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TUESDAY, APRIL 13, 2021
Electronic Meeting - 6:30 P.M.
201 West Ash Street, Mason MI

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A.ÁApprove Minutes of Regular Planning Commission Meeting March 9, 2021

B.ÁApprove Minutes of the Joint CC/PC Meeting March 15, 2021

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A.ÁOrdinance No. 234 a request from George Hayhoe, Capex Land, Inc., to amend the zoning map by rezoning 1041 S. Jefferson St. (parcel 33-19-10-09-351-011) and 1123 S. Jefferson St. (parcel 33-19-10-09-351-015) from M-1: Light Manufacturing District to C-2: General Commercial District.

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A.ÁMaster Plan RFP – Discuss selection of PC representative to participate in interview/selection process as presented at Joint CC/PC meeting March 15, 2021.

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A. Council Liaison Report

B. City Manager's Report – [click here, bottom of page](#)

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PLANNING COMMISSION ELECTRONIC MEETING INFORMATION

PLEASE TAKE NOTICE that the meeting of the City of Mason Planning Commission scheduled for **April 13, 2021, starting at 6:30 p.m.**, will be conducted virtually (online and/or by phone) due to health concerns surrounding Coronavirus/COVID-19.

The City of Mason will be using Zoom to host this meeting. A free account is required to use Zoom. Please take the time to download and set-up Zoom prior to the meeting. Zoom may be accessed here: <https://zoom.us/>

MEETING INFORMATION:

Topic: **Planning Commission Meeting**

Time: **April 13, 2021 at 6:30 p.m.** Eastern Time

Join Zoom Meeting

<https://us02web.zoom.us/j/89233216952?pwd=eWlQY1Q3Q2pwaG5LMG5BK0Z0U3Zadz09>

Meeting ID: 892 3321 6952

Passcode: 518216

- You may also join a meeting without the link by going to join.zoom.us on any browser and entering the Meeting ID identified above.
- Phone Information:
Dial (312) 626 6799 (Enter meeting ID when prompted.)

To comply with the **Americans with Disabilities Act (ADA)**, any citizen requesting accommodation to attend this meeting, and/or to obtain this notice in alternate formats, please contact Michigan Relay at <https://hamiltonrelay.com/michigan/index.html>.

Resources: More Questions? Please Contact our Customer Service Desk at 517.676.9155.

Note on Public Comments:

If you would like to provide comments beforehand, please send those comments in an email by 3:00 pm on the day of the meeting to stephanies@mason.mi.us. They will be read aloud by Chair.

If you would like to speak during the meeting, you can send your name and address to stephanies@mason.mi.us by 3:00 pm on the day of the meeting. You can still speak at the meeting if you do not notify us in advance.



General Procedures

Related to Electronic Meetings

As required under Public Act 228 of 2020, the following procedures outline the accommodation of meetings held, in whole or in part, electronically by City Council or a City Board or City Commission. Additional procedures will be adopted at a later date, by the Council, to accommodate members that are eligible and cannot attend in person for meetings held on or after January 1, 2021.

Electronic Meeting Procedures for City Council, City Board or City Commission Members

- All attendees including City Council, City Board or City Commission Members will enter the meeting with a muted microphone.
- The meeting Chair's microphone will be unmuted to call the meeting to order.
- During initial roll call, each member will announce the physical location they are participating from by stating the county, city, township, or village and state which they are attending the meeting from.
- The meeting Chair will call for a motion and members will signify making a motion by either voice or the "Raise Hand" feature. The same process will be followed for a second to a motion. The meeting Chair will then acknowledge which member made the motion and which member seconded the motion.
- The meeting Chair will then ask if there is any discussion on the motion. Members will indicate a desire to discuss by either voice or the "Raise Hand" feature. The meeting Chair will then acknowledge the particular member granted the floor for discussion by name.
- Votes shall be taken by roll call.

Electronic Meeting Procedures for Public

- All public participants entering the meeting will automatically be muted upon entering.
- All public participants should either turn off or leave off their video camera. Only City Council, City Board or City Commission Members will be allowed to have their video cameras on. Your video camera will be turned off for you if you do not turn it off yourself.
- Public rules are displayed in the "Chat" Feature; however, the chat feature will not be turned on to allow for chat comments to be added.
- Public comment:
 - Public only will be allowed to address the members during Public Comments
 - Public is allowed three (3) minutes to speak.
 - Public must state the name and address slowly and clearly before they start to address the Council.
 - Public comments will be addressed in the following order:
 1. Those provided the day of the meeting and sent to the designated person in the meeting instructions by a certain time will be read during the meeting.
 2. Those using the Video Conference Portion (not calling on a telephone) will be asked to use the "Raise Your Hand" Feature in Zoom. The meeting Chair will call on individuals to speak and they will be unmuted at that time.
 3. Participants that are available only by phone, after the meeting Chair requests.
- Inappropriate or disruptive participants will not be allowed or tolerated and will be removed from the meeting.
- Due to the electronic nature of this type of meeting the meeting Chair, at his discretion, may adjourn the meeting with or without notice for any reason. Every attempt will be made to remain connected to the meeting, however two examples of abrupt adjournment may be computer connectivity issues or lack of appropriate participation.

ADDITIONAL ZOOM INSTRUCTIONS FOR PARTICIPANTS:

PHONE INSTRUCTIONS - to join the conference by phone

1. On your phone, dial the teleconferencing number provided above.
2. Enter the **Meeting ID number** (provide with agenda) when prompted using your touch- tone (DTMF) keypad.

VIDEOCONFERENCE INSTRUCTIONS – to watch and speak, but not to be seen

Before a videoconference:

1. You will need a computer, tablet, or smartphone with speaker or headphones. You will have the opportunity to check your audio immediately upon joining a meeting.
2. Details, phone numbers, and links to videoconference or conference call is provided above. The details include a link to “Join via computer” as well as phone numbers for a conference call option. It will also include the 9- digit Meeting ID.

To join the videoconference:

1. At the start time of your meeting, enter the link to join via computer. You may be instructed to download the Zoom application.
2. You have an opportunity to test your audio at this point by clicking on “Test Computer Audio.” Once you are satisfied that your audio works, click on “Join audio by computer.”

If you are having trouble hearing the meeting, you can join via telephone while remaining on the video conference:

1. On your phone, dial the teleconferencing number provided above.
2. Enter the **Meeting ID number** when prompted using your touch- tone (DTMF) keypad.
3. If you have already joined the meeting via computer, you will have the option to enter your 2- digit participant ID to be associated with your computer.

