of Support for the Greening Mid Michigan Plan and Toolkit
Haywood elaborated on his memorandum regarding support for the Greening Mid Michigan Plan and Toolkit. Resolution No. 2010-03 was introduced by Vincent and seconded by Kenroy.

**CITY OF MASON
PLANNING COMMISSION RESOLUTION NO. 2010-03
A RESOLUTION OF SUPPORT FOR THE GREENING MID MICHIGAN PLAN AND TOOLKIT
October 12, 2010**

WHEREAS, the City of Mason recognizes the role that green infrastructure plays in preserving and enhancing the quality of life for its residents, and

WHEREAS, the City recognizes the environmental, health and economic values of its parks, trails, working lands, waterways, lakes, ponds, wetlands and floodplains, woodlands, and

WHEREAS, the City agrees to promote and enhance green infrastructure within its boundaries in a variety of ways, which can include agricultural preservation efforts, parks and recreation planning, natural resource protection activities, low impact development strategies, farmers markets, Safe Routes to School programs, Farm to School programs, land conservation efforts, community gardens, Complete Streets efforts, and other elements included in the Greening Mid-Michigan Toolkit, to the extent that they are consistent with the current Master Plan, and

WHEREAS, the City has demonstrated a commitment to the study and implementation of its own Master Plan, recognizing the benefits of working regionally or in partnership with other jurisdictions to enhance and protect its own green infrastructure system.

NOW, THEREFORE BE IT RESOLVED, that the Mason Planning Commission declares its support for the Greening Mid-Michigan Plan and Toolkit.

RESOLUTION APPROVED UNANIMOUSLY

Master Plan Update

Haywood spoke briefly regarding the Master Plan Update Committee's progress. Haywood asked for clarification of the sub-committee's role, whether it is a steering committee or the committee that will review the Master Plan for updates. It was the consensus of the Commission that the group is the Master Plan Update Committee. In assumption of the committee's role, a meeting schedule had been set by the committee. A brief discussion ensued.

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

Colburn informed the Commission regarding City Council business.

ADMINISTRATOR'S REPORT

Colburn informed the Commission regarding current City business.

Haywood informed the Commission regarding current Zoning and Development business.

ADJOURNMENT

The meeting adjourned at 7:10 p.m.

Deborah J. Cwierniewicz, City Clerk

Jon Droscha, Secretary

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF SEPTEMBER 14, 2010**

Resser called the meeting to order at 6:36 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: ~~Burns~~, Droscha, ~~Kenroy~~, King, Naeyaert, Reeser, Sabbadin, Smith, Vincent
Absent: Commissioners: Burns, Kenroy
Also present: Martin A. Colburn, City Administrator
David Haywood, Zoning & Development Director
Deborah Cwierniewicz, City Clerk

APPROVAL OF MINUTES: August 10, 2010

The Minutes of August 10, 2010, were approved as submitted.

PEOPLE FROM THE FLOOR

None.

ANNOUNCEMENTS

None.

INTRODUCTIONS

None.

PRESENTATIONS

Harmony Gmazel of Tri-County Regional Planning Commission gave a brief presentation regarding "Greening Mid Michigan Poster Plan and Toolkit." Discussion ensued.

REGULAR BUSINESS

Master Plan Update

Haywood spoke briefly regarding the Master Plan Update Committee's progress. He elaborated on the checklist and timeline for required items of a Master Plan included in the packet. A brief discussion ensued.

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

Naeyaert informed the Commission regarding City Council business.

ADMINISTRATOR'S REPORT

Colburn informed the Commission regarding current City business.

Haywood informed the Commission regarding current Zoning and Development business.

ADJOURNMENT

The meeting adjourned at 7:12 p.m.

Deborah J. Cwierniewicz, City Clerk

Jon Droscha, Secretary

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF AUGUST 10, 2010**

Resser called the meeting to order at 6:36 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Burns, Droscha, Kenroy, King, *Naeyaert, Reeser, Vincent
Absent: Commissioners: Sabbadin, Smith
Also present: David Haywood, Zoning & Development Director
Deborah Cwierniewicz, City Clerk

APPROVAL OF MINUTES: July 13, 2010

The Minutes of July 13, 2010, were approved as submitted.

PEOPLE FROM THE FLOOR

None.

ANNOUNCEMENTS

None.

INTRODUCTIONS

None.

PRESENTATIONS

None.

*Naeyaert arrived at 6:39 p.m.

REGULAR BUSINESS

Master Plan Update

Haywood informed the Commission that the Master Plan Update Committee met Monday, August 9, 2010 to discuss the procedure and timeline for conducting an update/amendment to the Master Plan. Although there is not a budget for an update, Mr. Haywood will continue to pursue the needs for the Master Plan.

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

Naeyaert informed the Commission regarding City Council business.

ADMINISTRATOR'S REPORT

Haywood informed the Commission regarding City business as well as zoning and development business.

ADJOURNMENT

The meeting adjourned at 7:12 p.m.

Deborah J. Cwierniewicz, City Clerk

Jon Droscha, Secretary

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF JULY 13, 2010**

Resser called the meeting to order at 6:31 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Burns, Droscha, King, *Naeyaert, Reeser, Sabbadin, Smith, Vincent
Absent: Commissioners: Kenroy
Also present: Martin A. Colburn, City Administrator
David Haywood, Zoning & Development Director
Deborah Cwierniewicz, City Clerk

APPROVAL OF MINUTES: May 11, 2010

The Minutes of May 11, 2010, were approved as submitted.

PEOPLE FROM THE FLOOR

None.

ANNOUNCEMENTS

Jon Vincent informed the Commission that the community plot in Mason's Community Garden made its first contribution to the Capital Area Community Services food pantry.

INTRODUCTIONS

None.

PRESENTATIONS

None.

PUBLIC HEARING

Special Use Permit Amendment – 550 Hull Road (Meijer) – Drive-up Pharmacy

Chair Reeser opened the public hearing at 6:36 p.m. Roger De Hoek, representing Meijer Corp. and Associated Entities, gave a brief overview of the request for a Special Use Permit and Final site plan approval to amend their existing special use permit and site plan to construct a drive-up pharmacy, on property located at 550 Hull Road.

*Naeyaert arrived at 6:37 p.m.

Reeser closed the public hearing at 6:43 p.m.

REGULAR BUSINESS

Resolution No. 2010-01 – A Resolution Approving an Amendment to the Existing Special Use Permit and Final Site Plan to Allow the Installation of a Drive-through Pharmacy on Property Located at 550 Hull Road

MOTION by Naeyaert, second by Droscha,
to consider Resolution No. 2010-01 read.

MOTION APPROVED UNANIMOUSLY

Haywood elaborated briefly on his memorandum regarding the request to install a drive-through pharmacy on property located at 550 Hull Road. It was discussed that occupants in a vehicle would interface with the pharmacy drive-through window similar to the drive-through window at a bank.

MOTION by Naeayert, second by Droscha,
to amend Resolution No. 2010-01 by striking condition number two in the fifth whereas stating,
The plan shall show details of how vehicle occupants will interface with the pharmacy drive-through window.

MOTION APPROVED UNANIMOUSLY

Resolution No. 2010-01 was introduced by Naeyaert and seconded by Smith.

CITY OF MASON
PLANNING COMMISSION RESOLUTION NO. 2010-01
A RESOLUTION APPROVING AN AMENDMENT TO THE EXISTING SPECIAL
USE PERMIT AND FINAL SITE PLAN TO ALLOW THE INSTALLATION OF
DRIVE-THROUGH PHARMACY ON PROPERTY LOCATED AT 550 HULL ROAD
July 13, 2010

WHEREAS, a request has been received from the Meijer Corporation, to amend the existing special use permit and final site plan to be allowed to install a drive-through pharmacy at 550 Hull Road; and

WHEREAS, the subject property is further described as:

Located in the Northeast 1/4 of the Northeast 114 of Section 17, Town 2 North, Range 1 West, Vevay Township, Ingham County, Michigan, and being a tract of land more particularly described as follows: Commencing at a monument found in a water valve box at the northeast corner of said Section 17; thence along the north line of said section, South 89°31'23" West, for 910.95 feet; thence South 00°28'37" East, for 33.00 feet to a 1/2" iron pin set at the intersection of the easterly right-of-way line of U.S. 127 (as conveyed to the State of Michigan in Liber 892, Page 234) and the south right-of-way line of Kipp Road, said intersection also being the Point of Beginning of the tract of land described herein; thence along said south right-of-way line of Kipp Road, North 89°31'23" East, for 877.72 feet to an iron pin set at the intersection of said south right-of-way line and the west right-of-way line of Hull Road; thence along said west right-of-way line, parallel with and 33.00 feet west of the east line of said Section 17, South 00°04'38" East, for 954.55 feet to a 1/2" iron set at the intersection of said west right-of-way line and the south line of land conveyed to Phillip E. and Marlene K. Ballard by deed recorded in Liber 899, Page 544 and the north line of land conveyed to James M. and Elfriede S. Cairns by deed recorded in Liber 1885, Page 1043; thence along said north line, North 89°55'22" East, for 33.00 feet to the east line of said Section 17; thence along said east line, South 00°04'38" East, for 128.00 feet to the south line of said Cairns land; thence along said south line, South 89°43'55" West, for 208.71 feet to the east line of land conveyed to Jon C. and Beverly Davis and Gary and Julie Caltrider by deed recorded in Liber 1319, Page 10 (witness a 1/2" iron pipe found lying South 06°47'07" East 2.04' from corner); thence along said east line; South 00°04'38" East, for 210.87 feet to the south line of said Northeast 1/4 of the Northeast 114 of Section 17; thence along said south line, South 89°43'55" West, for 447.09 feet to a 1/2" iron pin and cap found at the intersection of said south line and said easterly right-of-way line of U.S. 127; thence along said right-of-way line, North 36°09'11" West, for 406.77 feet (recorded as N36°09'00"W, for 406.70 feet) to a 1/2" iron pin and cap found; thence North 27°09'02" West, for 328.57 feet (recorded as N27°09'00"W for 328.36 feet) to a 1/2" iron pin and cap found; thence North 09°39'43" West, for 335.97 feet (recorded as N09°39'00"W for 335.90 feet) to a 1/2" iron pin and cap found; thence North 00°19'43" West, for 142.66 feet (recorded as N00°27'00"W for 142.73 feet) to a 1/2" iron pin and cap found; thence North 44°31'23" East, for 271.63 feet (recorded as N44°33'00"E for 271.53 feet) to the Point of Beginning. Containing 26.922 total acres, more or less; and

WHEREAS, upon compliance with the conditions listed herein, the plans will comply with the site plan review standards listed in Section 94-227 and the special use permit basis for determination standards listed in Section 94-191(f) of the Mason Code; and

WHEREAS, a public hearing on the request was noticed and held at the Planning Commission's regular meeting of July 13, 2010, with testimony given and public comment solicited; and

WHEREAS, approval is granted with the condition that the applicant submit a revised site plan with the following changes prior to final site plan approval becoming effective and prior to the issuance of a building permit:

- 1) The plan shall show the existing zoning and existing land uses for the subject property and properties adjacent to the site; and,
- 2) The plan shall show future front access drives with a minimum width of 24 feet extending to the south property line. The installation of access drives described herein shall be required within 12 months upon the development of access drives on adjacent property; and,
- 3) The plan shall show one canopy tree in the proposed landscape island; and,
- 4) The plan shall show revisions to the proposed signs that comply with the regulations listed for signs in Chapter 58 of the Mason Code, or the applicant shall apply to the Sign Code Board of Appeals and receive the necessary variances for the proposed signage; and,
- 5) The plan shall show City of Mason utility details. Alterations to the water system shall follow the City of Mason standards for construction. The preferred method for construction is to leave the isolation valve in place when moving the hydrant, if possible. A valid right-of-way permit shall be obtained from the City prior to commencement of work.
- 6) The applicant shall submit a written construction schedule.
- 7) The applicant shall obtain a soil erosion and sedimentation permit from the City.

NOW THEREFORE BE IT RESOLVED, that the Mason Planning Commission does hereby approve an amendment to the existing Special Use Permit and Site Plan for a drive-through pharmacy located on property at 550 Hull Road based on the site plan with revision date June 7, 2010.

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

Naeyaert informed the Commission regarding City Council business.

ADMINISTRATOR'S REPORT

Colburn informed the Commission regarding City business. A brief discussion ensued regarding the Hayhoe Riverwalk.

Haywood informed the Commission regarding zoning and development business. A brief discussion ensued.

ADJOURNMENT

The meeting adjourned at 7:12 p.m.

Deborah J. Cwierniewicz, City Clerk

Jon Droscha, Secretary

**MEETING CANCELLED
DUE TO LACK OF BUSINESS**

CITY OF MASON

PLANNING COMMISSION MEETING

JUNE 15, 2010

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF APRIL 13, 2010**

Smith called the meeting to order at 6:32 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Burns, Droscha, *Kenroy, King, Naeyaert, Reeser, Vincent
Absent: Commissioners: Sabbadin, Smith
Also present: Martin A. Colburn, City Administrator
David Haywood, Zoning & Development Director

*Kenroy arrived at 6:34 p.m.

APPROVAL OF MINUTES: March 9, 2010

The Minutes of March 9, 2010, were approved as submitted.

PEOPLE FROM THE FLOOR

None.

ANNOUNCEMENTS

None.

INTRODUCTIONS

None.

PRESENTATIONS

Urban/Rural Service District Boundary, Service Boundary Mapping Exercise – Harmony Gmazel, Tri-County Regional Planning Commission

Ms. Harmony Gmazel, Land Use Planner, Tri-County Regional Planning Commission, gave a brief presentation regarding the Regional Growth Project and Urban and Rural Service District/Urban Service Boundary Committee (URSD/USB). Ms. Gmazel provided commissioners with the Long Range Regional Transportation Plan for review. Haywood introduced Stacey Biers, Vevay Township Planning Commissioner and Staff to the Ingham County Farmland and Open Space Protection - Agricultural Preservation Board. A brief discussion ensued.

REGULAR BUSINESS

Discussion – Chicken Regulations

Naeyaert provided various articles regarding communities that have considered an ordinance to allow raising backyard hens in the City. A lengthy discussion was held. Haywood spoke regarding the research he conducted relating to cities that have adopted ordinances allowing backyard hens.

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

Naeyaert informed the Commission regarding City Council business.

ADMINISTRATOR'S REPORT

Colburn informed the Commission regarding City business. A brief discussion ensued regarding two issues, the City's process for dangerous buildings and the drain in Rayner Ponds.

Haywood informed the Commission regarding zoning and development business.

ADJOURNMENT

The meeting adjourned at 8:25 p.m.

Martin A. Colburn, City Clerk

Jon Droscha, Secretary

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF MARCH 9, 2010**

Smith called the meeting to order at 6:31 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Burns, Droscha, Kenroy, King, Sabbadin, Smith, Vincent
Absent: Commissioners: Naeyaert, Reeser
Also present: Martin A. Colburn, City Administrator
David Haywood, Zoning & Development Director

APPROVAL OF MINUTES: February 9, 2010

The Minutes of February 9, 2010, were approved as submitted.

PEOPLE FROM THE FLOOR

None.

ANNOUNCEMENTS

None.

INTRODUCTIONS

None.

PRESENTATIONS

None.

REGULAR BUSINESS

2009 Annual Report – Zoning and Development Department

Haywood gave a brief overview of the Zoning and Development annual report for 2009. A brief discussion ensued.

Discussion – Satellite Dish Antenna Standards

At the February meeting, staff was directed to provide information regarding the process other communities use to manage satellite dish antenna placement in accordance with Federal Communication Commission (FCC) regulations. Haywood reported on his findings from neighboring communities' codes as well as discussions with the city attorney relating to building safety and historic preservation. Discussion ensued. It was the consensus of the Commission not to take action at this time.

UNFINISHED BUSINESS

None.

NEW BUSINESS

A brief discussion was held regarding recycling in the city. Currently, residents may arrange recycling collection through Granger, the City trash/recycling provider.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

Colburn informed the Commission regarding City Council business.

ADMINISTRATOR'S REPORT

Colburn informed the Commission regarding city business.

ADJOURNMENT

The meeting adjourned at 7:18 p.m.

Martin A. Colburn, City Clerk

Jon Droscha, Secretary

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF MARCH 9, 2010**

Smith called the meeting to order at 6:31 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Burns, Droscha, Kenroy, King, Sabbadin, Smith, Vincent
Absent: Commissioners: Naeyaert, Reeser
Also present: Martin A. Colburn, City Administrator
David Haywood, Zoning & Development Director

APPROVAL OF MINUTES: February 9, 2010

The Minutes of February 9, 2010, were approved as submitted.

PEOPLE FROM THE FLOOR

None.

ANNOUNCEMENTS

None.

INTRODUCTIONS

None.

PRESENTATIONS

None.

REGULAR BUSINESS

2009 Annual Report – Zoning and Development Department

Haywood gave a brief overview of the Zoning and Development annual report for 2009. A brief discussion ensued.

Discussion – Satellite Dish Antenna Standards

At the February meeting, staff was directed to provide information regarding the process other communities use to manage satellite dish antenna placement in accordance with Federal Communication Commission (FCC) regulations. Haywood reported on his findings from neighboring communities' codes as well as discussions with the city attorney relating to building safety and historic preservation. Discussion ensued. It was the consensus of the Commission not to take action at this time.

UNFINISHED BUSINESS

None.

NEW BUSINESS

A brief discussion was held regarding recycling in the city. Currently, residents may arrange recycling collection through Granger, the City trash/recycling provider.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

Colburn informed the Commission regarding City Council business.

ADMINISTRATOR'S REPORT

Colburn informed the Commission regarding city business.

ADJOURNMENT

The meeting adjourned at 7:18 p.m.

Martin A. Colburn, City Clerk

Jon Droscha, Secretary

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF JANUARY 12, 2010**

Reeser called the meeting to order at 6:34 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan. Colburn administered the Oath of Office to Jim King, Ed Reeser, and John Vincent.

Present: Commissioners: Burns, Droscha, Kenroy, King, Naeyaert, Reeser, *Smith, Vincent
Absent: Commissioner: Sabbadin
Also present: David Haywood, Zoning & Development Director
Martin A. Colburn, City Administrator

*6:36 Smith arrived.

UNFINISHED BUSINESS

None.

APPROVAL OF MINUTES: DECEMBER 15, 2009

The Minutes of December 15, 2009, were approved as submitted.

ELECTION OF CHAIR AND VICE-CHAIR

Election of Chair, Vice Chair

Colburn opened nominations for Chairperson.

Nomination by Droscha,
to elect Ed Reeser as Chairperson.

As there were no other nominations for Chairperson, Colburn closed the nominations.

ED REESER ELECTED CHAIRPERSON BY AFFIRMATION

Colburn opened nominations for Vice Chairperson.

Nomination by Kenroy,
to elect Matthew Smith as Vice Chairperson.

As there were no other nominations for Vice Chairperson, Colburn closed the nominations.

MATTHEW SMITH ELECTED VICE CHAIRPERSON BY AFFIRMATION

PEOPLE FROM THE FLOOR

Mayor Clark informed the Commission on the revised Rules of Order that were adopted by City Council December 21, 2009.

ANNOUNCEMENTS

Haywood informed the Commission regarding training currently being offered by the Michigan Chapter of the American Planning Association for planning and zoning essentials.

REGULAR BUSINESS

Discussion – Front Yard Setback Standards

Haywood informed the Commission regarding front yard setback standards that have been in place since 1972. He specifically emphasized the analysis points he listed in the memorandum submitted in the packet. Discussion ensued.

Discussion – Satellite Dish Antenna Standards

Haywood informed the Commission regarding satellite dish antenna standards relating to placement on residential properties in the City. He stated that in response to a recent complaint regarding the increasing number of satellite dish antenna installations located in front yards, he researched Mason Code and spoke with a local satellite antenna installer. Mr. Haywood stated that he will request the city attorney to provide a legal opinion on the matter. A brief discussion ensued.

UNFINISHED BUSINESS

Kenroy commended the Mason Fire Chief and volunteer fire fighters. He was very impressed by the level of professionalism, cleanliness, and work that is conducted by the department. Commissioners were recently taken on a tour of the Fire Department led by Fire Chief Minshall.

NEW BUSINESS

None.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

Naeyaert informed commissioners regarding current City Council business.

ADMINISTRATOR'S REPORT

Colburn informed the Commission regarding current City business. Haywood informed the Commission regarding current planning matters.

PEOPLE FROM THE FLOOR

None.

ADJOURNMENT

The meeting adjourned at 7:51 p.m.

Martin A. Colburn, City Clerk

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF DECEMBER 15, 2009**

Reeser called the meeting to order at 6:32 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Burns, Naeyaert, Reeser, Sabbadin, Smith
Absent: Commissioner: Droscha, Kenroy, Vincent
Also present: David Haywood, Zoning & Development Director
Deborah Cwiertiniewicz, Deputy City Clerk

APPROVAL OF MINUTES: NOVEMBER 10, 2009

The Minutes of November 10, 2009, were approved as submitted.

PEOPLE FROM THE FLOOR

None.

REGULAR BUSINESS

Resolution No. 2009-11 – A Resolution Approving a Preliminary and Final Site Plan for a New Commercial Structure at 309 North Street

Jeff Taylor, applicant, addressed the Commission regarding the proposed commercial structure he plans to construct at 309 North Street.

MOTION by Naeyaert, second by Sabbadin,
to consider Resolution No. 2009-11 as read.

MOTION APPROVED UNANIMOUSLY

Resolution No. 2009-11 was introduced by Naeyaert and seconded by Sabbadin.

**CITY OF MASON
PLANNING COMMISSION RESOLUTION NO. 2009-11
A RESOLUTION APPROVING A PRELIMINARY AND FINAL SITE PLAN
FOR A NEW COMMERCIAL STRUCTURE AT 309 NORTH STREET
December 15, 2009**

WHEREAS, a request has been received from Jeff Taylor for a concurrent preliminary and final site plan approval to be allowed to construct a new commercial building at 309 North Street for the purpose of storing rental equipment; and

WHEREAS, upon compliance with the conditions listed herein, the plans will comply with the site plan review standards listed in Section 94-227; and

WHEREAS, approval is granted with the following general conditions:

- 1) Any new driveway shall be constructed of durable, smooth and dustless materials pursuant to Section 94-292(j)(2) of the zoning ordinance, and
- 2) Future site and exterior structure lighting shall be consistent with Section 94-293(e) of the Zoning Ordinance. All light sources shall be shielded from direct view, and
- 3) This site plan approval does not permit the applicant to use the property adjacent to the south as a means of access to the site. Any future easements or agreements for site access from this direction shall be brought to the Zoning Administrator for review and approval, and
- 4) Future signage shall comply with the regulations listed for signs in Chapter 58 of the Mason Code, and

- 5) This site plan approval is conditioned upon and does not become effective until the applicant has received all necessary variances from the Mason Zoning Board of Appeals so as to allow the expansion of a nonconforming use/structure as shown on the plan.

NOW THEREFORE BE IT RESOLVED, that the Mason Planning Commission does hereby approve a Preliminary and Final Site Plan to construct a new commercial structure on property located at 309 North Street based on the site plan received December 2, 2009.

RESOLUTION APPROVED UNANIMOUSLY

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

Naeyaert informed the commission regarding City Council business.

ADMINISTRATOR'S REPORT

Haywood informed the Commission regarding city planning and development business.

PEOPLE FROM THE FLOOR

None.

ADJOURNMENT

The meeting adjourned at 7:30 p.m.

Martin A. Colburn, City Clerk

Jon Droscha, Secretary

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF NOVEMBER 10, 2009**

Reeser called the meeting to order at 6:32 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Droscha, Kenroy, Reeser, Sabbadin, Smith, Vincent
Absent: Commissioners: Burns, Hunt, Naeyaert
Also present: David Haywood, Zoning & Development Director
Martin A. Colburn, City Administrator

APPROVAL OF MINUTES: OCTOBER 13, 2009

The Minutes of October 13, 2009, were approved as submitted.

PEOPLE FROM THE FLOOR

None.

REGULAR BUSINESS

Training – How to Conduct a Public Hearing

Staff reviewed the instruction sheet summarizing the procedures for public hearings. A brief discussion ensued.

UNFINISHED BUSINESS

Reeser commented regarding the tour of the Publicly Owned Treatment Works (POTW) plant that was held prior to the meeting tonight as well as the tour of the new Water Treatment Plant taken last month. Discussion ensued regarding the value of being informed with the process of city departments relating to the Capital Improvements Plan (CIP).

NEW BUSINESS

None.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

Colburn informed the Commission regarding City Council business.

ADMINISTRATOR'S REPORT

Colburn informed the Commission regarding City business.

PEOPLE FROM THE FLOOR

None.

ADJOURNMENT

The meeting adjourned at 7:26 p.m.

Martin A. Colburn, City Clerk

Jon Droscha, Secretary

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF OCTOBER 13, 2009**

Reeser called the meeting to order at 6:34 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Burns, Hunt, Naeyaert, Reeser, Sabbadin, Vincent
Absent: Commissioners: Droscha, Kenroy, Smith
Also present: David Haywood, Zoning & Development Director
Martin A. Colburn, City Administrator
Deborah Cwiertiniewicz, Deputy City Clerk

APPROVAL OF MINUTES: SEPTEMBER 15, 2009

The Minutes of September 15, 2009, were approved as submitted.

PEOPLE FROM THE FLOOR

None.

REGULAR BUSINESS

None.

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

Naeyaert informed the Commission regarding City Council business.

ADMINISTRATOR'S REPORT

Colburn informed the Commission regarding City business. He gave a brief update of the new City Hall progress.

PEOPLE FROM THE FLOOR

None.

ADJOURNMENT

The meeting adjourned at 7:07 p.m.

Martin A. Colburn, City Clerk

Jon Droscha, Secretary

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF SEPTEMBER 15, 2009**

Reeser called the meeting to order at 6:32 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Burns, Droscha, Hunt, Kenroy, Reeser, Sabbadin, Smith, Vincent
Absent: Commissioner: Naeyaert
Also present: David Haywood, Zoning & Development Director
Martin A. Colburn, City Administrator
Deborah Cwiertiniewicz, Deputy City Clerk

APPROVAL OF MINUTES: AUGUST 11, 2009

The Minutes of August 11, 2009, were approved as submitted.

PEOPLE FROM THE FLOOR

None.

REGULAR BUSINESS

Report – Planning Commission By-Laws

Haywood informed the Commission that the adopted by-laws were presented to City Council to be accepted and placed on file at its September 8, 2009, meeting. However, Council and the City Attorney discussed revisions that would improve the document and asked that the recommendations be presented to the Planning Commission for consideration. A brief discussion ensued.

MOTION by Kenroy, second by Droscha,
to accept the amendments to Section 2 of the Planning Commission By-Laws
recommended by the City Council and City Attorney.

MOTION APPROVED UNANIMOUSLY

Resolution No. 2009-10 – A Resolution Approving the Capital Improvements Plan (CIP) for Fiscal Years (FY) 2009/10 – 2014/15

Haywood presented the draft CIP for FY 2009/10 – 2014/15. A brief discussion ensued.

Smith left the meeting at 7:30 p.m.

MOTION by Droscha, second by Kenroy,
to consider Resolution No. 2009-10 as read.

MOTION APPROVED UNANIMOUSLY

Resolution No. 2009-10 was introduced by Vincent and seconded by Burns.

WHEREAS, the Capital Improvements Plan is a result of significant review and consideration by the City of Mason administrative staff of the numerous capital project requests from City department heads for the next six-year fiscal period; and,

WHEREAS, the prioritization of projects is based on the overall benefit to the community, especially when improving public health, safety and welfare; and,

WHEREAS, an emphasis has been placed on ranking the projects by priority, so that the most-needed projects will be accomplished first and scarce financial resources are allocated appropriately; and,

WHEREAS, the Capital Improvements Plan is consistent with the Capital Improvements Programming component of the Master Plan; and,

NOW THEREFORE BE IT RESOLVED, that the City of Mason Planning Commission does hereby approve the Capital Improvements Plan for fiscal years 2009/10 – 2014/15.

RESOLUTION APPROVED UNANIMOUSLY

UNFINISHED BUSINESS

Vincent stated that the CIP resolution explained the role of the document very well.

NEW BUSINESS

None.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

Colburn informed the Commission regarding City Council business.

ADMINISTRATOR'S REPORT

Colburn informed the Commission regarding City business. He asked Commissioner Sabbadin to inform the Commission regarding the purchase of a new Rescue-Pumper Fire Apparatus. He asked Mr. Haywood to inform the Commission regarding the Regional Growth Project of the Tri-County Regional Planning Commission and one of its implementation efforts known as the Urban and Rural Services District/Urban Service Boundary (URSD/USB) Committee.

PEOPLE FROM THE FLOOR

None.

ADJOURNMENT

The meeting adjourned at 7:52 p.m.

Martin A. Colburn, City Clerk

Jon Droscha, Secretary

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF AUGUST 11, 2009**

Reeser called the meeting to order at 6:30 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Droscha, Hunt, Kenroy, Naeyaert, Reeser, Sabbadin, Vincent
Absent: Commissioner: Burns, Smith
Also present: David Haywood, Zoning & Development Director

APPROVAL OF MINUTES: JULY 14, 2009

The Minutes of July 14, 2009, were approved as submitted.

PEOPLE FROM THE FLOOR

None.

*Smith arrived at 6:33 p.m.

REGULAR BUSINESS

Report – Planning Commission By-Laws

Haywood gave a brief overview of the draft Planning Commission By-Laws prepared in accordance with the determinations of the Planning Commission By-Law Sub Committee. A thorough discussion ensued.

MOTION by Smith, second by Naeyaert,
to amend the draft Planning Commission By-Laws in Section 2.8 by inserting “Members
of the Planning Commission may perform unaccompanied site inspections.” as the last
sentence.

MOTION APPROVED UNANIMOUSLY

MOTION by Droscha, second by Smith,
to approve the Planning Commission By-Laws as amended.

MOTION APPROVED UNANIMOUSLY

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

Naeyaert informed the Commission regarding City Council business.

ADMINISTRATOR’S REPORT

Colburn informed the Commission regarding city business.

Haywood informed the Commission regarding planning and development business.

PEOPLE FROM THE FLOOR

None.

ADJOURNMENT

The meeting adjourned at 7:18 p.m.

Martin A. Colburn, City Clerk

Jon Droscha, Secretary

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF JULY 14, 2009**

Reeser called the meeting to order at 6:34 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Burns, Droscha, Hunt, Reeser, Sabbadin, Vincent
Absent: Commissioner: Kenroy, Naeyaert, Smith
Also present: David Haywood, Zoning & Development Director

APPROVAL OF MINUTES: JUNE 9, 2009

The Minutes of June 9, 2009, were approved as submitted.

PEOPLE FROM THE FLOOR

None.

