

**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