Participant controls in the lower left corner of the Zoom screen:



Using the icons in the lower left corner of the Zoom screen, you can:

- Mute/Unmute your microphone (far left)
- Turn on/off camera (“Start/Stop Video”)
- Invite other participants
- View Participant list – opens a pop-out screen that includes a “**Raise Hand**” icon that you may use to raise a virtual hand during Call to the Public
- Change your screen name that is seen in the participant list and video window

Somewhere (usually upper right corner on your computer screen) on your Zoom screen you will also see a choice to toggle between “speaker” and “gallery” view. “Speaker view” shows the active speaker. “Gallery view” tiles all of the meeting participants.

**CITY OF MASON
PLANNING COMMISSION MEETING
MINUTES OF MARCH 9, 2021
DRAFT**

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

Roll Call		Present	Absent	Location
Commissioner	Barna	X		Mason, Michigan
Council Liaison	Clark	X		Mason, Michigan
Vice-Chair	Howe		X	
Commissioner	Husby	X		Mason, Michigan
Commissioner	Perrault	X		Mason, Michigan
Chair	Sabbadin	X		Mason, Michigan
Commissioner	Shattuck		X	
Commissioner	Waxman	X		Mason, Michigan
Secretary	Wren	X		Mason, Michigan

Also present: Elizabeth A. Hude, AICP, Community Development Director, Mason, Michigan; Marcia Holmes, Permit Specialist, Community Development; Stephanie Strickland Administrative Assistant, Community Development; Deb Stuart, City Manager; Thomas De La Fuente, PC Youth Advisor; Amber Nixon, 914 S Eugenia Drive, SUP

Howe joined the meeting at 6:38 pm.

PUBLIC COMMENT

None.

APPROVAL OF MINUTES

MOTION by Waxman second by Husby, to approve the Regular Planning Commission meeting minutes from the meeting on January 12, 2021.

Yes (8) Barna, Clark, Howe, Husby, Perrault, Sabbadin, Waxman, Wren

No (0)

Absent (1) Shattuck

MOTION PASSED BY ROLL CALL VOTE

Public Hearing

Resolution 2021-01: Approval of the Capital Improvements Plan for the Fiscal Years 2021-2027

Council Liaison Clark requested to abstain on the issue as he will be voting on this issue at the Council level and does not want to influence opinions of the Planning Commission.

MOTION by Waxman, second by Barna to approve to allow Council Liaison Clark to abstain from voting on CIP.

Yes (7) Barna, Howe, Husby, Perrault, Sabbadin, Waxman, Wren

No (0)

Abstain (1) Clark

Absent (1) Shattuck

MOTION PASSED BY ROLL CALL VOTE

Sabbadin stated that the Planning Commission was not voting to approve the CIP; the voting is to approve recommending it to the City Council for adoption.

Barna questioned if there had been any changes to anything that the commission had seen previously at the joint workshop with City Council. City Manager Stuart stated that additional information was added regarding the Columbia Street bridge pedestrian improvements and a placeholder was added in the following fiscal year for estimated costs of the improvements.

MOTION by Waxman, second by Wren to approve the Capital Improvements Plan for the Fiscal years 2021-2027

Yes (8) Barna, Clark, Howe, Husby, Perrault, Sabbadin, Waxman, Wren

No (0)

Absent (1) Shattuck

MOTION PASSED BY ROLL CALL VOTE

Resolution 2021-02: Amber Nixon has requested a Special Use Permit to increase capacity of a family day care from its currently licensed maximum of six children to allow up to a maximum of twelve children at 914 S Eugenia Drive, parcel 33-19-10-08-326-004, City of Mason, and Ingham County.

Ms. Nixon addressed the Commission stating that she appreciated being permitted to attend and hopes to be able to provide good quality care especially during the pandemic.

Howe asked if there were any police, traffic or noise complaints; Hude responded that comments were included in the staff report and that there were no concerns from fire or police.

Howe asked Ms. Nixon how long she had been in business; she responded five (5) to six (6) years.

Hude discussed that she had visited the site around 5pm and observed the traffic related to pick-up of children. She noted that as indicated in the applicant's narrative, Ms. Nixon was conscious of traffic and driveway usage and would proactive to address any complaints.

Husby inquired if Ms. Nixon was currently licensed, to which she stated that she was and that her license would be changed after she submitted the approved SUP to LARA.

There was a discussion regarding the staff report and the necessary requirements of the ordinance and building code. Staff will continue to work with the applicant to ensure any further requirements will be satisfied.

MOTION by Waxman, second by Barna to approve Resolution 2021-02 allowing a Special Use Permit to Amber Nixon.

Yes (8) Barna, Clark, Howe, Husby, Perrault, Sabbadin, Waxman, Wren

No (0)

Absent (1) Shattuck

MOTION PASSED BY ROLL CALL VOTE

UNFINISHED BUSINESS

There was a brief discussion regarding the approval of the Joint City Council & Planning Commission Meeting Minutes from February 11, 2021. Hude indicated that the minutes were already approved by City Council, but she wanted to bring forth the topic in case there were any questions or concerns regarding the minutes. No concerns or comments made.

Discussion and reminder made for the Joint City Council and Planning Commission Meeting on Monday March 15, 2021 at 8pm or immediately following the City Council meeting for the purpose of discussing the Master Plan Request for Proposals (RFP)

NEW BUSINESS

Staff reminded everyone of the upcoming Michigan Association of Planning Training.

LIAISON REPORT

Clark reported that City Council passed Ordinance 233 – Code of Ethics. Other items being discussed with City Council included the demolition of Laylin Park Pavilion, Snow Removal, and Face to Face meetings which may resume in April.

ADJOURN

The meeting adjourned at approximately 7:34 p.m.

**CITY OF MASON
JOINT CITY COUNCIL & PLANNING COMMISSION MEETING
MINUTES OF MARCH 15, 2021
DRAFT**

Sabbadin called the meeting to order at 8:43 p.m. at 201 West Ash Street, Mason MI, via Zoom Teleconference.