REGULAR BUSINESS

Report – Planning Commission By-Laws

Haywood gave a brief update regarding the activity of the Planning Commission By-Law sub committee.

Report – Capital Improvement Plan

Haywood informed the Commission that staff has begun the annual update to the Capital Improvement Plan.

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

None.

ADMINISTRATOR'S REPORT

Colburn informed the Commission regarding city business.

PEOPLE FROM THE FLOOR

None.

ADJOURNMENT

The meeting adjourned at 7:27 p.m.

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF JUNE 9, 2009**

Reeser called the meeting to order at 6:32 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Burns, Droscha, Hunt, Kenroy, Reeser, Sabbadin, Smith, Vincent
Absent: Commissioner: Naeyaert
Also present: David Haywood, Zoning & Development Director

APPROVAL OF MINUTES: MAY 12, 2009

The Minutes of May 12, 2009, were approved as submitted.

PEOPLE FROM THE FLOOR

None.

REGULAR BUSINESS

Resolution No. 2009-09 – A Resolution Approving A Preliminary and Final Site Plan for 117 South Cedar Street (Darb’s Tavern and Eatery) to Add 12 Additional Parking Spaces and Outdoor Seating

Haywood gave a brief synopsis of the preliminary and final site plan review for 117 South Cedar Street for implementing twelve additional parking spaces and outdoor seating.

MOTION by Kenroy, second by Smith,
to consider Resolution No. 2009-09 as read for the first time.
MOTION APPROVED UNANIMOUSLY

Rob Hearit, property owner of 117 South Cedar Street known as Darb’s Tavern and Eatery, responded to questions regarding the proposed outdoor seating location and parking lot lighting.

MOTION by Sabbadin, second by Burns,
to amend Resolution No. 2009-09 by adding additional lighting to the new parking area.
Yes (4) Burns, Hunt, Sabbadin, Reeser
No (4) Droscha, Kenroy, Smith, Vincent
MOTION FAILED

Discussion ensued regarding the new parking area lighting.

MOTION by Smith, second by Sabbadin,
to amend Resolution No. 2009-09 by requiring the Zoning & Development Director to review the adequacy of the existing parking lot lighting and determine if additional lighting is necessary for the proposed parking lot expansion area.
MOTION APPROVED UNANIMOUSLY

Resolution No. 2009-09 was introduced by Kenroy and seconded by Smith.

**CITY OF MASON
PLANNING COMMISSION RESOLUTION NO. 2009-09
A RESOLUTION APPROVING A PRELIMINARY AND FINAL SITE PLAN
FOR 117 SOUTH CEDAR STREET (DARB’S TAVERN AND EATERY) TO
ADD 12 ADDITIONAL PARKING SPACES AND OUTDOOR SEATING
June 9, 2009**

WHEREAS, a request has been received from Robert Hearit (Darb’s Tavern and Eatery), regarding parcels 33-19-10-08-201-018 (117 S. Cedar St.) and 33-19-10-08-201-011 (538 W. Sycamore St.), for concurrent preliminary and final site plan approval to allow the construction of 12 additional parking spaces property located at 538 West Sycamore Street and an outdoor patio at 117 South Cedar Street; and

WHEREAS, the improvements described herein are proposed to be constructed on property described as: 117 S. Cedar Street: Lots 10 & 11 Also S 1 rod of lot 1 block 55, Sec 8 T2N R1W,

City of Mason, Ingham County. 538 W. Sycamore Street: Lot 12, Block 55, Sec 8 T2N R1W, City of Mason, Ingham County.

WHEREAS, upon compliance with the conditions listed herein, the plans will comply with the site plan review standards listed in Section 94-226 and 94-227 of the Mason Code; and

WHEREAS, approval is granted subject to the following general conditions:

- 1) Final site plan approval does not become effective and until such time that the conditions listed herein have been met; and
- 2) An executed drainage facilities maintenance agreement shall be submitted prior to the issuance of an occupancy permit; and
- 3) That all future site and parking lot lighting be so constructed to shield the light source from view and otherwise be consistent with the standards listed in Sections 94-292(j)(6)(e) and 94-177(e) of the Zoning Ordinance; and
- 4) That the parking lot easement be recorded with the Ingham County Register of Deeds and a copy submitted to the Zoning and Development Department prior to the issuance of an occupancy permit.
- 5) That the Zoning Administrator review the adequacy of the existing parking lot lighting and determine if additional lighting is necessary for the proposed parking lot expansion area.

NOW THEREFORE BE IT RESOLVED, that the City of Mason Planning Commission does hereby approve a preliminary and final site plan for outdoor seating at 117 South Cedar Street (Darb's Tavern and Eatery) and 12 additional parking spaces on property situated at 538 West Sycamore Street to serve Darb's Tavern and Eatery based on the plans received on April 15, 2009, and application received May 25, 2009.

RESOLUTION APPROVED UNANIMOUSLY

Report – Planning Commission Bylaws

Haywood gave a brief synopsis of the Planning Commission Subcommittee's review and revisions to the bylaws in accordance with the Michigan Planning Enabling Act.

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

None.

ADMINISTRATOR'S REPORT

Haywood informed the Commission regarding city business.

PEOPLE FROM THE FLOOR

None.

ADJOURNMENT

The meeting adjourned at 7:30 p.m.

Martin A. Colburn, City Clerk

Jon Droscha, Secretary

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF MAY 12, 2009**

Administrator Colburn administered the oath of office to John Sabbadin. Reeser called the meeting to order at 6:36 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Droscha, Hunt, Reeser, Sabbadin, Vincent
Absent: Commissioner: Burns, Kenroy, Naeyaert, Smith
Also present: Martin A. Colburn, City Administrator
David Haywood, Zoning & Development Director

APPROVAL OF MINUTES: April 14, 2009

The Minutes of April 14, 2009, were approved as submitted.

Discussion was held regarding postponing the election of Chair to the next regular meeting when all members would be present. However, it was the consensus of the Commission to hold the election at this time.

ELECTION OF CHAIR

Colburn opened the floor for nominations for Chair.

NOMINATION by Droscha, second by Vincent,
to elect Ed Reeser as Chair
ED REESER ELECTED CHAIR UNANIMOUSLY

ELECTION OF VICE CHAIR

The election of Ed Reeser for the Chair position vacated the Vice Chair position. Colburn opened the floor for Vice Chair nominations.

NOMINATION by Droscha,
to elect Matt Smith as Vice Chair
MATT SMITH ELECTED VICE CHAIR UNANIMOUSLY

PEOPLE FROM THE FLOOR

None.

REGULAR BUSINESS

Planning Commission Bylaws

Haywood gave a brief overview of the Planning Enabling Act requirement to update bylaws; compliance is required by July 1, 2011. The Commission determined to appoint a subcommittee to update the current bylaws that were adopted in 1973. Commissioners Droscha, Hunt, and Vincent volunteered to serve on the subcommittee.

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

CORRESPONDENCE

All correspondence was distributed. A brief discussion ensued regarding administrative review for the construction of a pole barn by Kiwanis Village and a building addition site plan review for Mason Bowling. For the benefit of new commissioners, Zoning and Development Director Haywood was asked to give a synopsis of his role with the Planning Commission.

LIAISON REPORTS

Colburn informed the Commission regarding current City Council business.

ADMINISTRATOR'S REPORT

Colburn informed Commissioners regarding current City business. A brief discussion ensued.

PEOPLE FROM THE FLOOR

None.

ADJOURNMENT

The meeting adjourned at 7:20 p.m.

Martin A. Colburn, City Clerk

Jon Droscha, Secretary

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF APRIL 14, 2009**

Reeser called the meeting to order at 6.37 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Burns, Kenroy, Naeyaert, Reeser, Smith, Vincent
Absent: Commissioner: Droscha, Hunt
Also present: Martin A. Colburn, City of Mason Administrator
David Haywood, Zoning & Development Director
Deborah Cwierniewicz, Deputy Clerk

APPROVAL OF MINUTES: March 10, 2009

The Minutes of March 10, 2009, were approved as submitted.

PEOPLE FROM THE FLOOR

Mayor Leon Clark informed the Commission that City Council appointed Neal Johnson to the vacant council seat at a special meeting April 13, 2009. Because Mr. Johnson had served as Chair for the Planning Commission, it would be necessary to hold an election for the Planning Commission Chair.

Neal Johnson, newly appointed Councilmember, passed the Robert's Rules of Order book to Vice Chair Reeser.

PUBLIC HEARING

Ordinance No. 171 - An Ordinance to Amend Article II - Planning Commission - of Chapter 50 - Planning - of the Code of the City of Mason to Conform the Provisions of the Planning Code to the Michigan Planning Enabling Act

Reeser opened the public hearing at 6:44 p.m. Haywood commented briefly on the amendments to Mason Code brought about by the Planning Enabling Act, currently in effect, that consolidated three separate planning acts in the state covering counties, townships and villages. A brief discussion ensued.

Reeser closed the public hearing at 6:57 p.m.

MOTION by Naeyaert, second by Smith,
to consider Resolution No. 2009-02 as read.
MOTION APPROVED UNANIMOUSLY

Resolution No. 2009-02 was introduced by Naeyaert and seconded by Smith

**CITY OF MASON
PLANNING COMMISSION RESOLUTION NO. 2009-02
A RESOLUTION RECOMMENDING THAT THE CITY COUNCIL ADOPT ORDINANCE
NO. 171 – AN ORDINANCE TO AMEND ARTICLE II, PLANNING COMMISSION, OF
CHAPTER 50, PLANNING, OF THE CODE OF THE CITY OF MASON TO CONFORM**

THE PROVISIONS OF THE PLANNING CODE TO THE MICHIGAN PLANNING ENABLING ACT

April 14, 2009

WHEREAS, the Michigan Planning Enabling Act, 2008 PA 33, was enacted by the Michigan Legislature and became effective September 1, 2008; and

WHEREAS, it is necessary to update the Mason Planning Commission ordinance by amending Chapter 50, Planning Commission, to be in compliance with the Michigan Planning Enabling Act, 2008 PA 33; and

WHEREAS, the Planning Commission did properly notice and conduct a public hearing on the proposed amendments at its regular meeting held April 14, 2009; and

NOW THEREFORE BE IT RESOLVED, that the City of Mason Planning Commission does hereby recommend that the City Council adopt Ordinance No. 171 to amend Chapter 50 of the code of the City of Mason to conform with the Michigan Planning Enabling Act, 2008 PA 33.

RESOLUTION APPROVED UNANIMOUSLY

Ordinance No. 172 - An Ordinance to Amend Article II - Planning Commission - of Chapter 50 - Planning - of the Code of the City of Mason to Conform the Provisions of the Planning Code to the Michigan Planning Enabling Act

Reeser opened the public hearing at 7:01 p.m. Haywood briefly explained the amendments to Mason Code effected by the Planning Enabling Act.

Reeser closed the public hearing at 7:05 p.m.

MOTION by Vincent, second by Smith,
to consider Resolution No. 2009-03 as read.

MOTION APPROVED UNANIMOUSLY

Resolution No. 2009-03 was introduced by Vincent and seconded by Smith.

CITY OF MASON

PLANNING COMMISSION RESOLUTION NO. 2009-03

A RESOLUTION RECOMMENDING THAT THE CITY COUNCIL ADOPT ORDINANCE NO. 172 – AN ORDINANCE TO AMEND SECTIONS 74-76 AND 74-78 OF ARTICLE II, SUBDIVISIONS, OF CHAPTER 74, SUBDIVISIONS AND OTHER DIVISIONS OF LAND, OF THE CODE OF THE CITY OF MASON TO CONFORM THE PROVISIONS OF THE PLANNING CODE TO THE MICHIGAN PLANNING ENABLING ACT

April 14, 2009

WHEREAS, the Michigan Planning Enabling Act, 2008 PA 33, was enacted by the Michigan Legislature and became effective September 1, 2008; and

WHEREAS, it is necessary to update the Mason subdivision ordinance by amending Chapter 74, Subdivisions and Other Divisions of Land, to be in compliance with the Michigan Planning Enabling Act, 2008 PA 33; and

WHEREAS, the Planning Commission did properly notice and conduct a public hearing on the proposed amendments at its regular meeting held April 14, 2009; and

NOW THEREFORE BE IT RESOLVED, that the City of Mason Planning Commission does hereby recommend that the City Council adopt Ordinance No. 172 to amend Chapter 74 of the code of the City of Mason to conform with the Michigan Planning Enabling Act, 2008 PA 33.

RESOLUTION APPROVED UNANIMOUSLY

Ordinance No. 176 - An Ordinance to Amend Article II - Planning Commission - of Chapter 50 - Planning - of the Code of the City of Mason to Conform the Provisions of the Planning Code to the Michigan Planning Enabling Act

Reeser opened the public hearing at 7:08 p.m. Haywood commented briefly on the amendments to the Mason Code brought about by the Zoning Enabling Act, currently in effect, that consolidated three separate zoning acts in the state covering counties, townships, and city and villages. A brief discussion ensued.

Reeser closed the public hearing at 7:17 p.m.

MOTION by Naeyaert, second by Burns,
to consider Resolution No. 2009-04 as read.
MOTION APPROVED UNANIMOUSLY

Resolution No. 2009-04 was introduced by Naeyaert and seconded by Burns.

**CITY OF MASON
PLANNING COMMISSION RESOLUTION NO. 2009-04
A RESOLUTION RECOMMENDING THAT THE CITY COUNCIL ADOPT ORDINANCE
NO. 176 – AN ORDINANCE TO AMEND SECTIONS 94-101, 94-361 AND 94-397 AND
TO ADD NEW SECTION 94-231 OF CHAPTER 94 OF THE CODE OF THE CITY OF
MASON TO CONFORM THE MASON ZONING ORDINANCE TO RECENT
AMENDMENTS TO THE MICHIGAN ZONING ENABLING ACT
April 14, 2009**

WHEREAS, the Michigan Zoning Enabling Act, 2008 PA 12, was enacted by the Michigan Legislature and became effective February 29, 2009; and

WHEREAS, it is necessary to update the Mason zoning ordinance by amending Sections 94-101, 94-361, and 94-397 and to add new Section 94-231 to be in compliance with the Michigan Planning Enabling Act, 2008 PA 12; and

WHEREAS, the Planning Commission did properly notice and conduct a public hearing on the proposed amendments at its regular meeting held April 14, 2009; and

NOW THEREFORE BE IT RESOLVED, that the City of Mason Planning Commission does hereby recommend that the City Council adopt Ordinance No. 176 to amend Chapter 94 of the code of the City of Mason to conform with the Michigan Zoning Enabling Act, 2008 PA 12.

RESOLUTION APPROVED UNANIMOUSLY

REGULAR BUSINESS

None.

UNFINISHED BUSINESS

None.

NEW BUSINESS

Kenroy and Vincent thanked the City for providing training opportunities for new commissioners. They both stated that it was valuable education. A brief discussion was held to hold the election of Chair on the next regular meeting agenda.

CORRESPONDENCE

All correspondence was distributed. The resignation of Neal Johnson was accepted by the Commission.

LIAISON REPORTS

Naeyaert informed the Commission regarding current City Council business.

ADMINISTRATOR'S REPORT

Colburn informed Commissioners regarding current City business. A brief discussion ensued.

PEOPLE FROM THE FLOOR

None.

ADJOURNMENT

The meeting adjourned at 7:41 p.m.

Martin A. Colburn, City Clerk

Jon Droscha, Secretary

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF MARCH 10, 2009**

Reeser called the meeting to order at 6:30 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Burns, Droscha, Hunt, Kenroy, Naeyaert, Reeser, *Smith, Vincent
Absent: Commissioner: Johnson
Also present: Martin A. Colburn, City of Mason Administrator
David Haywood, Zoning & Development Director

APPROVAL OF MINUTES: February 10, 2009

The Minutes of February 10, 2009, were approved as submitted.

* Commissioner Smith arrived at 6:33 pm.

PEOPLE FROM THE FLOOR

None.

REGULAR BUSINESS

Annual Report – Zoning and Development Department

Haywood informed the Commission regarding the 2008 Annual Report he presented to Council for the Zoning and Development Department. A brief discussion ensued.

Discussion – Michigan Zoning and Planning Enabling Acts

Haywood gave a brief update regarding amendments to the Mason Code relating to the Michigan Zoning and Planning Enabling Acts.

Distribution – Updated Zoning Map

Haywood distributed the updated zoning map to the Commission.

Training – Basic Planning/Zoning Training Opportunity – March 25, 2009

Haywood informed the Commission about the March 25, 2009, training offered by the Michigan State University Extension regarding basic planning and zoning.

UNFINISHED BUSINESS

None.

NEW BUSINESS

A brief discussion was held regarding the progress of the proposed Los Tres Amigos restaurant expected to open in the near future.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

Naeyaert informed the Commission regarding current City Council business.

ADMINISTRATOR'S REPORT

Colburn informed Commissioners regarding current City business. A brief discussion ensued.

PEOPLE FROM THE FLOOR

None.

ADJOURNMENT

The meeting adjourned at 7:29 p.m.

Martin A. Colburn, City Clerk

Jon Droscha, Secretary

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF FEBRUARY 10, 2009**

Johnson called the meeting to order at 6:35 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Burns, Droscha, Hunt, Johnson, *Kenroy, Naeyaert, Smith, Vincent

Absent: Commissioner: Reeser

Also present: Martin A. Colburn, City of Mason Administrator
David Haywood, Zoning and Development Director
Deborah Cwierniewicz, Deputy Clerk

APPROVAL OF MINUTES: January 13, 2009

The Minutes of January 13, 2009, were approved as submitted.

PEOPLE FROM THE FLOOR

None.

PUBLIC HEARING

Conditional Rezoning – 514 West Columbia Street – R2F Two Family Residential to C-2 General Commercial to C-2

Johnson opened the public hearing at 6:36 p.m.

Richard Ferris of 502 West Columbia Street stated opposition to the request from Speedway SuperAmerica located at 514 West Columbia Street to conditionally rezone the 0.225 acres from R2F Two Family Residential to C-2 General Commercial.

Johnson closed the public hearing at 6:39 p.m.

REGULAR BUSINESS

Resolution No. 2009-01 – A Resolution Recommending that the City Council Adopt Ordinance No. 174 an Ordinance to Conditionally Rezone 0.225 Acres Located at 514 West Columbia Street from R2F Two Family Residential to C-2 General Commercial

MOTION by Naeyaert, second by Droscha,
to consider Resolution No. 2009-01 as read.

MOTION APPROVED UNANIMOUSLY

Resolution No. 2009-01 was introduced by Naeyaert and seconded by Droscha.

**CITY OF MASON
PLANNING COMMISSION RESOLUTION NO. 2009-01
A RESOLUTION RECOMMENDING THAT THE CITY COUNCIL ADOPT
ORDINANCE NO. 174 AN ORDINANCE TO CONDITIONALLY REZONE 0.225
ACRES LOCATED AT 514 WEST COLUMBIA STREET FROM R2F TWO
FAMILY RESIDENTIAL TO C-2 GENERAL COMMERCIAL
February 10, 2009**

WHEREAS, a conditional rezoning request has been received from Speedway SuperAmerica to rezone the easterly ½ of parcel 33-19-10-05-456-009 consisting of 0.225 acres of land located on the at 514 West Columbia Street from R2F Two Family Residential to C-2 General Commercial with the condition that the uses on the property be limited to employee parking; and

WHEREAS, the subject property is further described as:

LOT 3, BLOCK 7, SMITH AND PEASE ADDITION TO THE CITY OF MASON, ACCORDING TO THE RECORD PLAN THEREOF AS RECORDED IN LIBER 35 OF DEEDS, PAGE 186, INGHAM COUNTY, MICHIGAN RECORDS, CONTAINING 0.225 OF AN ACRE OF LAND.

WHEREAS, the proposed conditional C-2 General Commercial zoning district complies with the standards of approval listed in Section 94-396(a).

NOW THEREFORE BE IT RESOLVED, that the City of Mason Planning Commission does hereby recommend that the City Council adopt Ordinance No. 174 to conditionally rezone 0.225 acres of land located at 514 West Columbia Street from R2F Two Family Residential to C-2 General Commercial with the condition that the uses on the property be limited to employee parking as identified in the revised site plan dated January 12, 2009, and received January 27, 2009.

RESOLUTION APPROVED UNANIMOUSLY

Johnson stated that he was leaving to attend his father-in-law's funeral and passed the gavel to Planning Commission Secretary Jon Droscha at 6:42 p.m.

MOTION by Naeyaert, second by Burns,
to amend the agenda by adding Item # 6 (B) Motion - Addition of Franklin Farms Drive Extension to the 2008-2014 Capital Improvements Plan (CIP).

MOTION APPROVED UNANIMOUSLY

*Commissioner Kenroy arrived at 6:47 p.m.

Motion - Addition of Franklin Farms Drive Extension to the 2008-2014 Capital Improvements Plan (CIP)

Discussion was held regarding City Council's recent decision to extend Franklin Farms Drive south to Kipp Road within the planning period of the current CIP. It was noted that the extension would provide an added benefit to the city by improving access and circulation to the general vicinity.

Discussion was held regarding the need to extend Franklin Farms Drive south to Kipp Road. The proposed extension is the result of City Council's recent decision to extend the street within the planning period of the current CIP. It was noted that the extension would provide an added benefit to the city by improving access and circulation to the general vicinity.

MOTION by Smith, second by Naeyaert,
To add the Franklin Farms Drive extension plan to the 2008-2014 CIP.
Yes (5) Droscha, Kenroy, Naeyaert, Smith, Vincent
No (2) Burns, Hunt
Absent (2) Johnson, Reeser
MOTION APPROVED

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

Naeyaert informed the Commission regarding current City Council business.

ADMINISTRATOR'S REPORT

Colburn informed Commissioners regarding current City business.

PEOPLE FROM THE FLOOR

None.

ADJOURNMENT

The meeting adjourned at 7:30 p.m.

Martin A. Colburn, City Clerk

Jon Droscha, Secretary

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF JANUARY 13, 2009**

Colburn administered the oath of office to Rod Hunt, Ron Kenroy, Matthew Smith, and Jon Vincent. Johnson called the meeting to order at 6:30 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Burns, Droscha, Hunt, Johnson, Kenroy, Naeyaert, Reeser, Smith, Vincent

Also present: Martin A. Colburn, City of Mason Administrator
Deborah Cwierniewicz, Deputy Clerk

APPROVAL OF MINUTES: December 9, 2008

The Minutes of December 9, 2008, were approved as submitted.

PEOPLE FROM THE FLOOR

None.

UNFINISHED BUSINESS

Resolution No. 2008-13 – Approving the 2008-2014 Capital Improvements Plan (CIP)

Resolution No. 2008-13 was introduced by Burns and seconded by Hunt at the December 9, 2008, meeting; it was deferred to allow staff to insert additional language submitted and approved at that meeting regarding the goals of the Recreation Plan.

**CITY OF MASON
PLANNING COMMISSION RESOLUTION NO. 2008-13
A RESOLUTION APPROVING THE 2008-2014 CAPITAL IMPROVEMENTS PLAN
January 13, 2009**

WHEREAS, the Capital Improvements Plan is a result of significant review and consideration by the City of Mason administration staff of the numerous capital project requests from City department heads for the next six (6) year period; and,

WHEREAS, the prioritization of projects is based on the overall benefit to the community, especially when improving public health, safety and welfare; and,

WHEREAS, an emphasis has been placed on ranking the projects by priority, so that the most needed projects will be accomplished first and scarce financial resources are allocated appropriately; and,

WHEREAS, the Capital Improvements Plan is consistent with the Capital Improvements Programming component of the Master Plan; and,

NOW THEREFORE BE IT RESOLVED, that the City of Mason Planning Commission does hereby approve the 2008-2014 Capital Improvements Plan.

RESOLUTION APPROVED UNANIMOUSLY

Election of Chair, Vice Chair, and Secretary

Colburn opened nominations for Chairperson.

Nomination by Smith to elect Neal Johnson. No other nominations were made.

ROLL CALL VOTE: (9) Burns, Droscha, Hunt, Johnson, Kenroy, Naeyaert, Reeser, Smith, Vincent

NEAL JOHNSON ELECTED CHAIRPERSON

Colburn opened nominations for Vice Chairperson.

Nomination by Smith to elect Ed Reeser. No other nominations were made.
ROLL CALL VOTE: (9) Burns, Droscha, Hunt, Johnson, Kenroy, Naeyaert, Reeser,
Smith, Vincent
ED REESER ELECTED VICE CHAIRPERSON

Colburn opened nominations for Secretary.

Nomination by Smith to elect Jon Droscha. No other nominations were made.
ROLL CALL VOTE: (9) Burns, Droscha, Hunt, Johnson, Kenroy, Naeyaert, Reeser,
Smith, Vincent
JON DROSCHA ELECTED SECRETARY

PEOPLE FROM THE FLOOR

Mayor Leon Clark introduced newly appointed members Ron Kenroy and Jon Vincent.

Jennifer Cornell of 1101 Carom Circle submitted a letter and summarized its content regarding her concerns as a resident relating to the decision to extend Franklin Farms Drive to Kipp Road.

REGULAR BUSINESS

Informational Update – 514 West Columbia Street (Speedway) – Conditional Rezoning

Colburn informed the Commission that City Council remanded the conditional rezoning request by Speedway for 514 West Columbia Street back to the Planning Commission. It is expected that the applicant will be submitting a revised site plan.

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

Naeyaert informed the Commission regarding current City Council business.

ADMINISTRATOR'S REPORT

Colburn informed Commissioners regarding current City business and the Franklin Farms Drive extension.

PEOPLE FROM THE FLOOR

None.

ADJOURNMENT

The meeting adjourned at 7:19 p.m.

Martin A. Colburn, City Clerk

Jon Droscha, Secretary

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF DECEMBER 9, 2008**

Johnson called the meeting to order at 6:31 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Burns, Droscha, Hunt, Johnson, Smith, Tornholm
Absent: Commissioner: Boyic, Naeyaert, Reeser
Also present: Martin A. Colburn, City Administrator
David Haywood, Zoning & Development Director
Deborah Cwierniewicz, Deputy Clerk

APPROVAL OF MINUTES: November 12, 2008

The Minutes of November 12, 2008, were approved as submitted.

PEOPLE FROM THE FLOOR

Mayor Leon Clark presented a certificate of appreciation to Barbara Tornholm depicting her years of service to the Planning Commission as a commissioner and chairperson.

PUBLIC HEARING

Conditional Rezoning – 514 West Columbia Street- R2F to C-2

Johnson opened the public hearing at 6:35 p.m. Haywood gave a brief review of the eight evaluation criterion for considering a rezoning request.

Stephen Ray of L&R Construction Services representing Speedway SuperAmerica, LLC, spoke regarding the conditional rezoning request for the property immediately behind the business for a paved employee only parking. Discussion ensued regarding landscape buffering and employee security. Mr. Ray stated that ordinance landscape buffering requirements would be observed and that security cameras are included in the plan.

Dorothy Ferris of 502 West Columbia Street spoke regarding the letter she submitted stating opposition to the conditional rezoning request. Ms. Ferris stated that a specified completion date for the construction of the parking lot should be required of the applicant. She read a letter into the record from Diane and Terry Adams of 508 West Columbia Street stating support of the request with a condition to install a divided fence similar to the fence installed when Speedway previously expanded the building.

Richard Ferris of 502 West Columbia Street spoke regarding the letter he submitted stating opposition to the conditional rezoning request. Mr. Ferris added that the southwest corner of the Mason Town Center parking lot could be used for employee parking.

Johnson closed the public hearing at 6:59 p.m.

Resolution No. 2008-12 – A Resolution Recommending that the City Council Adopt Ordinance No. 174, an Ordinance to Conditionally Rezone 0.225 Acres Located at 514 West Columbia Street from a Two Family Residential to C-2 General Commercial

MOTION by Tornholm, second by Burns,
to consider Resolution No. 2008-12 as read.

MOTION APPROVED UNANIMOUSLY

Resolution No. 2008-12 was introduced by Smith and seconded by Droscha. Discussion was held regarding the following issues; the conditional rezoning was not consistent with the Master Plan, the environmental impact of a parking lot without plans for a rain garden, encroachment on the residential area, and concern regarding the limited and controlled expansion into the residential area. Further discussion considered additional issues; the best use for the property, that it is a high traffic corridor, it is residential neighborhood with young children, and that it sets precedent. Discussion ensued.

MOTION by Smith, second by Droscha,
to amend Resolution No. 2008-12 to limit parking to employee parking
identified in the proposed site plan, attached to the application, received by
the City dated November 13, 2008.

MOTION APPROVED UNANIMOUSLY

VOTE ON RESOLUTION NO. 2008-12:

Yes (3) Droscha, Johnson, Smith

No (3) Burns, Hunt Tornholm

RESOLUTION FAILED

Resolution No. 2008-13 – A Resolution Approving the 2008-2014 Capital Improvements Plan (CIP)

Haywood gave a brief synopsis of the proposed Capital Improvements Plan.

MOTION by Smith, second by Droscha,
to consider Resolution No. 2008-13 as read.

MOTION APPROVED UNANIMOUSLY

Resolution No. 2008-13 was introduced by Burns and seconded by Hunt. Colburn spoke regarding grants and funding opportunities for projects in the proposed CIP and how that would affect time lines and priorities of the projects. Discussion ensued. Tornholm submitted language to insert into the Plan relating to the goals of the Recreation Plan.

MOTION by Tornholm, second by Droscha,
to amend the 2008-2014 Capital Improvements Plan, page six (6), by adding submitted
language regarding the goals of the Recreation Plan.

MOTION APPROVED UNANIMOUSLY

A brief discussion ensued whether to approve the document before or after the language was added.

MOTION by Tornholm, second by Droscha,
to defer Resolution No. 2008-13 to the January 13, 2009 regular meeting to allow staff to
insert the additional language submitted by Commission Tornholm.

MOTION APPROVED UNANIMOUSLY

UNFINISHED BUSINESS

None.

NEW BUSINESS

Commissioner Smith thanked Barbara Tornholm for her service to the Planning Commission and congratulated her election to the City Council.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

None.

ADMINISTRATOR'S REPORT

Colburn informed Commissioners regarding current city business.

PEOPLE FROM THE FLOOR

None.

ADJOURNMENT

The meeting adjourned at 7:40 p.m.

Martin A. Colburn, City Clerk

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF NOVEMBER 12, 2008**

Johnson called the meeting to order at 6:32 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Boyic, Burns, Droscha, Johnson, Naeyaert, Reeser, Smith, Tornholm
Absent: Commissioner: Hunt
Also present: Martin A. Colburn, City of Mason Administrator
David Haywood, Zoning & Development Director
Deborah Cwierniewicz, Deputy Clerk

APPROVAL OF MINUTES: OCTOBER 14, 2008

The Minutes of October 14, 2008, were approved as submitted.

