

**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
Southeasterly 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
Southeasterly 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 Northwesterly line of Lot 1, Block 6, City of Mason, running
thence South 44° West along the Northwesterly line of said Lot 1, and the Southeasterly
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