

**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