PEOPLE FROM THE FLOOR

None.

Resolution No. 2008-11 – A Resolution Recommending that the City Council Not Amend or Adopt a New Master Plan

Resolution No. 2008-11 was introduced by Smith and seconded by Naeyaert. Haywood gave a brief overview of the list of issues that the Ad Hoc Review Committee considered as the basis for its recommendation that the City Council not amend or adopt a new Master Plan. A brief discussion ensued.

MOTION by Tornholm, second by Naeyaert,
to amend Resolution No. 2008-11 in the fifth paragraph, at the end of the sentence insert the following: "at this time. City staff is to prepare plans for updating the City's Master Plan beginning July 2010."

Yes (5) Boyic, Droscha, Johnson, Reeser, Tornholm

No (3) Burns, Naeyaert, Smith

MOTION APPROVED

**CITY OF MASON
PLANNING COMMISSION RESOLUTION NO. 2008-11
A RESOLUTION RECOMMENDING THAT THE CITY COUNCIL
NOT AMEND OR ADOPT A NEW MASTER PLAN
November 12, 2008**

WHEREAS, Section 45(2) of Public Act 33 of 2008 (Michigan Planning Enabling Act) requires that, "At least every 5 years after the adoption of a Master plan, a planning commission shall review the master plan and determine whether to commence the procedure to amend the master plan or adopt a new master plan"; and

WHEREAS, The City of Mason's current master plan was adopted in April, 2004; and

WHEREAS, The "Maintaining a Current Master Plan" component of Chapter four of the Master Plan lists the "important questions" that should be asked when evaluating the plan as the following:

1. Does the Plan present valid and current inventory data (Appendices)?
2. Does the discussion of planning issues and goals/objectives (Chapter 2) continue to be appropriate for the City today and, if not, what additions, deletions or other revisions should be considered?
3. Does the Future Land Use Strategy (Chapter 3) continue to reflect the preferred strategy for addressing development and preservation and, if not, what revisions should be considered?

WHEREAS, The Planning Commission has determined that the answers to the “important questions” listed above are “yes”.

NOW THEREFORE BE IT RESOLVED, the City of Mason Planning Commission does hereby recommend that the City Council not amend or adopt a new Master Plan at this time. City staff are to prepare plans for updating the City’s Master Plan beginning in July 2010.

RESOLUTION APPROVED UNANIMOUSLY

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

Naeyaert informed the Commission regarding current City Council business.

ADMINISTRATOR’S REPORT

Colburn informed Commissioners regarding current city business.

PEOPLE FROM THE FLOOR

None.

ADJOURNMENT

The meeting adjourned at 7:09 p.m.

Martin A. Colburn, City Clerk

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF OCTOBER 14, 2008**

Administrator Colburn administered the oath of office to Chris Burns. Johnson called the meeting to order at 6:40 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Boyic, Burns, Droscha, Hunt, Johnson, Naeyaert, Reeser, Smith, Tornholm

Also present: Martin A. Colburn, City of Mason Administrator
David Haywood, Zoning & Development Director
Deborah Cwierniewicz, Deputy Clerk

APPROVAL OF MINUTES: SEPTEMBER 9, 2008

The Minutes of September 9, 2008, were approved as submitted.

PEOPLE FROM THE FLOOR

None.

MOTION by Reeser, second by Naeyaert,
to amend the agenda by moving Item No. 5B to Item No. 6B, moving Item No. 6B to Item
No. 6C.

MOTION APPROVED UNANIMOUSLY

Naeyaert stated that she would be recusing herself from the Franklin Farms agenda item before the Commission. She would prefer to commit her vote at the Council level.

MOTION by Reeser, second by Naeyaert,
to allow Commissioner Robin Naeyaert to abstain from participating in the public
hearing and decision regarding the Village of Franklin Farms amendment to the
site plan and special use permit.

MOTION APPROVED UNANIMOUSLY

Public Hearing - Site Plan/Special Use Permit Amendment – The Village of Franklin Farms

Johnson opened the site plan/special use permit amendment for the Village of Franklin Farms public hearing open at 6:49 p.m. Haywood gave a brief overview of the request.

James Bonfiglio, owner Esquire Development and Construction, Inc. and applicant, spoke to the requested amendment to the Village of Franklin Farms Site Plan and Special Use Permit. Mr. Bonfiglio explained the efficiency and usefulness of maintaining the temporary entrance at the south end of Northbrook Street.

Patrick Price, owner of 812 Carom Circle, stated that he was present on behalf of his son and daughter-in-law who were unable to attend because they were at Sparrow Hospital delivering his second grandson. Mr. Price stated that his son and daughter-in-law reside at 857 Carom Circle. Prior to the purchase of the home, they were told by the seller, the Planning Commission's decision, and Council Member Bruno that the access was temporary and would be closed at the end of construction.

Stacy Adado of 854 Northbrook Street stated that she is opposed to leaving the temporary access open. She and her husband bought their home 6 ½ years ago with the understanding

that when the condominium construction was completed the temporary access would be closed. Ms. Adado stated that she fears for the safety of her children due to the speeding traffic and the access needs to be closed.

Larry Hagerman of 858 Northbrook Street stated that he is opposed to leaving the temporary access open.

Charles Pabst of 860 Northbrook Street stated that traffic enforcement is the concern for Northbrook Street. Although he would prefer to see the temporary access closed, he has seen how important the access is for homeowners when emergency vehicles were called and thinks the temporary access should remain open.

Terry Strickler of 308 Carom Circle stated opposition on the Board of Directors of the Condominium Association agreed that speeding is the problem. He stated concern regarding the number of vehicles that use that access.

John Adado of 854 Northbrook Street stated that he is opposed to leaving the temporary access open. He and his wife bought their home 6 ½ years ago with the understanding that when the condominium construction was completed the temporary access would be closed. Had he known prior to purchasing the home that traffic would be like this and he would have to worry about his children every day, he would not have bought the house.

Johnson closed the public hearing at 7:12 p.m. as there were no further comments.

Resolution No. 2008-09 – A Resolution Approving an Amendment to the Approved Special Use Permit and Final Site Plan for the Villages of Franklin Farms Condominium Development to Allow a Permanent Driveway Access at Northbrook Drive

Resolution No. 2008-09 was introduced by Droscha and seconded by Smith. Discussion was held regarding the original intent of the Planning Commission and City Council decision to close the temporary access when construction was completed for the condominium project.

MOTION by Droscha, second by Boyic,
to defer Resolution No. 2008-09 to gather more information by hiring a traffic engineer.

MOTION FAILED

ROLL CALL VOTE ON THE RESOLUTION:

Yes (2) Burns, Hunt

No (6) Boyic, Droscha, Johnson, Reeser, Smith, Tornholm

Abstention (1) Naeyaert

RESOLUTION FAILED

Public Hearing - Rezoning – 514 West Columbia Street – R2F to C-2

Johnson opened the public hearing at 7:35 p.m. Haywood gave a brief overview of the request.

Stephen Ray of L&R Construction Services, Inc. stated that he was representing Speedway SuperAmerica. Mr. Ray stated that the rezoning request would provide a parking area for employees due to increased customers and employees since the company was built in 2001. There are 4 to 10 employees working a shift with overlapping of shifts in the parking area at a time in addition to customers. Mr. Ray stated that the owner is unable to sell the residential property due to current market issues.

Dorothy Ferris of 502 West Columbia stated opposition to the rezoning. Ms. Ferris thinks it would be detrimental to break the precedent of having three lots from Cedar Street commercial because it would present the opportunity for further development in the future

Ms. Ferris distributed a letter of opposition from Dr. Phillip Gill of 525 West Columbia. Ms. Ferris stated that Dr. Gill based his opposition on increased traffic. He thinks that the neighborhood already bears its share of commercial development.

Tammy Ward of 10709 Crabapple, Rives Junction stated that she runs the Speedway. She stated that the earlier suggestion to pursue use of the plaza corner parking area across the street would be unacceptable. She stated concern for those employees that change shifts around the midnight hour.

Diane Adams of 508 West Columbia stated opposition to the rezoning based on the possibility of the use changing.

Karen Winchester of 513 West Columbia stated that she supports Dorothy Ferris and would like to keep their neighborhood a community and not have it stretched out into commercial. She does not agree that it would be unsafe for Speedway employees to cross the street to the plaza corner parking area.

Richard Ferris of 502 West Columbia Street stated opposition to the rezoning request and gave a brief history of the neighborhood.

Johnson closed the public hearing at 8:01 p.m. as there were no further comments.

Resolution No. 2008-10 – A Resolution Recommending that the Planning Commission Deny a Request to Rezone 0.225 Acres Located at 514 West Columbia Street from R2F Two Family Residential to C-2 General Commercial

Resolution No. 2008-10 was introduced by Droscha and seconded by Smith.

MOTION by Tornholm, second by Naeyaert,
to amend Resolution No. 2008-10 by adding a fourth whereas paragraph as follows: "Whereas, approval of the proposed C-2 General Commercial zoning district would provide a precedent for commercial encroachment into residential areas in accordance with Section 94-396."

ROLL CALL VOTE:

Yes (8) Boyic, Burns, Droscha, Hunt, Johnson, Naeyaert, Reeser, Tornholm

No (1) Smith

MOTION APPROVED

ROLL CALL VOTE ON RESOLUTION NO. 2008-10:

Yes (8) Boyic, Burns, Droscha, Hunt, Johnson, Naeyaert, Reeser, Tornholm

No (1) Smith

RESOLUTION FAILED

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

Naeyaert informed the Commission regarding current City Council business.

ADMINISTRATOR'S REPORT

Colburn informed Commissioners regarding current city business.

PEOPLE FROM THE FLOOR

None.

ADJOURNMENT

The meeting adjourned at 8:18 p.m.

Martin A. Colburn, City Clerk

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF SEPTEMBER 9, 2008**

Johnson called the meeting to order at 6:30 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Droscha, Hunt, Johnson, Naeyaert, Reeser, Smith, Tornholm
Absent: Commissioner: Boyic, Taylor
Also present: Martin A. Colburn, City of Mason Administrator
David Haywood, Zoning & Development Director

APPROVAL OF MINUTES: July 15, 2008 and August 12, 2008

The July 15, 2008, Minutes and the August 12, 2008 Minutes were approved as submitted.

PEOPLE FROM THE FLOOR

None.

REGULAR BUSINESS

Five-Year Master Plan Review

Haywood gave a brief overview of the master plan review process. A brief discussion ensued. It was the consensus of the Commission to hold a work session October 14, 2008, at 5:30 p.m. prior to the regular meeting.

Report – Code Enforcement 2008 Mid-Year Report

Haywood gave a brief summary of the 2008 mid-year report for code enforcement.

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

Naeyaert informed the Commission regarding current City Council business.

ADMINISTRATOR'S REPORT

Colburn informed Commissioners regarding current city business.

PEOPLE FROM THE FLOOR

None.

ADJOURNMENT

The meeting adjourned at 6:55 p.m.

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF AUGUST 12, 2008**

Johnson called the meeting to order at 6:31 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Boyic, Droscha, Hunt, Johnson, Naeyaert, Reeser, Smith, Tornholm
Absent: Commissioner: Taylor
Also present: Martin A. Colburn, City of Mason Administrator
David Haywood, Zoning & Development Director
Deborah Cwierniewicz, Deputy Clerk

APPROVAL OF MINUTES: July 15, 2008

MOTION by Reeser, second by Tornholm,
To defer the July 15, 2008, Minutes to the next regular meeting, as they had not
been received by the Commission.
MOTION APPROVED UNANIMOUSLY

PEOPLE FROM THE FLOOR

None.

PUBLIC HEARING

Special Use Permit – Green Acres Assisted Living Center – East Ash Street (M-36)

Johnson opened the public hearing at 6:34 p.m. Dennis Johnson of Maas Development/Retirement Living Management stated that they are requesting approval for a special use permit and final site plan review for permission to construct and operate a new assisted living center for adult foster care. The applicant presented the project a couple of months ago. The site plan was revised by moving the development over to the west by two parcels. The project is planned for 20 units on the property located on the north side of E. Ash Street east of Temple Street for a special use permit, including a preliminary site plan review.

Haywood gave a brief overview of the final site plan review for the requested special use permit for construction of an assisted living center site plan. A brief discussion ensued. Johnson closed the public hearing at 6:48 p.m.

Rezoning – West Ash Street from AG Single Family Agricultural to RS-3 Single Family Residential

Johnson opened the public hearing at 6:49 p.m. Eric Schertzing, Ingham County Treasurer, spoke regarding the Ingham County Land Bank's request to rezone approximately 2.58 acres of land from AG Single Family Agricultural to RS-3 Single Family Residential for property located on West Ash Street adjacent to Highway U.S. 127.

Ronald Priest of 303 Katheryn inquired about specific plans regarding the project. Mr. Schertzing took Mr. Priest aside to discuss the project plans in greater detail.

Johnson closed the public hearing at 6:55 p.m.

REGULAR BUSINESS

Resolution No. 2008-06 – A Resolution Approving a Special Use Permit and Final Site Plan for Green Acres Assisted Living Center

Resolution No. 2008-06 was introduced by Hunt and seconded by Boyic.

**CITY OF MASON
PLANNING COMMISSION RESOLUTION NO. 2008-06
A RESOLUTION APPROVING A SPECIAL USE PERMIT
AND FINAL SITE PLAN FOR GREEN ACRES ASSISTED LIVING CENTER
August 12, 2008**

WHEREAS, a request has been received from Maas Development/Retirement Living Management, regarding parcel 33-19-10-09-276-004, for a special use permit and final site plan approval to allow the construction of a 20 unit assisted living center on 3.01 acres of property located on the north side of Ash Street (M-36) east of Temple Street; and

WHEREAS, the assisted living center is proposed to be constructed on property described as:

PARCEL 2: A part of the East 1/2 of the Northeast 1/4 of Section 9, T2N, R1W, City of Mason, Ingham County, Michigan, described as commencing at the Northeast Corner of Section 9; thence S00°21'35"W 1662.79 feet along the East Section Line; thence N76°28'12"W 447.85 feet to the point of beginning; thence S13°30'00"W 327.60 feet to the North line of Ash Street; thence N76°36'24"W 220.00 feet along said North line; thence N13°30'00"E 328.12 feet; thence S76°28'12"E 220.00 feet to the point of beginning containing 1.66 acres of land more or less and subject to any easements or rights of way of recorded. PARCEL 3: A part of the East 1/2 of the Northeast 1/4 of Section 9, T2N, R1W, City of Mason, Ingham County, Michigan, described as commencing at the Northeast Corner of Section 9; thence S00°21'35"W 1662.79 feet along the East Section Line; thence N76°28'12"W 267.85 feet to the point of beginning; thence S13°30'00"W 327.17 feet to the North line of Ash Street; thence N76°36'24"W 180.00 feet along said North line; thence N13°30'00"E 327.60 feet; thence S76°28'12"E 180.00 feet to the point of beginning containing 1.35 acres of land more or less and subject to any easements or rights of way of recorded.

WHEREAS, upon compliance with the conditions listed herein, the plans will comply with the site plan review standards listed in Section 94-227 of the Mason Code; and

WHEREAS, approval is granted subject to the following general conditions:

- 1) The special use permit does not become effective and until such time that the conditions listed herein have been met; and
- 2) The applicant shall provide a copy of an approved soil erosion and sedimentation permit from the Ingham County Drain Commissioner prior to the issuance of a building permit if applicable; and
- 3) An executed drainage facilities maintenance agreement shall be submitted prior to the issuance of an occupancy permit; and
- 4) The applicant shall apply for and be granted a land division for the proposed parcel configuration; and
- 5) Approval of an amendment to the Evergreen Woods site plan to relocate the detention pond shall be submitted for administrative review and approval prior to the issuance of a building permit; and
- 6) The utilities in the Evergreen Woods Condominium development shall be accepted and dedicated as a public utility prior to the proposed development connecting; and
- 7) The water and sewer lines shown on the plans shall be located in a public utility easement and dedicated to the City of Mason with access to manhole structures suitable to support the City's Vector truck prior to the issuance of an occupancy permit.

WHEREAS, approval is granted with the condition that the applicant shall submit revised plans that comply with the following prior to the issuance of a building permit:

- 1) The plans shall show the proposed fire hydrant relocated to a more accessible location to the satisfaction of the Mason Fire Chief; and
- 2) The revised plans shall include a full set of construction drawings for all proposed utilities, including water, sanitary sewer, and storm sewer, supporting calculations and data; and

- 3) The City of Mason Standard Detail Sheet shall include the correct material data description for public sewer lines as PVC Truss pipe.

NOW THEREFORE BE IT RESOLVED, that the City of Mason Planning Commission does hereby approve a special use permit and final site plan review for a new 20 unit assisted living center located on property situated on the north side of E. Ash Street (M-36) east of Temple Street based on the plans received on July 17, 2008.

RESOLUTION APPROVED UNANIMOUSLY

Resolution No. 2008-07 – A Resolution Recommending Approving a Preliminary Site Plan for a Five Unit Residential Site Condominium Development on West Ash Street

Resolution No. 2008-07 was introduced by Hunt and seconded by Boyic. Commissioner Smith requested to abstain from discussion and voting as his law firm represents the applicant.

MOTION by Naeyaert, second by Boyic,
to allow Commissioner Smith to abstain from discussions and related voting regarding Resolution No. 2008-07 due to a conflict of interest.

MOTION APPROVED UNANIMOUSLY

**CITY OF MASON
PLANNING COMMISSION RESOLUTION NO. 2008-07
A RESOLUTION RECOMMENDING THE CITY COUNCIL ADOPT ORDINANCE NO.
167 TO REZONE 2.58 ACRES LOCATED ON WEST ASH STREET FROM AG SINGLE
FAMILY AGRICULTURAL TO RS-3 SINGLE FAMILY RESIDENTIAL
August 12, 2008**

WHEREAS, a request has been received from the Ingham County Land Bank Authority to rezone parcel 33-19-10-08-106-001 consisting of 2.58 acres of land located on West Ash Street (M-36) west of Highway U.S. 127 from AG Single Family Agricultural to RS-3 Single Family Residential; and

WHEREAS, the subject property is further described as:

A parcel of land in the Northwest 1 / 4 of Section 8, T2N, R1W, Vevay Township, Ingham County, Michigan, the surveyed boundary of said parcel described as: Commencing at the Northwest corner of said Section 8; thence S89°59'53" E along the North line of said Section 8 a distance of 663.43 feet to the East line extended of Snyder's Addition to the City of Mason, as recorded in Liber 12 of Plats, Page 47, Ingham County Records; thence S00°16'00" W along said East line and extended East line 442.48 feet to the Westerly limited access right of way line of Highway U.S. 127 and the point of beginning of this description; thence S16°01'26" E along said Westerly line 914.61 feet to the North line of Hunting Meadows Subdivision as recorded in Liber 47 of Plats, Pages 26-28, Ingham County Records; thence N89°59'28" W along said North line 256.56 feet to the East line of said Snyder's Addition; thence N00°16'00" E along said East line 879.04 feet to the point of beginning; said parcel containing 2.58 acres more or less; said parcel subject to all easements and restrictions if any.

WHEREAS, the proposed RS-3 Single Family Residential zoning district complies with the standards of approval listed in Section 94-396; and

WHEREAS, the necessary public facilities, including public water, sanitary sewer and storm sewer are within a reasonable distance from the site, and if extended, would adequately serve the site.

NOW THEREFORE BE IT RESOLVED, the City of Mason Planning Commission does hereby recommend that the City Council approve Ordinance No. 167 to rezone 2.58 acres of land located on West Ash Street from AG Single Family Agricultural to RS-3 Single Family Residential.

Yes (7) Boyic, Droscha, Hunt, Johnson, Naeyaert, Reeser, Tornholm

No (0)

Abstain (1) Smith

Absent (1) Taylor

RESOLUTION APPROVED UNANIMOUSLY

Resolution No. 2008-08– A Resolution Approving a Preliminary Site Plan for a Five Unit Residential Site Condominium Development on West Ash Street

Resolution No. 2008-08 was introduced by Hunt and seconded by Boyic. Haywood gave a brief overview of his site plan review of the preliminary site plan for a five unit residential site condominium development on West Ash Street. Tornholm briefly commented and provided information regarding issues related to the proposed development.

MOTION by Naeyaert, second by Tornholm, to amend Resolution No. 2008-08 in the fourth *whereas*, Item No. 5, by changing the word “guaranteed” to “guarantee; and inserting the word “public” after *proposed* and before *improvements*.

Yes (7) Boyic, Droscha, Hunt, Johnson, Naeyaert, Reeser, Tornholm

No (0)

Abstain (1) Smith

Absent (1) Taylor

MOTION APPROVED UNANIMOUSLY

**CITY OF MASON
PLANNING COMMISSION RESOLUTION NO. 2008-08
A RESOLUTION APPROVING A PRELIMINARY SITE PLAN FOR A FIVE UNIT RESIDENTIAL
SITE CONDOMINIUM DEVELOPMENT ON WEST ASH STREET
August 12, 2008**

WHEREAS, a request has been received from the Ingham County Land Bank Authority, regarding parcel 33-19-10-08-106-001, for preliminary site plan approval to allow the construction of a five unit residential site condominium development on 2.58 acres of land located on West Ash Street west of Highway US 127; and

WHEREAS, the assisted living center is proposed to be constructed on property described as:

A parcel of and in the Northwest 1/4 of Section 8, T2N, R1W, Vevay Township, Ingham County, Michigan, the surveyed boundary of said parcel described as: Commencing at the Northwest corner of said Section 8; thence S89°59'53"E along the North line of said Section 8 a distance of 663.43 feet to the East line extended of Snyder's Addition to the City of Mason, as recorded in Liber 12 of Plats, Page 47, Ingham County Records; thence S00°16'00"W along said East line and extended East line 442.48 feet to the Westerly limited access right of way line of Highway U.S. 127 and the point of beginning of this description; thence S16°01'26"E along said Westerly line 914.61 feet to the North line of Hunting Meadows Subdivision as recorded in Liber 47 of Plats, Pages 26-28, Ingham County Records; thence N89°59'28"W along said North line 256.56 feet to the East line of said Synder's Addition; thence N00°16'00"E along said East line 879.04 feet to the point of beginning; said parcel containing 2.58 acres more or less; said parcel subject to all easements and restrictions if any.

WHEREAS, upon compliance with the conditions listed herein, the plans will comply with the site plan review standards listed in Section 94-227 of the Mason Code; and

WHEREAS, approval is granted subject to the following general conditions:

- 1) The special use permit does not become effective and until such time that a final site plan is approved and the conditions listed therein have been met; and
- 2) The applicant shall provide a copy of an approved soil erosion and sedimentation permit from the Ingham County Drain Commissioner prior to the issuance of a building permit, if applicable; and
- 3) An executed drainage facilities maintenance agreement shall be submitted prior to the issuance of an occupancy permit; and

- 4) The applicant shall provide a proposed master deed if a form acceptable to the city attorney prior to final site plan review; and
- 5) The applicant submit a financial guaranteed for 125 percent of the cost of the proposed public improvements prior to the issuance of a building permit; and

WHEREAS, approval is granted with the condition that the applicant shall submit for final site plan review revised plans that comply with the following:

- 1) The plan shall show all electrical and telecommunication wiring underground; and
- 2) The plan shall show an uninterrupted sidewalk along the west edge of the cul-de-sac; and
- 3) The plan shall show the required street trees at a rate of one tree per lot; and
- 4) The plan shall show the required street lighting meeting the current lighting and specifications of the City to the satisfaction of the Public Works Director and/or City Engineer; and
- 5) The plans shall indicate the intended ownership of the proposed street system; and
- 6) The sanitary sewer shall be shown as an eight inch main; and
- 7) The plans shall show water and sewer lines within a public utility easement dedicated to the City of Mason if the roadway is retained under private ownership; and
- 8) Storm sewer leads shall be shown serving each lot to serve footing drains and sump pumps; and
- 9) A swale or storm sewer drain shall be provided along the west property lines adjacent to lots one and five to the satisfaction of the City Engineer.

NOW THEREFORE BE IT RESOLVED, that the City of Mason Planning Commission does hereby approve a preliminary site plan for a five unit residential site condominium development on property located on West Ash Street west of Highway US 127 based on the plans received on July 3, 2008.

Yes (7) Boyic, Droscha, Hunt, Johnson, Naeyaert, Reeser, Tornholm

No (0)

Absent (1) Taylor

Abstain (1) Smith

RESOLUTION APPROVED UNANIMOUSLY

NEW BUSINESS

Tornholm provided the commission with her research notes regarding Michigan's energy codes for buildings and an article regarding proactive planning from the December 2007 Planning & Zoning News. Smith disclosed to the commission that he and his law firm were involved in the Michigan Home Builder's lawsuit referenced in the notes provided by Commissioner Tornholm regarding Michigan's energy codes for buildings.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

Naeyaert informed the Commission regarding current City Council business.

ADMINISTRATOR'S REPORT

Colburn informed Commissioners regarding current city business. Discussion ensued regarding the Hayhoe Riverwalk, the Outdoor Seating Ordinance, and the mid-year code enforcement

report. Johnson requested staff to provide the mid-year code enforcement report in the September Planning Commission packet.

PEOPLE FROM THE FLOOR

None.

ADJOURNMENT

The meeting adjourned at 7:54 p.m.

Martin A. Colburn, City Clerk

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF JULY 15, 2008**

Johnson called the meeting to order at 6:31 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Boyic, Droscha, Johnson, Reeser, Tornholm
Absent: Commissioner: Hunt, Naeyaert, Smith, Taylor
Also present: Martin A. Colburn, City of Mason Administrator
David Haywood, Zoning & Development Director
Deborah Cwierniewicz, Deputy Clerk

APPROVAL OF MINUTES: May 13, 2008

The Minutes of May 13, 2008, were approved as submitted.

PEOPLE FROM THE FLOOR

None.

REGULAR BUSINESS

Report – Amendments to the Michigan Zoning Enabling Act (PA 110 of 2006)

Haywood informed the Commission that the city attorney is completing amendments to the Mason Code relating to the Michigan Zoning Enabling Act changes; he will provide a draft of the changes at the next regular meeting.

Report – Michigan Planning Enabling Act (PA 33 of 2008)

Haywood informed the Commission regarding the Michigan Planning Enabling Act (Public Act 33 of 2008).

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

Naeyaert informed the Commission regarding current City Council business.

ADMINISTRATOR'S REPORT

Haywood informed Commissioners regarding current city business.

PEOPLE FROM THE FLOOR

None.

ADJOURNMENT

The meeting adjourned at 6:53 p.m.

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF JUNE 10, 2008**

Johnson called the meeting to order at 6:31 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Boyic, Droscha, Johnson, Naeyaert, Smith
Absent: Commissioner: Hunt, Reeser, Taylor, Tornholm
Also present: David Haywood, Zoning & Development Director

APPROVAL OF MINUTES: May 13, 2008

The Minutes of May 13, 2008, were approved as submitted.

PEOPLE FROM THE FLOOR

None.

REGULAR BUSINESS

Report – Amendments to the Michigan Zoning Enabling Act (PA 110 of 2006)

Haywood informed the Commission that the city attorney is completing amendments to the Mason Code relating to the Michigan Zoning Enabling Act changes; he will provide a draft of the changes at the next regular meeting.

Report – Michigan Planning Enabling Act (PA 33 of 2008)

Haywood informed the Commission regarding the Michigan Planning Enabling Act (Public Act 33 of 2008).

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

Naeyaert informed the Commission regarding current City Council business.

ADMINISTRATOR'S REPORT

Haywood informed Commissioners regarding current city business.

PEOPLE FROM THE FLOOR

None.

ADJOURNMENT

The meeting adjourned at 6:53 p.m.

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF MAY 13, 2008**

Johnson called the meeting to order at 6:33 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan. Colburn administered the oath of office to Matthew Smith.

Present: Commissioners: Droscha, Hunt, Naeyaert, Reeser, Smith, *Taylor
Absent: Commissioners: Boyic, Johnson, Tornholm
Also present: Martin A. Colburn, City Administrator
David Haywood, Zoning & Development Director

*Jeff Taylor arrived at 6:34 p.m.

APPROVAL OF MINUTES – PLANNING COMMISSION MEETING: April 15, 2008

The Minutes of April 15, 2008, were approved as submitted.

PEOPLE FROM THE FLOOR

None.

REGULAR BUSINESS

Report – Amendments to the Michigan Zoning Enabling Act (PA 110 of 2006)

Haywood informed the Commission that the city attorney has not completed the draft amendments to the Michigan Zoning Enabling Act; he stated that he would have a report at the next regular meeting.

Report – Michigan Planning Enabling Act (PA 33 of 2008)

Haywood informed the Commission regarding significant changes made to the Michigan Planning Enabling Act (PA 33 of 2008).

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

Naeyaert informed the Commission regarding current City Council business.

ADMINISTRATOR'S REPORT

Haywood informed Commissioners regarding current city business.

PEOPLE FROM THE FLOOR

None.

ADJOURNMENT

The meeting adjourned at 7:13 p.m.

Martin A. Colburn, City Clerk

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF MARCH 11, 2008**

Johnson called the meeting to order at 6:32 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Boyic, Droscha, Hunt, Johnson, Naeyaert, Reeser, *Taylor, Tornholm
Absent: Commissioner: Armstrong
Also present: Martin A. Colburn, Administrator
David Haywood, Zoning & Development Director

APPROVAL OF MINUTES – PLANNING COMMISSION MEETING: February 12, 2008

The Minutes of February 12, 2008, were approved as submitted.

PEOPLE FROM THE FLOOR

None.

*Commissioner Jeff Taylor arrived at 6:34 p.m.

PUBLIC HEARING

Rezoning – E. Ash Street from C-2 General Commercial to RM Multiple Family Residential

Johnson opened the public hearing at 6:34 p.m. David Haywood gave a brief synopsis of the request to rezone 4.65 acres located on the north side of Ash Street (M-36), east of Temple Street from C-2 General Commercial to RM Multiple Family Residential.

Dennis Anderson, trustee of the Arthur and Alice Jewett Trust, stated that he requested rezoning 4.65 acres located on the north side of Ash Street (M-36) east of Temple Street from C-2 General Commercial to RM Multiple Family Residential. He plans to sell a portion of the 4.65 acres for the construction of an assisted living development.

Johnson closed the public hearing at 6:36 p.m.

REGULAR BUSINESS

Resolution No. 2008-02 – A Resolution Recommending that the City Council Approve Ordinance No. 164 to Rezone 4.65 Acres Located on the North Side of Ash Street (M-36) East of Temple Street from C-2 General Commercial to RM Multiple Family Residential

Resolution No. 2008-02 was introduced by Tornholm and seconded by Reeser. A brief discussion ensued regarding the request to rezone 4.65 acres located on E. Ash Street.