Roll Call		Present	Absent	Location
Commissioner	Barna	X		Mason, Michigan
Council Liaison	Clark	X		Mason, Michigan
Vice Chair	Howe	X		Mason, Michigan
Commissioner	Husby	X		Mason, Michigan
Commissioner	Perrault	X		Mason, Michigan
Chair	Sabbadin	X		Mason, Michigan
Commissioner	Shattuck		X	
Secretary	Wren	X		Mason, Michigan
Council Member	Waxman	X		Mason, Michigan
Mayor Pro-Tem	Brown	X		Mason, Michigan
Council Member	Droscha	X		Mason, Michigan
Council Member	Schaffer	X		Mason, Michigan
Council Member	Ferris	X		Mason, Michigan
Council Member	Vogel	X		Mason, Michigan
Mayor	Whipple	X		Mason, Michigan

Also present: Elizabeth A. Hude, AICP, Community Development Director, Mason, Michigan; Stephanie Strickland, Administrative Assistant, Mason; John Lynch, President Three Rivers Corporation; Dana Martin; Deb Stuart, City Manager; Michele Pietsch; Danielle Bouchard; Marvin Leroy; Michael Olson, Asst City Mgr/DPW Director; Tommy De la Fuente, PC Youth Advisor

PUBLIC COMMENT

None.

PRESENTATION– MASTER PLAN REQUEST FOR PROPOSAL (RFP)

City Manager Stuart presented an overview of the upcoming need and process for updating the City's 20-year Master Plan. She stated that the goal was to have a usable plan that was referred to on a regular basis. John Lynch, President, Three Rivers Corporation conducted an exercise where each member provided three (3) items; what they would like to Keep, Remove and add to their city. The information was summarized by staff that will format it further for use in the RFP:

Preserve

- Neighborhood/ Small town charm (Schaffer/ Howe/ Wren/ Clark)
 - Courthouse Square/ Character (Brown/ Perrault/ Whipple)
 - Beautifying downtown, burying infrastructure (Wren)
 - Historic Preservation Priority/ Staffing (Vogel)
 - Development Measured (Clark)
 - Maintain the Fair (Husby)
 - More community involvement/ more activities downtown (Wren)
 - Maintain Community involvement (Whipple)
 - Community Festivals (Droscha)

Innovation:

- Infrastructure:
 - 5 G Downtown (Howe)
 - Fiber throughout town (Droscha/ Waxman)
 - Solar Panel Roof Pilot/ Free Wi-Fi (Vogel)
 - New DPW (Howe)
- Be more business-friendly ordinances (Clark)
- Improve development process in ordinances/ to make things that are simple easier (Whipple)
Get rid of we have always done it this way (Vogel)
- Entrepreneurial Growth Businesses helping business (Ferris)

Space:

- More streets connecting North side of Town (Sabbadin)
- Get rid of 5 stop at Jefferson/Columbia (Droscha)
- More greenspace/ Parks on west side of highway (Schaffer)
- Redevelop Cedar Street/ Vacancies (Waxman/ Perrault)
- Develop Behind City Limits Developed (Sabbadin)
- Develop East of Fairgrounds (Howe)
- Specific:
 - Community Center (Perrault)
 - Non-profits combining services (Ferris)
 - Destination Restaurant (Brown)
 - Hotel (Husby/ Schaffer/ Delafuente)

Census:

- Focus on younger age group (Vogel)
- More opportunities for youth (Delafuente)
- Communications with rural residents (Ferris)

Staff suggested that a representative from each of the Council and Commission be on the RFP selection committee and to consider appointing someone at their next meeting.

Director Hude concluded by thanking all of the members and John Lynch for their time.

ADJOURNMENT

The meeting adjourned at approximately 9:51 pm.



City of Mason Planning Commission

Staff Report

TO: Planning Commission
 FROM: Elizabeth A. Hude, AICP, Community Development Director
 SUBJECT: Resolution 2021-03: 1041 & 1123 S. Jefferson – Re-zoning
 DATE: March 30, 2021

George Hayhoe, Capex Land Inc., is requesting an amendment to the zoning map by rezoning 1041 S. Jefferson St. (parcel 33-19-10-09-351-011) and 1123 S. Jefferson St. (parcel 33-19-10-09-351-015) from M-1: Light Manufacturing District to C-2: General Commercial District.

This is shown on the documents received March 4, 2021, is which includes:

- Application including narrative and exhibits
- Topographic plan – Capex Land Incorporated, City of Mason, Ingham County, Michigan, sheet 1 of 1, dated March 19, 2021, prepared by Wolverine Engineers & Surveyors, Inc.

Chapter 94 Article XII. Amendments of the Mason Code [Section 94-392](#) states that an amendment to this chapter (94 – Zoning) may be initiated by the city council, by the planning commission, or by petition of one or more persons having an interest in property located within the jurisdiction of this chapter.

The applicant paid a fee of \$300 (Zoning Amendment), and, together with the documents listed above, appears to satisfy the submittal requirements of [Sec. 94-393](#) and [Sec. 94-394](#).

PUBLIC NOTICE

Notice of the public hearing was given in accordance with [Sec. 94-395](#) and [Sec. 94-101](#) of the City's Zoning Ordinance. The public hearing notice was published in the Ingham County Community News Legal Section on Sunday, March 28, 2021, and a letter was sent to abutters within 300' of the subject parcel via U.S. Mail on March 23, 2021.

AGENCY NOTICE

Agencies were notified of the application the day the application was complete, March 19, 2021, in accordance with [Sec. 94-394\(d\)](#).

STAFF REVIEW

The site is located and fronts on South Jefferson Street, a local public roadway. The surrounding land uses and zoning are as follows:

	Current Land Use	Zoning	Future Land Use
North	Residential	M-1 Light Manufacturing District	Mixed Use
East	Manufacturing	M-1 Light Manufacturing District	Mixed Use
South	Commercial	C-2 General Commercial District	Mixed Use
West	Residential	RS-1 Single Family Residential District	Residential/Public

REVIEW CRITERIA

Staff offers the following information as a supplement to the responses in the applicant's narrative.

Sec. 94-396. Planning commission recommendations.

(a) In reviewing any application for an amendment to this chapter, the planning commission shall identify and evaluate all factors relevant to the application, and shall report its finding in full along with its recommendations for disposition of the application, to the city council within 60 days of receipt of an application or proposed amendment. The matters to be considered by the planning commission shall include the following findings of fact:

(1) Compliance with the master plan of the city.

The Master Plan encourages that zoning be re-evaluated and has designated this area as Mixed Use in the Future Land Use Plan (FLUP). Re-zoning to commercial would be consistent with the FLUP.

