

**CITY OF MASON  
PLANNING COMMISSION MEETING  
MINUTES OF SEPTEMBER 15, 2020**

Sabbadin called the meeting to order at 6:30 p.m. at 201 West Ash Street, Mason MI, via Zoom Teleconference.

Present: Barna, Droscha (joined at 6:46 p.m.), Howe (joined at 6:33 p.m.), Sabbadin, Vercher, Waxman, Wren

Absent: Perrault (notice given), Shattuck (notice given)

Also Present: Elizabeth A. Hude, AICP, Community Development Director

**OATH OF OFFICE**

Sabbadin noted that staff confirmed all Commissioners have been sworn in by the City Clerk.

**PUBLIC COMMENT**

None.

**APPROVAL OF MINUTES**

MOTION by Waxman second by Vercher, to approve the Planning Commission meeting minutes from February 11, 2020.

Yes (5) Barna, Sabbadin, Vercher, Waxman, Wren

No (0)

Absent (4) Droscha, Howe, Perrault, Shattuck

**MOTION PASSED**

Sabbadin comments that Commissioner Howe has joined the meeting via phone at 6:33 pm.

**PUBLIC HEARING**

Sabbadin stated that Russ Whipple would be delayed and asked if his Agenda item could be moved down.

MOTION by Howe second by Waxman to amend Agenda to move Agenda Item 6A down to 6B and move 6B up to 6A.

Yes (6) Barna, Howe, Sabbadin, Vercher, Waxman, Wren

No (0)

Absent (3) Droscha, Perrault, Shattuck

**MOTION PASSED**

- A. Resolution 2020-04: Kyle and Laura McGonigal have requested to amend the zoning map by rezoning 117 Mark Street (parcel 33-19-10-09-004) from an O-2: Specialized Office district to a RS-2: Single Family Residence.

Director Hude noted that in the Staff Report the McGonigal's would like to add an addition on to the back of the house and the current zoning does not allow them to. As they looked at the Masterplan, at one time it did seem reasonable to expand the area as O-2 Specialized Office because of Sparrow being there, but it did not seem feasible now with offices on Cedar St. expanding and the decline and vacancies of office space in the area. The adjacent properties are residential. Next, they looked at rezoning as RS-1 consistent with the adjacent residential zoning but realized that many of the homes do not meet the current zoning requirements. Staff will do a study and reach out to the neighbors and determine which lots are not conforming currently and determine whether the entire neighborhood should be rezoned.

Sabbadin opened the public hearing at 6:38 p.m.

Tom Fuentes, 124 Mark St., lives across the street from the McGonigals and shared his support for the rezoning.

Sabbadin closed the public hearing at 6:39 p.m. and allowed for discussion from the Commissioners.

Waxman asked if the area is open for future rezoning of properties. Hude answered that she is in discussion with another property owner who wants to expand into their front yard and is reaching out to begin getting the effort organized.

Sabbadin asked if the other property owners would need to pay the \$300 fee like the McGonigals to have their property rezoned. Hude is looking into that as well along with the question of refunding the McGonigals if the mass rezoning goes through. She also noted that there is a cost associated with the effort and the McGonigals wanted to expedite their request which would be different if the City initiated a mass rezoning at a later date. Hude said that she gave the McGonigals the option to work with their neighbors on this initiative but they decided, because of time, to move ahead on their own.

MOTION by Barna second by Howe, to approve Resolution 2020-4.

Yes (6) Barna, Droscha, Howe, Sabbadin, Vercher, Waxman, Wren

No (0)

Absent (3) Droscha, Perrault, Shattuck

#### MOTION PASSED

- B. Resolution 2020-03: Russ Whipple, RJ Whipple Properties has requested an amendment to the Mason Code to amend the City of Mason ordinances, Part II, Chapter 1, Sec 1-2; Chapter 2, Sec 2-104; Chapter 94, Article IV, Section 94-124; Article VII, Section 94-222; Article IX, Section 94-292; and Chapter 100, Article I, Table 100-2 and Table 100-5 to allow three-unit multiple family use in the R2F: Two Family Residential district.

Director Hude noted this petition was brought by Russ Whipple to allow for a third unit in the R2F district. As staff looked into the matter it was discovered that there already are some third units in the two family district. The Masterplan asks us to preserve our rural, small town character, and we want the zoning to reflect what is there. Any units currently there would need to prove they were in existence before the zoning change and they would be legally non-conforming, but the majority of those we are aware of would become legally conforming units as long as they meet the new requirements.

Commissioner Droscha joined the meeting at 6:46 pm.

Sabbadin opened the public hearing at 6:46 p.m.

Russ Whipple, 322 Lawton St., stated that Director Hude covered everything pretty well. He pursued this issue so the Ordinance would match what was happening in a way that would not majorly impact the City, but as he got into the Ordinance a number of other things came up. Mr. Whipple feels this will help make properties that are currently non-conforming, conforming and allows for some different renovation options with the older, bigger houses downtown.

Sabbadin closed the public hearing at 6:49 p.m. and allowed for discussion from the Commissioners.

Barna asked what the motivation was regarding the 750 feet separation distance between units. Director Hude replied density. She said Mark Eidelson, LandPlan, had done some research and the intent of the two-family district is two family, so the caveat allows the district to stay two family but have some three unit housing interspersed within.