**CITY OF MASON
PLANNING COMMISSION RESOLUTION NO. 2008-02
A RESOLUTION RECOMMENDING THAT THE CITY COUNCIL APPROVE
ORDINANCE NO. 164 TO REZONE 4.65 ACRES LOCATED ON THE NORTH SIDE OF
EAST ASH STREET (M-36) EAST OF TEMPLE STREET FROM C-2 GENERAL
COMMERCIAL TO RM MULTIPLE FAMILY RESIDENTIAL
March 11, 2008**

WHEREAS, a request has been received from the Arthur and Alice Jewett Trusts to rezone parcel 33-19-10-09-276-004 consisting of 4.65 acres of land located on the north side of Ash Street (M-36) east of Temple Street from C-2 General Commercial to RM Multiple Family Residential; and

WHEREAS, the subject property is further described as:

Parcel B: Beg. at a point in the East line of Section 9, S00°21'35"W 1662.79 feet (Deed S00°19'16"W 1664.51 feet) from the NE Corner of Section 9, T2N, R1W, Vevay Township, City of Mason, Ingham County, Michigan, thence N76°28'12"W 667.73 feet; thence S13°30'00"W 328.13 feet to the North line of Ash Street (M-36); thence S76°36'24"E

574.56 feet along the North line of Ash Street; thence N00°21'35"E 198.00 feet; thence S89°38'23"E 132.00 feet; thence S00°21'35"W 228.57 feet to the North line of Ash Street (M-36); thence S76°36'24"E 33.87 feet along the North line of Ash Street to the East line of said Section 9; thence N00°21'35"E 335.18 feet along the East line of said Section 9 to the point of beginning and containing 4.65 acres of land and subject to all easements of record.

WHEREAS, the proposed RM Multiple Family Residential zoning district complies with the Growth Management component, Residential Development Goals and the Residential Areas Land Use Strategy of the Master Plan and is compatible with the overall encouraged development pattern for this area of the City; and

WHEREAS, the necessary public facilities, including public water, sanitary sewer and storm sewer are within a reasonable distance from the site and if extended would adequately serve the site.

NOW THEREFORE BE IT RESOLVED, the City of Mason Planning Commission does hereby recommend that the City Council approve Ordinance No. 164, hereto attached, to rezone 4.65 acres of land located on the north side of Ash Street (M-36) east of Temple Street from C-2 General Commercial to RM Multiple Family Residential.

RESOLUTION APPROVED UNANIMOUSLY

UNFINISHED BUSINESS

None.

NEW BUSINESS

A brief discussion was held regarding the status of the pending business, Los Tres Amigos, advertised at 447 S. Jefferson and consideration for extending CATA bus service for Mason.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

Naeyaert informed the Commission regarding current City Council business. Haywood updated the Commission regarding the Five-Year Recreation Plan.

ADMINISTRATOR'S REPORT

Colburn informed Commissioners regarding current city business.

PEOPLE FROM THE FLOOR

Doug Maas of 1845 Birmingham Drive, Lowell, Michigan, stated that he will be developing an assisted living center on the 4.65 acres located north of E. Ash Street and east of Temple Street and gave the Commission a brief overview of his plans.

ADJOURNMENT

The meeting adjourned at 7:15 p.m.

Martin A. Colburn, City Clerk

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF FEBRUARY 12, 2008**

Johnson called the meeting to order at 6:33 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Boyic, Droscha, Johnson, Reeser, Taylor, Tornholm
Absent: Commissioners: Armstrong, Hunt, Naeyaert
Also present: Martin A. Colburn, Administrator/Clerk
David Haywood, Zoning & Development Director
Deborah Cwiertniewicz, Deputy Clerk

Colburn submitted a memorandum to Commissioners regarding Resolution No. 2008-01, which approved a special use permit and final site plan for a coffee shop with a drive-thru on property located at 661 N. Cedar Street. Colburn recommended that the Planning Commission reconsider their decision regarding condition # 7. He stated that condition # 7 should be addressed by the Michigan Department of Transportation (MDOT), the property owner, and the applicant, rather than a mandate by formal action of the Planning Commission. A brief discussion ensued. Johnson abstained from discussion and voting due to a possible financial gain.

MOTION by Taylor, second by Boyic,
to reconsider Resolution No. 2008-01.
Yes (5) Boyic, Droscha, Reeser, Taylor, Tornholm
No (0)
Absent (3) Armstrong, Hunt, Naeyaert,
Abstain (1) Johnson
MOTION APPROVED

MOTION by Taylor, second by Boyic,
to amend Resolution No. 2008-01 by striking Item No. (7).
Yes (5) Boyic, Droscha, Reeser, Taylor, Tornholm
No (0)
Absent (3) Armstrong, Hunt, Naeyaert,
Abstain (1) Johnson
MOTION APPROVED

MOTION by Droscha, second by Boyic,
To approve Resolution No. 2008-01 as amended.
Yes (5) Boyic, Droscha, Reeser, Taylor, Tornholm
No (0)
Absent (3) Armstrong, Hunt, Naeyaert,
Abstain (1) Johnson
MOTION APPROVED

**CITY OF MASON
PLANNING COMMISSION RESOLUTION NO. 2008-01
A RESOLUTION APPROVING A SPECIAL USE PERMIT AND FINAL SITE PLAN FOR A
COFFEE SHOP, WITH DRIVE-THRU, ON PROPERTY LOCATED AT 661 N. CEDAR STREET.
January 16, 2008**

WHEREAS, a request has been received from the J.E. Coffee Corp. (Bigby Coffee #244), for a special use permit and final site plan approval to be allowed to operate a coffee shop, with drive-thru, at 661 N. Cedar Street; and

WHEREAS, the subject property is further described as:

BEG ON C/L OF CEDAR ST AT PT 46.9 FT NW OF INTER OF SD C/L & EW 1 /4 LN OF SEC 5, SELY ON CURVE TO RT WITH RADIUS OF 5729.6 FT & CHD BRG S 49-45-21 E 197.7 FT, S 34-18-39 W 292.7 FT, N 51-45-21 W 217.7 FT, N 38-14-39 E 298.9 FT TO BEG. ALSO COM AT W 1/4 COR OF SEC 5, S 89-25-40 E ALG EW 1/4 LN 1108.07 FT, S 46-22-46 E ALG C/L OF CEDAR ST 370.58 FT, S 43-37-14 W 43 FT TO WLY R/W LN OF CEDAR ST, NWLY 155.74 FT ALG CURVE CONCAVE SW, RADOF 5686.6 FT, CHD BRG N 47-09-42 W 155.72 FT TO POB, S 51-25-49 W 251.04 FT, N 34-03-14 E 263.59 FT TO SD WLY R/W LN, SELY ALG SD R/W LN TO POB ON SW 1/4 OF SEC 5 T2N R1W CITY OF MASON. 1.87 AC MIL; and

WHEREAS, upon compliance with the conditions listed herein, the plans will comply with the site plan review standards listed in Section 94-227 and the special use permit basis for determination standards listed in Section 94-191(f) of the Mason Code; and

WHEREAS, a public hearing on the request was noticed and held at the Planning Commission's regular meeting of January 16, 2008, with testimony given and public comment solicited; and

WHEREAS, approval is granted with the condition that the applicant submit a revised site plan with the following changes prior to the issuance of a building permit:

- 1) The plan shall show the existing zoning, existing land uses, and street name for the subject property and properties adjacent to the site.
- 2) The plan shall show the lot line dimensions consistent with the legal description.
- 3) The plan shall show the clear vision triangles for the access points on Cedar Street consistent with the standards listed in Section 94-172(d)(3)(a) of the Zoning Ordinance.
- 4) The plan shall show a grease separator and backflow device as required in the Public Works Director's correspondence of January 10, 2008.
- 5) The plan shall show the existing and proposed site lighting, including specifications for the type of lamps proposed and pole heights. Any proposed lighting shall be accompanied by a photometric plan showing the intensity of light consistent with Section 94-293(e) of the Zoning Ordinance.
- 6) The plan shall show future front access drives with a minimum width of 24 feet extending to both north and south property lines.

WHEREAS, approval is granted with the following general conditions:

- 1) The applicant shall comply with the regulations listed for signs in Chapter 58 of the Mason Code.
- 2) Any alteration to the landscaping shown on the site plan will require review and approval by the Zoning Administrator.
- 3) The applicant shall submit a copy of the Ingham County Health Department permit for the proposed use prior to the issuance of a building permit.
- 4) The installation of access drives described herein shall be required within 12 months upon the development of access drives on adjacent properties.

NOW THEREFORE BE IT RESOLVED, that the Mason Planning Commission does hereby approve a Special Use Permit and Final Site Plan for a coffee shop, including drive-thru, located on property located at 661 N. Cedar Street based on the site plan dated December 14, 2007.

Yes (5) Boyic, Droscha, Reeser, Taylor, Tornholm

No (0)

Absent (3) Armstrong, Hunt, Naeyaert,

Abstain (1) Johnson

RESOLUTION APPROVED

APPROVAL OF MINUTES – PLANNING COMMISSION MEETING: January 16, 2008

MOTION by Tornholm, second by Boyic,

To amend the January 16, 2008 Minutes on page 4, paragraph 3, sentence 5, by striking “that is not” and “in any manner”, and inserting, “and no other factors are”, following the words *automatic order*.

MOTION APPROVED UNANIMOUSLY

The Minutes of January 16, 2008, were approved as amended.

PEOPLE FROM THE FLOOR

James DeYoung, 100 S. Main, Leslie, Michigan, representative for J.E. Coffee Corp., spoke regarding the frustration the corporation has with the Michigan Department of Transportation ingress/egress permit requirement along M-36 when a new use is introduced.

REGULAR BUSINESS

Report – Draft Recreation Plan

Haywood summarized the structure of the draft recreation plan, contribution involvement, and the process that leads to its adoption by the City Council. A brief discussion ensued regarding the draft plan and grant guidelines and opportunities.

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

Colburn informed the Commission regarding current City Council business.

ADMINISTRATOR’S REPORT

Colburn informed Commissioners regarding current city business. Haywood informed Commissioners regarding city planning issues.

PEOPLE FROM THE FLOOR

None.

ADJOURNMENT

The meeting adjourned at 7:45 p.m.

Martin A. Colburn, City Clerk

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF JANUARY 16, 2008**

Tornholm called the meeting to order at 6:30 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan. Colburn administered the oath of office to Mr. Jeff Taylor and Mr. Jon Droscha.

Present: Commissioners: Boyic, Droscha, Hunt, Johnson, Naeyaert, Reeser, Taylor, Tornholm

Absent: Commissioner: Armstrong

Also present: Martin A. Colburn, Administrator/Clerk
David Haywood, Zoning & Development Director
Deborah Cwiertniewicz, Deputy Clerk

APPROVAL OF MINUTES – PLANNING COMMISSION MEETING: December 11, 2007

The Minutes of December 11, 2007, were approved as submitted.

UNFINISHED BUSINESS

None.

ELECTION OF CHAIRPERSON AND VICE CHAIRPERSON

Colburn accepted nominations for Chairperson and Vice Chairperson.

NOMINATION by Reeser,
for Neal Johnson as Chairperson.

NEAL JOHNSON ELECTED CHAIRPERSON UNANIMOUSLY

NOMINATION by Taylor,
for Ed Reeser as Vice Chairperson.

ED REESER ELECTED VICE CHAIRPERSON UNANIMOUSLY

PEOPLE FROM THE FLOOR

Mayor Leon Clark introduced newly appointed Commissioner, Jeff Taylor and thanked Commissioner Jon Droscha for accepting to serve another term.

PUBLIC HEARING – Special Use Permit – Coffee Shop with Drive-Thru (Biggby Coffee)

Johnson stated he would be abstaining from the public hearing discussion regarding the special use permit request for a coffee shop and passed the gavel to Vice Chairperson Reeser. Reeser opened the public hearing at 6:39 p.m.

John Stewart of J. E. Corporation stated that he represents the Biggby Coffee Shop.

Tim Gaylord, President and CEO of Mason State Bank, stated they are subletting to Biggby Coffee Shop. He explained that the Michigan Department of Transportation (MDOT) mandates

consolidation of access points on M-36 when a new use is introduced. He asked the Commission to support the special use permit and send a letter of endorsement to Michigan Department of Transportation (MDOT) recommending the site plan be approved as proposed without changing the two access points, with a copy to Senator Garcia's office.

Reeser closed the public hearing at 6:45 p.m. and handed the gavel back to Johnson.

REGULAR BUSINESS

Resolution No. 2007-04 – A Resolution Approving a Final Site Plan for the Mason First Church of the Nazarene to Construct a Youth Activity Center on Property Located at 1706 Dansville Road

Haywood summarized his staff report. Resolution No. 2007-04 was deferred at the August 14, 2007 meeting until such time that the applicant would be able to provide an acceptable alternate storm water management system. A brief discussion ensued.

MOTION by Reeser, second by Naeyaert, to amend Resolution No. 2007-04 by inserting number seven to the 4th "whereas" paragraph as follows:

- 7) The proposed facility and all future facilities to be constructed on the applicant's site shall connect to the sidewalk at such time it is extended, by whatever means, to the west property line of the subject site. The property owner shall extend the sidewalk from the west property line along the right-of-way of M-36 as necessary to connect. All costs associated with the extension along M-36 adjacent to the subject site shall be borne by the property owner responsible for said extension.

MOTION APPROVED UNANIMOUSLY

MOTION by Naeyaert, second by Boyic, to amend Resolution No. 2007-04 by inserting number eight to the 4th "whereas" paragraph as follows:

- 8) The letter required by the Ingham County Health Department is submitted prior to issuance of the certificate of occupancy.

MOTION APPROVED UNANIMOUSLY

**CITY OF MASON
PLANNING COMMISSION RESOLUTION NO. 2007-04
A RESOLUTION APPROVING A FINAL SITE PLAN FOR THE MASON FIRST
CHURCH OF THE NAZARENE TO CONSTRUCT A YOUTH ACITIVITY CENTER ON
PROPERTY LOCATED AT 1706 DANSVILLE ROAD.
January 16, 2008**

WHEREAS, a request has been received from the Mason First Church of the Nazarene, regarding parcel 33-19-10-10-200-016, for a final site plan approval to allow the construction of a 15,380 square foot youth activity center, including gymnasium, on 44.11 acres of property located on the north side of West Dansville Road (M-36) between Dexter Trail and Ives Road; and

WHEREAS, the youth activity center is proposed to be constructed on property described as:

A part of the Southeast ¼ and the Northeast ¼ of Section 10, T2N, R1W, Vevay Township, Ingham County, Michigan, described as beginning on the East-West ¼ line N 89d56'04" W 660.01 feet from the East ¼ corner; thence N 89d56'04" W 677.36 feet along the East-West ¼ line; thence S 00d32'50" E 989.83 feet along the East line of the West ½ of the Southeast ¼; thence N 67d44'53" W 683.76 feet; thence S 28d00'08" W 372.00 feet to the centerline of M-

36 (Dansville Road); thence N 27d35'34" E 1800.93 feet; thence S 89d58'02" E 1072.55 feet; thence S 00d34'10" E 773.93 feet to the point of beginning, containing 44.11 acres of land, more or less, and subject to any easements or rights of way of record; and

WHEREAS, upon compliance with the conditions listed herein, the plans will comply with the site plan review standards listed in Section 94-227 of the Mason Code; and

WHEREAS, approval is granted subject to the following general conditions:

- 1) The applicant shall provide a copy of an approved soil erosion and sedimentation permit from the Ingham County Drain Commissioner prior to the issuance of a building permit; and
- 2) The applicant shall submit a copy of an approved driveway permit from the Michigan Department of Transportation prior to the issuance of a building permit; and
- 3) The proposed facility and all future facilities to be constructed on the applicant's site shall connect to sanitary sewer at such time it is extended, by whatever means, to the west property line of the subject site. The property owner shall extend the sewer main from the west property line along the right-of-way of M-36 as necessary to have adequate pipe length for connection. All costs associated with the main extension along M-36 adjacent to the subject site shall be borne by the property owner responsible for said extension; and
- 4) A traffic impact study will be required in conjunction with future site improvements, including the construction of a sanctuary or other support facilities pursuant to Section 94-176(g); and
- 5) If irrigation is utilized for the site, the appropriate backflow prevention device shall be utilized; and
- 6) An executed drainage facilities maintenance agreement shall be submitted prior to the issuance of an occupancy permit; and
- 7) The proposed facility and all future facilities to be constructed on the applicant's site shall connect to sidewalk at such time it is extended, by whatever means, to the west property line of the subject site. The property owner shall extend the sidewalk from the west property line along the right-of-way of M-36 as necessary to connect. All costs associated with the extension along M-36 adjacent to the subject site shall be borne by the property owner responsible for said extension; and
- 8) The letter required by the Ingham County Health Department is submitted prior to issuance of a certificate of occupancy.

WHEREAS, approval is granted with the condition that the applicant shall submit revised plans that comply with the following prior to the issuance of a building permit:

- 1) The plans shall show the requirements listed in the Fire Department's memorandum dated March 26, 2007, to the satisfaction of the Fire Chief; and
- 2) The plans shall show the entrance drive dimensions in accordance with the Michigan Department of Transportation's letter dated March 27, 2007.

NOW THEREFORE BE IT RESOLVED, that the City of Mason Planning Commission does hereby approve a final site plan for a 15,380 square foot youth activity center, including gymnasium, located on property situated on the north side of West Dansville Road (M-36) between Dexter Trail and Ives Road based on the plans received on December 21, 2007.

RESOLUTION APPROVED UNANIMOUSLY

Resolution No. 2008-01 – A Resolution Approving a Special Use Permit and Final Site Plan for a Coffee Shop, with Drive-thru, on Property Located at 661 N. Cedar Street

Motion by Naeyaert, second by Droscha,
to allow Chairperson Johnson to abstain from the conversation and action
regarding the Biggby Coffee Shop due to a financial conflict of interest.
MOTION APPROVED UNANIMOUSLY

Chairperson Johnson passed the gavel to Vice Chairperson Reeser.

Resolution No. 2008-01 was introduced by Naeyaert and seconded by Boyic. Haywood summarized his staff report. Discussion was held regarding the Michigan Department of Transportation (MDOT) general mandate for consolidating site access along the M-36 corridor. Mr. Gaylord was asked to give further information regarding MDOT's mandate; he stated that it is an automatic order ~~that is not~~ [insert] *and no other factors are considered in any manner* by MDOT. He has spoken with Senator Garcia's office, as well. Naeyaert informed the Commission that she recently spoke with State Representative Barb Byrum; she is aware of the mandate and has been in contact with MDOT on behalf of the City. Colburn stated that staff has been addressing the issue; it was the consensus of the Commission to concede to staff oversight and not intervene. Additional discussion ensued.

MOTION by Boyic, second by Naeyaert,
to amend Resolution No. 2008-01 by changing the language in condition #7 to read as follows:

The plan shall show a driveway entrance to M-36 to the satisfaction of the Michigan Department of Transportation (MDOT).
MOTION APPROVED UNANIMOUSLY

**CITY OF MASON
PLANNING COMMISSION RESOLUTION NO. 2008-01**

**A RESOLUTION APPROVING A SPECIAL USE PERMIT AND FINAL SITE PLAN FOR A
COFFEE SHOP, WITH DRIVE-THRU, ON PROPERTY LOCATED AT 661 N. CEDAR STREET.**

January 16, 2008

WHEREAS, a request has been received from the J.E. Coffee Corp. (Biggby Coffee #244), for a special use permit and final site plan approval to be allowed to operate a coffee shop, with drive-thru, at 661 N. Cedar Street; and

WHEREAS, the subject property is further described as:

BEG ON C/L OF CEDAR ST AT PT 46.9 FT NW OF INTER OF SD C/L & EW 1 /4 LN OF SEC 5, SELY ON CURVE TO RT WITH RADIUS OF 5729.6 FT & CHD BRG S 49-45-21 E 197.7 FT, S 34-18-39 W 292.7 FT, N 51-45-21 W 217.7 FT, N 38-14-39 E 298.9 FT TO BEG. ALSO COM AT W 1/4 COR OF SEC 5, S 89-25-40 E ALG EW 1/4 LN 1108.07 FT, S 46-22-46 E ALG C/L OF CEDAR ST 370.58 FT, S 43-37-14 W 43 FT TO WLY R/W LN OF CEDAR ST, NWLY 155.74 FT ALG CURVE CONCAVE SW, RADO 5686.6 FT, CHD BRG N 47-09-42 W 155.72 FT TO POB, S 51-25-49 W 251.04 FT, N 34-03-14 E 263.59 FT TO SD WLY R/W LN, SELY ALG SD R/W LN TO POB ON SW 1/4 OF SEC 5 T2N R1W CITY OF MASON. 1.87 AC MIL; and

WHEREAS, upon compliance with the conditions listed herein, the plans will comply with the site plan review standards listed in Section 94-227 and the special use permit basis for determination standards listed in Section 94-191(f) of the Mason Code; and

WHEREAS, a public hearing on the request was noticed and held at the Planning Commission's regular meeting of January 16, 2008, with testimony given and public comment solicited; and

WHEREAS, approval is granted with the condition that the applicant submit a revised site plan with the following changes prior to the issuance of a building permit:

- 1) The plan shall show the existing zoning, existing land uses, and street name for the subject property and properties adjacent to the site.
- 2) The plan shall show the lot line dimensions consistent with the legal description.
- 3) The plan shall show the clear vision triangles for the access points on Cedar Street consistent with the standards listed in Section 94-172(d)(3)(a) of the Zoning Ordinance.
- 4) The plan shall show a grease separator and backflow device as required in the Public Works Director's correspondence of January 10, 2008.
- 5) The plan shall show the existing and proposed site lighting, including specifications for the type of lamps proposed and pole heights. Any proposed lighting shall be accompanied by a photometric plan showing the intensity of light consistent with Section 94-293(e) of the Zoning Ordinance.
- 6) The plan shall show future front access drives with a minimum width of 24 feet extending to both north and south property lines.
- 7) The plan shall show a driveway entrance to M-36 to the satisfaction of the Michigan Department of Transportation (MDOT); and

WHEREAS, approval is granted with the following general conditions:

- 1) The applicant shall comply with the regulations listed for signs in Chapter 58 of the Mason Code.
- 2) Any alteration to the landscaping shown on the site plan will require review and approval by the Zoning Administrator.
- 3) The applicant shall submit a copy of the Ingham County Health Department permit for the proposed use prior to the issuance of a building permit.
- 4) The installation of access drives described herein shall be required within 12 months upon the development of access drives on adjacent properties.

NOW THEREFORE BE IT RESOLVED, that the Mason Planning Commission does hereby approve a Special Use Permit and Final Site Plan for a coffee shop, including drive-thru, located on property located at 661 N. Cedar Street based on the site plan dated December 14, 2007.

RESOLUTION APPROVED UNANIMOUSLY

Michigan Planning Enabling Act

Haywood informed the Commission regarding Senate Bill 0206 – Planning Enabling Act currently being considered by the House of Representatives. A brief discussion ensued.

Five-Year Master Plan Review – Smart Growth Readiness Assessment Tool

Haywood informed the Commission regarding the Smart Growth Readiness Assessment Tool (SCRAT) relating to the five-year Master Plan review in 2009.

UNFINISHED BUSINESS

None.

NEW BUSINESS

Naeyaert thanked Commissioner Tornholm for her past leadership as chairperson. Tornholm thanked the current and past Commissions for their support and cooperation she received as chairperson.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

Naeyaert informed the Commission regarding current City Council business.

ADMINISTRATOR'S REPORT

Colburn informed Commissioners regarding current city business. Haywood informed Commissioners regarding current planning information including the two public meetings scheduled for public review and comment of the Five-Year Update to the Community Recreation Plan on January 17 and 22, at 6:30 p.m. – 8:30 p.m. in the City Hall Community Room located downstairs. A brief discussion ensued regarding cable services and upcoming changes in service.

PEOPLE FROM THE FLOOR

None.

Johnson welcomed Commissioner Taylor to the Planning Commission, thanked Commissioner Droscha for accepting another term of office, and thanked Barb Tornholm for her past leadership.

ADJOURNMENT

The meeting adjourned at 8:29 p.m.

Martin A. Colburn, City Clerk

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF DECEMBER 11, 2007**

Tornholm called the meeting to order at 6:35 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Droscha, Lutz, Reeser, Tornholm
Absent: Commissioner: Armstrong, Boyic, Hunt, Johnson, Naeyaert
Also present: David Haywood, Zoning & Development Director

ADJOURNMENT

The meeting adjourned at 6:37 p.m. due to the lack of a quorum.

Martin A. Colburn, City Clerk

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF NOVEMBER 2007**

NO MEETING WAS HELD DUE TO LACK OF BUSINESS

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF OCTOBER 9, 2007**

Tornholm called the meeting to order at 6:30 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Boyic, Droscha, Hunt, Johnson, Lutz, Naeyaert, Reeser, Tornholm
Absent: Commissioner: Armstrong
Also present: David Haywood, Zoning & Development Director
Deborah Cwierniewicz, Deputy Clerk

APPROVAL OF MINUTES – PLANNING COMMISSION MEETING: September 11, 2007

The Minutes of September 11, 2007, were approved as submitted.

PEOPLE FROM THE FLOOR

None.

PUBLIC HEARING – Special Use Permit – Fitness Center and Drive-in Coffee Shop

Tornholm opened the public hearing at 6:34 p.m. Applicant Ryan Carter and Roger Donaldson, architect for the proposed fitness center and drive-in coffee shop project, introduced themselves. Being there were no comments from the public, Tornholm closed the public hearing at 6:35 p.m.

REGULAR BUSINESS

Resolution No. 2007-07 – A Resolution Approving a Special Use Permit, Preliminary and Final Site Plan for a Fitness Center and Drive-In Coffee Shop on Property Located on the West Side of Temple Street South of Ash Street

Resolution No. 2007-07 was introduced by Johnson and seconded by Naeyaert. Haywood summarized his staff report regarding the requested special use permit and preliminary site plan review for the fitness center and drive-in coffee shop project. Discussion ensued. Mr. Donaldson briefly spoke regarding the project. Mr. Carter asked for a special meeting to be held for final site plan due to unpredictable weather and concrete work for the project. Discussion continued.

MOTION by Johnson, second by Droscha,
to amend Resolution No. 2007-07 by inserting the additional condition, number eleven, as follows: 11) A photometric plan be included.

MOTION APPROVED UNANIMOUSLY

MOTION by Naeyaert, second by Johnson,
to amend Resolution No. 2007-07 by inserting “and final site plan review” following the word “Preliminary” in the title, the first “whereas” paragraph, and the resolved paragraph.

MOTION APPROVED UNANIMOUSLY

CITY OF MASON
PLANNING COMMISSION RESOLUTION NO. 2007-07
A RESOLUTION APPROVING A SPECIAL USE PERMIT,
PRELIMINARY AND FINAL SITE PLAN FOR A FITNESS CENTER
AND DRIVE-IN COFFEE SHOP ON PROPERTY LOCATED ON THE
WEST SIDE OF TEMPLE STREET SOUTH OF ASH STREET.
October 9, 2007

WHEREAS, a request has been received from Winding Rivers, LLC for a special use permit, preliminary and final site plan approval to be allowed to operate a fitness center and drive-in coffee shop on property located on the west side of Temple Street south of Ash Street; and

WHEREAS, the subject property is further described as:

Part of parcel 33-19-10-09-400-003. A part of the Northeast $\frac{1}{4}$ of Section 9, T2N, R1W, City of Mason, Ingham County, Michigan described as commencing at the East $\frac{1}{4}$ of Section 9, thence N89°41'01"W 491.01 feet along the East-West $\frac{1}{4}$ line to the west line of Temple Street; thence North 00°03'13"W 44.99 feet along said west line; thence northwesterly 222.14 feet along the arc of a 217.00 foot radius curve to the left whose chord bears N29°22'50"W 212.57 feet along said west line; thence N58°42'26"W 5.14 feet along said west line to the point of beginning; Thence S31°17'16"W 271.10 feet, thence S69°48'09"W 124.03 feet, thence N43°55'18"W 85.62 along Detention Pond, thence N31°17'16"E 346.36 feet; to the west line of Temple Street; thence S58°42'26"E 160.00 feet to the point of beginning, containing 1.25 Acres of land more or less and subject to any easements or rights of way of record; and

WHEREAS, upon compliance with the conditions listed herein, the plans will comply with the site plan review standards listed in Section 94-227 of the Mason Code; and

WHEREAS, upon compliance with the conditions listed herein, the plans will comply with the special use permit basis for determination standards listed in Section 94-191(f) of the Mason Code; and

WHEREAS, a public hearing on the request was noticed and held at the Planning Commission's regular meeting of October 9, 2007, with testimony given and public comment solicited; and

WHEREAS, approval is granted with the condition that the applicant shall provide a copy of a soil erosion and sedimentation permit from the Ingham County Drain Commissioner prior to the issuance of a building permit; and

WHEREAS, approval is granted subject to the following general conditions:

- 1) This special use approval does not become effective until final site plan approval.
- 2) In the event that the properties immediately to the east and west of the site develop the site access drives shall be installed to facilitate access between properties without relying on vehicles to return to Temple Street; and

WHEREAS, approval is granted with the condition that the applicant submit a revised site plan that shall include the following changes prior to final site plan review:

- 1) Clear vision triangles for the access points at Temple Street pursuant to Section 94-172(d)(3).
- 2) Properly labeled road right-of-way line and all other easements associated with the property, including the storm drain, detention pond system, and the dashed line 11 south of the proposed sidewalk.
- 3) The vicinity map clearly showing the proposed site in proximity to the surrounding vicinity. The map shall be drawn to scale.
- 4) The retention pond labeled on the site plan shall read "detention pond".

- 5) Details of the walls and gate of the solid waste enclosure consistent with the standards listed in Section 94-173(b) of the zoning ordinance.
- 6) Parking spaces with minimum dimensions of 10 feet wide and 20 feet deep.
- 7) At least one loading space with a minimum size of 12 feet by 24 feet shall be provided.
- 8) Future access driveways connecting to the properties immediately adjacent to the west and east of the site.
- 9) A landscape buffer zone A be shown along the Temple Street property line pursuant to the requirements of Section 94-241(f)(1).
- 10) That the comments received from the Department of Public Works Supervisor and the city engineer listed below are included in the revised site plan pursuant to their correspondences of September 27, 2007 and October 1, 2007:
 - The proposed sanitary sewer line along the south side of Temple Street shall be 8 inches in diameter and installed within an easement dedicated to the City.
 - Changes in storm sewer direction shall have a manhole or catch basin.
 - A pretreatment system will be required for the storm water discharge.
 - Catch basins shall be constructed of pre-cast concrete.
 - Trees shall not be installed over any utility lines.
 - Dimensions, pavement cross-section, and curb cut details for the MDOT Type "D" driveway.
 - A backflow device for irrigation and separate water meters.
 - The sanitary sewer line shall have additional clean-outs at intervals not greater than 90 feet.
 - The City of Mason standard detail sheet shall be attached as part of the construction plans.
 - The plans shall show the location of the nearest fire hydrant.

