

CITY OF MASON

201 West Ash St.
Mason, MI 48854-0370

City Hall (517) 676-9155
Fax (517) 676-1330

PLANNING COMMISSION MEETING - COUNCIL CHAMBER Tuesday, March 11, 2014

6:30 p.m.

Agenda

1. Call to Order
2. Roll Call
3. Approval of Minutes: February 11, 2014
4. People from the Floor
5. Announcements
6. Regular Business
 - A. Resolution No. 2014-02 – A Resolution Approving a Preliminary and Final Site Plan to Allow the Construction of an 11,068 Square Foot Building Located at 700 East Ash Street
7. Unfinished Business
8. New Business
9. Correspondence
 - Planning & Zoning News, February 2014
 - Service Master – Invitation to Grand Reopening, February 24, 2014
10. Liaison Reports
11. Director Report
 - Michigan Supreme Court Ruling on Michigan Medical Marihuana
12. Administrator Report
13. Adjournment

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF FEBRUARY 11, 2014**

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

Present: Commissioners: Barna, Fischer, Hude, King, Naeyaert, Sabbadin, Trotter, Waxman
Absent: Commissioner: Reeser (Excused)
Also present: David Haywood, Zoning & Development Director
Deborah J. Cwiertniewicz, City Clerk

APPROVAL OF MINUTES:

Regular Minutes of January 14, 2014

The regular meeting Minutes of January 14, 2014, were approved as submitted.

PEOPLE FROM THE FLOOR

None.

ANNOUNCEMENTS

- Service Master will have a Grand Re-Opening March 13, 2014

REGULAR BUSINESS

Resolution No. 2014-01 - Resolution Adopting the City of Mason Master Plan Update 2014

MOTION by Naeyaert, second by Waxman,
to consider Resolution No. 2014-01 read.

MOTION APPROVED UNANIMOUSLY

Resolution No. 2014-01 was introduced by Waxman and seconded by Fischer.

Discussion was held regarding an error on the 1989 Conditional Transfer-Vevay map. Mr. Haywood will insert the map when he receives it from the Tri-County Planning Commission.

MOTION by Naeyaert, second by King,
to amend Resolution No. 2014-01 by inserting a paragraph after the fifth
paragraph stating that staff is authorized to insert the 1989 Conditional
Transfer –Vevay Map into the Master Plan prior to City Council approval.

MOTION APPROVED UNANIMOUSLY

**CITY OF MASON
PLANNING COMMISSION RESOLUTION NO. 2014-01
A RESOLUTION ADOPTING THE CITY OF MASON
MASTER PLAN UPDATE 2014
February 11, 2014**

WHEREAS, the City of Mason Planning Commission is authorized by the Michigan Planning Enabling Act (PA33 of 2008) to prepare and adopt a master plan; and

WHEREAS, the Mason City Council and the Mason Planning Commission wish to update the Master Plan to comply with current state law, to address the current and future needs of the City, and to identify how growth and associated land development will be guided to enhance the future welfare of Mason; and

WHEREAS, the Master Plan Update 2014 was prepared by the Mason Planning Commission in coordination with City staff; and

WHEREAS, the Planning Commission held three community visioning workshops in September of 2011 to gather public input; and

WHEREAS, a public hearing on the draft Master Plan Update 2014 was noticed and held at the Planning Commission's regular meeting of January 14, 2014 with testimony given and public comment solicited, including from surrounding municipalities and underlying agencies, in accordance with the Michigan Planning Enabling Act (PA33 of 2008); and

WHEREAS, the Zoning Administrator is authorized to insert the 1989 Conditional Transfer –Vevay Map into the Master Plan prior to City Council approval; and

NOW THEREFORE BE IT RESOLVED, that the City of Mason Planning Commission does hereby adopt the City of Mason Master Plan Update 2014 dated February 11, 2014, and resolves to use the Plan as an overall policy plan to guide the future development of the City of Mason.

RESOLUTION APPROVED UNANIMOUSLY

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

No report at this time.