The [Masterplan](#) offers support for the re-zoning in several sections:

- Future Land Use Map, page 3-9 designates this area as potential Mixed Use, Mixed-Use is discussed further on page 3-6
- This area appears to be discussed in Chapter 2 Industrial Development, pages 2-6 and on pages 3-4 as part of the South Railroad Industrial Area.
- Chapter 2 Growth Management, Public Services, and Quality of Life
- Chapter 2 Economic Development, page 2-3, discusses the need to re-evaluate zoning
- Chapter 2 Commercial Development, page 2-6
- Chapter 2 Transportation, Streets, and Circulation, page 2-7

(2) What, if any, identifiable conditions related to the proposed amendment have changed which justify the proposed amendment?

There has been significant investment of commercial, office and residential development in the Kipp Rd area between US 127 and the railroad tracks. Market conditions appear to be favorable for the use of this area as commercial.

(3) What, if any, error in judgment, procedure or administration was made in the original chapter which justifies the petitioner's change in zoning? Staff is not aware of any error that was made in the current zoning classification.

(4) What are the precedents and the possible effects of such precedent which might result from the approval or denial of the petition?

Re-zoning this property extends the commercial use further north on S. Jefferson on land currently zoned M-1 Light Manufacturing. Similar to the discussion is item (2) above, land use practices in this area have shifted to more commercial and office uses.

(5) What is the impact of the amendment on the ability of the city and other governmental agencies to provide adequate public services and facilities, and/or programs that might reasonably be required in the future if the petition is approved? There does not appear to be any unique impact. This area is already developed and served adequately by public services and facilities. The north lot, 1041 S. Jefferson St. is currently designated as a detention basin for properties to the south fronting on Kipp Rd – the credit union and Dollar Tree plaza. The detention basin will also support any future development on 1123 S Jefferson. Staff is not aware of any additional requirements at this time.

(6) Does the proposed amendment adversely affect the value of the surrounding property? Staff does not find that converting this property from M-1 Light Manufacturing to C-2 Commercial District would adversely impact the value of surrounding property. The re-zoning has the potential to improve values in the area and improve walkability by providing commercial activities within walking distance of residential neighborhoods and locating adjacent to other commercial uses served by existing non-motorized linkages such as the sidewalks and Hayhoe Riverwalk Trail.

(7) Are there any significant negative environmental impacts which would reasonably occur if the petitioned zoning change and resulting allowed structures were built? Examples include:

- a. Surface water drainage problems.
- b. Wastewater disposal problems.
- c. Adverse effect on surface or subsurface water quality.
- d. The loss of valuable natural resources, such as forest, wetlands, historic sites, wildlife, mineral deposits or valuable agricultural land.

The area is already developed and served by City utilities and appropriate stormwater detention facilities. Staff is not aware of any additional significant environmental impacts that would result from the proposed zoning change.

(8) The ability of the property in question to be put to a reasonable economic use in the zoning district in which it is presently located. The re-zoning improves the ability of the property to be put to a reasonable economic use based upon current market conditions.

ACTION

The Planning Commission has the following options:

- Motion/vote to recommend City Council adopt Ordinance 234,
- Motion/vote to recommend City Council deny the request as presented,
- Continue to a future meeting date and time in order to obtain additional information (be specific).

Relation to Other Actions

A first reading of Ordinance No. 234 will be conducted at a regular meeting of City Council on Monday, April 5, 2021. Pending the recommendation of the Planning Commission, City Council would conduct the second reading and consider adoption at their regular meeting, on Monday, April 19, 2021. The ordinance would go into effect on the date of its publication, anticipated to be Sunday, April 25, 2021.

Staff Recommendation

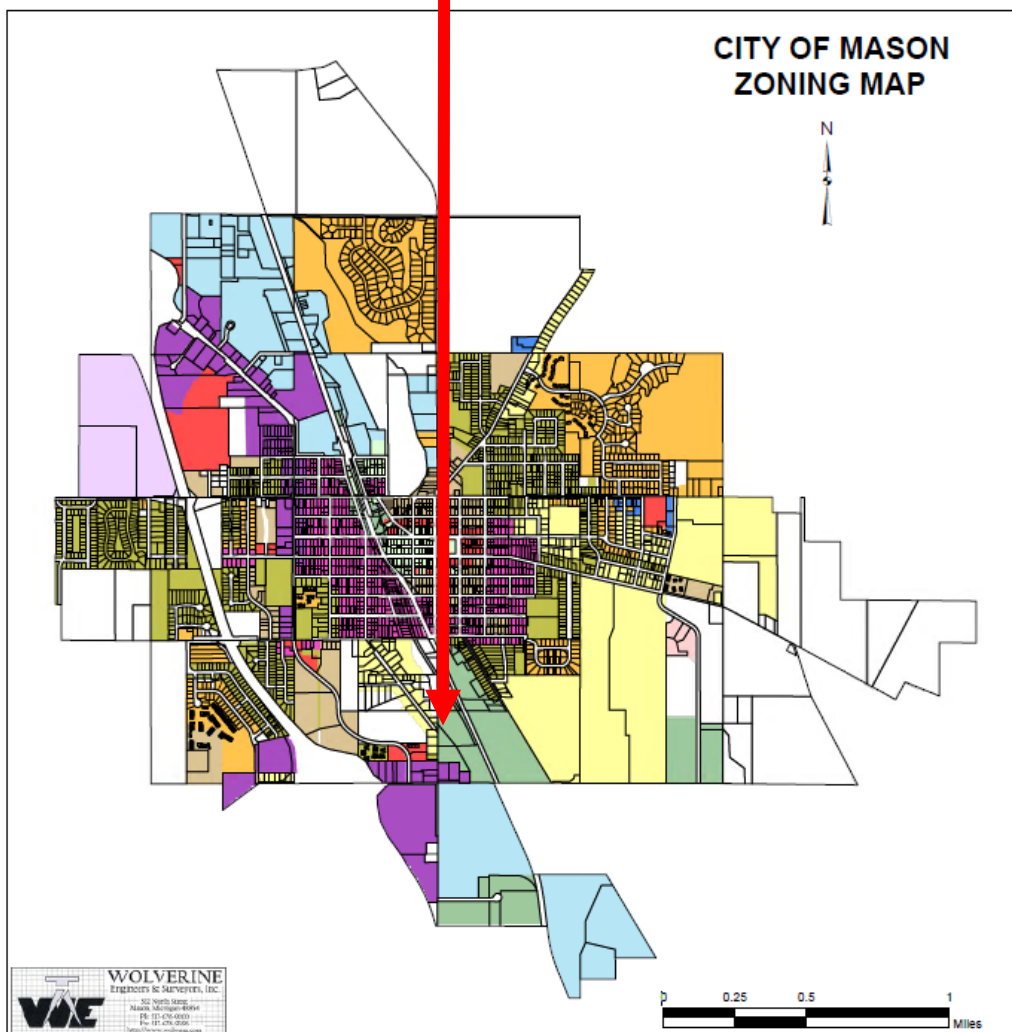
With the findings and analysis described above, the following action is recommended for consideration by the Planning Commission:

The Planning Commission approve Resolution No. 2021-03 recommending that City Council adopt Ordinance No. 234.