NOW THEREFORE BE IT RESOLVED, that the City of Mason Planning Commission does hereby approve the special use permit, preliminary, and final site plan review for a fitness center and drive-in coffee shop located on the west side of Temple Street south of Ash Street based on the site plan dated September 10, 2007.

Yes (8) Boyic, Droscha, Hunt, Johnson, Lutz, Naeyaert, Reeser, Tornholm

No (0)

Absent (1) Armstrong

RESOLUTION APPROVED UNANIMOUSLY

UNFINISHED BUSINESS

Naeyaert commended the applicant, the architect, and Mr. Haywood for their efficiency.

NEW BUSINESS

None.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

Naeyaert informed the Commission regarding current City Council business.

ADMINISTRATOR'S REPORT

Haywood informed Commissioners regarding current city business. A brief discussion ensued.

PEOPLE FROM THE FLOOR

None.

ADJOURNMENT

The meeting adjourned at 7:17 p.m.

Martin A. Colburn, City Clerk

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF SEPTEMBER 11, 2007**

Tornholm called the meeting to order at 6:30 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Armstrong, Boyic, Hunt, Lutz, *Naeyaert, Tornholm
Absent: Commissioner: Droscha, Johnson, Reeser
Also present: Martin A. Colburn, City Administrator
David Haywood, Zoning & Development Director
Deborah Cwierniewicz, Deputy Clerk

APPROVAL OF MINUTES – PLANNING COMMISSION MEETING: August 14, 2007

The Minutes of August 14, 2007 were approved as submitted.

*Naeyaert arrived at 6:34 p.m.

PEOPLE FROM THE FLOOR

None.

REGULAR BUSINESS

Resolution No. 2007-06 – A Resolution Approving the 2007-2012 Capital Improvements Plan

Resolution No. 2007-06 was introduced by Boyic and seconded by Lutz. A brief discussion ensued.

**CITY OF MASON
PLANNING COMMISSION RESOLUTION NO. 2007-06**

A RESOLUTION APPROVING THE 2007-2012 CAPITAL IMPROVEMENTS PLAN

September 11, 2007

WHEREAS, the Capital Improvements Plan is a result of significant review and consideration by the City of Mason Administration staff of the numerous capital project requests from City department heads for the next five (5) year period; and,

WHEREAS, the prioritization of projects is based on the overall benefit to the community, especially when improving public health, safety and welfare; and,

WHEREAS, an emphasis has been placed on ranking the projects by priority, so that the most-needed projects will be accomplished first and scarce financial resources are allocated appropriately; and,

WHEREAS, the Capital Improvements Plan is consistent with the Capital Improvements Programming component of the Master Plan; and,

NOW THEREFORE BE IT RESOLVED, that the City of Mason Planning Commission does hereby approve the 2007-2012 Capital Improvements Plan.

Yes (6) Armstrong, Boyic, Hunt, Lutz, Naeyaert, Tornholm

No (0)

Absent (3) Droscha, Johnson, Reeser

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

Naeyaert informed the Commission regarding City Council business.

Colburn excused himself from the meeting to attend the 9-11 Ceremony held at the James M. Pelton Fire Station #1.

ADMINISTRATOR'S REPORT

None.

PEOPLE FROM THE FLOOR

None.

ADJOURNMENT

The meeting adjourned at 6:56 p.m.

Martin A. Colburn, City Clerk

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF AUGUST 14, 2007**

Tornholm called the meeting to order at 6:30 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Boyic, Droscha, Johnson, Lutz, Naeyaert, Reeser, Tornholm
Absent: Commissioners: Armstrong, Hunt
Also present: Martin Colburn, City Administrator
David Haywood, Zoning & Development Director
Deborah Cwiertniewicz, Deputy City Clerk

APPROVAL OF MINUTES – PLANNING COMMISSION MEETING: July 10, 2007

The Minutes of July 10, 2007 were approved as submitted.

PEOPLE FROM THE FLOOR

None.

PUBLIC HEARING

Ordinance No. 161 – An Ordinance to Amend the Mason City Code to Permit Monopole Towers Publicly-Owned Property

Tornholm opened the public hearing at 6:32 p.m. Haywood was asked to give a brief overview of the amendment to the Mason Code regarding monopole towers. Tornholm closed the public hearing at 6:34 p.m. being there was no public comment.

REGULAR BUSINESS

Resolution No. 2007-04 – A Resolution Approving a Final Site Plan for the Mason First Church of the Nazarene to Construct a Youth Activity Center on Property Located at 1706 Dansville Road

Haywood gave a brief overview of the submitted application for final site plan review for the Mason First Church of the Nazarene requesting approval for final site plan review to construct a 15,380 square foot youth activity center, including gymnasium and two soccer fields on property located at the north side of West Dansville Road (M-36) between Dexter Trail and Ives Road. He stated that the Department of Transportation (MDOT) has denied their request to send their storm water out to the road right-of-way and into the road side ditch. This presents an enormous burden to the applicant and being this is very recent news, the applicant has not yet determined how they will address the storm water issue. Mr. Haywood recommended postponing action until the applicant is able to address storm water drainage. A brief discussion ensued.

MOTION by Johnson, second by Boyic,
to defer action on Resolution No. 2007-04 - A Resolution Approving a
Final Site Plan for the Mason First Church of the Nazarene to Construct a
Youth Activity Center on Property Located at 1706 Dansville Road until

such time the applicant provides an acceptable alternate storm water management system.

MOTION APPROVED UNANIMOUSLY

Resolution No. 2007-05 – A Resolution Recommending that the City Council Adopt Ordinance No. 161 – An Ordinance to Amend the Mason Zoning Ordinance to Permit monopole Wireless Telecommunications Towers in the C-1: Central Business District on Publicly-Owned Property

Resolution No. 2007-05 was introduced by Naeyaert and seconded by Johnson. It was the consensus of the Commission that with concern about the negative impact of a monopole on the character of Mason’s historic downtown, the Planning Commission supports the ordinance revision to allow such a structure due to the public safety need.

**CITY OF MASON
PLANNING COMMISSION RESOLUTION NO. 2007-05
A RESOLUTION RECOMMENDING THAT THE CITY COUNCIL ADOPT ORDINANCE NO. 161 –
AN ORDINANCE TO AMEND THE MASON ZONING ORDINANCE TO PERMIT MONOPOLE
WIRELESS TELECOMMUNICATION TOWERS IN THE C-1: CENTRAL BUSINESS DISTRICT
ON PUBLICLY-OWNED PROPERTY
August 14, 2007**

WHEREAS, the City of Mason currently owns and operates a 120 foot open structure communications tower for the purpose of providing public safety communications; and

WHEREAS, the existing tower has or is approaching the end of its useful lifespan and is in need of replacement; and

WHEREAS, the City desires to have replaced the existing tower with a taller and technologically superior 150 foot monopole tower capable of supporting existing public safety communications facilities, as well as additional private cellular antennae; and

WHEREAS, a taller structure, capable of housing additional private cellular antennae, is consistent with the intent of the Federal Telecommunications Act of 1996, which promotes universal telecommunications coverage, removal of barriers to entry, and encourages collocation of multiple facilities on a single tower; and

WHEREAS, it is necessary to amend the zoning ordinance to permit monopole towers in the C-1, Central Business District; and

WHEREAS, the attached Ordinance No. 161, dated August 2, 2007, has been prepared by and recommended for adoption by the City Attorney, Dennis McGinty; and

WHEREAS, the Planning Commission did properly notice and conduct a public hearing on the proposed amendment at its regular meeting held August 14, 2007.

NOW THEREFORE BE IT RESOLVED, that the City of Mason Planning Commission does hereby recommend that the City Council approve Ordinance No. 161, to amend the Mason Zoning Ordinance to permit monopole telecommunications towers on publicly owned property.

RESOLUTION APPROVED UNANIMOUSLY

Report – Zoning & Development Department – Code Enforcement

Haywood spoke regarding the code enforcement report he submitted and presented to City Council. A brief discussion ensued.

Discussion – Five-Year Master Plan Review

Haywood informed the Commission that State law requires review of the Master Plan every five years following adoption to determine if any revisions are necessary. State law does not mandate a formal amendment or full rewrite of the document. Staff will review the plan and report the findings. A brief discussion ensued.

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

Naeyaert informed the Commission regarding City Council business.

ADMINISTRATOR'S REPORT

Colburn informed the Commission regarding City business. A brief discussion ensued.

PEOPLE FROM THE FLOOR

None.

ADJOURNMENT

The meeting adjourned at 7:40 p.m.

Martin A. Colburn, City Clerk

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF JULY 10, 2007**

Tornholm called the meeting to order at 6:30 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Armstrong, Boyic, Droscha, Hunt, Johnson, Lutz,
Naeyaert, Reeser, Tornholm
Also present: Martin Colburn, City Administrator
David Haywood, Zoning & Development Director
Deborah Cwierniewicz, Deputy City Clerk

APPROVAL OF MINUTES – PLANNING COMMISSION MEETING: June 12, 2007

The Minutes of June 12, 2007 were approved as amended.

Tornholm turned the meeting over to Colburn. He administered the oath of office to Jon Droscha.

ELECTION OF CHAIRPERSON

Colburn explained the election process to fill an unexpired term of the Chairperson.

NOMINATION by Naeyart,
for Neal Johnson as Chairperson.

NOMINATION by Boyic,
for Barbara Tornholm as Chairperson.

VOTE:
NEAL JOHNSON (4) Johnson, Lutz, Naeyaert, Reeser
BARBARA TORNHOLM (5) Armstrong, Boyic, Hunt, Droscha, Tornholm
BARBARA TORNHOLM ELECTED CHAIRPERSON

NOMINATION by Naeyaert,
for Neal Johnson as Vice Chairperson
NEAL JOHNSON ELECTED VICE CHAIRPERSON UNANIMOUSLY

PEOPLE FROM THE FLOOR

Mike Waltz, Councilmember, addressed the Commission regarding his resignation following his appointment to City Council. He presented Chairperson Tornholm with the city's copy of Robert's Rules of Order.

PUBLIC HEARING

Special Use Permit – Beaner's Coffee Shop with Drive-Through – 227 N. Cedar Street

Tornholm opened the public hearing at 6:40 p.m. Ken Jones of Studio Intrigue Architects was present on behalf of the applicant. Mr. Jones was asked if he had any

comments regarding the concern noted in Zoning & Development Director Haywood's packet about left hand turns during heavy traffic. He stated that they think there is a need to allow traffic to turn left onto Cedar Street and would be open to discussing options to make that happen. Tornholm closed the public hearing at 6:43 p.m.

REGULAR BUSINESS

Resolution No. 2007-03 – A Resolution Approving a Special Use Permit and Preliminary Site Plan for Beaner's Coffee to Operate a Coffee Shop with Drive-Thru on Property Located at 227 N. Cedar Street

Resolution No. 2007-03 was introduced by Johnson and seconded by Naeyaert. Haywood gave a brief overview of his submitted review regarding the special use permit request for 227 N. Cedar Street. He recommended approval with the condition that the drive-thru lane be redesigned to address traffic safety and pedestrian safety as discussed, prior to final site plan review.

**CITY OF MASON
PLANNING COMMISSION RESOLUTION NO. 2007-03
A RESOLUTION APPROVING A SPECIAL USE PERMIT AND PRELIMINARY SITE PLAN FOR
BEANERS TO OPERATE A COFFEE SHOP, WITH DRIVE-THRU, ON PROPERTY LOCATED
AT 227 N. CEDAR STREET.
July 10, 2007**

WHEREAS, a request has been received from Michael Reid, on behalf of Beaners Coffee, for a special use permit and preliminary site plan approval to be allowed to operate a coffee shop, with drive-thru, at 227 N. Cedar Street; and

WHEREAS, the subject property is further described as:

LOT 6 EXC W 6 FT THEREOF & ALSO LOTS 7 & 8, BLOCK 6, BUSH'S ADDN, SEC 5,
T2NR1W, CITY OF MASON, INGHAM CO.

WHEREAS, upon compliance with the conditions listed herein, the plans will comply with the site plan review standards listed in Section 94-227 of the Mason Code.

WHEREAS, upon compliance with the conditions listed herein, the plans will comply with the special use permit basis for determination standards listed in Section 94-191(f) of the Mason Code.

WHEREAS, a public hearing on the request was noticed and held at the Planning Commission's regular meeting of July 10, 2007, with testimony given and public comment solicited.

WHEREAS, approval is granted subject to the following general conditions:

- 1) The applicant shall comply with the regulations listed for signs in Chapter 58 of the Mason Code.
- 2) This special use approval does not become effective until final site plan approval.
- 3) That the applicant provide a copy of a soil erosion and sedimentation permit from the Ingham County Drain Commissioner prior to the issuance of a building permit.

WHEREAS, approval is granted with the condition that the applicant submit a revised site plan with following changes prior to final site plan review:

- 1) A construction and landscaping schedule shall be submitted indicating the approximate commencement and completion dates of the project.
- 2) The plan shall include a legal description of the site.

- 3) The plan shall show the existing land uses for the subject property and properties adjacent to the site.
- 4) The plan shall show the site as one parcel.
- 5) The plan shall show the clear vision triangles for the access points at Cedar Street and North Street.
- 6) The plan shall show a lighting plan for the entire site showing the height, location, lamp style and details of the proposed lighting, including photometric contours.
- 7) The plan shall show the existing and proposed grading.
- 8) The landscaping plan shall be revised to move the proposed red maple at the Cedar Street driveway to another location on the property that will not cause a vision obstruction or be in conflict with over-head utilities.
- 9) The plan shall show that the proposed use will be served by a separate water meter.
- 10) The plan shall provide calculations for additional storm water generated from the additional impervious surfaces proposed.
- 11) The plan shall include details for the demolition and reconstruction of parking, curb cuts, and driveways to the satisfaction of the city engineer.
- 12) The plan shall show an alternative drive-thru location that eliminates the traffic conflict at the Cedar Street access to the satisfaction of the Michigan Department of Transportation.

NOW THEREFORE BE IT RESOLVED, that the City of Mason Planning Commission does hereby approve the Special Use Permit and Preliminary Site Plan Review for a Beaners coffee shop, including drive-thru, located on property located at 227 N. Cedar Street based on the site plan dated June 12, 2007.

Yes (9) Armstrong, Boyic, Droscha, Hunt, Johnson, Lutz, Naeyaert, Reeser, Tornholm

No (0)

RESOLUTION APPROVED UNANIMOUSLY

Discussion – Ordinance No. 161 – An Ordinance to Amend Sections 94-173(d)(13)(a)(3) and 94-141(d) of Chapter 94, Zoning to Permit Monopole Towers on Publicly Owned Property; and Table 100-3 of Chapter 100, Tables and Figures to Establish Distance Separation Standards for Monopole Towers on Publicly Owned Property

A brief discussion ensued regarding the review of Ordinance No. 161.

Discussion – Vevay Township – Proposed Zoning Ordinance Amendment

It was the consensus of the Commission to send correspondence to Vevay Township in recognition of the thorough work and completion of their proposed zoning ordinance amendment.

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

Naeyaert informed the Commission regarding City Council business.

ADMINISTRATOR'S REPORT

Colburn informed the Commission regarding City business.

PEOPLE FROM THE FLOOR

None.

ADJOURNMENT

The meeting adjourned at 8:20 p.m.

Martin A. Colburn, City Clerk

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF JUNE 12, 2007**

Waltz called the meeting to order at 6:30 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Boyic, Hunt, Johnson, Lutz, Naeyaert, Reeser,
Tornholm, Waltz
Absent: Commissioner: Armstrong
Also present: Deborah Cwiertniewicz, Deputy City Clerk
Ed Hude, Police Sergeant

APPROVAL OF MINUTES – PLANNING COMMISSION MEETING: May 15, 2007

The Minutes of May 15, 2007 were approved as submitted.

PEOPLE FROM THE FLOOR

None.

REGULAR BUSINESS

Discussion –Ordinance No. 161 – An Ordinance to Amend Sections 94-173(d)(13)(A)(3) and 94-141(d) of Chapter 94, Zoning, to Permit Monopole Towers on Publicly Owned Property; and Table 100-3 of Chapter 100, Tables and Figures, to Establish Distance Separation Standards for Monopole Towers on Publicly Owned Property

Waltz informed the Commission regarding a proposal received from Nextel to construct a wireless communications tower on city property. He gave a brief overview of the proposed amendment to Chapter 94 that would permit monopole towers on publicly owned property as well as establish distance separation standards. A brief discussion ensued. Sergeant Hude discussed his research of a monopole tower with various companies. Sprint-Nextel is the only company ~~currently~~ ^[insert] *expressing interested* ^[insert] *interest*. Sgt. Hude recommended expedient approval. He expressed concern regarding the lapse of time before the proposed ordinance will be presented to Council for approval, and the Sprint-Nextel construction timeline relating to the interruption of service and reestablishing the Mason Public Schools radio communication system, as well as the community warning sirens. Further discussion ensued. Suggestions and concerns will be submitted to Mr. Haywood.

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

Naeyaert informed the Commission regarding City Council business.

ADMINISTRATOR'S REPORT

Administrator Colburn was out of town and no report was offered. The Chair requested a motion to defer the administrator's report to unfinished business on the next regular meeting agenda.

MOTION by Lutz, second by Tornholm,
to defer the administrator's report to the next regular meeting agenda under
unfinished business.

MOTION APPROVED UNANIMOUSLY

PEOPLE FROM THE FLOOR

None.

ADJOURNMENT

The meeting adjourned at 7:40 p.m.

Martin A. Colburn, City Clerk

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF MAY 15, 2007**

Waltz called the meeting to order at 6:30 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Armstrong, Boyic, Lutz, Naeyaert, Tornholm, Waltz
Absent: Hunt, Reeser, Johnson
Also present: Marty Colburn, City Administrator
David Haywood, Zoning and Development Director

APPROVAL OF MINUTES – PLANNING COMMISSION MEETING: April 10, 2007

The Minutes of April 10, 2007 were approved as submitted.

PEOPLE FROM THE FLOOR

None.

REGULAR BUSINESS

Discussion – Sign Ordinance Update

Haywood informed Commissioners that City Council deferred the proposed sign ordinance to the regular meeting of June 4. Mr. Haywood gave a brief overview of the changes proposed at the City Council work session.

*Naeyaert arrived at 6:34 p.m. Colburn announced that the emergency alarm was sounded due to a funnel cloud cited in the area. The meeting recessed at 6:36 p.m. The meeting reconvened at 7:10 p.m. Haywood continued with the sign ordinance update.

Discussion – Code Enforcement

Haywood gave an overview of current code enforcement issues. A brief discussion ensued.

Discussion – Historic District Inventory Grant

Haywood informed commissioners regarding the grant the Historic District Commission applied for to update the inventory of historic places. Notice was received that the grant was turned down. The commission is researching other sources of funding to continue with the program.

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

Naeyaert informed the Commission regarding City Council business.

ADMINISTRATOR'S REPORT

Colburn informed the Commission regarding city business.

PEOPLE FROM THE FLOOR

None.

ADJOURNMENT

The meeting adjourned at 7:49 p.m.

Martin A. Colburn, City Clerk

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF APRIL 10, 2007**

Waltz called the meeting to order at 6:30 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Armstrong, Boyic, Hunt, Johnson, Lutz, Naeyaert, Reeser, Tornholm, Waltz
Also present: Marty Colburn, City Administrator
David Haywood, Zoning and Development Director
Deborah Cwierniewicz, Deputy City Clerk

APPROVAL OF MINUTES – PLANNING COMMISSION MEETING: March 13, 2007

The Minutes of March 13, 2007 were approved.

PEOPLE FROM THE FLOOR

None.

PUBLIC HEARING

Special Use Permit: Mason First Church of the Nazarene – West Dansville Road (M-36)

Waltz opened and closed the public hearing at 6:32 p.m. as there were no comments.

REGULAR BUSINESS

Resolution No. 2007-02 – A Resolution Approving a Special Use Permit and Preliminary Site Plan Review for the Mason First Church of the Nazarene

Haywood gave a brief overview of the Special Use Permit and Preliminary site plan review for the Mason First Church of the Nazarene. Resolution No. 2007-02 was introduced by Johnson and seconded by Naeyaert. Discussion was held regarding when sidewalk installation should take place.

A brief recess was taken at 7:16 to review Mason Code to afford the Zoning Administrator to determine if the proposed sign was consistent with the regulations listed in Chapter 58. The meeting reconvened at 7:21 p.m. It was determined that the proposed signage would not be in compliance with Mason Code.

Motion by Naeyaert, second by Johnson,
to amend Resolution No. 2007-02 by adding the following language as a condition: “that the final site plan would include signage in compliance with Mason Code.”

MOTION APPROVED UNANIMOUSLY

Motion by Johnson, second by Naeyaert,
to amend Resolution No. 2007-02 in the fifth paragraph, item number two, at the end of the sentence, by inserting “construction shall take place when deemed appropriate by administrative review with the full cost being born by the property owners.”

Yes (8) Armstrong, Hunt, Johnson, Lutz, Naeyaert, Reeser, Tornholm, Waltz

No (1) Boyic

MOTION APPROVED

The applicant was invited to speak regarding the project. Mike Bruggink, of RJM Design, spoke briefly regarding specifics of the project.

**CITY OF MASON
PLANNING COMMISSION RESOLUTION NO. 2007-02
A RESOLUTION APPROVING A SPECIAL USE PERMIT AND PRELIMINARY SITE
PLAN FOR THE MASON FIRST CHURCH OF THE NAZARENE**

April 10, 2007

WHEREAS, a request has been received from the Mason First Church of the Nazarene, regarding parcel 33-19-10-10-200-016, for a special use permit and preliminary site plan approval to allow the construction of a 15,380 square foot youth activity center, including gymnasium and ball fields, on 44.11 acres of property located on the north side of West Dansville Road (M-36) between Dexter Trail and Ives Road; and

WHEREAS, the youth activity center is proposed to be constructed on property described as:

A part of the Southeast $\frac{1}{4}$ and the Northeast $\frac{1}{4}$ of Section 10, T2N, R1W, Vevay Township, Ingham County, Michigan, described as beginning on the East-West $\frac{1}{4}$ line N 89d56'04" W 660.01 feet from the East $\frac{1}{4}$ corner; thence N 89d56'04" W 677.36 feet along the East-West $\frac{1}{4}$ line; thence S 00d32'50" E 989.83 feet along the East line of the West $\frac{1}{2}$ of the Southeast $\frac{1}{4}$; thence N 67d44'53" W 683.76 feet; thence S 28d00'08" W 372.00 feet to the centerline of M-36 (Dansville Road); thence N 27d35'34" E 1800.93 feet; thence S 89d58'02" E 1072.55 feet; thence S 00d34'10" E 773.93 feet to the point of beginning, containing 44.11 acres of land, more or less, and subject to any easements or rights of way of record; and

WHEREAS, upon compliance with the conditions listed herein, the plans will comply with the site plan review standards listed in Section 94-227 and the special use permit standards listed for institutional uses in Section 94-192(8) of the Mason Code; and

WHEREAS, approval is granted subject to the following general conditions:

- 1) The special use permit does not become effective until such time that a final site plan is approved and the conditions listed therein have been met; and
- 2) The applicant shall provide a copy of an approved soil erosion and sedimentation permit from the Ingham County Drain Commissioner prior to the issuance of a building permit and that all other expectations of the Drain Commissioner expressed in their April 4, 2007, correspondence have been met prior to the issuance of an occupancy permit; and
- 3) The applicant shall submit a copy of an approved driveway permit from the Michigan Department of Transportation prior to the issuance of a building permit; and
- 4) In the event that public utilities (water and sanitary sewer) are extended to the site, structures located within 300 feet shall connect to said utilities pursuant to Article I of Chapter 82 of the Mason Code; and
- 5) A traffic impact study will be required in conjunction with future site improvements, including the construction of a sanctuary or other support facilities pursuant to Section 94-176(g); and
- 6) If irrigation is utilized for the site, the appropriate backflow prevention device shall be utilized; and
- 7) An executed drainage facilities maintenance agreement shall be submitted prior to the issuance of an occupancy permit; and

WHEREAS, approval is granted with the condition that the applicant shall submit for final site plan review revised plans that comply with the following:

- 1) The plan shall show lighting for the proposed improvements of the site showing the height, location, lamp style and details of the proposed lighting, including photometric contours showing light levels not exceeding 1.5 foot candles within road right-of-way or onto adjacent properties; and
- 2) The plan shall show the required four (4) foot sidewalk along M-36 one foot inside the road right-of-way, and construction shall take place when deemed appropriate by administrative review with the full cost being borne by the property owner; and
- 3) The plan shall show the existing zoning and land use for property adjacent to the site to the north; and
- 4) Grading lines on Sheet C100 be legible; and

- 5) Construction limits shall be shown on the plans. Construction limits as a component of an approved soil erosion and sedimentation permit from the Ingham County Drain Commissioner is an acceptable alternative; and
- 6) The plan shall show the swale at the western edge of the site along the entire western property line to prevent storm water run-off onto the adjacent property. The swale shall be designed to the satisfaction of the Superintendent of Public Works and the City Engineer; and
- 7) The plans shall show the required building setbacks for the entire site; and
- 8) The plans shall include a solid waste enclosure detail consistent with the standards for enclosures listed in section 94-173(b); and
- 9) The plans shall show a revised driveway entrance width in accordance with the Michigan Department of Transportation's letter dated March 27, 2007; and
- 10) The plans shall show the requirements listed in the Fire Department's memorandum dated March 26, 2007, to the satisfaction of the Fire Chief; and
- 11) The plans shall show the on-site water supply and sanitary sewer disposal systems in accordance with the Ingham County Health Department standards, including supply and waste lines. The revised plans shall be accompanied by a letter of approval from the Health Department approving the designed system; and

NOW THEREFORE BE IT RESOLVED, that the City of Mason Planning Commission does hereby approve a special use permit and preliminary site plan review for a 15,380 square foot youth activity center, including gymnasium and ball fields, located on property situated at the north side of West Dansville Road (M-36) between Dexter Trail and Ives Road based on the plans received on March 13, 2007.

Yes (9) Armstrong, Boyic, Hunt, Johnson, Lutz, Naeyaert, Reeser, Tornholm, Waltz

No (0)

RESOLUTION APPROVED UNANIMOUSLY

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

Naeyaert informed the Commission regarding City Council business.

ADMINISTRATOR'S REPORT

Colburn informed the Commission regarding city business.

PEOPLE FROM THE FLOOR

None.

ADJOURNMENT

The meeting adjourned at 8:01 p.m.

Martin A. Colburn, City Clerk

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF APRIL 10, 2007**

Waltz called the meeting to order at 6:30 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Armstrong, Boyic, Hunt, Johnson, Lutz, Naeyaert, Reeser, Tornholm, Waltz
Also present: Marty Colburn, City Administrator
David Haywood, Zoning and Development Director
Deborah Cwierniewicz, Deputy City Clerk

APPROVAL OF MINUTES – PLANNING COMMISSION MEETING: March 13, 2007

The Minutes of March 13, 2007 were approved.

PEOPLE FROM THE FLOOR

None.

PUBLIC HEARING

Special Use Permit: Mason First Church of the Nazarene – West Dansville Road (M-36)

Waltz opened and closed the public hearing at 6:32 p.m. as there were no comments.

REGULAR BUSINESS

Resolution No. 2007-02 – A Resolution Approving a Special Use Permit and Preliminary Site Plan Review for the Mason First Church of the Nazarene

Haywood gave a brief overview of the Special Use Permit and Preliminary site plan review for the Mason First Church of the Nazarene. Resolution No. 2007-02 was introduced by Johnson and seconded by Naeyaert. Discussion was held regarding when sidewalk installation should take place.

A brief recess was taken at 7:16 to review Mason Code to afford the Zoning Administrator to determine if the proposed sign was consistent with the regulations listed in Chapter 58. The meeting reconvened at 7:21 p.m. It was determined that the proposed signage would not be in compliance with Mason Code.

Motion by Naeyaert, second by Johnson,
to amend Resolution No. 2007-02 by adding the following language as a condition: “that the final site plan would include signage in compliance with Mason Code.”

MOTION APPROVED UNANIMOUSLY

Motion by Johnson, second by Naeyaert,
to amend Resolution No. 2007-02 in the fifth paragraph, item number two, at the end of the sentence, by inserting “construction shall take place when deemed appropriate by administrative review with the full cost being born by the property owners.”

Yes (8) Armstrong, Hunt, Johnson, Lutz, Naeyaert, Reeser, Tornholm, Waltz

No (1) Boyic

MOTION APPROVED

The applicant was invited to speak regarding the project. Mike Bruggink, of RJM Design, spoke briefly regarding specifics of the project.