Vercher asked if a property owner would be denied the opportunity to create a third unit because of existing non-conforming properties that already have a third unit. Hude replied that was her understanding. Assessors data will need to be looked at to determine where the existing three-unit houses currently are and if it becomes a problem, the ordinance can be changed later on.

MOTION by Howe second by Waxman, to approve Resolution 2020-4.

Yes (7) Barna, Droscha, Howe, Sabbadin, Vercher, Waxman, Wren

No (0)

Absent (2) Perrault, Shattuck

MOTION PASSED

### **UNFINISHED BUSINESS**

A. October is National Planning month and the Mason Planning Commission's 75<sup>th</sup> Anniversary

Director Hude stated that before Covid, the Planning Commission had discussed doing some special things to acknowledge the Commission and also noting the 75<sup>th</sup> Anniversary of the State of Michigan's Planning and Enabling Act. She mentioned Council Liaison Droscha in lieu of City Council recognition and Commissioner Waxman regarding the State acknowledgement. Droscha responded that it is completely appropriate to come up with a Resolution saying Happy 75<sup>th</sup>. Hude will reach out to City Manager Stuart. Barna noted her daughter clapping in support of the anniversary and suggested a Facebook post when the Resolution is passed so people know and realize they have a Planning Commission. Sabaddin asked Waxman about the legislature. Waxman can contact Representative Hertel but he thinks all ceremonial duties of the legislature are back burner for now because it will require a vote of the full body.

B. Parks and Non-Motorized Plan Update – Rayner Park grant submittal to DNR, [webpage here](#).

Director Hude updated everyone that August 31<sup>st</sup> a Public Hearing was held to request passage of a Resolution pertaining to 3 grants that the City applied for to the DNR for Rayner Park. Hude is finishing uploading to the DNR the final documents from that meeting. Sabaddin noted the detailed report on the

playground equipment and acknowledged it was very well done.

**NEW BUSINESS**

- A. Resolution 2020-05: Rayner Ponds Phase 4 Subdivision seeking extension of Final Site Plan Approval.

Director Hude noted the incorrect year in the Staff Report and that it was written in 2020. She said there was a Plat approved and that can be extended by City Council, but the Plat required a Site Plan which the Planning Commission approved. Hude spoke with Mr. Giguere and he is not making any changes to the Site Plan, he is asking for an extension that is allowed in the Ordinance.

MOTION by Waxman second by Wren, to approve Resolution 2020-5.

Yes (7) Barna, Droscha, Howe, Sabbadin, Vercher, Waxman, Wren  
No (0)  
Absent (2) Perrault, Shattuck

**MOTION PASSED**

- B. Resolution 2020-06: 1155 Temple Street – Paul Davis seeking extension of Special Use Permit and Final Site Plan Approval.

Director Hude noted the incorrect year in the Staff Report and that it was written in 2020. She stated that the Special Use Permit and Final Site Plan was approved in October of 2019 so it will expire in October 2020.

MOTION by Waxman second by Howe, to approve Resolution 2020-6.

Yes (7) Barna, Droscha, Howe, Sabbadin, Vercher, Waxman, Wren  
No (0)  
Absent (2) Perrault, Shattuck

**MOTION PASSED**

- C. Masterplan Workplan – Review upcoming schedule for completing five-year review and update of the 20- year Masterplan. Staff will present additional materials at the meeting.

Staff shared their screen so the Masterplan schedule could be viewed. Director Hude replied that she sent a document to the Commissioners. This would have been dealt with at the March meeting but it was cancelled due to Covid. The plan is to present the CIP in October which takes into consideration the current economic climate, the pandemic, and a focus on essential services. There is a need to look at decisions that need to be made that will impact the City's future so we are set up and positioned for a strong recovery. Hude has consolidated the Masterplan and Corridor sub-area plans into 2 phases, it would be comparable amount of money to have the work done. She has been able to get some of the GIS work done through the City Engineer's office. Sabaddin asked to verify that there is no action to take on the CIP

now but this was information only with more to come in October. Hude responded that he was correct, it is information only but she welcomes any questions or concerns that anyone may have so she will be better prepared in October.

Waxman asked what the cost differences were with the consolidation. Hude replied that the costs have not changed they are just broken down differently.

- D. Building Permit Webpage and FAQ – [click here](#). Staff launched an update to the page in May with online permitting services for Roof/Siding permits.

Director Hude commented that she spoke to City Manager Deb Stuart about how to be more proactive in our communication surrounding building permits. Permits are a proactive way to manage implementation of the Masterplan. Through the permitting process staff checks to see if the project is consistent with the zoning which is consistent with the Masterplan. Permits are the proactive tool, code enforcement is the reactive tool. An issue is identified and staff works with the property owner to resolve it to make sure we are following our ordinances and to achieve the community's vision. Staff worked with the Building Officials to come up with an FAQ document on building permits.

#### **LIAISON REPORT**

Council Member Droscha updated the Commissioners that Council did pass an operational budget, street repair and essential services being the focus. Council did the first reading of Ordinances 6A & 6B. They had two workshops, one on the ethics code and the second on diversity which are both ongoing issues that will continue for several months.

#### **ADJOURN**

The meeting adjourned at approximately 7:13 p.m.

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Anne Klein Barna, Secretary