

**CITY OF MASON  
PLANNING COMMISSION MEETING  
MINUTES OF APRIL 14, 2015**

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, Fischer, Hagle, Hude, Reeser, Sabbadin, Scott, Waxman  
Absent: Commissioner: Barna  
Also present: Martin A. Colburn, City Administrator  
David Haywood, Zoning & Development Director  
Deborah J. Cwierniewicz, City Clerk

**APPROVAL OF MINUTES:**

**Regular Minutes of March 10, 2015**

The regular meeting Minutes of March 10, 2015, were approved.

**PEOPLE FROM THE FLOOR**

Norman Austin of 331 West Ash Street stated that he arrived at 5:30 p.m. in response to the rezoning notice he received stating that the public hearing would be held at 5:30 p.m. He asked if it would be necessary to reschedule the meeting to allow fulfilling the publishing requirements due to the typographical error. Haywood stated that since Mr. Austin was the only resident present at 5:30 p.m. and remained present until 6:30 p.m., it would be safe to say there was not anyone else wishing to speak; as Mr. Austin is present to speak at 6:30 p.m. there would not be an issue.

**ANNOUNCEMENTS**

- Spring Fling Swing Thing – Rayner Park – May 2, 2015
- Annual Fire Department Association Pancake Breakfast – May 2, 2015
- Car Show – Downtown – May 2, 2015

**PUBLIC HEARING**

**Rezoning – 368 South Park Street (Dart Bank)**

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

Don Burt of Harmon Management, and Tammy Foster of Ziemnick Foster Engineering, LLC, commented on the rezoning request for 368 South Park Street. It was stated that the rezoning the parcels is necessary to allow construction of the structure in one zoning district, preferably C-1 which allows drive-through uses.

Norman Austin of 331 West Ash Street stated support for the rezoning request from Dart Bank.

Reeser closed the public hearing at 6:52 p.m.

**Planning Commission Resolution No. 2015-01 – A Resolution Recommending That the City Council Adopt Ordinance No. 199 (Dart Bank Rezoning)**

MOTION by Waxman, second by Sabbadin,  
to consider Resolution No. 2015-01 as read.

**MOTION APPROVED**

Resolution No. 2015-01 was introduced by Sabbadin and seconded by Hude.

**CITY OF MASON  
PLANNING COMMISSION RESOLUTION NO. 2015-01  
A RESOLUTION RECOMMENDING THAT THE CITY COUNCIL  
ADOPT ORDINANCE NO. 199 (DART BANK REZONING)  
April 14, 2015**

**WHEREAS**, a rezoning request has been received from Dart Bank to rezone 222 W. Ash St. (Parcel # 33-19-10-08-235-026), 237 W. Maple St. (Parcel # 33-19-10-08-234-004), 241 W. Maple St (Parcel # 33-19-10-08-235-003), 245 & 247 W. Maple St. (Parcel # 33-19-10-08-235-002), and Lots 4 and 5, Block 44 Original Plat Of The City Of Mason, Ingham County, Michigan, according to the plat thereof as recorded in Liber 37 of Deeds, page 234, Ingham County records from O-1 Office to C-1 Central Business; and

**WHEREAS**, the area subject to rezoning is legally described as: Lots 1, 2, 3, 4 and 5, Block 44, Original Plan of the City of mason, Ingham County, Michigan as recorded in Liber 37 of Deeds, page 234, Ingham County records; and

**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 of the Master Plan.
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 C-1 Central Business zoning district will not adversely affect the value of the surrounding property; and

**NOW THEREFORE BE IT RESOLVED**, that the City of Mason Planning Commission does hereby recommend that the City Council adopt Ordinance No. 199 to rezone 1.09 acres of land as described from O-1 Office to C-1 Central Business.

**RESOLUTION APPROVED**

**Special Use Permit 368 South Park Street (Dart Bank)**

Reeser opened the public hearing at 7:23 p.m.

Norman Austin of 331 West Ash Street stated concern regarding storm water. Ms. Foster explained the water would discharge to a catch basin in the road. She added that the discharge will decrease.

Darryl Benedict of Benedict Auto Body stated concerns of water discharge to Maple Street. Ms. Foster assured Mr. Benedict that the location has not changed; the capacity has been increased by enlarging the pipes.

Celeste Hude of 411 West Maple Street inquired about the lighting. Ms. Foster explained the lighting to Ms. Hude's satisfaction.