**CITY OF MASON
PLANNING COMMISSION RESOLUTION NO. 2007-02
A RESOLUTION APPROVING A SPECIAL USE PERMIT AND PRELIMINARY SITE
PLAN FOR THE MASON FIRST CHURCH OF THE NAZARENE**

April 10, 2007

WHEREAS, a request has been received from the Mason First Church of the Nazarene, regarding parcel 33-19-10-10-200-016, for a special use permit and preliminary site plan approval to allow the construction of a 15,380 square foot youth activity center, including gymnasium and ball fields, on 44.11 acres of property located on the north side of West Dansville Road (M-36) between Dexter Trail and Ives Road; and

WHEREAS, the youth activity center is proposed to be constructed on property described as:

A part of the Southeast $\frac{1}{4}$ and the Northeast $\frac{1}{4}$ of Section 10, T2N, R1W, Vevay Township, Ingham County, Michigan, described as beginning on the East-West $\frac{1}{4}$ line N 89d56'04" W 660.01 feet from the East $\frac{1}{4}$ corner; thence N 89d56'04" W 677.36 feet along the East-West $\frac{1}{4}$ line; thence S 00d32'50" E 989.83 feet along the East line of the West $\frac{1}{2}$ of the Southeast $\frac{1}{4}$; thence N 67d44'53" W 683.76 feet; thence S 28d00'08" W 372.00 feet to the centerline of M-36 (Dansville Road); thence N 27d35'34" E 1800.93 feet; thence S 89d58'02" E 1072.55 feet; thence S 00d34'10" E 773.93 feet to the point of beginning, containing 44.11 acres of land, more or less, and subject to any easements or rights of way of record; and

WHEREAS, upon compliance with the conditions listed herein, the plans will comply with the site plan review standards listed in Section 94-227 and the special use permit standards listed for institutional uses in Section 94-192(8) of the Mason Code; and

WHEREAS, approval is granted subject to the following general conditions:

- 1) The special use permit does not become effective until such time that a final site plan is approved and the conditions listed therein have been met; and
- 2) The applicant shall provide a copy of an approved soil erosion and sedimentation permit from the Ingham County Drain Commissioner prior to the issuance of a building permit and that all other expectations of the Drain Commissioner expressed in their April 4, 2007, correspondence have been met prior to the issuance of an occupancy permit; and
- 3) The applicant shall submit a copy of an approved driveway permit from the Michigan Department of Transportation prior to the issuance of a building permit; and
- 4) In the event that public utilities (water and sanitary sewer) are extended to the site, structures located within 300 feet shall connect to said utilities pursuant to Article I of Chapter 82 of the Mason Code; and
- 5) A traffic impact study will be required in conjunction with future site improvements, including the construction of a sanctuary or other support facilities pursuant to Section 94-176(g); and
- 6) If irrigation is utilized for the site, the appropriate backflow prevention device shall be utilized; and
- 7) An executed drainage facilities maintenance agreement shall be submitted prior to the issuance of an occupancy permit; and

WHEREAS, approval is granted with the condition that the applicant shall submit for final site plan review revised plans that comply with the following:

- 1) The plan shall show lighting for the proposed improvements of the site showing the height, location, lamp style and details of the proposed lighting, including photometric contours showing light levels not exceeding 1.5 foot candles within road right-of-way or onto adjacent properties; and
- 2) The plan shall show the required four (4) foot sidewalk along M-36 one foot inside the road right-of-way, and construction shall take place when deemed appropriate by administrative review with the full cost being borne by the property owner; and
- 3) The plan shall show the existing zoning and land use for property adjacent to the site to the north; and
- 4) Grading lines on Sheet C100 be legible; and

- 5) Construction limits shall be shown on the plans. Construction limits as a component of an approved soil erosion and sedimentation permit from the Ingham County Drain Commissioner is an acceptable alternative; and
- 6) The plan shall show the swale at the western edge of the site along the entire western property line to prevent storm water run-off onto the adjacent property. The swale shall be designed to the satisfaction of the Superintendent of Public Works and the City Engineer; and
- 7) The plans shall show the required building setbacks for the entire site; and
- 8) The plans shall include a solid waste enclosure detail consistent with the standards for enclosures listed in section 94-173(b); and
- 9) The plans shall show a revised driveway entrance width in accordance with the Michigan Department of Transportation's letter dated March 27, 2007; and
- 10) The plans shall show the requirements listed in the Fire Department's memorandum dated March 26, 2007, to the satisfaction of the Fire Chief; and
- 11) The plans shall show the on-site water supply and sanitary sewer disposal systems in accordance with the Ingham County Health Department standards, including supply and waste lines. The revised plans shall be accompanied by a letter of approval from the Health Department approving the designed system; and

NOW THEREFORE BE IT RESOLVED, that the City of Mason Planning Commission does hereby approve a special use permit and preliminary site plan review for a 15,380 square foot youth activity center, including gymnasium and ball fields, located on property situated at the north side of West Dansville Road (M-36) between Dexter Trail and Ives Road based on the plans received on March 13, 2007.

Yes (9) Armstrong, Boyic, Hunt, Johnson, Lutz, Naeyaert, Reeser, Tornholm, Waltz

No (0)

RESOLUTION APPROVED UNANIMOUSLY

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

Naeyaert informed the Commission regarding City Council business.

ADMINISTRATOR'S REPORT

Colburn informed the Commission regarding city business.

PEOPLE FROM THE FLOOR

None.

ADJOURNMENT

The meeting adjourned at 8:01 p.m.

Martin A. Colburn, City Clerk

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF MARCH 13, 2007**

Waltz called the meeting to order at 6:30 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Hunt, Johnson, Lutz, Reeser, Waltz
Excused: Commissioners: Armstrong, Boyic, Naeyaert, Tornholm
Also present: Marty Colburn, City Administrator
David Haywood, Planning and Development Director

APPROVAL OF MINUTES – PLANNING COMMISSION MEETING: February 13, 2007

The Minutes of February 13, 2007 were approved as submitted.

PEOPLE FROM THE FLOOR

None.

REGULAR BUSINESS

Annual Report – Community Development

Haywood presented the annual report for community development that was presented to Council. A brief discussion ensued.

Proposed Ordinance No. 159 - Signs

Ordinance No. 159 was presented for review prior to first reading by City Council. A brief discussion ensued.

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

Colburn informed the Commission regarding City Council business.

ADMINISTRATOR'S REPORT

Colburn informed the Commission regarding city business.

PEOPLE FROM THE FLOOR

None.

ADJOURNMENT

Being there was no further business, the meeting adjourned at 7:18 p.m.

Martin A. Colburn, City Clerk

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF FEBRUARY 13, 2007**

Waltz called the meeting to order at 6:30 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Armstrong, Boyic, Hunt, Johnson, Lutz, Naeyaert, Reeser, Tornholm, Waltz
Also present: Marty Colburn, City Administrator
David Haywood, Planning and Development Director
Deborah Cwiertniewicz, Deputy City Clerk

APPROVAL OF MINUTES – PLANNING COMMISSION MEETING: January 9, 2007

The Minutes of January 9, 2007 were approved as submitted.

PEOPLE FROM THE FLOOR

None.

REGULAR BUSINESS

Resolution No. 2007-01 – A Resolution Approving a Final Site Plan for CP Federal Credit Union

Resolution No. 2007-01 was introduced by Johnson and seconded by Naeyaert. Haywood gave a brief summary of the final site plan proposal for the CP Federal Credit Union. Discussion ensued.

Motion by Naeyaert, second by Johnson,
to amend Resolution No. 2007-01 in the sixth whereas paragraph by adding
the following condition:

- 11) The plan shall show that the public sanitary sewer lead conforms to public standards.

MOTION APPROVED UNANIMOUSLY

**CITY OF MASON
PLANNING COMMISSION RESOLUTION NO. 2007-01
A RESOLUTION APPROVING A FINAL SITE PLAN FOR CP FEDERAL CREDIT UNION
February 13, 2007**

WHEREAS, a request has been received by David Jaeckels of Building Committee, Inc., regarding parcels 33-10-10-09-351-007, 33-10-10-09-351-011 and 33-10-10-09-351-012, owned by the Hayhoe Family Trust, for final site plan approval to be allowed to construct a 3,750 square foot federal credit union, with drive-thru, on 1.75 acres of property located at the northeast corner of Kipp Road and Jefferson Street; and

WHEREAS, the credit union facility as proposed to be constructed on property described as:

A part of the Southwest $\frac{1}{4}$ of Section 9, T2N, R1W, City of Mason, Ingham County, Michigan; described as beginning at the Southwest Corner of said Section 9; thence N00°12'13"W 363.00 feet along the West Line of said Section 9; thence S89°54'16"E 210.00 feet parallel with the South Line of said Section 9; thence S00°12'13"E 363.00 feet parallel with said West Line to said South Line; thence N89°54'16"W 210.00 feet along said South Line to the point of beginning, containing 1.75 acres of land more or less and subject to any easements or rights of way of record, and

WHEREAS, utilities are proposed to be constructed on additional property further described as:

Commencing at the Southwest corner, Section 9, T2N, R1W, City of Mason, Ingham County, Michigan; thence North 00°12'13" West, along the West line of Section 9, 375.00 feet; thence South 89°39'31" East, 400.00 feet; thence South 00°12'13" East, 375.00 feet to the South line of said Section 9; thence North 89°39'31" West, along said South Section line, 400.00 feet to the point of beginning. The above described lands are subject to a 10 foot easement for sanitary sewer the centerline of which is described as follows: commencing at a point on the West line of Section 9, T2N, R1W, City of Mason, Ingham County, Michigan, distant North 00°12'13" West, 442.55 feet from the Southwest corner of said Section 9; thence East 169.24 feet; thence South 47° East, 353.44 feet to the point of ending, and

Commencing at the Southwest corner, Section 9, Town 2 North, Range 1 West, City of Mason, Ingham County, Michigan, thence North 00 Deg 12'13" West along the West line of said Section 9, 375.00 feet to the point of beginning of this description; thence North 00 Deg 12'13" West, continuing along said line, 300.00 feet; thence South 89 Deg 39'31" East, 345.00 feet; thence South 00 deg 12'13" East, 300.00 feet; thence North 89 Deg 39'31" West, 345.00 feet to the point of beginning. The above described lands are subject to a 10 foot easement for sanitary sewer the centerline of which is described as follows: commencing at a point on the West line of Section 9, T2N, R1W, City of Mason, Ingham County, Michigan, distant North 00°12'13" West, 442.55 feet from the Southwest corner of said Section 9; thence East 169.24 feet; thence South 47° East, 353.44 feet to the point of ending; and

WHEREAS, upon compliance with the conditions listed herein, the plans will comply with the site plan review standards listed in Section 94-227 of the Mason Code; and

WHEREAS, approval is granted subject to the following **general conditions**:

- 1) The special use permit approval does not become effective until the conditions listed herein have been met.
- 2) That the applicant provide a copy of a soil erosion and sedimentation permit from the Ingham County Drain Commissioner; and

WHEREAS, approval is granted with the condition that the applicant shall submit a revised set of plans to the Planning Department for administrative review with the following changes prior to the issuance of a building permit:

- 1) The plan shall show lighting for the entire site showing the height, location, lamp style and details of the proposed lighting, including photometric contours showing light levels not exceeding 1.5 foot candles within either road right-of-way.
- 2) The plan shall note that all proposed sidewalks are to be placed one foot inside the road right-of-way.
- 3) The plans shall show a manhole at the point of storm sewer alignment change, approximately 40 feet southwest of the detention pond. The manhole shall be constructed to City of Mason standards.
- 4) The plan shall indicate the appropriate backflow prevention device to the satisfaction of the Public Works Director.
- 5) The plan shall show the required sight triangles adjacent to the proposed Kipp Road right-of-way.
- 6) The plan shall show and reference the Jefferson Street driveway access as having the same standards as the Kipp Road entrance requirements set forth by the Ingham County Road Commission in their letter dated September 22, 2006, and received by the Planning Department on February 7, 2007.
- 7) The plan shall show the proposed sign placement set back 17.5 feet from the road right-of-way of both Kipp Road and Jefferson Street.
- 8) The plans shall show the new storm water management system, including any additions or changes in the Michigan Department of Environmental Quality permit requirements. The applicant, in addition, shall provide a copy of written communication received from the MDEQ requiring or allowing any changes shown on the plans.
- 9) The drawings shall clarify where and how the first flush basin controlled outlet will be directed. The explanation shall be indicated on the revised plans, and that all sheets shall be in agreement.
- 10) The plans shall have drawing and revision dates as appropriate; and

11) The plan shall show that the public sanitary sewer lead conforms to public standards.

WHEREAS, approval is granted with the condition that the following be submitted to the Planning Department for administrative review prior to the issuance of an occupancy permit:

- 1) A recorded copy of a deed showing the transfer of 17 additional feet of property to Ingham County for the purpose of additional right-of-way.
- 2) The applicant shall execute a drainage facilities maintenance agreement in a form acceptable to the City Attorney.

NOW THEREFORE BE IT RESOLVED, that the City of Mason Planning Commission does hereby approve the Final Site Plan for a 3,750 square foot federal credit union facility, including drive-thru, located on property situated at the northeast corner of Jefferson Street and Kipp Road based on the plans received on January 17, 2007.

Yes (9) Armstrong, Boyic, Hunt, Johnson, Lutz, Naeyaert, Reeser, Tornholm, Waltz

No (0)

RESOLUTION APPROVED UNANIMOUSLY

UNFINISHED BUSINESS

None.

NEW BUSINESS

Tornholm spoke briefly regarding the need to include the protection of mature trees in the ordinance at the preliminary stage of site plan review, for both beautification and global warming concerns.

COUNCIL CORRESPONDENCE

Distributed.

LIAISON REPORTS

Naeyaert informed the Commission regarding City Council business.

ADMINISTRATOR'S REPORT

Colburn informed the Commission regarding City business.

PEOPLE FROM THE FLOOR

Toby Mohlman asked various questions regarding the role of the Planning Commission, City Council, and other city boards and commissions, as well as opportunities for public comment. Mr. Mohlman was informed that he could meet with the City Administrator to discuss the city's governmental structure and citizen participation.

ADJOURNMENT

Being there was no further business, the meeting adjourned at 7:05 p.m.

Martin A. Colburn, City Clerk

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF JANUARY 09, 2007**

Tornholm called the meeting to order at 6:30 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan. Colburn administered the Oath of Office to Neal Johnson.

Present: Commissioners: Boyic, Hunt, Johnson, Lutz, Reeser, Tornholm, Waltz
Excused: Commissioners: Armstrong, Naeyaert
Also present: Marty Colburn, City Administrator/City Clerk
David Haywood, Planning and Development Director

APPROVAL OF MINUTES – PLANNING COMMISSION MEETING: December 12, 2006

The Minutes of December 12, 2006 were approved as submitted.

ELECTION OF OFFICERS

At this time, Tornholm turned the meeting over to Colburn. Colburn opened the floor for nominations.

NOMINATION by Johnson,
To elect Michael Waltz as Chair.

ROLL CALL VOTE: (7) Boyic, Hunt, Johnson, Lutz, Reeser, Tornholm, Waltz
MICHAEL WALTZ ELECTED CHAIR UNANIMOUSLY

NOMINATION by Boyic,
To elect Barbara Tornholm as Vice Chair.

ROLL CALL VOTE: (7) Boyic, Hunt, Johnson, Lutz, Reeser, Tornholm, Waltz
BARBARA TORNHOLM ELECTED VICE CHAIR UNANIMOUSLY

PEOPLE FROM THE FLOOR

Leon Clark, Mayor, introduced Neal Johnson and stated that Robin Naeyaert informed him that she is in Dallas on business and is excused for this evening's meeting.

REGULAR BUSINESS

M-36 Reconstruction Project – Martin Colburn, City Administrator

Colburn informed the Commission regarding the plans to enhance the business highway corridor. The City will participate with the Michigan Department of Transportation (MDOT) through a grant in the reconstruction project for M-36 to add decorative landscape and lighting.

Distribution of the Capital Improvements Plan 2006-2011

The Capital Improvements Plan for 2006-2011 was distributed.

Distribution of the Michigan Zoning Guidebook

The Michigan Zoning Guidebook was distributed. Haywood spoke briefly regarding revised

zoning laws and the Michigan Zoning Guidebook.

UNFINISHED BUSINESS

Colburn spoke briefly regarding the Tri-County Planning Commission December meeting he and Vice Chair Tornholm attended.

NEW BUSINESS

None.

COUNCIL CORRESPONDENCE

Distributed.

LIAISON REPORTS

Colburn informed the Commission regarding City Council business.

ADMINISTRATOR'S REPORT

Colburn stated that he didn't have any further comments to present due to previous reports.

PEOPLE FROM THE FLOOR

None.

ADJOURNMENT

Being there was no further business, the meeting adjourned at 7:07 p.m.

Martin A. Colburn, City Clerk

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF DECEMBER 12, 2006**

Tornholm called the meeting to order at 6:30 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Armstrong, Boyic, Coady, Hunt, Lutz, Reeser, Tornholm,
Waltz

Also present: Martin Colburn, City Administrator
David Haywood, Planning/Zoning Director
Deborah Cwierniewicz, Deputy City Clerk

APPROVAL OF MINUTES – November 14, 2006

The regular meeting Minutes of November 14, 2006 were approved as submitted.

PEOPLE FROM THE FLOOR

None.

PUBLIC HEARING – special Use Permit: CP Federal Credit Union, Northeast corner of Jefferson Street and Kipp Road

Haywood gave a brief synopsis of the Special Use Permit requested by CP Federal Credit Union. Tornholm opened the public hearing at 6:33 p.m. and closed it at 6:34 p.m. as there were no public comments.

REGULAR BUSINESS

Resolution No. 2006-14 - A Resolution Approving a Special Use Permit and Preliminary Site Plan for CP Federal Credit Union to Construct a Credit Union, with Drive-Thru, On Property Located at the Northeast Corner of Jefferson Street and Kipp Road

Haywood gave a brief analysis of the preliminary site plan review.

David Jaeckels of Building Committee Incorporated (BCI) spoke on behalf of CP Federal Credit Union regarding the submitted preliminary site plan.

George Hayhoe stated that he represented the Hayhoe Family Trust as landowners of the property proposed for development by CP Federal Credit Union, and gave their support for the project.

John Crist, President/CEO of CP Federal Credit Union, spoke briefly regarding the company's current status and plans for the proposed project.

Tornholm asked the applicants about the concern raised in the letter submitted by David Love, Ingham County Drain Engineer relating to the first flush basin located in the 100-year flood plain. Jamison Reese of Kebs, Inc. explained how the discharge is addressed and

added that Rick Shram of MDEQ contacted him December 11, 2006. Mr. Shram stated that the flood plan engineer did not have any issues with the plan.

Motion by Coady, second by Reeser,
to amend Resolution No. 2006-14 by striking *on behalf of the Hayhoe Family Trust, owner of record of* and insert *regarding* in its place, and insert *owned by the Hayhoe Family Trust* following the third parcel identification number;
and consider it read.

MOTION APPROVED UNANIMOUSLY

Resolution No. 2006-14 was introduced by Coady and seconded by Waltz.

**CITY OF MASON
PLANNING COMMISSION RESOLUTION NO. 2006-14**

**A RESOLUTION APPROVING A SPECIAL USE PERMIT AND PRELIMINARY
SITE PLAN FOR CP FEDERAL CREDIT UNION TO CONSTRUCT A CREDIT
UNION, WITH DRIVE-THRU, ON PROPERTY LOCATED AT THE NORTHEAST
CORNER OF JEFFERSON STREET AND KIPP ROAD**

December 12, 2006

WHEREAS, a request has been received by David Jaeckels of Building Committee, Inc., regarding parcels 33-10-10-09-351-007, 33-10-10-09-351-011 and 33-10-10-09-351-012, owned by the Hayhoe Family Trust, for a special use permit and preliminary site plan approval to be allowed to construct a federal credit union, with drive-thru, at the subject property; and

WHEREAS, the subject property is further described as:

A part of the Southwest $\frac{1}{4}$ of Section 9, T2N, R1W, City of Mason, Ingham County, Michigan; described as beginning at the Southwest Corner of said Section 9; thence N00°12'13"W 363.00 feet along the West Line of said Section 9; thence S89°54'16"E 210.00 feet parallel with the South Line of said Section 9; thence S00°12'13"E 363.00 feet parallel with said West Line to said South Line; thence N89°54'16"W 210.00 feet along said South Line to the point of beginning, containing 1.75 acres of land more or less and subject to any easements or rights of way of record, and

Commencing at the Southwest corner, Section 9, T2N, R1W, City of Mason, Ingham County, Michigan; thence North 00°12'13" West, along the West line of Section 9, 375.00 feet; thence South 89°39'31" East, 400.00 feet; thence South 00°12'13" East, 375.00 feet to the South line of said Section 9; thence North 89°39'31" West, along said South Section line, 400.00 feet to the point of beginning. The above described lands are subject to a 10 foot easement for sanitary sewer the centerline of which is described as follows: commencing at a point on the West line of Section 9, T2N, R1W, City of Mason, Ingham County, Michigan, distant North 00°12'13" West, 442.55 feet from the Southwest corner of said Section 9; thence East 169.24 feet; thence South 47° East, 353.44 feet to the point of ending, and

Commencing at the Southwest corner, Section 9, Town 2 North, Range 1 West, City of Mason, Ingham County, Michigan, thence North 00 Deg 12'13" West along the West line of said Section 9, 375.00 feet to the point of beginning of this description; thence North 00 Deg 12'13" West, continuing along said line, 300.00 feet; thence South 89 Deg 39'31" East, 345.00 feet; thence South 00 deg 12'13" East, 300.00 feet; thence North 89 Deg 39'31" West, 345.00 feet to the point of beginning. The above described lands are subject to a 10 foot easement for sanitary sewer the centerline of which is described as follows: commencing at a point on the West line of Section 9, T2N, R1W, City of Mason, Ingham County, Michigan, distant North 00°12'13" West, 442.55 feet from the Southwest corner of said Section 9; thence East 169.24 feet; thence South 47° East, 353.44 feet to the point of ending.

WHEREAS, upon compliance with the conditions listed herein, the plans will comply with the site plan review standards listed in Section 94-227 of the Mason Code.

WHEREAS, upon compliance with the conditions listed herein, the plans will comply with the standards of the basis for determination listed in Section 94-191(f) of the Mason Code.

WHEREAS, a public hearing on the request was noticed and held at the Planning Commission's regular meeting of December 12, 2006, with testimony given and public comment solicited.

WHEREAS, approval is granted subject to the following **general conditions**:

- 1) The applicant shall comply with the regulations listed for signs in Chapter 58 of the Mason Code.
- 2) A copy of the approved MDEQ permit shall be provided to staff upon receipt prior to the issuance of a building permit.
- 3) The applicant shall execute a drainage facilities maintenance agreement in a form acceptable to the City Administrator prior to the issuance of an occupancy permit.
- 4) That the applicant provide a copy of a soil erosion and sedimentation permit from the Ingham County Drain Commissioner prior to the issuance of a building permit.
- 5) This special use approval does not become effective until receipt of final site plan approval.

WHEREAS, approval is granted subject to the following **general conditions** prior to final site plan review:

- 6) All plans submitted for final site plan review shall include the name, contact information, and professional seal of the plan preparer, as well as a north arrow and the correct and measurable scales for each drawing.
- 7) A revised construction schedule shall be submitted indicating the approximate commencement and completion dates of the project.

WHEREAS, approval is granted with the condition that the applicant submit a revised **landscape plan** with the following changes prior to final site plan review:

- 1) The title block shall list Mason, MI, as the project location.
- 2) The plan shall show a ten (10) foot buffer zone along the west and south property lines with one tree per 50 feet. Tree species should be chosen that do not interfere with the overhead utilities located along Jefferson Street. Trees located in the south buffer zone should consist of deciduous canopy trees. Trees should not be placed closer than 50 feet from the intersection of the rights-of-way of Jefferson Street and Kipp Road. The revised landscape plan shall be submitted prior to final site plan review.

WHEREAS, approval is granted with the condition that the applicant submit a revised **site plan** with following changes prior to final site plan review:

- 1) The plan shall be consistent with the first floor schematic plan relative to the southwest building entry.
- 2) The plan shall show the existing and proposed zoning and land uses for the subject property and properties adjacent to the site to the south and west.
- 3) The plan shall show all parking spaces having a minimum width of ten (10) feet.
- 4) The plan shall show a lighting plan for the entire site showing the height, location, lamp style and details of the proposed lighting, including photometric contours.

- 5) The plan shall show ten (10) parking spaces having pervious surfaces prior to final site plan review. As an alternative, the applicant may submit a plan that eliminates the mentioned ten (10) spaces.
- 6) The plan shall show a four foot wide sidewalk placed one foot inside the road right-of-way along the site property lines of Jefferson Street and Kipp Road that meets Mason Development Standards.
- 7) The plan shall show the location and size of water and sanitary sewer lines, leads, and connections.
- 8) That plan indicates the appropriate backflow prevention device to the satisfaction of the Public Works Director.
- 9) The plan shall show the closest proposed or existing fire hydrants prior to final site plan review.
- 10) The plan shall indicate the intended future use of the sanitary sewer lead and whether it is intended to be for public or private use.
- 11) The plan shall show the proposed grading topography and construction limits.
- 12) The plan shall accurately reflect the locations of the existing and proposed utilities in the public rights-of-way in the vicinity of the site.

NOW THEREFORE BE IT RESOLVED, that the City of Mason Planning Commission does hereby approve the Special Use Permit and Preliminary Site Plan Review for a federal credit union, including drive-thru, located on property situated at the northeast corner of Jefferson Street and Kipp Road based on the site plan dated November 10, 2006, the landscape plan dated July 31, 2006, and the storm water plan (detention plan) dated November 27, 2006.

Yes (8) Armstrong, Boyic, Coady, Hunt, Lutz, Reeser, Tornholm, Waltz
 No (0)

RESOLUTION APPROVED UNANIMOUSLY

UNFINISHED BUSINESS

None.

NEW BUSINESS

Motion by Coady, second by Waltz,
 to recommend that the City Council approve the 2007 Planning Commission meeting dates as follows:

January 9	July 10
February 13	August 14
March 13	September 11
April 10	October 9
May 15	November 13
June 12	December 11

MOTION APPROVED UNANIMOUSLY

CORRESPONDENCE

All correspondence was distributed. Haywood informed the Commission regarding Michigan Association of Planning 2007 workshops and training. Tornholm informed the Commission regarding the Michigan State University Co-op Extension Citizen Planner Program curriculum schedule.

LIAISON REPORT

- Coady informed the Commission regarding City Council business. Ms. Coady also announced that she would not be seeking the Mayor Pro Tem position in 2007 due to her upcoming wedding this summer. She expressed that she enjoyed serving as liaison for the past year and working with the members of the Planning Commission.
- Tornholm informed the Commission regarding her address to the City Council regarding suggestions she presented as the Master Plan goes forward relating to the Cedar Street corridor, residential property, and banning aggressive canine breeds from the community.

ADMINISTRATOR'S REPORT

Haywood gave a brief update regarding the progress of the sign ordinance currently being reviewed.

Tornholm informed the Commission regarding the Tri-County Regional Planning Commission meeting that she and Administrator Colburn attended.

PEOPLE FROM THE FLOOR

None.

ADJOURNMENT

Being there was no further business, the meeting adjourned at 7:33 p.m.

Martin A. Colburn, City Clerk

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF NOVEMBER 14, 2006**

Tornholm called the meeting to order at 6:34 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Armstrong, Boyic, Coady, Hunt, Waltz
Absent: Commissioner: Lutz, Reeser, Tornholm
Also present: Martin Colburn, City Administrator
David Haywood, Planning/Zoning Director
Deborah Cwierniewicz, Deputy Clerk

APPROVAL OF MINUTES – October 10, 2006

The regular meeting Minutes of October 10, 2006 were approved as submitted.

PEOPLE FROM THE FLOOR

None.

PUBLIC HEARING

None.

REGULAR BUSINESS

Dan Otto – Mason Jewett Field – Airport Master Plan & Construction Presentation

Dan Otto, A.A.E., Director of Planning & Development, of the Airport Authority in Lansing, the owner and operator of the Mason Jewett Field. Mr. Otto introduced Connie Steward, the on-site Supervisor at the Mason Jewett Airport. He gave a brief presentation regarding the Mason Jewett Field Master Plan and future plans and projects.

Resolution No. 2006-13 – A Resolution Approving a Final Site Plan to Allow Gestamp UJS HardTech to Construct a 264,470 Square Foot Building Expansion to the Existing Manufacturing Facility Located at 200 E. Kipp Road

Resolution No. 2006-13 was introduced by Coady and seconded by Boyic. Craig Jansen briefly spoke regarding the time line for the proposed railroad spur split.

Motion by Coady, second by Armstrong,
To amend Resolution No. 2006-13 by adding #4 on page 2, by inserting a condition that the applicant will submit a statement indicating fire hydrant specifications to the satisfaction of the Fire Chief

MOTION APPROVED UNANIMOUSLY

**CITY OF MASON
PLANNING COMMISSION RESOLUTION NO. 2006-13
A RESOLUTION APPROVING A FINAL SITE PLAN TO ALLOW GESTAMP US
HARDTECH TO CONSTRUCT A 264,470 SQUARE FOOT BUILDING EXPANSION
TO THE EXISTING MANUFACTURING FACILITY LOCATED AT 200 E. KIPP ROAD
November 14, 2006**

WHEREAS, a request has been received from Gestamp US HardTech for preliminary site plan approval to be allowed to construct a 264,470 square foot building addition to the existing manufacturing facility at 200 E. Kipp Road, said property having parcel number 33-19-10-16-100-024.

WHEREAS, the subject property is further described as:

PART OF THE NW ¼ OF SECTION 16, T.2N., R.1W., VEVAY TWP., INGHAM COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 16; ALONG THE NORTH SECTION LINE IN KIPP ROAD (100 FEET ROW), THENCE S 89°45'58" E, 1033.64 FT TO THE WESTERLY LINE OF THE CONRAIL RAILROAD ROW, THENCE S24°17'28"E, 1459.66 FT. TO A POINT OF CURVATURE; THENCE CONTINUING SOUTHEASTERLY ALONG THE ARC OF A CURVE TO THE RIGHT 408.57 FT (RADIUS=2861.25 FT., DELTA=8°10'53", CHORD BEARING S20°12'01"E, 408.22 FT) THENCE N89°43'34"W, 820.40 FT; THENCE S00°06'19"W, 31.32 FT; THENCE N89°43'34"W, 197.00 FT; THENCE S00°06'19"W, 386.00 FT; THENCE ALONG THE NORTH RIGHT OF WAY LINE OF TRILLIUM CT. (66 FT ROW) N89°53'41"W, 754.03 FT TO THE WEST SECTION LINE IN HULL ROAD, (100 FT ROW) THENCE ALONG SAID SECTION LINE N00°04'38"W, 2128.84 FT TO THE NW SECTION CORNER AND P.O.B. SAID PARCEL CONTAINS 63.00 ACRES OF LAND, THE NORTH AND WEST 50 FT IS SUBJECT TO ROAD RIGHT OF WAY (-3.5855 ACRES)

PARCEL B

PART OF THE NW ¼ OF SECTION 16, T.2N., R.1W., VEVAY TWP., INGHAM COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 16; ALONG THE NORTH SECTION LINE IN KIPP ROAD (100 FEET ROW), THENCE S 89°45'58" E, 1033.64 FT TO THE WESTERLY LINE OF THE CONRAIL RAILROAD ROW, THENCE S24°17'28"E, 1459.66 FT. TO A POINT OF CURVATURE; THENCE CONTINUING SOUTHEASTERLY ALONG THE ARC OF A CURVE TO THE RIGHT 408.57 FT (RADIUS=2861.25 FT., DELTA=8°10'53", CHORD BEARING S20°12'01"E, 408.22 FT) TO THE POB. THENCE CONTINUING ALONG THE WESTERLY LINE OF THE CONRAIL ROW ALONG THE ARC OF A CURVE TO THE RIGHT 281.39 FT (RADIUS=2861.25 FT., DELTA=5°38'05", CHORD BEARING S13°17'32"E 281.28 FT); THENCE ALONG A CURVE TO THE LEFT 468.82 FT (RADIUS=429.28 FT., DELTA=62°34'21", CHORD BEARING N51°54'02"W 286.20 FT TO THE POB. SAID PARCEL CONTAINS 0.481 ACRES OF LAND.

WHEREAS, upon compliance with the conditions of approval, the plans will comply with the site plan review standards listed in Sections 94-226 and 227 of Chapter 94, Zoning, of the Mason Code.