Attachments:

1. Resolution 2021-03
2. Ordinance No. 234
3. Map of parcel/Zoning Map
4. Application materials

1041 & 1123 S. Jefferson Street




Legend

-  AD SINGLE FAMILY AGRICULTURAL DISTRICT
-  D-1 CENTRAL BUSINESS DISTRICT
-  C-3 GENERAL COMMERCIAL DISTRICT
-  C-2 LOCAL COMMERCIAL DISTRICT
-  M-1 LIGHT MANUFACTURING DISTRICT
-  M-2 GENERAL MANUFACTURING DISTRICT
-  RM SINGLE FAMILY HOUSING DISTRICT
-  O-1 OFFICE DISTRICT
-  C-1 SPECIALIZED OFFICE DISTRICT
-  RDP TWO FAMILY RESIDENTIAL DISTRICT
-  RM MULTIPLE FAMILY RESIDENTIAL DISTRICT
-  RA-1 SINGLE FAMILY RESIDENTIAL DISTRICT
-  RA-2 SINGLE FAMILY RESIDENTIAL DISTRICT
-  RA-3 SINGLE FAMILY RESIDENTIAL DISTRICT

[illegible]

This is to certify that the above map is the official Zoning Map of the City of Mason.

 3/5/2021
Sarah J. Jarvis, City Clerk Date

**CITY OF MASON
PLANNING COMMISSION RESOLUTION No. 2021-03**

**A RESOLUTION RECOMMENDING THAT THE CITY COUNCIL
ADOPT ORDINANCE NO. 234 – AN ORDINANCE TO AMEND THE ZONING MAP BY REZONING 1041 S.
JEFFERSON ST. (PARCEL 33-19-10-09-351-011) AND 1123 S. JEFFERSON ST. (PARCEL 33-19-10-09-351-
015) FROM M-1: LIGHT MANUFACTURING DISTRICT TO C-2: GENERAL COMMERCIAL DISTRICT.**

April 13, 2021

WHEREAS, George Hayhoe, Capex Land Inc., to amend the zoning map by rezoning 1041 S. Jefferson St. (parcel 33-19-10-09-351-011) and 1123 S. Jefferson St. (parcel 33-19-10-09-351-015) from M-1: Light Manufacturing District to C-2: General Commercial District.

WHEREAS, a public hearing on the request was noticed and held at the Planning Commission’s regular meeting of April 13, 2021, with testimony given and public comment solicited in accordance with Section 94-101 of the Mason Code; and,

WHEREAS, the Planning Commission accepts the Staff Report dated March 30, 2021, as findings of fact that the proposed Ordinance No. 234 is consistent with the relevant criteria of Section 94-396(a) which includes:

(1) Compliance with the master plan of the city.

The Master Plan encourages that zoning be re-evaluated and has designated this area as Mixed Use in the Future Land Use Plan (FLUP). Re-zoning to commercial would be consistent with the FLUP.

The [Masterplan](#) offers support for the re-zoning in several sections:

- Future Land Use Map, page 3-9 designates this area as potential Mixed Use, Mixed-Use is discussed further on page 3-6
- This area appears to be discussed in Chapter 2 Industrial Development, pages 2-6 and on pages 3-4 as part of the South Railroad Industrial Area.
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- Chapter 2 Economic Development, page 2-3, discusses the need to re-evaluate zoning
- Chapter 2 Commercial Development, page 2-6
- Chapter 2 Transportation, Streets, and Circulation, page 2-7

(2) What, if any, identifiable conditions related to the proposed amendment have changed which justify the proposed amendment?

There has been significant investment of commercial, office and residential development in the Kipp Rd area between US 127 and the railroad tracks. Market conditions appear to be favorable for the use of this area as commercial.

(3) What, if any, error in judgment, procedure or administration was made in the original chapter which justifies the petitioner's change in zoning? Staff is not aware of any error that was made in the current zoning classification.

(4) What are the precedents and the possible effects of such precedent which might result from the approval or denial of the petition?

Re-zoning this property extends the commercial use further north on S. Jefferson on land currently zoned M-1 Light Manufacturing. Similar to the discussion is item (2) above, land use practices in this area have shifted to more commercial and office uses.

(5) What is the impact of the amendment on the ability of the city and other governmental agencies to provide adequate public services and facilities, and/or programs that might reasonably be required in the future if the petition is approved? There does not appear to be any unique impact. This area is already developed and served adequately by public services and facilities. The north lot, 1041 S. Jefferson St. is currently designated as a detention basin for properties to the south fronting on Kipp Rd – the credit union and Dollar Tree plaza. The detention basin will also support any future development on 1123 S Jefferson. Staff is not aware of any additional requirements at this time.

(6) Does the proposed amendment adversely affect the value of the surrounding property? Staff does not find that converting this property from M-1 Light Manufacturing to C-2 Commercial District would adversely impact the value of surrounding property. The re-zoning has the potential to improve values in the area and improve walkability by providing commercial activities within walking distance of residential neighborhoods and locating adjacent to other commercial uses served by existing non-motorized linkages such as the sidewalks and Hayhoe Riverwalk Trail.

(7) Are there any significant negative environmental impacts which would reasonably occur if the petitioned zoning change and resulting allowed structures were built? Examples include:

- a. Surface water drainage problems.
- b. Wastewater disposal problems.
- c. Adverse effect on surface or subsurface water quality.
- d. The loss of valuable natural resources, such as forest, wetlands, historic sites, wildlife, mineral deposits or valuable agricultural land.

The area is already developed and served by City utilities and appropriate stormwater detention facilities. Staff is not aware of any additional significant environmental impacts that would result from the proposed zoning change.