Reeser closed the public hearing at 7:43 p.m.

**Planning Commission Resolution No. 2015-02 – A Resolution Approving A Preliminary and Final Site Plan and Special Use Permit to Construct A 29,040 Square Foot Bank Facility, Including Drive-Thru, Located at 368 South Park Street**

MOTION by Waxman, second by Sabbadin,  
to consider Resolution No. 2015-02 as read.  
MOTION APPROVED

A brief discussion ensued on the plans for the construction and site.

Resolution No. 2015-02 was introduced by Sabbadin and seconded by Hude.

**CITY OF MASON**  
**PLANNING COMMISSION RESOLUTION NO. 2015-02**  
**A RESOLUTION APPROVING A PRELIMINARY AND FINAL SITE PLAN AND SPECIAL**  
**USE PERMIT TO CONSTRUCT A 29,040 SQUARE FOOT BANK FACILITY, INCLUDING**  
**DRIVE-THRU, LOCATED AT 368 SOUTH PARK STREET**  
**April 14, 2015**

**WHEREAS**, a request has been received from Dart Bank, for preliminary and final site plan and special use permit approval to be allowed to construct a new bank facility, with drive-thru, on multiple properties having principle address 368 South Park Street; and

**WHEREAS**, the subject property is further described as:

368 S. Park St. (parcel # 33-19-10-08-235-025), 222 W. Ash St. (parcel # 33-19-10-08-235-026), 235 W. Maple St. (parcel # 33-19-10-08-235-005), 237 W. Maple St. (parcel # 33-19-10-08-234-004), 241 W. Maple St (parcel # 33-19-10-08-235-003), 245 & 247 W. Maple St. (parcel # 33-19-10-08-235-002), and lots 4 and 5, block 44, original plat of the City of Mason, Ingham County, Michigan, according to the plat thereof as recorded in Liber 37 of Deeds, page 234, Ingham County records.

**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 applicant shall submit a revised site plan with the following changes **prior to final site plan approval**:

- 1) That the lands currently zoned O-1 be rezoned to a suitable zoning district that permits drive-through facilities and accommodating setback standards for the proposed use and structures, such as C-1, and
- 2) The plans show building lighting consistent with Section 94-177(e) and that light poles do not exceed 15 feet, and
- 3) The plans demonstrate that there will not be a vision obstruction consistent with Section 94-172(d)(3) at driveway entrances, and
- 4) That the applicant be granted a variance to be permitted parking space size of nine feet by 18 feet, and
- 5) That the site shows the easement for the public sanitary sewer at the west end of the site, and
- 6) That the plans address the concerns expressed by the City Engineer in his letter of March 31, 2015, are adequately addressed to the satisfaction of the City Engineer, and
- 7) That the plans address the concerns of the Jackson and Lansing Railroad as stated in their letter dated March 27, 2015, and

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

- 1) The all of the individual parcels shown in the site plan be combined to a single parcel, and
- 2) An executed Drainage Facilities Maintenance Agreement, and

- 3) In the event that an easement does not exist for the public sanitary sewer at the west end of the site, the applicant shall prepare and provide an acceptable grant of easement for the utility to the Mason City Council, and

**NOW THEREFORE BE IT RESOLVED**, that the Mason Planning Commission does hereby approve a Preliminary and Final Site Plan and Special Use Permit to construct a bank facility, including drive-thru, located on property with a principle address of 368 South Park Street based on the site plan dated March 17, 2015.

**RESOLUTION APPROVED**

**REGULAR BUSINESS**

**Report - Medical Marihuana Ordinance Subcommittee**

Haywood gave a brief update of the Medical Marihuana Ordinance Subcommittee. The subcommittee discussed researching ordinances in effect from other communities and will compile a statement paper preparing for public input on the matter prior to drafting an ordinance.

**UNFINISHED BUSINESS**

None.

**NEW BUSINESS**

Discussion was held to consider compiling a form base code for downtown.

**CORRESPONDENCE**

Distributed.

**LIAISON REPORTS**

- Brown informed commissioners regarding current City Council business.
- Commissioners Scott and Hagle attended the Planning and Zoning Essentials Workshop Michigan Association of Planning.

**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 8:21 p.m.

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Deborah J. Cwierniewicz, City Clerk

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Seth Waxman, Secretary