ADJOURNMENT

The meeting adjourned at 6:58 p.m.

Deborah J. Cwierniewicz, City Clerk

Jim King, Secretary

City of Mason

201 W. Ash St.
P.O. Box 370
Mason, MI 48854-0370
www.mason.mi.us



City Hall 517 676-9155
Police 517 676-2458
Fax 517 676-1330
TDD 1-800-649-3777

MEMORANDUM

TO: Planning Commission

FROM: David E. Haywood, Zoning & Development Director 

SUBJECT: Site Plan Review – 700 E. Ash St. (Ingham County Fair – Indoor Arena)

DATE: March 6, 2014

The applicant is requesting preliminary and final site plan approval to construct an 11,068 square foot tension fabric arena building on property located at 700 East Ash Street (M-36). The intended/proposed use of the building is indoor practice for horse shows and competitions. The parcel is zoned RS-1 (Single Family Residential). Section 94-222 states that any use within the RS-1 zoning district requires site plan review. The applicant has, therefore, made application for site plan review.

LAND USE AND ZONING:

The site is located and fronts on East Ash, which is also the state highway M-36. The surrounding land uses and zoning are as follows:

	Current Land Use	Zoning	Future Land Use
North	Residential	RS-1 (Single Family Residential)	Residential
East	Undeveloped	AG (Single Family Agricultural) C-3 (Local Commercial) M-1 (Light Manufacturing)	Mixed
South	Institutional (Airport)	Vevay Township	Vevay Township
West	Public (Park)	RS-1 (Single Family Residential)	Public

SITE PLAN REVIEW:

The following sections address compliance with site plan requirements.

Plan Details

The applicant should be aware of the proximity of the proposed tension fabric structure to the location of the annual Fourth of July fireworks fall-out zone. The proposed structure may be located in or very near this area. The applicant should take this matter under advisement.

Height, Bulk, Density, and Area Requirements:

The plan appears to meet the site development standards listed in Section 94-121(c).

Off-Street Parking & Circulation:

The applicant has indicated that there are over 5,000 parking spaces on site. It is not likely that the proposed structure and use will adversely affect the available parking on the site.

Landscaping:

Staff would suggest that the proposed structure is adequately buffered to adjacent properties.

Signs:

No new signage is proposed for the site at this time.

Site Lighting:

The site plan provides limited information regarding proposed building lighting. However, the “general” shape of “Fixture Type OA” on Sheet E100 appears to be directed downward. Approval is recommended with the general condition that all proposed lighting be consistent with the lighting requirements listed in Section 94-177(e) of the zoning ordinance.

Construction Schedule:

A general construction schedule is included with the application. The applicant indicates the project duration will be April 2014 through June 2014.

PUBLIC SERVICES AND FACILITIES:

Water and Sanitary Sewer:

There are no proposed changes to municipal water or sanitary sewer systems.

Storm Water Management:

The site plan proposes to manage storm water by collecting building storm water by way of a French drain style system. The water is collected and directly discharged to an underground private storm water system.

Additional Agency Comments:

Comments from the remaining agencies are attached. No additional concerns have been received regarding this site plan review at this time.

Site Plan Review Standards:

It appears that the site and proposed use will comply with the site plan review standards listed in Section 94-227 of the Code, provided the previously noted conditions are met. In reviewing an application for site plan review and approval the following standards shall apply:

