

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF FEBRUARY 12, 2008**

Johnson called the meeting to order at 6:33 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

Present: Commissioners: Boyic, Droscha, Johnson, Reeser, Taylor, Tornholm
Absent: Commissioners: Armstrong, Hunt, Naeyaert
Also present: Martin A. Colburn, Administrator/Clerk
David Haywood, Zoning & Development Director
Deborah Cwiertniewicz, Deputy Clerk

Colburn submitted a memorandum to Commissioners regarding Resolution No. 2008-01, which approved a special use permit and final site plan for a coffee shop with a drive-thru on property located at 661 N. Cedar Street. Colburn recommended that the Planning Commission reconsider their decision regarding condition # 7. He stated that condition # 7 should be addressed by the Michigan Department of Transportation (MDOT), the property owner, and the applicant, rather than a mandate by formal action of the Planning Commission. A brief discussion ensued. Johnson abstained from discussion and voting due to a possible financial gain.

MOTION by Taylor, second by Boyic,
to reconsider Resolution No. 2008-01.
Yes (5) Boyic, Droscha, Reeser, Taylor, Tornholm
No (0)
Absent (3) Armstrong, Hunt, Naeyaert,
Abstain (1) Johnson
MOTION APPROVED

MOTION by Taylor, second by Boyic,
to amend Resolution No. 2008-01 by striking Item No. (7).
Yes (5) Boyic, Droscha, Reeser, Taylor, Tornholm
No (0)
Absent (3) Armstrong, Hunt, Naeyaert,
Abstain (1) Johnson
MOTION APPROVED

MOTION by Droscha, second by Boyic,
To approve Resolution No. 2008-01 as amended.
Yes (5) Boyic, Droscha, Reeser, Taylor, Tornholm
No (0)
Absent (3) Armstrong, Hunt, Naeyaert,
Abstain (1) Johnson
MOTION APPROVED

**CITY OF MASON
PLANNING COMMISSION RESOLUTION NO. 2008-01
A RESOLUTION APPROVING A SPECIAL USE PERMIT AND FINAL SITE PLAN FOR A
COFFEE SHOP, WITH DRIVE-THRU, ON PROPERTY LOCATED AT 661 N. CEDAR STREET.
January 16, 2008**

WHEREAS, a request has been received from the J.E. Coffee Corp. (Bigby Coffee #244), for a special use permit and final site plan approval to be allowed to operate a coffee shop, with drive-thru, at 661 N. Cedar Street; and

WHEREAS, the subject property is further described as:

BEG ON C/L OF CEDAR ST AT PT 46.9 FT NW OF INTER OF SD C/L & EW 1 /4 LN OF SEC 5, SELY ON CURVE TO RT WITH RADIUS OF 5729.6 FT & CHD BRG S 49-45-21 E 197.7 FT, S 34-18-39 W 292.7 FT, N 51-45-21 W 217.7 FT, N 38-14-39 E 298.9 FT TO BEG. ALSO COM AT W 1/4 COR OF SEC 5, S 89-25-40 E ALG EW 1/4 LN 1108.07 FT, S 46-22-46 E ALG C/L OF CEDAR ST 370.58 FT, S 43-37-14 W 43 FT TO WLY R/W LN OF CEDAR ST, NWLY 155.74 FT ALG CURVE CONCAVE SW, RADOF 5686.6 FT, CHD BRG N 47-09-42 W 155.72 FT TO POB, S 51-25-49 W 251.04 FT, N 34-03-14 E 263.59 FT TO SD WLY R/W LN, SELY ALG SD R/W LN TO POB ON SW 1/4 OF SEC 5 T2N R1W CITY OF MASON. 1.87 AC MIL; and

WHEREAS, upon compliance with the conditions listed herein, the plans will comply with the site plan review standards listed in Section 94-227 and the special use permit basis for determination standards listed in Section 94-191(f) of the Mason Code; and

WHEREAS, a public hearing on the request was noticed and held at the Planning Commission's regular meeting of January 16, 2008, with testimony given and public comment solicited; and

WHEREAS, approval is granted with the condition that the applicant submit a revised site plan with the following changes prior to the issuance of a building permit:

- 1) The plan shall show the existing zoning, existing land uses, and street name for the subject property and properties adjacent to the site.
- 2) The plan shall show the lot line dimensions consistent with the legal description.
- 3) The plan shall show the clear vision triangles for the access points on Cedar Street consistent with the standards listed in Section 94-172(d)(3)(a) of the Zoning Ordinance.
- 4) The plan shall show a grease separator and backflow device as required in the Public Works Director's correspondence of January 10, 2008.
- 5) The plan shall show the existing and proposed site lighting, including specifications for the type of lamps proposed and pole heights. Any proposed lighting shall be accompanied by a photometric plan showing the intensity of light consistent with Section 94-293(e) of the Zoning Ordinance.
- 6) The plan shall show future front access drives with a minimum width of 24 feet extending to both north and south property lines.

WHEREAS, approval is granted with the following general conditions:

- 1) The applicant shall comply with the regulations listed for signs in Chapter 58 of the Mason Code.
- 2) Any alteration to the landscaping shown on the site plan will require review and approval by the Zoning Administrator.
- 3) The applicant shall submit a copy of the Ingham County Health Department permit for the proposed use prior to the issuance of a building permit.
- 4) The installation of access drives described herein shall be required within 12 months upon the development of access drives on adjacent properties.

NOW THEREFORE BE IT RESOLVED, that the Mason Planning Commission does hereby approve a Special Use Permit and Final Site Plan for a coffee shop, including drive-thru, located on property located at 661 N. Cedar Street based on the site plan dated December 14, 2007.

Yes (5) Boyic, Droscha, Reeser, Taylor, Tornholm

No (0)

Absent (3) Armstrong, Hunt, Naeyaert,

Abstain (1) Johnson

RESOLUTION APPROVED

APPROVAL OF MINUTES – PLANNING COMMISSION MEETING: January 16, 2008

MOTION by Tornholm, second by Boyic,

To amend the January 16, 2008 Minutes on page 4, paragraph 3, sentence 5, by striking “that is not” and “in any manner”, and inserting, “and no other factors are”, following the words *automatic order*.

MOTION APPROVED UNANIMOUSLY

The Minutes of January 16, 2008, were approved as amended.

PEOPLE FROM THE FLOOR

James DeYoung, 100 S. Main, Leslie, Michigan, representative for J.E. Coffee Corp., spoke regarding the frustration the corporation has with the Michigan Department of Transportation ingress/egress permit requirement along M-36 when a new use is introduced.

REGULAR BUSINESS

Report – Draft Recreation Plan

Haywood summarized the structure of the draft recreation plan, contribution involvement, and the process that leads to its adoption by the City Council. A brief discussion ensued regarding the draft plan and grant guidelines and opportunities.

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

Colburn informed the Commission regarding current City Council business.

ADMINISTRATOR’S REPORT

Colburn informed Commissioners regarding current city business. Haywood informed Commissioners regarding city planning issues.

PEOPLE FROM THE FLOOR

None.

ADJOURNMENT

The meeting adjourned at 7:45 p.m.

Martin A. Colburn, City Clerk