(8) The ability of the property in question to be put to a reasonable economic use in the zoning district in which it is presently located. The re-zoning improves the ability of the property to be put to a reasonable economic use based upon current market conditions.

NOW THEREFORE BE IT RESOLVED, that the City of Mason Planning Commission does hereby recommend that the City Council adopt Ordinance No. 234 – an ordinance to amend the City of Mason zoning map to rezone property at 1041 Jefferson St. (parcel 33-19-10-09-351-011) and 1123 Jefferson St. (parcel 33-19-10-09-351-015) from M-1: Light Manufacturing District to C-2: General Commercial District.

Yes (0)

No (0)

Absent (0)

Sarah J. Jarvis, City Clerk
City of Mason
Ingham County, Michigan

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CITY OF MASON
PLANNING DEPT.

APPLICATION

REQUEST FOR ZONING AMENDMENT

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CITY OF MASON
CUSTOMER SERVICE

Please complete the information requested below. The full text describing the process and basis for approvals of requests for zoning amendments can be found in Chapter 94 – Zoning, Article XII Amendments – [click here](#).

Part 1 - Applicant Information:

Name: GEORGE HAYHOE
Organization: CAPEX LAND, INC.
Address: P.O. BOX 422, MASON, MICH. 48854
Telephone Number: 517-896-3915 E-mail: rg.hahoe@yahoo.com
Interest in Property (owner, tenant, option, etc.): OWNER

Note: If the applicant is anyone other than owner, request must be accompanied by a signed letter of authorization from the owner along with the owner's contact information.

Part 2 – Request for Zoning Amendment

☐ Zoning Text Amendment – Proceed to Part 3 ☒ Zoning Map Amendment (Re-zoning) – Proceed to Part 4

Please briefly summarize your request below. Attach separately a narrative that clearly describes the reason for your request and how you believe it meets the matters to be considered listed in Sec. 94-396(a)(1) through (8) of the City of Mason ordinance, listed at the end of this application package.

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 to determine compliance with the requirements of the zoning code district requested by the applicant and compliance with conditions precedent to the granting of the zoning district change/text amendment requested.

Signature: George Hayhoe Date: 3/4/21

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CITY OF MASON
PLANNING DEPT**Part 3 – Zoning Text Amendment****Draft of Zoning Text**

Please attach separately a draft of the zoning text as you wish for it to be amended and send a copy via email in electronic format. Changes to the existing ordinance should be 'tracked and highlighted' to show where changes are being proposed. Staff will format the draft into an ordinance that will be presented to the Planning Commission and City Council.

Part 4 – Zoning Map Amendment**Property Legal Description**

This information can be found on your property survey or in the assessor's record of your property.

Property address: 1041 and 1123 S. JEFFERSON Parcel #: and 33-19-10-09-351-011

If in a subdivision: Subdivision Name: _____ Lot Number: _____

If Metes and Bounds, attach a copy of the full legal description.

Site Area

Indicate the size of the site subject to the request for change of zoning:

In square feet (if under one (1) acre): _____ In acres (if over one (1) acre): 5.23 ACRES

Master Plan

Future Land Use Designation (from Master Plan): MIXED USE

Does the proposed Zoning District conform to this designation? ☒ Yes ☐ No

Available Services

Public Water ☒ Yes ☐ No

Paved Road (Asphalt or Concrete) ☒ Yes ☐ No

Public Sanitary Sewer ☒ Yes ☐ No

Public Storm Sewer ☒ Yes ☐ No

Health Department Certification may be required where public water and/or sanitary sewer are not available.

Current Use:

Are there any structures currently on the property? ☐ Yes ☒ No

If so, describe the number of structures and how the structures are used (attach additional sheets, if necessary):

VACANT LAND

Soil Data

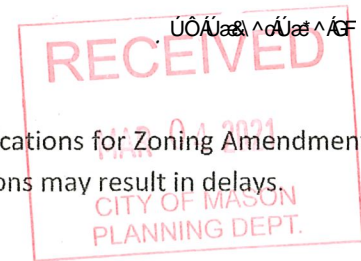
Has soil bearing capacity and septic suitability of the ground been tested? ☐ Yes ☒ No

If so, provide copy. Note: Such testing may be required if conditions warrant.

Plot Plan

The Plot Plan shall be drawn to a readable scale and shall show all of the following information:

- Existing structures and parking areas, with setback dimensions from property lines
- Survey pins or monuments
- All easements on the property
- Overhead and underground utilities
- Floodplain and wetlands
- Topography (where land characteristics have a bearing on the request)
- Surface drainage, indicated by directional arrows
- Existing zoning and use of surrounding properties



Application Checklist

The following is a checklist of items that generally must be submitted with applications for Zoning Amendments. Pre-application phone consultations are recommended, as incomplete applications may result in delays.

- Completed application form
- Fee - \$300*
- Narrative – Present a description of your request and how the proposed change will meet the criteria listed in Sec. 94-396(a)(1) through (8) of the City of Mason ordinance.
- Proof of ownership or owner authorization for Zoning Map Amendments only

NOTE: Upon request, staff may require additional information if deemed necessary to make a determination.

*Zoning Map Amendments may also require additional review by the City Engineer. Applicants may be billed separately for an Engineering Review Fee of \$220.00 –Minimum Two-hour fee for projects increasing demand on public utilities. Actual fees incurred are billed to applicant upon completion of review.

Application Deadlines

The 2021 application deadlines are as follows

Deadline	Planning Commission Meeting	Need an extra day or two? Contact staff. We will always do our best to accommodate you.
January 1, 2021	February 9, 2021	Pre-application advisory discussions with staff are encouraged. Contact us for more information at 517-676-9155.
February 5, 2021	March 9, 2021	
March 5, 2021	April 13, 2021	
April 2, 2021	May 11, 2021	
May 7, 2021	June 15, 2021	
June 4, 2021	July 13, 2021	
July 2, 2021	August 10, 2021	
August 6, 2021	September 14, 2021	
September 3, 2021	October 12, 2021	
October 1, 2021	November 9, 2021	
November 5, 2021	December 14, 2021	

Next Steps – Review Process

What to expect after we receive your application:

- A public hearing by the Planning Commission and two readings by City Council are required. If approved, the proposed amendment will be effective on the date of publication in the newspaper, typically the Sunday following the second reading and adoption by City Council.
- Within 10 days of receiving your application, we will notify you if we find your application incomplete and need more information. Once complete, we will let you know the date of the next available Planning Commission meeting for the public hearing, and when the first and second reading of City Council will be scheduled.
- Complete applications are circulated to City of Mason departments including Police, Fire, Department of Public Works, City Engineer and City Manager. The materials are also required to be sent to those outside agencies who may be impacted or have jurisdiction over portions of the project which include but are not limited to adjacent townships, railroads, Mason Public Schools, Consumers Energy, the Ingham County Drain

Commissioner, Michigan Department of Transportation/Aviation, and/or the Ingham County Road Department.