- (1) *The site shall be developed so that all elements shall be harmoniously and efficiently organized in relation to the size, shape, type and topography of the site and surrounding property.*
- (2) *The site shall be developed so as not to impede the normal and orderly development, improvement, and use of surrounding property for uses permitted in this chapter.*
- (3) *All buildings or groups of buildings shall be arranged to permit emergency vehicle access by some practical means to all sites.*
- (4) *Every structure or dwelling unit shall have direct access to a public street or indirect access to a public street via an approved dedicated private street.*
- (5) *Appropriate measures shall be taken to ensure that the addition or removal of surface waters will not adversely affect neighboring properties that controls are in place to minimize sedimentation and erosion, and that topographic alterations are minimized to accommodate storm water management.*
- (6) *Provisions shall be made for the construction of storm sewer facilities including grading, gutters, piping, on-site storage, and treatment of turf as required to handle storm water and prevent erosion.*
- (7) *Secondary containment for above ground areas where hazardous substances are stored or used shall be provided as required by the city fire chief.*
- (8) *Exterior lighting shall be designed and located so that the source of illumination is directed away from adjacent properties, the intensity of lighting is the minimum necessary, and the direction of lighting is downward as much as is possible and appropriate for the project.*
- (9) *All loading and unloading areas, outside storage areas, and refuse receptacles shall be screened from casual view from the public rights-of-way and adjoining land uses.*
- (10) *Site plans shall meet the driveway, traffic safety, and parking standards of the city in such manner as necessary to address the following:*
 - a. *Safe and efficient vehicular and non-vehicular circulation, including parking areas, non-motorized linkages to abutting parcels, uses, sidewalks, and trails.*
 - b. *Shared driveways and service drives.*
 - c. *Adequate and properly located utilities.*
- (11) *Provisions shall be made for proposed common areas and public features to be reasonably maintained.*
- (12) *The site plan submittal shall demonstrate compliance with all applicable requirements of this chapter, chapters 58 and 74, the building code, and county, state, and federal law.*

RECOMMENDATION:

With the findings and analysis described above, the following action is recommended for consideration by the Planning Commission:

The Planning Commission approve Resolution No. 2014-02.

Attachments:

1. Resolution
2. Application & Cover letter
3. Agency Comments
 - a. City of Mason POTW Superintendant
 - b. City of Mason Chief of Police
 - c. Ingham County Bureau of Environmental Health
 - d. City of Mason Fire Chief
 - e. City of Mason Superintendent of Public Works
4. Site Plan

Introduced:
Second:

**CITY OF MASON
PLANNING COMMISSION RESOLUTION NO. 2014-02**

**A RESOLUTION APPROVING A PRELIMINARY AND FINAL SITE
PLAN TO ALLOW THE CONSTRUCTION OF AN 11,068 SQUARE
FOOT BUILDING LOCATED AT 700 EAST ASH STREET**

WHEREAS, a request has been received from Sandra Dargatz, representing the Ingham County Fair Board, for preliminary and final site plan approval to be allowed to construct an 11,068 square foot building at 700 E. Ash St., said property having parcel number 33-19-10-09-400-001.

WHEREAS, the subject property is legally described as: ALL THAT PART OF E 1/2 OF SEC 9, LYING S OF CEN OF MASON-DANSVILLE RD EXC E 63 RDS 18 1/2 LKS THEREOF. ALSO EXC COM AT E 1/4 COR OF SEC 9 - N89D41'01"W ALNG EW 1/4 LN 1051.73 FT - N0D03'23"W 504.83 FT TO POB - N58D42'26"W 57.9 FT - NW'LY 292.16 FT ALNG 233 FT RAD CURVE TO RT, CHD BRG N22D47'07"W 273.39 FT - N13D08'12"E 64.37 FT - S77D08'55"E 144.12 FT ALNG S'LY LN OF ASH ST - S0D03'23"E 312.38 FT TO POB. ALSO THAT PART OF E 1/2 OF SEC 9 DESC AS: COM AT E 1/4 COR OF SEC 9 - N89D41'01"W 1051.73 FT - N0D03'23"W 313.06 FT TO POB - N0D03'23"W 191.77 FT - S58D42'26"E 169.52 FT - S31D17'34"W 55.64 FT - SW'LY 126.05 FT ALNG 118 FT RAD CURVE TO RT, CHD BRG S61D53'43"W 120.14 FT - N87D30'09"W 9.81 FT TO POB ON SEC 9 T2N R1W CITY OF MASON, INGHAM CO. 131 AC (REV PER DEED 3147-388 9/26/06)

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 with the condition that site lighting be consistent with the lighting requirements listed in Section 94-177(e) of the zoning ordinance; and

WHEREAS, approval is granted with the condition that the applicant obtain a soil erosion and sedimentation permit from the Zoning and Development Department 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 renovation of an 11,068 square foot building located at 700 East Ash based on the plans dated January 31, 2014.