WHEREAS, approval is granted subject to the following conditions:

- 1) That the applicant submit supporting documentation describing the utility easements shown on site prior to the issuance of a building permit, and
- 2) That a drainage facilities maintenance agreement be executed prior to the issuance of an occupancy permit, and
- 3) That any alterations to the site plan created from the final Norfolk railroad design shall be reviewed by the Planning Department.
- 4) That the applicant will submit a statement indicating fire hydrant specifications to the satisfaction of the Fire Chief.

NOW THEREFORE BE IT RESOLVED, that the City of Mason Planning Commission does hereby approve the final site plan review to allow the construction of a 264,470 square foot building addition to the existing manufacturing facility located 200 E. Kipp Road based on the plans dated and received by the Planning Department on November 14, 2006.

Yes (5) Armstrong, Boyic, Coady, Hunt, Waltz

No (0)

Absent (3) Lutz, Reeser, Tornholm

RESOLUTION APPROVED UNANIMOUSLY

State & National Historic Resource List

Haywood spoke briefly regarding the list he compiled of the State and National registered historic resources with in the City of Mason.

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

Coady informed the Commission regarding City Council business.

ADMINISTRATOR'S REPORT

Colburn informed the Commission regarding city business.

PEOPLE FROM THE FLOOR

None.

ADJOURNMENT

Being there was no further business, the meeting adjourned at 7:27 p.m.

Martin A. Colburn, City Clerk

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF OCTOBER 10, 2006**

Tornholm called the meeting to order at 6:30 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Armstrong, Coady, Hunt, Reeser, Tornholm, Waltz
Absent: Commissioner: Boyic, Burns Lutz
Also present: David Haywood, Planning/Zoning Director
Deborah Cwierniewicz, Deputy Clerk

APPROVAL OF MINUTES – September 6, 2006

The regular meeting Minutes of September 6, 2006 were approved as submitted.

PEOPLE FROM THE FLOOR

None.

PUBLIC HEARING

Recommendation that City Council approve Ordinance No. 157 to Amend the Code of the City of Mason by amending Chapters 1-Definitions, 50-Planning, and 94-Zoning, to conform the Mason Zoning Ordinance to the requirement of the Michigan Zoning Enabling Act, 2005 PA 110

Tornholm opened the public hearing at 6:37 p.m. and closed it at 6:38 p.m.

REGULAR BUSINESS

Resolution No. 2006-12 – A Resolution Approving Preliminary Site Plan To Allow Gestamp US Hard Tech To Construct A 264,470 Square Foot Building Expansion To The Existing Manufacturing Facility Located At 200 E. Kipp Road

Resolution No. 2006-12 was introduced by Whipple and seconded by Coady.

RESOLUTION APPROVED

Resolution No. 2006-10 – A Resolution Approving the 2006-2011 Capital Improvement Plan

Haywood spoke regarding the 2006-2011 Capital Improvement Plan, specifically cemetery streets and issues relating to the future municipal complex. Discussion ensued regarding the proposed design for the remainder of the cemetery versus the value of a park-like cemetery with winding streets. Resolution No. 2006-07 was introduced by Coady and seconded by Reeser.

MOTION by Coady, second by Reeser,
to defer Resolution No. 2006-10 until the next meeting to allow staff to investigate
the issues outlined by the Commission.

MOTION APPROVED UNANIMOUSLY

Update – Resolution No. 2006-09 – Michigan Zoning Enabling Act

Haywood informed the Commission that the required public notice did not appear in the local paper. In error, the local newspaper reprinted the previous week's notices in the legal section. The option to publish in the Lansing State Journal was explored; however, the 15 day publication requirement had passed. A public hearing will be held at the October meeting regarding the Michigan Zoning Enabling Act.

Discussion – Possible Amendment to Section 143(b)(12), Uses permitted by right, C-3: Local Commercial District, to restrict the Sale of Alcohol

Haywood informed the Commission that the City Council has asked them to consider whether alcohol sales should be regulated in the C-3 Local Commercial zoning district. Haywood found that neighboring communities do not address alcohol in their zoning ordinance, other than mentioning that sales would comply with the Michigan Liquor Control Act. He pointed out that the Zoning Ordinance Review Committee discussed this issue and there was a consensus among the committee that a change was not necessary. Coady added that the request referred to off-premise alcohol sales. Further discussion was held. It was the consensus of the Commission that State laws adequately regulate alcohol sales.

MOTION by Reeser, second by Waltz,
to not make an amendment to the C-3 Zoning Ordinances and trust the Michigan Liquor Control laws to take effect in this situation.
MOTION APPROVED UNANIMOUSLY

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

Coady informed the Commission regarding City Council business.

ADMINISTRATOR'S REPORT

Haywood informed the Commission regarding city business.

PEOPLE FROM THE FLOOR

None.

ADJOURNMENT

Being there was no further business, the meeting adjourned at 8:00 p.m.

Martin A. Colburn, City Clerk

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF SEPTEMBER 12, 2006**

Tornholm called the meeting to order at 6:39 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Coady, Hunt, Lutz, Reeser, Tornholm, Waltz
Absent: Commissioner: Armstrong, Boyic, Burns
Also present: David Haywood, Planning/Zoning Director
Deborah Cwierniewicz, Deputy Clerk

APPROVAL OF MINUTES – August 15, 2006

The regular meeting Minutes of August 15, 2006 were approved as submitted.

PEOPLE FROM THE FLOOR

None.

PUBLIC HEARING

None.

REGULAR BUSINESS

Resolution No. 2006-11 - A Resolution Approving a Preliminary and Final Site Plan to Allow KGDS Properties to Construct a 9,918 Square Foot Medical/Dental Office Building and Related Site Improvements on Property Located on the East Side of South Cedar Street Approximately 400 Feet North of Kipp Road

Haywood gave a brief description regarding his review of the submitted site plan proposing to construct a medical and dental office building on property located east of Cedar Street and north of Kipp Road. David VanderKlok of Studio Intrigue Architects spoke regarding the proposed construction on behalf of KGDS Properties, Inc. Resolution No. 2006-11 was introduced by Coady and seconded by Waltz

**CITY OF MASON
PLANNING COMMISSION RESOLUTION NO. 2006-11
A RESOLUTION APPROVING A PRELIMINARY AND FINAL SITE PLAN TO ALLOW KGDS
PROPERTIES TO CONSTRUCT A 9,918 SQUARE FOOT MEDICAL/DENTAL OFFICE
BUILDING AND RELATED SITE IMPROVEMENTS ON PROPERTY LOCATED ON THE EAST
SIDE OF SOUTH CEDAR STREET APPROXIMATELY 400 FEET NORTH OF KIPP ROAD**

September 12, 2006

WHEREAS, a request has been received from KGDS Properties, Inc. for preliminary and final site plan approval to be allowed to construct a 9,918 square foot medical/dental office building on the northerly portion of property having parcel number 33-19-10-08-476-036; and,

WHEREAS, the subject property is further described as:

Parcel 1A – A part of the Southeast ¼ of the Southeast ¼ of Section 8, T2N, R1W, City of Mason, Ingham County, Michigan, described as beginning at a point N00°04'31"E 566.70 feet along the East Section line, and N89°55'35"W 195.00 feet parallel with the South line of said Section 8; thence continuing N89°55'35"W 257.80 feet parallel with the South Section line; thence S60°55'47"W 75.00 feet to the Easterly Right of Way line of Cedar Street; thence along said Easterly Right of Way line Northwesterly 278.36 feet along the arc of a 358.70 foot radius curve to the left whose chord bears N42°55'17"W 271.43 feet and whose delta angle is 44°27'47"; thence S89°55'35"E 508.40 feet parallel with said South Section line; thence S00°04'31"W 162.00 feet parallel with said East Section line; thence S89°55'35"E 195.00 feet parallel with said South Section

line to a point on said East Section line to the point of beginning, containing 1.54 acres of land more or less, and subject to any easements or rights of way of record; and,

WHEREAS, upon compliance with the conditions of approval, the plans will comply with the preliminary and final site plan review standards listed in Sections 94-226(c) and 94-227 of Chapter 94, Zoning, of the Mason Code; and,

WHEREAS, approval is granted subject to the following conditions:

- 1) That draft text for the three easements shown on the site plan be submitted to the satisfaction of the City attorney prior to the issuance of an occupancy permit.
- 2) That the applicant submit a revised landscape plan showing 10 trees and 28 shrubs along the west property line berms where all landscaping is placed on top of or on the street side of the proposed berms.
- 3) That a revised site plan be submitted showing three (3) parking spaces having pervious surfaces prior to the issuance of a building permit. The applicant does reserve the right to eliminate the mentioned three (3) spaces from the site plan.
- 4) That future signage comply with the regulations for signs listed in Chapter 58.
- 5) That the applicant submit a revised site plan showing the redesign of the water and fire suppression supply lines meeting the expectations of the City Engineer as indicated in the diagram dated September 5, 2006, prior to the issuance of a building permit.
- 6) That the applicant provide a copy of a soil erosion and sedimentation permit for the proposed project issued by the Ingham County Drain Commissioner prior to the issuance of a building permit.
- 7) That a drainage facilities maintenance agreement be executed prior to the issuance of an occupancy permit.
- 8) That a revised grading plan be submitted showing, at a minimum, all berms to have a slope ratio not exceeding 1:3 with living groundcover and a small ditch where adjacent to property lines, including the areas adjacent to the proposed building, so as to direct storm water away from adjacent properties. Receipt of the revised grading plan is recommended prior to the issuance of a building permit.

NOW THEREFORE BE IT RESOLVED, that the City of Mason Planning Commission does hereby approve the preliminary and final site plan review to allow the construction of a medical/dental office building located on South Cedar Street based on the plans dated August 15, 2006, and received by the Planning Department on August 15, 2006.

Yes (6) Coady, Hunt, Lutz, Reeser, Tornholm, Waltz
No (0)
Absent (3) Armstrong, Boyic, Burns,

CLERK'S CERTIFICATION: I hereby certify that the foregoing is a true and accurate copy of a resolution adopted by the City Council at its regular meeting held Tuesday, September 12, 2006, the original of which is part of the Planning Commission minutes.

Martin A. Colburn, Clerk
City of Mason
Ingham County, Michigan

RESOLUTION APPROVED

Resolution No. 2006-10 – A Resolution Approving the 2006-2011 Capital Improvement Plan

Haywood spoke regarding the 2006-2011 Capital Improvement Plan, specifically cemetery streets and issues relating to the future municipal complex. Discussion ensued regarding the proposed design for the remainder of the cemetery versus the value of a park-like cemetery with winding streets. Resolution No. 2006-07 was introduced by Coady and seconded by Reeser.

MOTION by Coady, second by Reeser,
to defer Resolution No. 2006-10 until the next meeting to allow staff to investigate
the issues outlined by the Commission.
MOTION APPROVED UNANIMOUSLY

Update – Resolution No. 2006-09 – Michigan Zoning Enabling Act

Haywood informed the Commission that the required public notice did not appear in the local paper. In error, the local newspaper reprinted the previous week’s notices in the legal section. The option to publish in the Lansing State Journal was explored; however, the 15 day publication requirement had passed. A public hearing will be held at the October meeting regarding the Michigan Zoning Enabling Act.

Discussion – Possible Amendment to Section 143(b)(12), Uses permitted by right, C-3: Local Commercial District, to restrict the Sale of Alcohol

Haywood informed the Commission that the City Council has asked them to consider whether alcohol sales should be regulated in the C-3 Local Commercial zoning district. Haywood found that neighboring communities do not address alcohol in their zoning ordinance, other than mentioning that sales would comply with the Michigan Liquor Control Act. He pointed out that the Zoning Ordinance Review Committee discussed this issue and there was a consensus among the committee that a change was not necessary. Coady added that the request referred to off-premise alcohol sales. Further discussion was held. It was the consensus of the Commission that State laws adequately regulate alcohol sales.

MOTION by Reeser, second by Waltz,
to not make an amendment to the C–3 Zoning Ordinances and trust the Michigan Liquor
Control laws to take effect in this situation.

MOTION APPROVED UNANIMOUSLY

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

Coady informed the Commission regarding City Council business.

ADMINISTRATOR’S REPORT

Haywood informed the Commission regarding city business.

PEOPLE FROM THE FLOOR

None.

ADJOURNMENT

Being there was no further business, the meeting adjourned at 8:00 p.m.

Martin A. Colburn, City Clerk

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF AUGUST 15, 2006**

Tornholm called the meeting to order at 6:30 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Boyic, Burns, *Coady, Hunt, Lutz, Reeser, Tornholm, *Waltz
Absent: Commissioner: Armstrong
Also present: David Haywood, Planning/Zoning Director
Deborah Cwierniewicz, Deputy Clerk

*Mike Waltz arrived at 6:31 p.m.

APPROVAL OF MINUTES – July 11, 2006

The regular meeting Minutes of July 11, 2006 were approved as corrected.

*Christine Coady arrived at 6:32 p.m.

PEOPLE FROM THE FLOOR

None.

PUBLIC HEARING

None.

REGULAR BUSINESS

Resolution No. 2006-08 - A Resolution Recommending That The Planning Commission Recommend That The City Council Approve Ordinance 156 To Amend The C-1: Central Business District, C-2: General Commercial And C-3: Local Commercial Zoning Districts To Include Community Commercial Centers, Public Assembly Buildings, Indoor Theaters, And Auditoriums; To Limit All Uses In The C-3: Local Commercial District To 20,000 Square Feet; And To Amend The C-3: Local Commercial District To Allow Outdoor Display As A Special Use.

Haywood gave a brief history regarding the proposed amendment to C-3: Local Commercial Zoning District. Resolution No. 2006-08 was postponed to this meeting from the July 11, 2006. Resolution No. 2006-08 was introduced by Coady and seconded by Waltz. Haywood informed the Commission that a public hearing was noticed and intended to be held regarding Ordinance No. 156.

MOTION by Coady, second by Reeser,
to amend the agenda by adding a public hearing regarding proposed Ordinance No. 156.
MOTION APPROVED UNANIMOUSLY

Tornholm opened the public hearing at 6:49 p.m. Being there were no comments, the public hearing was closed at 6:50p.m.

Discussion was held regarding appropriate business hours for outdoor sales and service.

MOTION by Coady, second by Boyic,
To amend Ordinance No. 156 by striking 6 p.m. and inserting 8 p.m. in Section 94-192 (10)(b).
Yes (5) Burns, Coady, Lutz, Reeser, Tornholm
No (3) Boyic, Hunt, Waltz
Absent (1) Armstrong
MOTION APPROVED

MOTION by Coady, second by Reeser,
To amend Ordinance No. 156 by striking the language in Section 94-192 (10)(b), and inserting, Outdoor retail sales and service hours shall not exceed 8:00 a.m. to 8:00 p.m. Monday through Saturday and 10:00 a.m. to 4:00 p.m. Sunday.
MOTION APPROVED UNANIMOUSLY

**CITY OF MASON
PLANNING COMMISSION RESOLUTION NO. 2006-08**

A RESOLUTION RECOMMENDING THAT THE PLANNING COMMISSION RECOMMEND THAT THE CITY COUNCIL APPROVE ORDINANCE 156 TO AMEND THE C-1: CENTRAL BUSINESS DISTRICT, C-2: GENERAL COMMERCIAL AND C-3: LOCAL COMMERCIAL ZONING DISTRICTS TO INCLUDE COMMUNITY COMMERCIAL CENTERS, PUBLIC ASSEMBLY BUILDINGS, INDOOR THEATERS, AND AUDITORIUMS; TO LIMIT ALL USES IN THE C-3: LOCAL COMMERCIAL DISTRICT TO 20,000 SQUARE FEET; AND TO AMEND THE C-3: LOCAL COMMERCIAL DISTRICT TO ALLOW OUTDOOR DISPLAY AS A SPECIAL USE.

August 15, 2006

WHEREAS, the City of Mason Planning Commission, by request of the City Council, has reviewed the appropriateness of community commercial centers and public assembly buildings, theaters and auditorium uses in the commercial zoning districts and possible limitations to such uses; and

WHEREAS, the City of Mason Planning Commission has found that the attached Ordinance 156 amending Chapters 1 and 94 of the Mason Code is compatible with the Planning Issues, Goals and Objectives and Future Land Use Strategy components of the Master Plan; and

WHEREAS, the Planning Commission did properly notice and conduct a public hearing on the proposed amendments at its regular meeting held June 13, 2006; and

NOW THEREFORE BE IT RESOLVED that the City of Mason Planning Commission does hereby recommend that the Mason City Council approve Ordinance No. 156, dated July 25, 2006, hereto attached.

BE IT FURTHER RESOLVED that the City of Mason Planning Commission shall forward a true, accurate and complete copy of said code amendments to the Mason City Council for approval.

Yes (8) Boyic, Burns, Coady, Hunt, Lutz, Reeser, Tornholm, Waltz
No (0)
Absent (1) Armstrong

CLERK'S CERTIFICATION: I hereby certify that the foregoing is a true and accurate copy of a resolution adopted by the Planning Commission at its regular meeting held Tuesday, August 15, 2006, the original of which is part of the Planning Commission minutes.

Martin A. Colburn, Clerk
City of Mason
Ingham County, Michigan

RESOLUTION APPROVED UNANIMOUSLY

Resolution No. 2006-07 – A Resolution Recommending That the City Council Approve Ordinance No. to Rezone 8.8 Acres Located on the West Side of Temple Street South of Ash Street (M-36) North of Kipp Road from C-2 General Commercial to C-3 Local Commercial

Resolution No. 2006-07 was introduced by Coady and seconded by Waltz.

**CITY OF MASON
PLANNING COMMISSION RESOLUTION NO. 2006-07**

A RESOLUTION RECOMMENDING THAT THE CITY COUNCIL APPROVE ORDINANCE NO. 155 TO REZONE 8.08 ACRES LOCATED ON THE WEST SIDE OF TEMPLE STREET SOUTH OF ASH STREET (M-36) NORTH OF KIPP ROAD FROM C-2 GENERAL COMMERCIAL TO C-3 LOCAL COMMERCIAL.

August 15, 2006

WHEREAS, a request has been filed by the City of Mason to rezone a portion of parcel 33-19-10-09-400-004 consisting of 8.08 acres of land located on the west side of Temple Street south of Ash Street (M-36) north of Kipp Road from C-2 General Commercial to C-3 Local Commercial; and

WHEREAS, the subject property is further described as:

A part of the East ½ of Section 9, T2N, R1W, City of Mason, Ingham County, Michigan, described as beginning on the East-West ¼ line of said Section 9 at a point N89°41'01"W 491.01 feet from the East ¼ Corner of said Section 9, said point also being on the West right-of-way line of Temple Street; thence along said right-of-way line S00°03'13"E 490.38 feet; thence N45°01'22"W 283.00 feet; thence N89°59'30"W 360.71 feet; thence N00°03'18"W 606.45 feet; thence S87°30'09"E 9.81 feet; thence Northeasterly 126.05 feet along the arc of a 118.00 foot radius curve to the left whose chord bears N61°53'43"E 120.14 feet; thence N31°17'34"E 55.64 feet to the Southerly and Westerly right-of-way line of Temple Street; thence along said right-of-way line the following three courses: S58°42'26"E 365.14 feet; thence Southeasterly 222.14 feet along the arc of a 217.00 foot radius curve to the right whose chord bears S29°22'50"E 212.57 feet; thence S00°03'13"E 44.99 feet to the point of beginning containing 8.08 acres of land, more or less, and subject to any easements or rights-of-way of record.

WHEREAS, the requested rezoning is more "complimentary" to the residential uses in the surrounding neighborhood than those uses allowed in the C-2 General Commercial zoning district, consistent with the County Fairgrounds East Buffer Area component of the Mixed-Use Future Land Use Strategy of the Master Plan; and

WHEREAS, the requested rezoning is consistent with the Growth Management and Commercial Development Goals of the Master Plan.

WHEREAS, the site is adequately served with the necessary public facilities, including public water and sanitary sewer.

NOW THEREFORE BE IT RESOLVED, that the City of Mason Planning Commission does hereby recommend that the City Council approve Ordinance No. 155, hereto attached, to rezone 8.08 acres of land located on west side of Temple Street south of Ash Street (M-36) north of Kipp Road from C-2 General Commercial to C-3 Local Commercial.

Yes (8) Boyic, Burns, Coady, Hunt, Lutz, Reeser, Tornholm, Waltz
No (0)
Absent (1) Armstrong

CLERK'S CERTIFICATION: I hereby certify that the foregoing is a true and accurate copy of a resolution adopted by the Planning Commission at its regular meeting held Tuesday, August 15, 2006, the original of which is part of the Planning Commission minutes.

Martin A. Colburn, Clerk
City of Mason
Ingham County, Michigan

RESOLUTION APPROVED UNANIMOUSLY

Discussion – Michigan Zoning Enabling Act – To discuss a draft copy of an amendment to the Mason City Code that would amend Chapters 1-Definitions, 50-Planning, and 94-Zoning to conform the Mason Zoning Ordinance to the requirements of the Michigan Zoning Enabling Act, 2006 PA 110.

Haywood informed the Commission regarding the Michigan Zoning Enabling Act, 2006 PA 110 that became effective July 1, 2006. The Act achieved consistency for all jurisdictions by consolidating the city/village, county, and township Acts. Discussion was held regarding the draft ordinance prepared by the city attorney.

Discussion – Capital Improvement Plan (CIP)

Haywood informed the Commission regarding the draft 2006-2011 Capital Improvement Plan for the city. Comments and suggestions were discussed.

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

Coady informed the Commission regarding City Council business.

ADMINISTRATOR'S REPORT

Haywood informed the Commission regarding City business.

PEOPLE FROM THE FLOOR

None.

ADJOURNMENT

Being there was no further business, the meeting adjourned at 8:00 p.m.

Martin A. Colburn, City Clerk

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF JULY 11, 2006**

Tornholm called the meeting to order at 6:30 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: *Armstrong, Boyic, Coady, Hunt, Lutz, Reeser, Tornholm, *Waltz
Absent: Commissioner: Burns
Also present: Martin Colburn, City Administrator
David Haywood, Planning/Zoning Director
Deborah Cwiertniewicz, Deputy Clerk

*Jennifer Armstrong arrived at 6:32 p.m. Discussion was held to defer Resolution No. 2006-07 to the meeting in August. It will be addressed under that business item.

APPROVAL OF MINUTES – June 13, 2006

The regular meeting Minutes of June 13, 2006 were approved as submitted.

PEOPLE FROM THE FLOOR

None.

PUBLIC HEARING

None.

*Mike Waltz arrived at 6:35 p.m.

REGULAR BUSINESS

Discussion – to amend the C-1 Central Business, C-2 General Commercial and C-3 Local Commercial zoning districts to include community commercial centers, public assembly buildings, indoor theaters, and auditoriums; to limit all uses in the district to 20,000 square feet; and to amend the C-3 Local Commercial zoning district to include community commercial centers.

Haywood gave a brief overview of uses proposed for inclusion in proposed Ordinance No. 156. A lengthy discussion ensued.

The meeting recessed briefly at 7:14 p.m. and reconvened at 7:20 p.m. Discussion followed regarding the proposed inclusion of community commercial centers for C-3 Local Commercial zoning districts, including matters regarding set backs, special use permits, outdoor sales and service,.

Edward Taylor of 42 Harrogate stated that he owned the Tack Store. He is interested in moving his business to this site; he feels that outdoor sales are very important to his business.

Dennis Anderson, Jewett Trust Representative, stated that he felt that C-3 zoning should allow outdoor retail display. They ~~initiated~~ *were in favor of* the rezoning because of a particular buyer that is interested in occupying a site soon. It was the consensus of the Commission to include outdoor sales and service in C-3

Resolution No. 2006-07 – A resolution recommending that the City Council approve Ordinance No. 155 to rezone 8.08 acres located on the west side of Temple Street south of Ash Street (M-36) north of Kipp Road from C-2 General Commercial to C-3 Local Commercial

MOTION by Coady, second by Boyic,
To continue to defer Resolution No. 2006-07 to August regular meeting.
MOTION APPROVED UNANIMOUSLY

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

Coady informed the Planning Commission regarding City Council business.

ADMINISTRATOR'S REPORT

Colburn informed the Planning Commission regarding City business.

PEOPLE FROM THE FLOOR

None.

ADJOURNMENT

Being there was no further business, the meeting adjourned at 8:20 p.m.

Martin A. Colburn, City Clerk

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF JUNE 13, 2006**

Colburn called the meeting to order at 6:30 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Armstrong, Boyic, Burns, Coady, Hunt, Lutz, Resser
Absent: Commissioners: Tornholm, Waltz
Also present: Martin Colburn, City Administrator
David Haywood, Planning & Development Director
Deborah Cwierniewicz, Deputy Clerk

Being that both the Chair and Vice Chair were absent, Colburn opened the floor for nominations for chairperson pro tem.

Boyc nominated Christine Coady for Chair pro tem.
CHRISTINE COADY ELECTED CHAIR PRO TEM

APPROVAL OF MINUTES – May 9, 2006

The regular meeting Minutes of May 9, 2006 were approved as submitted.

PEOPLE FROM THE FLOOR

None.

PUBLIC HEARING

None.

REGULAR BUSINESS

Rezoning Application

Haywood stated that he made revisions to the rezoning application making it more informative for the applicant as well as staff. In accordance with Mason Codes, the Planning Commission is required to adopt a rezoning application. If adopted, Mr. Haywood would like to make the format a standard for all Planning Department forms.

MOTION by Reeser, second by Burns,
to approve the revised Rezoning Application dated March 29, 2006.
MOTION APPROVED UNANIMOUSLY

Michigan Zoning Enabling Act (2006 PA 110)

Discussion was held regarding the Michigan Zoning Enabling Act (2006 PA 110), recently signed by the Governor which takes effect July 1, 2006. It is necessary to make City Codes consistent with the new law. This item was informational only.

Zoning Ordinance & C-3 Local Commercial Zoning District – Community Commercial Centers

Haywood informed the Commission that City Council approved the Zoning Ordinance. It has been published and is in effect. With approval of the Zoning Ordinance, the City Council recommended that the Commission review the C-3 Local Commercial Zoning District with the possibility to include Community Commercial Centers as a special use, and the condition that the use will not exceed 20,000 square feet and further limiting any use in that zone to 20,000 square feet. Discussion ensued.

Dennis Anderson of 1926 W. Dansville Road stated that he represents the Jewett Trust. Last month the Commission recommended rezoning for more than 8 vacant acres owned by the Trust on Temple Street to C-2. The Council made it clear that C-3 zoning for the property would be a more appropriate land use. He continued to explain further reasons supporting C-3 zoning for this location.

Robert Shafer of 2931 Hagadorn stated that he owned and operated the Twin Cinemas. He would like to have a theater again and he would like to locate it on the Temple Street site.

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

Coady informed the Planning Commission regarding City Council business.

ADMINISTRATOR'S REPORT

Colburn informed the Planning Commission regarding City Council business.

PEOPLE FROM THE FLOOR

None.

ADJOURNMENT

Being there was no further business, the meeting adjourned at 7:03 p.m.

Martin A. Colburn, City Clerk

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF MAY 9, 2006**

Colburn called the meeting to order at 6:30 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan

Present: Commissioners: Armstrong, Boyic, Burns, Coady, Hunt, Lutz, Resser
Absent: Commissioners: Tornholm, Waltz
Also present: Martin Colburn, City Administrator
David Haywood, Planning & Development Director
Deborah Cwierniewicz, Deputy Clerk

Being that both the Chair and Vice Chair were absent, Colburn opened the floor for nominations for chairperson pro tem.

Boyc nominated Christine Coady for Chair pro tem.
CHRISTINE COADY ELECTED CHAIR PRO TEM

APPROVAL OF MINUTES - April 11, 2006

The regular meeting Minutes of April 11, 2006 were approved as submitted.

PEOPLE FROM THE FLOOR

None.

PUBLIC HEARING

None.

REGULAR BUSINESS

Rezoning Application

Haywood stated that he made revisions to the rezoning application making it more informative for the applicant as well as staff. In accordance with Mason Codes, the Planning Commission is required to adopt a rezoning application. If adopted, Mr. Haywood would like to make the format a standard for all Planning Department forms.

MOTION by Reeser, second by Burns,
to approve the revised Rezoning Application dated March 29, 2006.
MOTION APPROVED UNANIMOUSLY

Michigan Zoning Enabling Act (2006 PA 110)

Discussion was held regarding the Michigan Zoning Enabling Act (2006 PA 110), recently signed by the Governor which takes effect July 1, 2006. It is necessary to make City Codes consistent with the new law. This item was informational only.

Zoning Ordinance & C-3 Local Commercial Zoning District- Community Commercial Centers

Haywood informed the Commission that City Council approved the Zoning Ordinance. It has been published and is in effect. With approval of the Zoning Ordinance, the City Council recommended that the Commission review the C-3 Local Commercial Zoning District with the possibility to include Community Commercial Centers as a special use, and the condition that the use will not exceed 20,000 square feet and further limiting any use in that zone to 20,000 square feet. Discussion ensued.

Dennis Anderson of 1926 W. Dansville Road stated that he represents the Jewett Trust. Last month the Commission recommended rezoning for more than 8 vacant acres owned by the Trust on Temple Street to C-2. The Council made it clear that C-3 zoning for the property would be a more appropriate land use. He continued to explain further reasons supporting C3 zoning for this location.

Robert Shafer of 2931 Hagadorn stated that he owned and operated the Twin Cinemas. He would like to have a theater again and he would like to locate it on the Temple Street site.

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

Coady informed the Planning Commission regarding City Council business.

ADMINISTRATOR'S REPORT

Colburn informed the Planning Commission regarding City Council business.

PEOPLE FROM THE FLOOR

None.

ADJOURNMENT

Being there was no further business, the meeting adjourned at 7:03 p.m.

Martin A. Colburn, City Clerk

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF APRIL 11, 2006**

Tornholm called the meeting to order at 6:30 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Armstrong, Boyic, Burns, Coady, Hunt, Lutz, Reeser, Tornholm, Waltz
Also present: Martin Colburn, City Administrator
David Haywood, Planning & Development Director
Deborah Cwierniewicz, Deputy Clerk

APPROVAL OF MINUTES – February 14, 2006 and March 14, 2006

The regular meeting Minutes of February 14, 2006 and March 14, 2006 were approved as submitted.

PEOPLE FROM THE FLOOR

None.

PUBLIC HEARING

Rezoning: Temple Street – 8.08 Acres from AG Single Family Agricultural to C-2 Highway Commercial

Haywood gave a brief introduction of the rezoning request. Tornholm opened the public hearing at 6:34 p.m.

Cindy Hyaduck of 1120 E. Ash stated concern regarding the possible special uses that could be considered in C-2 Highway Commercial zoning, particularly, adult specific business because it is near her home and the Mason Middle School where she teaches. Discussion ensued regarding distance restrictions and the applicant's intended use for the property.