- The City must publish a public hearing notice in the local paper and mail the notice to abutters within 300 feet of the project a minimum of 15 days prior to the public hearing.
- The applicant will receive a DRAFT staff report approximately 2 weeks prior to the scheduled Planning Commission meeting for review and discussion with staff. Additional meetings may be requested prior to the staff report as necessary to confirm information about the proposal.
- The staff report will be revised, distributed to the Planning Commission and City Council, and posted on the City's website no less than 48 hours prior to the meeting but usually by the Friday preceding the meeting.
- The City Council and Planning Commission will review and discuss the proposal at the scheduled times. The applicant should be prepared to attend and make a brief presentation that the proposal meets the City's requirements as outlined in their narrative.
- The Planning Commission has the following options for action:
 - Recommendation that City Council adopt the proposed ordinance approving the requested changes
 - Continue to a time and date certain to allow for revisions or more information
 - Recommendation that City Council not adopt the proposed ordinance effectively denying the requested changes
- City Council has the following options for action:
 - Accept the recommendation of the Planning Commission and vote in favor of or against adoption
 - Hold an additional public hearing if it considers necessary, or otherwise required by law
 - Refer the matter back to the planning commission for further report if further changes are desirable, which are in addition to, or departures from the proposed amendment
- Once the project is approved, the applicant may proceed with obtaining any necessary zoning or construction permits.

Compliance with City Ordinances

Applicants have the burden of proof to demonstrate that their proposal complies with the City's ordinances. Staff may request additional information as necessary to determine if the ordinances are being met. The requested narrative attached to the application is very helpful to describe the project and walk staff and the Commissioners through your request and how the proposed changes meet the requirements.

Staff can provide examples of previous applications upon request, or visit the Planning Commission's webpage here:

Resources: More questions? Please contact our Customer Service Desk at 517.676.9155.



MATTERS TO BE CONSIDERED FOR APPROVAL

As referenced in Part 2 of this application.

Sec. 94-396. Planning commission recommendations.

- (a) In reviewing any application for an amendment to this chapter, the planning commission shall identify and evaluate all factors relevant to the application, and shall report its finding in full along with its recommendations for disposition of the application, to the city council within 60 days of receipt of an application or proposed amendment. The matters to be considered by the planning commission shall include the following findings of fact:
- (1) Compliance with the master plan of the city.
 - (2) What, if any, identifiable conditions related to the proposed amendment have changed which justify the proposed amendment?
 - (3) What, if any, error in judgment, procedure or administration was made in the original chapter which justifies the petitioner's change in zoning?
 - (4) What are the precedents and the possible effects of such precedent which might result from the approval or denial of the petition?
 - (5) What is the impact of the amendment on the ability of the city and other governmental agencies to provide adequate public services and facilities, and/or programs that might reasonably be required in the future if the petition is approved?
 - (6) Does the proposed amendment adversely affect the value of the surrounding property?
 - (7) Are there any significant negative environmental impacts which would reasonably occur if the petitioned zoning change and resulting allowed structures were built? Examples include:
 - a. Surface water drainage problems.
 - b. Wastewater disposal problems.
 - c. Adverse effect on surface or subsurface water quality.
 - d. The loss of valuable natural resources, such as forest, wetlands, historic sites, wildlife, mineral deposits or valuable agricultural land
 - (8) The ability of the property in question to be put to a reasonable economic use in the zoning district in which it is presently located




201 WEST ASH
MASON, MI 48854
5176769155
5176761330

CAPEX LAND INC
PO BOX 422
MASON MI 48854



\$ 300.00

	Invoice No	Invoice Date	Plan/Review Number	Address	Amount Due
	00004732	03/04/21	POA21-001	1041 S JEFFERSON	\$ 300.00
Fee Details:	Quantity	Description		Amount	Cost
	0.000	Zoning Ordinance Amendment Fee		\$300.00	\$ 300.00
Total Amount Due					\$ 300.00

CITY OF MASON

CITY OF MASON
PLANNING DEPT.

CITY OF MASON
P.O. BOX 370
201 W. ASH ST.
MASON MI 48854-370
Phone : (517) 676-9155
WWW.MASON.MI.US

Received From:
CAPEX LAND INC
PO BOX 422
MASON MI 48854

Date: 03/04/2021
Receipt: 100282230
Cashier: KM
Time: 9:23:52 AM

ITEM REFERENCE	AMOUNT
PWT PERMIT	
00004732	
101-254.00-475.000	\$300.00
TOTAL	\$300.00
CHECK 1981	\$300.00
Total Tendered:	\$300.00
Change:	\$0.00

Capex Land, Inc. owns a parcel of property on South Jefferson Street that is currently zoned M1 Light Industrial. We are requesting a rezoning from M1 to C2 General Commercial. This property is part of a three lot development that has been in progress for the last 15 years. The three lots share two entrance drives, one on Kipp Road, and one on South Jefferson Street. All three lots share one detention/retention basin which has been sized to handle storm water flow from all three lots. Two of the lots have already been developed. Both were rezoned from M1 to C2 in the past to accommodate the construction of CP Federal Credit Union and Pacifica Companies (Dollar Tree). We are now requesting a similar rezoning from M1 to C2 in preparation for future development. I will now address the eight Section 94-396 planning commission considerations:

1. The current Master Plan calls for Mixed Use in this area. Almost all uses allowed in a C2 district fit in a Mixed Use area. The surrounding area includes a vibrant mix of retail, restaurant, financial services, industrial, residential, and a church.
2. M1 Light Industrial was the original zoning category for this area when the concept of zoning first arrived in Mason. Over time, as development projects came along, M1 zoning has been replaced by the mixed uses described in 1 above, one property at a time. Rezoning this parcel from M1 to C2 will match the zoning of all three properties in this development, and will allow uses compatible with the properties it shares access drives and utilities with.
3. We are not relying on any errors of any kind in support of our request.
4. Rezoning from M1 to C2 follows the precedent set with the rezoning of the other two properties from M1 to C2 that are part of the development.
5. All municipal utilities are available on site. There is a sanitary sewer manhole already installed on the property and connected to the City system. A public water main runs across the property along South Jefferson Street. Storm water will be handled through the existing storm water detention/retention basin that already serves the other two lots. Hayhoe Riverwalk runs across the property. Both South Jefferson Street and Kipp Road have been reconstructed and modernized over the past couple years. The site is ready to go.