Yes ()
No ()

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, March 11, 2014 the original of which is part of the Planning Commission minutes.

Deborah J. Cwierniewicz, Clerk
City of Mason
Ingham County, Michigan



APPLICATION – SITE PLAN REVIEW/SPECIAL USE PERMIT

City of Mason

Planning Department • 201 W. Ash Street • Mason, MI 48854

Phone: 517/676-9155 • Fax: 517/676-1330

www.mason.mi.us

Applicant– Please check one of the following:	
<input checked="" type="checkbox"/>	Preliminary Site Plan Review
<input checked="" type="checkbox"/>	Final Site Plan Review
<input type="checkbox"/>	Special Use Permit*
* includes Preliminary Site Plan Review	

PLANNING DEPARTMENT USE ONLY	
Application Received:	<u>2/5/14</u>
Tax ID:	<u>09-400-01</u>
Fee:	<u>\$300.00</u>
Receipt #:	<u>100156155</u>

I. APPLICANT INFORMATION

Name Sandra Dargatz

Organization Ingham County Fair Board

Address 700 E. Ash Street, Mason, MI 48854

Telephone Number 517-676-2428 Facsimile Number 517-676-3733

Interest in Property (owner, tenant, option, etc.) Fair Manager

Note: If applicant is anyone other than owner, request must be accompanied by a signed letter of authorization from the owner.

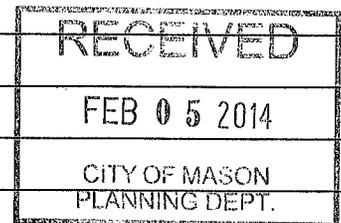
II. PROPERTY INFORMATION

Owner Ingham County Telephone Number 517-676-2428

Property Address 700 E. Ash Street, Mason, MI 48854

Legal Description: If in a Subdivision: Subdivision Name _____ Lot Number _____

If Metes and Bounds (can be provided on separate sheet): Found on attached Site Plan.



APPLICANT CERTIFICATION

By execution of this application, the person signing represents that the information provided and the accompanying documentation is, to the best of his/her knowledge, true and accurate. In addition, the person signing represents that he or she is authorized and does hereby grant a right of entry to City officials for the purpose of inspecting the premises and uses thereon to verify compliance with the terms and conditions of any Special Use Permit and/or Site Plan approval issued as a result of this application.

Signature *Sandra K Dargatz* Date 02/05/14

III. REQUEST DESCRIPTION

A. Written Description – Please use this section to describe the use or uses proposed. Attach additional pages, if necessary.

Indoor practice arena for horse shows and competitions.

B. Available Services

Public Water YES NO
Public Sanitary Sewer YES NO

Paved Road (Asphalt or Concrete) YES NO
Public Storm Sewer YES NO

C. Estimate the Following

Traffic Generated 100 additional people Total Employees 5 Shifts day
Population Increase 0 per week Employees in Peak Shift 2
Hours of Operation 7 AM to 9 PM Total Bldg. Area Proposed 11,000 SF
Mon day through Sun day Parking Spaces Provided over 5000

D. Project Phasing

This project will be completed in: 2014 One Phase Multiple Phases – Total No. of Phases: _____
Note: The phases of construction for multi-phase projects must be shown on the site plan

IV. APPLICATION MATERIALS

The following are checklists of items that generally must be submitted with applications for Preliminary Site Plan Review, Final Site Plan Review, and Special Use Permits. Applicants should review Articles VI and VII of Chapter 94 of the Mason Code for a complete listing of application requirements. All site plan drawings must comply with the requirements of Section 94-226(d) of the Zoning Ordinance. Incomplete applications will not be processed.