Dennis Anderson of 1926 W. Dansville Road stated that he is the owner of the property requesting the rezoning. He explained that he plans to construct senior housing, of which the first phase has been started with Greenwood Condominiums. He intends to construct rentals and assisted living for seniors. He feels that commercial space is needed to support the residents as well as the fair grounds.

Edward Taylor of 42 Harrogate Drive stated that he operates the Crest View Horse Tack Shop at the Ingham County Fairgrounds. Although the existing building has been expanded, the business has grown beyond the addition are cannot be expanded any further on the current site. They will be moving the business from the Fairgrounds and would like to relocate on the 8.08 acres.

Tornholm closed the public hearing at 6:51 p.m.

Rezoning: Temple Street – 24.05 Acres form AG Single Family Agricultural to M-1 Light Manufacturing

Haywood gave a brief description regarding the request to rezone 24.05 acres from AG Single Family Agricultural to M-1 Light Manufacturing.

Tornholm opened the public hearing at 6:53 p.m.

Dennis Anderson, owner of the property requesting rezoning, stated that the request is in line with the Master Plan.

Tornholm closed the public hearing at 6:59.m.

Rezoning: South Cedar Street – 2.92 Acres from AG to Single Family Agricultural to O-1 Office
Haywood gave a brief description regarding the request to rezone 2.92 acres from AG Single Family Agricultural to O-1 Office.

Tornholm opened the public hearing at 6:55 p.m.

Dick Breveld stated that he is representing the owner of the property requesting rezoning.

Tornholm closed the public hearing at 6:58.m.

Code Amendment: Chapters 1, 74.94 and 100, as they relate to zoning

Haywood gave a brief description regarding the proposed zoning code amendments.

Tornholm opened the public hearing at 7:03 p.m. and closed it at 7:04 p.m. as there were no public comments.

REGULAR BUSINESS

Resolution No. 2006-03 – A resolution recommending that the City Council approve a request to rezone 8.089 acres located on the west side of Temple Street south of Ash Street (M-36) north of Kipp Road from AG Single Family Agricultural to C-2 Highway Commercial

Resolution No. 2006-03 was introduced by Coady and seconded by Burns. A brief discussion ensued .

**CITY OF MASON
PLANNING COMMISSION RESOLUTION NO. 2006-03
A RESOLUTION RECOMMENDING THAT THE CITY COUNCIL APPROVE A
REQUEST TO REZONE 8.08 ACRES LOCATED ON THE WEST SIDE OF
TEMPLE STREET SOUTH OF ASH STREET (M-36) NORTH OF KIPP ROAD
FROM AG SINGLE FAMILY AGRICULTURAL TO C-2 HIGHWAY COMMERCIAL
April 11, 2006**

WHEREAS, a request has been received by Dennis K. Anderson representing Anderson Company of Mason, LLC, the owner of record of parcel 33-19-10-09-400-003, to rezone 8.08 acres of land located on the west side of Temple Street south of Ash Street (M-36) north of Kipp Road from AG Single Family Agricultural to C-2 Highway Commercial; and

WHEREAS, the subject property is further described as:

A part of the East ½ of Section 9, T2N, R1W, City of Mason, Ingham County, Michigan, described as beginning on the East-West ¼ line of said Section 9 at a point N89°41'01"W 491.01 feet from the East ¼ Corner of said Section 9, said point also being on the West right-of-way line of Temple Street; thence along said right-of-way line S00°03'13"E 490.38 feet; thence N45°01'22"W 283.00 feet; thence N89°59'30"W 360.71 feet; thence N00°03'18"W 606.45 feet; thence S87°30'09"E 9.81 feet: thence Northeasterly 126.05 feet along the arc of a 118.00 foot radius curve to the left whose chord bears N61°53'43"E 120.14 feet; thence N31°17'34"E 55.64 feet to the Southerly and Westerly right-of-way line of Temple Street; thence along said right-of-way line the following three courses: S58°42'26"E 365.14 feet; thence Southeasterly 222.14 feet along the arc of a 217.00 foot radius curve to the right whose chord bears S29°22'50"E 212.57 feet; thence S00°03'13"E 44.99 feet to the point of beginning containing 8.08 acres of land, more or less, and subject to any easements or rights-of-way of record.

WHEREAS, the requested rezoning is consistent with the Growth Management and Commercial Development Goals of the Master Plan.

WHEREAS, the requested rezoning is consistent with the Mixed-Use Future Land Use Strategy of the Master Plan.

WHEREAS, the site is adequately served with the necessary public facilities, including public water and sanitary sewer.

NOW THEREFORE BE IT RESOLVED, that the City of Mason Planning Commission does hereby recommend that the City Council approve the request to rezone 8.08 acres of land located on west side of Temple Street south of Ash Street (M-36) north of Kipp Road from AG Single Family Agricultural to C-2 Highway Commercial.

ROLL CALL VOTE: Yes (7) Reeser, Burns, Lutz, Armstrong, Coady, Hunt, Tornholm
No (2) Waltz, Boyic

CLERK'S CERTIFICATION: I hereby certify that the foregoing is a true and accurate copy of a resolution adopted by the Planning Commission at its regular meeting held Tuesday, April 11, 2006, the original of which is part of the Planning Commission minutes.

Martin A. Colburn, Clerk
City of Mason
Ingham County, Michigan

RESOLUTION APPROVED

Resolution No. 2006-04 – A resolution recommending that the City Council approve a request to rezone 14.29 acres located on the northwest corner of the intersection of Temple Street and Kipp Road and 9.76 acres located on the northeast corner of the intersection of Temple Street and Kipp Road from AG Single Family Agricultural to M-1 Light Manufacturing

Resolution No. 2006-04 was introduced by Waltz and seconded by Coady. A brief discussion ensued.

**CITY OF MASON
PLANNING COMMISSION RESOLUTION NO. 2006-04
A RESOLUTION RECOMMENDING THAT THE CITY COUNCIL APPROVE A REQUEST TO REZONE 14.29 ACRES LOCATED ON THE NORTHWEST CORNER OF THE INTERSECTION OF TEMPLE STREET AND KIPP ROAD AND 9.76 ACRES LOCATED ON THE NORTHEAST CORNER OF THE INTERSECTION OF TEMPLE STREET AND KIPP ROAD FROM AG SINGLE FAMILY AGRICULTURAL TO M-1 LIGHT MANUFACTURING
April 11, 2006**

WHEREAS, a request has been received by Dennis K. Anderson representing Anderson Company of Mason, LLC, the owner of record of parcel 33-19-10-09-400-004, to rezone 14.29 acres of land located on the northwest corner of Temple Street and Kipp Road and 9.76 acres located on the northeast corner of Temple Street and Kipp Road from AG Single Family Agricultural to M-1 Light Manufacturing; and

WHEREAS, the subject property is further described as:

Parcel 2:

A part of the Southeast ¼ of Section 9, T2N, R1W, City of Mason, Ingham County, Michigan, described as beginning on the South line of said Section 9, said line also being the North right-of-way line of Kipp Road, at a point N89°59'30"W 491.00 feet from the Southeast Corner of said Section 9; thence continuing along said line N89°59'30"W 560.71 feet; thence N00°03'13"W 1110.00 feet; thence S89°59'30"E 560.71 feet to the Westerly right-of-way line of Temple Street; thence along said line S00°03'13"E 1110.00 feet to the point of beginning containing 14.29 acres of land, more or less, and subject to any easement or rights-of-way of record.

Parcel 4:

A part of the East ½ of Section 9, T2N, R1W, City of Mason, Ingham County, Michigan, described as beginning at a point on the East line of said Section 9, S00°03'13"E 1646.72 feet from the East ¼ Corner of said Section 9; thence continuing along said East line S00°03'13"E 1001.02 feet to the Southeast Corner of said Section 9, said point also being on the North right-of-way line of Kipp Road N89°59'30"W 425.00 feet to the Easterly right-of-way line of Temple

Street; thence along said right-of-way line N00°03'13"W 999.01 feet; thence N89°44'17"E 425.00 feet along the centerline of an 80' wide county drain easement to the point of beginning containing 9.76 acres of land, more or less, and subject to any easements or rights-of-way of record.

WHEREAS, the requested rezoning is consistent with the Growth Management and Industrial Development Goals of the Master Plan.

WHEREAS, the requested rezoning is consistent with the Mixed-Use Future Land Use Strategy of the Master Plan.

WHEREAS, the site is adequately served with the necessary public facilities, including public water and sanitary sewer.

NOW THEREFORE BE IT RESOLVED, that the City of Mason Planning Commission does hereby recommend that the City Council approve the request to rezone 14.29 acres of land located on the northwest corner of Temple Street and Kipp Road and 9.76 acres located on the northeast corner of Temple Street and Kipp Road from AG Single Family Agricultural to M-1 Light Manufacturing.

Yes (9) Reeser, Burns, Lutz, Waltz, Armstrong, Boyic, Coady, Hunt, Tornholm
No (0)

CLERK'S CERTIFICATION: I hereby certify that the foregoing is a true and accurate copy of a resolution adopted by the Planning Commission at its regular meeting held Tuesday, April 11, 2006, the original of which is part of the Planning Commission minutes.

Martin A. Colburn, Clerk
City of Mason
Ingham County, Michigan

RESOLUTION APPROVED UNANIMOUSLY

Resolution No. 2006-05 – A resolution recommending that the City Council approve a request to rezone 2.92 acres located on the east side of Cedar Street approximately 400 feet north of Kipp Road in the southeast 1/4 of Section 8 of the city of Mason

Resolution No. 2006-05 was introduced by Coady and seconded by Burns. A brief discussion ensued.

**CITY OF MASON
PLANNING COMMISSION RESOLUTION NO. 2006-05
A RESOLUTION RECOMMENDING THAT THE CITY COUNCIL APPROVE A REQUEST TO REZONE 2.92 ACRES LOCATED ON THE EAST SIDE OF CEDAR STREET APPROXIMATELY 400 FEET NORTH OF KIPP ROAD IN THE SOUTHEAST 1/4 OF SECTION 8 OF THE CITY OF MASON
April 11, 2006**

WHEREAS, a request has been received by Eleanor J. Hart representing the Eleanor J. & Shirley W. Hart Trust, the owner of record of parcel 33-19-10-08-476-036, to rezone 2.92 acres of land located on the east side of Cedar Street approximately 400 feet north of Kipp Road from AG Single Family Agricultural to O-1 Office; and

WHEREAS, the subject property is further described as:

PARCEL 1 – A part of the Southeast ¼ of the Southeast ¼ of Section 8, T2N, R1W, City of Mason, Ingham County, Michigan, described as beginning at a point on the East Section line N0004'31"E 403.00 feet from the Southeast corner of said Section 8; thence N8955'35"W 495.00 feet parallel with the South Section line of said Section 8 to the Easterly Right of Way line of Cedar Street; thence along said Easterly Right of Way line Northwesterly 408.36 feet along the arc of a 358.70 foot radius curve to the left whose chord bears N3232'20"W 386.66 feet and whose central angle is 6513'42; thence S8955'35"E 508.40 feet parallel with said South Section line; thence S0004'31"W 273.00 feet parallel with said East Section line; thence S8955'35"E 195.00 feet parallel with said South Section line to a point on said East Section line; thence S0004'31"W 52.70 feet along said East Section line to the point of beginning, containing 2.92 acres of land more or less, and subject to any easements or rights of way of record.

WHEREAS, the requested rezoning is consistent with the Residential and Commercial Goals, Growth Management, and Future Land Use Strategy of the Master Plan.

WHEREAS, the site is adequately served with the necessary public facilities, including public water and sanitary sewer.

WHEREAS, the adjustment to the future land use classification boundary is consistent with the adjacent land uses in the vicinity of the site and will not impair the public health, safety and welfare of the citizens of Mason.

NOW THEREFORE BE IT RESOLVED, that the City of Mason Planning Commission does hereby recommend that the City Council approve the request to rezone 2.92 acres of land located on the east side of Cedar Street approximately 400 feet north of Kipp Road from AG Single Family Agricultural to O-1 Office.

Yes (9) Reeser, Burns, Lutz, Waltz, Armstrong, Boyic, Coady, Hunt, Tornholm
No (0)

CLERK'S CERTIFICATION: I hereby certify that the foregoing is a true and accurate copy of a resolution adopted by the Planning Commission at its regular meeting held Tuesday, April 11, 2006, the original of which is part of the Planning Commission minutes.

Martin A. Colburn, Clerk
City of Mason
Ingham County, Michigan

RESOLUTION APPROVED UNANIMOUSLY

Resolution No. 2006-06 – A resolution recommending that the City Council approve amendments to Chapters 1, 74, 94 and 100 of the Mason Code, as they relate to zoning

Resolution No. 2006-06 was introduced by Coady and seconded by Waltz.

**CITY OF MASON
PLANNING COMMISSION RESOLUTION NO. 2006-06
A RESOLUTION RECOMMENDING THAT THE CITY COUNCIL APPROVE AMENDMENTS TO
CHAPTERS 1, 74, 94 AND 100 OF THE MASON CODE AS THEY RELATE TO ZONING
April 11, 2006**

WHEREAS, the City of Mason Planning Commission, recognizing that a revised Master Plan was adopted by the Mason City Council on April 19, 2004, initiated the process to revise and update Chapters 1, 74, 94 and 100 of the Mason Code, as they relate to zoning, in order to better reflect the planning issues, goals and objectives, and future land use strategies of the current Master Plan to protect the health, safety and welfare of its citizens; and

WHEREAS, the City of Mason Planning Commission has prepared revisions to Chapters 1, 74, 94 and 100 of the Mason Code to better execute the planning issues, goals and objective, and future land use strategies of the Master Plan; and

WHEREAS, the Planning Commission did properly notice and conduct a public hearing on the proposed amendments at its regular meeting held April 11, 2006;

NOW THEREFORE BE IT RESOLVED that the City of Mason Planning Commission does hereby recommend that the Mason City Council approve the proposed amendments to Chapters 1, 74, 94 and 100 of the Mason Code, as they relate to zoning, dated February 14, 2006, as revised and hereto attached.

BE IT FURTHER RESOLVED that the City of Mason Planning Commission shall forward a true, accurate and complete copy of said code amendments to the Mason City Council for approval.

Yes (9) Reeser, Burns, Lutz, Waltz, Armstrong, Boyic, Coady, Hunt, Tornholm
No (0)

CLERK'S CERTIFICATION: I hereby certify that the foregoing is a true and accurate copy of a

resolution adopted by the Planning Commission at its regular meeting held Tuesday, April 11, 2006, the original of which is part of the Planning Commission minutes.

Martin A. Colburn, Clerk
City of Mason
Ingham County, Michigan

Resolution Approved Unanimously

UNFINISHED BUSINESS

The Mason Bowling Center asked that their request for a special use permit and preliminary site plan be deferred until further notice.

NEW BUSINESS

None.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

Coady informed Commissioners regarding City Council business.

ADMINISTRATOR'S REPORT

Colburn informed Commissioners regarding City business. Haywood informed Commissioners regarding planning business.

PEOPLE FROM THE FLOOR

None.

ADJOURNMENT

Being there was no further business, the meeting adjourned at 7:48 p.m.

Martin A. Colburn, City Clerk

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF MARCH 14, 2006**

Waltz called the meeting to order at 6:39 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Armstrong, Boyic, Reeser, Waltz
Absent: Commissioners: Burns, Coady, Hunt, Lutz, Tornholm
Also present: Martin Colburn, City Administrator
David Haywood, Planning & Development Director
Deborah Cweirtniewicz, Deputy City Clerk

Being a quorum was not present, the meeting adjourned at 6:40 p.m.

Martin A. Colburn, City Clerk

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF FEBRUARY 14, 2006**

Tornholm called the meeting to order at 6:30 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Armstrong, Boyic, Burns, Coady, Hunt, Lutz, Reeser, Tornholm, Waltz
Also present: Martin Colburn, City Administrator
David Haywood, Planning & Development Director
Martin A. Colburn, City Administrator

APPROVAL OF MINUTES – January 10, 2006 and January 10, 2006

The regular meeting Minutes of January 10, 2006 and the special meeting minutes of January 31, 2006 were approved as submitted.

PEOPLE FROM THE FLOOR

None.

PUBLIC HEARING

None.

REGULAR BUSINESS

None.

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

None.

ADMINISTRATOR'S REPORT

None.

PEOPLE FROM THE FLOOR

None.

ADJOURNMENT

Being there was no further business, the meeting adjourned at 6:42 p.m.

**CITY OF MASON
PLANNING COMMISSION SPECIAL MEETING
MINUTES OF JANUARY 31, 2006**

Tornholm called the meeting to order at 6:30 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Armstrong, Boyic, Burns, Coady, Hunt, Lutz, Resser, Tornholm, Waltz
Also present: David Haywood, Planning & Development Director
Deborah Cwierniewicz, Deputy City Clerk

PEOPLE FROM THE FLOOR

None.

NEW BUSINESS

Resolution No. 2006-02 – A Resolution Approving a Special Use Permit and Final Site Plan for a Community Commercial Center at the Mason Plaza, 558 N. Cedar St.

Resolution No. 2006-02 was introduced by Coady and seconded by Resser.

**CITY OF MASON
PLANNING COMMISSION RESOLUTION NO. 2006-02
A RESOLUTION APPROVING A SPECIAL USE PERMIT AND FINAL SITE PLAN FOR A
COMMUNITY COMMERCIAL CENTER AT THE MASON PLAZA, 558 N. CEDAR STREET
January 31, 2006**

WHEREAS, a request has been received by Brent Titus representing NUCO, L.L.C., the owner of record of parcels 33-10-10-05-401-001 and 33-10-10-05-401-002, for a Special Use Permit and Final Site Plan approval to be allowed to operate a community commercial center at the subject property; and

WHEREAS, the subject property is further described as:

A part of the South 1/2 of Section 5, T2N, R1W, City of Mason, Michigan; described as commencing at the South 1/4 corner of said Section 5; thence N00°04'16"E 1487.83 feet along the North-South 1/4 line to the intersection with the Northeasterly Right-of-Way line of Cedar Street (M - 36) and the point of beginning which is S00°04'16"W 1161.2 feet from the Center of Section 5; thence N48°36'18"W 511.31 feet along the Northeasterly Right-of-Way line of Cedar Street (M-36); thence N41°24'11"E 105.38 feet; thence N47°32'45"W 60.00 feet; thence N41°24'00"E 46.51 feet; thence N89°27'01"E 327.92 feet; thence N00°04'47"E 665.33 feet to the Center of said Section 5; thence N89°56'09"E 268.73 feet along the East-West 1/4 line of said Section 5 to a point on the Westerly Right-of-Way line of Conrail Railroad; thence S18°57'00"E 1096.32 feet along said Westerly Right-of-Way line; thence S71°00'53"W 577.07 feet to a point on said Northeasterly Right-of-Way line of Cedar Street; thence N48°13'54"W 113.64 feet along said Northeasterly Right-of-Way line of Cedar Street to the point of beginning containing 14.27 acres of land, more or less, and subject to any easements or rights of way of record. Commonly known as: 558 N. Cedar Street, Mason, Michigan. Tax Parcel Nos. 33-19-10-05-401-001 and 33-19-10-05-401-002 c.

WHEREAS, the proposed community commercial center has been designed in accordance with the requirements of Section 94-192(5) of the Mason Code.

WHEREAS, upon compliance with the conditions of the Special Use Permit, the plans will comply with the site plan review standards listed in the Chapter 94 Zoning of the Mason Code.

WHEREAS, the standards of the Basis for Determination listed in Section 94-191(f) of the Mason Code have been met.

WHEREAS, a public hearing on the request was noticed and held at the Planning Commission's regular meeting of January 10, 2006, with testimony given and public comment solicited.

WHEREAS, approval is granted subject to the following conditions:

- 1) That the storage of freight vehicles, such as semi tractor-trailers, and freight distribution uses not associated with the community commercial center are prohibited.
- 2) The applicant comply with the regulations listed for signs in Chapter 58 of the Mason Code.
- 3) That the applicant meet the expectations of the Ingham County Drain Commissioner.
- 4) That the applicant meet the expectations of the City of Mason Fire Chief listed in his memorandum of December 29, 2005.
- 5) That the applicant submit an executed drainage facilities maintenance agreement prior to the issuance of a building permit.
- 6) That the applicant submit a surety bond, letter of credit, or cash in the minimum amount of \$9,343.75 to insure the installation of seasonally sensitive site improvements prior to the issuance of a building permit.

WHEREAS, the conditions listed in Resolution 2006-01, not enumerated in this resolution, have been met.

NOW THEREFORE BE IT RESOLVED, that the City of Mason Planning Commission does hereby approve the Special Use Permit and Final Site Plan Review for a community commercial center located at 558 N. Cedar Street based on the plans dated January 20, 2006 and received by the Planning Department on January 24, 2006.

Yes (9) Armstrong, Boyic, Burns, Coady, Hunt, Lutz, Resser, Tornholm, Waltz
No (0)

CLERK'S CERTIFICATION: I hereby certify that the foregoing is a true and accurate copy of a resolution adopted by the Planning Commission at its regular meeting held Tuesday, January 31, 2006, the original of which is part of the Planning Commission minutes.

Martin A. Colburn, Clerk
City of Mason
Ingham County, Michigan

RESOLUTION APPROVED UNANIMOUSLY

PEOPLE FROM THE FLOOR

None.

ADJOURNMENT

Being there was no further business, the meeting adjourned at 6:56 p.m.

Martin A. Colburn, City Clerk

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF JANUARY 10, 2006**

Tornholm called the meeting to order at 6:30 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan. Colburn administered the Oath of Office to Jennifer Armstrong, Tami Boyic, and Rod Hunt.

Present: Commissioners: Armstrong, Boyic, Burns, Coady, Hunt, Lutz, Reeser, Tornholm, Waltz
Also present: Marty Colburn, City Administrator
David Haywood, Zoning and Development Director
Deborah Cwiertniewicz, Deputy City Clerk

ELECTION OF OFFICERS

Colburn opened the floor for nominations for Chairperson and Vice Chairperson.

NOMINATION by Boyic for Barb Tornholm for Chairperson.

ROLL CALL VOTE:

Yes (9)

No (0)

BARB TORNHOLM ELECTED CHARIPERSON

NOMINATION by Reeser for Mike Waltz as Vice Chairperson.

ROLL CALL VOTE:

Yes (9)

No (0)

MIKE WALTZ ELECTED VICE CHARIPERSON

APPROVAL OF MINUTES – December 13, 2005

The Minutes of December 13, 2005 were approved as submitted.

PEOPLE FROM THE FLOOR

Mayor Clark introduced Mayor Pro Tem Coady to the planning Commissioners.

PUBLIC HEARING

Special Use Permit: Mason Plaza, 558 N. Cedar Street

Haywood gave a brief description regarding the Special Use Permit requested for the Mason Plaza located at 558 N. Cedar Street. Brent Titus, on behalf of the applicant, spoke briefly regarding the request.

Tornholm opened the public hearing at 6:44 p.m.

Beverly Smith, owner of Home Town Flooring, stated that she moved into the Mason Plaza and is waiting to be allowed to open her business. Ms. Smith requested that the commission allow the Mason plaza landlord to post a bond until the recommended requirements are met.

Tornholm closed the public hearing at 6:46 p.m.

REGULAR BUSINESS

Resolution No. 2006-01 – Resolution Approving a Special Use Permit and Final Site Plan for a Community Commercial Center at the Mason Plaza, 558 N. Cedar Street

Haywood gave a brief overview of the S.U.P. and recommended conditions that need to be met. Brent

Titus, representative for NUCO, Inc., stated that they would like the opportunity to have their tenant, Home Town Flooring, open as soon as possible and would be agreeable to posting a bond to insure that the outstanding items would be met.

Discussion ensued regarding the conditions noted, as well as ingress/egress, [parking spaces, and a proposal of incomplete items and their surety.

Resolution No. 2006-01 was introduced by Coady and seconded by Burns. Discussion was held regarding simultaneous consideration of preliminary site plan and final site plan.

MOTION by Coady, second by Waltz

To amend Resolution No. 2006-01 by striking the word *final* and insert the word *preliminary* in the three places where it appears.

ROLL CALL VOTE:

Yes (5) Armstrong, Burns, Coady, Lutz, Waltz

No (4) Boyic, Hunt, Reeser, Tornholm

MOTION APPROVED

Additional discussion was held regarding traffic concerns for vehicles pulling out onto Cedar Street

MOTION by Boyic, second by Lutz,

To amend Resolution No. 2006-01 by requiring that a sign be installed at the ingress/egress closest to Lear stating "Right Turn Only" onto Cedar Street.

ROLL CALL VOTE:

Yes (3) Armstrong, Boyic, Tornholm

No (6) Burns, Coady, Lutz, Hunt, Reeser, Waltz

MOTION FAILED

Discussion was held regarding Ms. Smiths request that would allow her to open her business. Coady commented that a special meeting could be scheduled to review a final site plan.

MOTION by Reeser, second by Coady,

To amend Resolution No. 2006-01 by adding that the developer meet with Mr. Haywood to determine the amount of bond to insure completion of those items that are weather related.

MOTION APPROVED UNANIMOUSLY

**CITY OF MASON
PLANNING COMMISSION RESOLUTION NO. 2006-01
A RESOLUTION APPROVING A SPECIAL USE PERMIT
AND PRELIMINARY SITE PLAN FOR A COMMUNITY COMMERCIAL CENTER AT THE MASON
PLAZA, 558 N. CEDAR STREET
January 10, 2006**

WHEREAS, a request has been received by Brent Titus representing NUCO, L.L.C., the owner of record of parcels 33-10-10-05-401-001 and 33-10-10-05-401-002, for a Special Use Permit and PRELIMINARY Site Plan approval to be allowed to operate a community commercial center at the subject property; and

WHEREAS, the subject property is further described as:

A part of the South 1/2 of Section 5, T2N, R1W, City of Mason, Michigan; described as commencing at the South 1/4 corner of said Section 5; thence N00°04'16"E 1487.83 feet along the North-South 1/4 line to the intersection with the Northeasterly Right-of-Way line of Cedar Street (M - 36) and the point of beginning which is S00°04'16"W 1161.2 feet from the Center of Section 5;

thence N48°36'18"W 511.31 feet along the Northeasterly Right-of-Way line of Cedar Street (M-36); thence N41°24'11 "E 105.38 feet; thence N47°32'45"W 60.00 feet; thence N41°24'00"E 46.51 feet; thence N89°27'01"E 327.92 feet; thence N00°04'47"E 665.33 feet to the Center of said Section 5; thence N89°56'09"E 268.73 feet along the East-West 1/4 line of said Section 5 to a point on the Westerly Right-of-Way line of Conrail Railroad; thence S18°57'00"E 1096.32 feet along said Westerly Right-of-Way line; thence S71°00'53"W 577.07 feet to a point on said Northeasterly Right-of-Way line of Cedar Street; thence N48°13'54"W 113.64 feet along said Northeasterly Right-of-Way line of Cedar Street to the point of beginning containing 14.27 acres of land, more or less, and subject to any easements or rights of way of record. Commonly known as: 558 N. Cedar Street, Mason, Michigan. Tax Parcel Nos. 33-19-10-05-401-001 and 33-19-10-05-401-002 c.

WHEREAS, the proposed community commercial center has been designed in accordance with the requirements of Section 94-192(5) of the Mason Code.

WHEREAS, upon compliance with the conditions of the Special Use Permit, the plans will comply with the site plan review standards listed in the Chapter 94 Zoning of the Mason Code.

WHEREAS, the standards of the Basis for Determination listed in Section 94-191(f) of the Mason Code have been met.

WHEREAS, a public hearing on the request was noticed and held at the Planning Commission's regular meeting of January 10, 2006, with testimony given and public comment solicited.

WHEREAS, approval is granted subject to the following conditions:

- 1) That the applicant submit a revised site plan showing a pedestrian walkway connecting the retail structure to the sidewalk along Cedar Street prior to the issuance of a building permit.
- 2) That the applicant combine the two subject parcels prior to the issuance of an occupancy permit.
- 3) That a revised site plan is submitted showing the correct building setback dimension prior to the issuance of a building permit.
- 4) That the applicant submit a revised parking lot lighting plan that shows parking lot light levels at or below 1.5 foot candles at the road right-of-way of Cedar Street prior to the issuance of a building permit.
- 5) That the storage of freight vehicles, such as semi tractor-trailers, and freight distribution uses not associated with the community commercial center are prohibited.
- 6) That the applicant submit a revised site plan showing the required number of loading and unloading parking spaces, the defined area for loading and unloading, and that the parking area will be constructed of a material that provides a durable smooth and dustless surface prior to the issuance of a building permit.
- 7) That the applicant submit a form of approval for the use of the site for the Lear Corporation truck traffic prior to the issuance of a building permit.
- 8) That the applicant submit a revised landscaping plan showing the additional required 8 canopy trees prior to the issuance of a building permit.
- 9) The applicant comply with the regulations listed for signs in Chapter 58 of the Mason Code.
- 10) That the applicant submit a revised site plan that shows the existing sidewalks along Cedar Street prior to the issuance of a building permit.
- 11) That the applicant submit a revised construction schedule that incorporates adequate time to complete the additional items affecting construction in these conditions prior to the issuance of a building permit.

- 12) That the applicant meet the expectations of the Ingham County Drain Commissioner and submit an executed drainage facilities maintenance agreement prior to the issuance of a building permit.
- 13) That the applicant meet the expectations of the City of Mason Fire Chief.

WHEREAS, the Planning Commission determined to grant approval subject to two additional conditions:

- 1) Strike the word *final* and insert the word *preliminary* in the three locations that it appears.
- 2) Mr. Haywood and the developer meet to determine the amount of bond to insure completion of those items that are weather related.

NOW THEREFORE BE IT RESOLVED, that the City of Mason Planning Commission does hereby approve the Special Use Permit and PRELIMINARY Site Plan Review for a community commercial center located at 558 N. Cedar Street based on the plans dated November 28, 2005 and received by the Planning Department on December 7, 2005.

Yes (9) Armstrong, Boyic, Burns, Coady, Hunt, Lutz, Reeser, Tornholm, Waltz

No (0)

RESOLUTION APPROVED UNANIMOUSLY

UNFINISHED BUSINESS

Zoning Ordinance Update

Tornholm informed the Commission regarding eh progress of the Zoning Ordinance Review Committee

NEW BUSINESS

None.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

Coady informed the Commission regarding current City Council issues.

ADMINISTRATOR'S REPORT

Colburn informed the Commission regarding current city business.

PEOPLE FROM THE FLOOR

None.

ADJOURNMENT

Being there was no further business, the meeting adjourned at 8:58 p.m.

Martin A. Colburn, City Clerk