- Completed application form
- 20 copies of site plan drawings (30 copies for Special Use Permits)
- 1 – 11" x 17" copy of the site plan
- Legal description
- Proof of ownership/owner authorization
- Construction schedule for proposed project
- Construction calculations for utilities
- Fee (see below)
- Any other information deemed necessary

Application Fee – all requests must be accompanied by a fee, as established by the City Council. The fee schedule for Preliminary Site Plan Reviews, Final Site Plan Reviews, and Special Use Permits is as follows (As of October 16, 2006):

<u>Preliminary Site Plan Reviews</u>	\$200.00
<u>Final Site Plan Review</u>	\$100.00
<u>Special Use Permits</u> (includes preliminary site plan review)	\$275.00
<u>Engineering Review</u>	\$220.00*

*minimum fee for projects increasing demand on public utilities, fees are billed to applicant upon completion of review

V. APPLICATION DEADLINES

Preliminary Site Plan/Special Use Permit Review – Applications for Preliminary Site Plan Review may be submitted at any time. Complete applications must be received a minimum four (4) weeks prior to a Planning Commission meeting to be placed on the agenda. Upon receipt of a complete application, a public hearing will be scheduled for the next regularly scheduled meeting (for Special Use Permits only). The Planning Commission has the final authority to approve, approve with conditions or deny an application for Preliminary Site Plan/Special Use Permit Review. The Planning Department staff will issue a letter to the applicant advising of any changes or revisions that may be necessary prior to making application for Final Site Plan Review.

Final Site Plan Review – Complete applications must be received a minimum of four (4) weeks prior to a Planning Commission meeting to be placed on an agenda. The Planning Commission has the final authority to approve, approve with conditions or deny an application for Final Site Plan Review. Planning Commission meetings are held on the second Tuesday after the first Monday of every month, unless the Tuesday is a Township recognized holiday, in which case the meeting is held on the following day (Wednesday).

VI. STAFF REPORT

The Planning Department Staff will prepare a report to the Planning Commission regarding an application for Preliminary Site Plan Review, Final Site Plan Review or Special Use Permit. The report will explain the request and review whether it complies with the zoning standards of the Mason Code. Staff will present the findings of that report during the Planning Commission meeting. An applicant who wishes to obtain one (1) copy of that report, at no cost, prior to the meeting must provide a written request to the Planning Department. The report is generally complete on the Friday before the meeting and can be mailed to the applicant or picked up by the applicant in the Planning Department.



Straub
Pettitt
Yaste

ARCHITECTURE

850 NORTH CROOKS, SUITE 200
CLAWSON, MICHIGAN 48017-1311

PLANNING

248-658-7777 P H O N E
248-658-7781 F A X
mail@straubpettityaste.com
www.straubpettityaste.com

INTERIOR DESIGN

February 4, 2014

**Ingham County Fairgrounds
New Tension Fabric Structure (Hoop Building)
Project No. 1311**

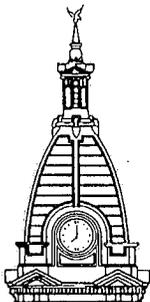
RE: Proposed Construction Schedule

Construction Begins	April 21, 2014
Site Excavation	
Foundations	
Catch Basin & Storm Sewer Installation	
Underground Electrical	
Backfill and Grading	
Erection of Tension Fabric Structure on foundations	May 19, 2014
Electrical	
Punch List Inspection	May 30, 2014
Substantial Completion	June 1, 2014
Occupancy	June 3, 2014
Punch List Completion	June 30, 2014

David Haywood

From: Sam Bibler
Sent: Wednesday, February 12, 2014 9:50 AM
To: David Haywood
Subject: 700 E. Ash St Site Review Plan

David, I have reviewed the site plan for the proposed 11,088 square foot indoor practice arena for horse shows and completion. I do not have any issues that would affect the City of Mason's Waste Water Treatment Plant. If you have any questions please contact me. Sam



Mason Police Department

201 W. Ash St.
P.O. Box 370
Mason, MI 48854-0370

JOHN STRESSMAN
Chief of Police

Office: (517) 676-2458
Fax: (517) 244-9024
MASON_PD@ingham.org

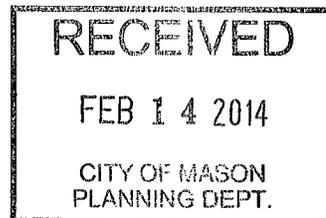
MEMORANDUM

To: David Haywood
Zoning and Development Director

From: John Stressman *JS*
Chief of Police

Ref: Site Plan Review
700 East Ash Street

Date: February 12, 2014



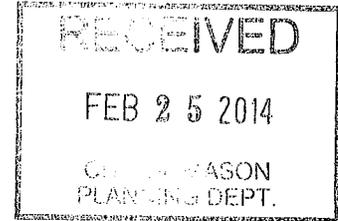
Based on the information provided in the request; I have no comments.

If you have any questions, please contact me.



Nancy M. Hayward, MPH, RN, Acting Health Officer
Sugandha Lowhim, MD, MPH, Medical Director

February 20, 2014



City of Mason Zoning and Development
Attention: Mr. David E. Haywood, Director
201 West Ash Street
P.O. Box 370
Mason, MI 48854

RE: Ingham County Fair Board Plan Review- Tension Fabric Structure.

Dear Mr. Haywood:

Thank you for the opportunity to comment on the above mentioned project. We have no objection to the proposed site plan. We approve the plan as proposed subject to the approval of other regulatory agencies.

If you have any questions regarding this matter, please contact me at 517-887-4312.

Sincerely,

Mark C. Piavis
Special Programs Chief
Bureau of Environmental Health
Ingham County Health Department

MCP/cm



CITY OF MASON FIRE DEPARTMENT

KERRY J. MINSHALL, CHIEF
221 W ASH
MASON, MI 48854
PH: 517-244-9025
FAX: 517-244-9028

To: David E. Haywood
Zoning & Development Director

From: Kerry Minshall
Fire Chief

Date: March 3, 2014

Re: Site Plan Review Request
700 E. Ash Street, Mason



I have reviewed the request for the construction of an 11,068 square foot tension fabric structure. I do not have any concerns at this time.

If you have any questions, please contact me.

David Haywood

From: Ken Baker
Sent: Thursday, March 06, 2014 2:26 PM
To: David Haywood
Subject: Ingham county tension fabric building

Dave:
After reviewing the plans I do not see any issues with utilities.
Thank you
Ken Baker

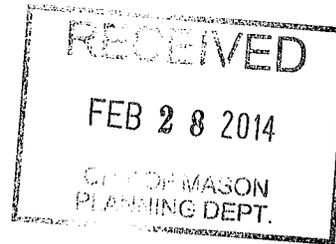
Sent from my iPhone



**Commercial/Residential
Fire & Water Clean-up**

**ServiceMaster Absolute Home and
Restoration Services**
210 State Street
Mason, MI 48854
517/676-1626

Mr. David Haywood
Zoning & Development Director
City of Mason
201 W. Ash St.
Mason, MI 48854



*An independent business
licensed to serve you by
ServiceMaster Clean*



February 24, 2014

Dear Mr. Haywood:

I am pleased to announce that ServiceMaster Absolute Home and Restoration Services' new building is nearly complete! As you know, this has been a long process. We would not have been able to complete it without your help and the help of the City of Mason.

I would like to personally invite you and the members of the Mason Planning Commission to attend our Grand Reopening of the new building at 210 State Street on Thursday, March 13, 2014 at 10:00 A.M. The Mason Area Chamber of Commerce will co-host a ribbon cutting at 10:00 A.M. WITL's Jordan Lee will be broadcasting live from 11:00 A.M.-1:00 P.M. We will have food from King of the Grill as well as door prizes and two special giveaways of a new iPad 2 and a 3 room carpet cleaning.

We are proud to have the ability to remain in the City of Mason, and would love for representatives of the city to be present at this landmark event. While an RSVP is not required, we would appreciate knowing in advance if you or any members of the planning commission will be attending the event.

Sincerely,

Jesse Howard

President

ServiceMaster Absolute Home and Restoration Services