6. We believe this rezoning will have a positive impact on the value of surrounding properties.
7. Storm and sanitary sewer issues were addressed in item 5. This site is 5.23 acres total. The development footprint is 3.0 acres. Everything east of the Hayhoe Riverwalk is wetland or Sycamore Creek. Everything west of the Hayhoe Riverwalk and south of the detention/retention basin makes up the 3.0 acre developable footprint.
8. Modern day M1 Light Manufacturing properties need to be far larger than 3.0 acres. Current M1 zoning is outdated, and the property is far too small for M1 uses.



EXHIBIT A

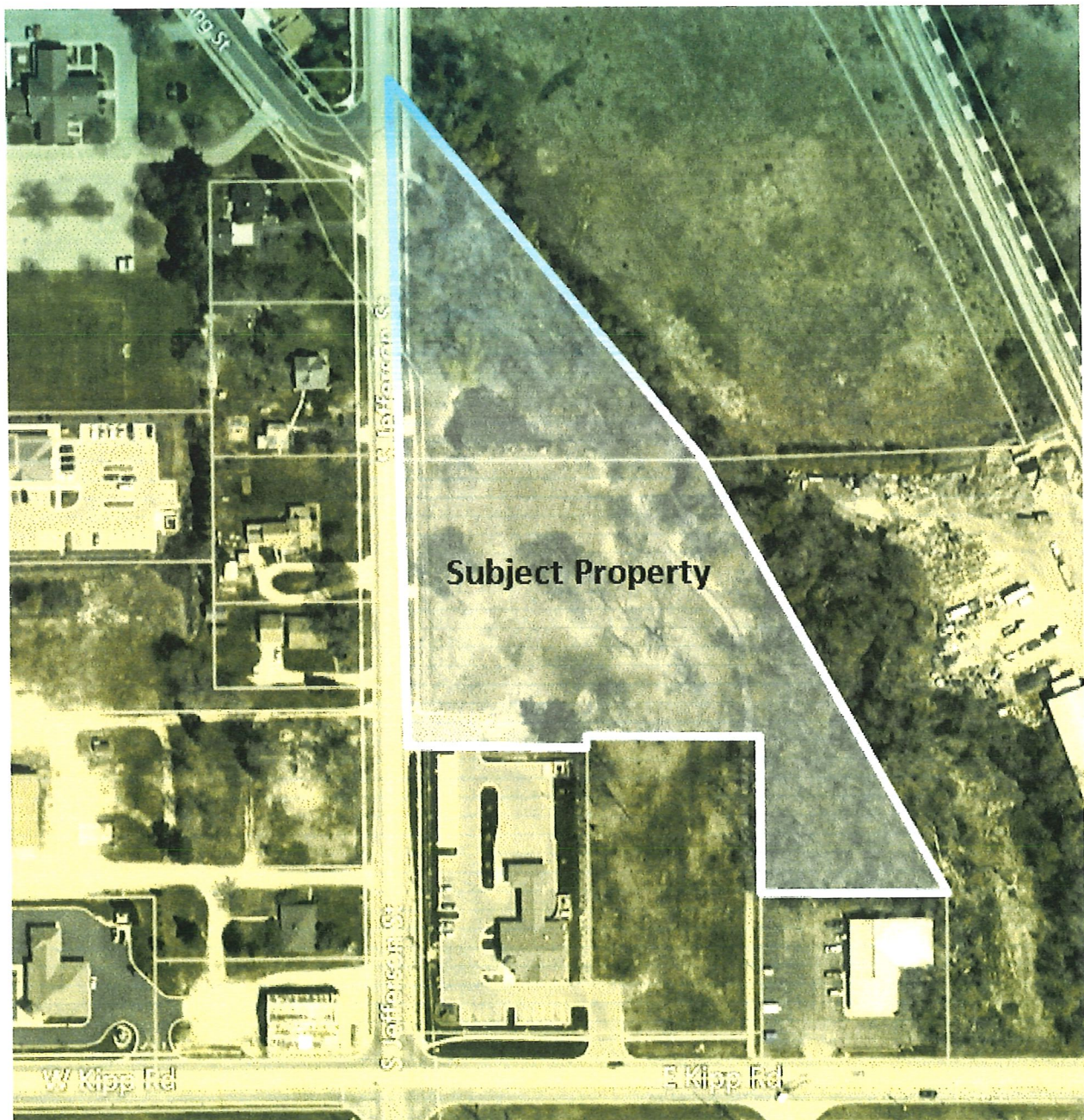
Depiction or Legal Description of the Land

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CITY OF MASON
PLANNING DEPT.

Approximately 5.23 acres of land located at 1041 & 1123 South Jefferson Street in Mason, Ingham County, Michigan, also known as tax parcel numbers 33-19-10-09-351-011 and 33-19-10-09-351-015, and as depicted below.





Beginning on West Section Line at point North 00 degrees 12 minutes 13 seconds West 675 feet from Southwest corner of Section 9; North 00 degrees 12 minutes 13 seconds West 407.12 feet along said West line; South 40 degrees 15 minutes 15 seconds East 536.14 feet; North 89 degrees 39 minutes 31 seconds West 345 feet to P.O.B. on Southwest $\frac{1}{4}$ of Section 9.
Parcel #33-19-10-09-351-011

Part of Southwest $\frac{1}{4}$ of Section 9, T2N-R1W, City of Mason, Ingham County, described as:
Beginning on West Section line at a point North 00 degrees 12 minutes 13 seconds West 363 feet from Southwest corner of Section 9; North 00 degrees 12 minutes 13 seconds West 312 feet along said West line; South 89 degrees 40 minutes 59 seconds East 345 feet parallel with South Section line; South 28 degrees 53 minutes 18 seconds East 539.57 feet; South 89 degrees 40 minutes 59 seconds West 204 feet; North 00 degrees 12 minutes 13 seconds West 171 feet; North 89 degrees 40 minutes 59 seconds West 190 feet; South 00 degrees 12 minutes 13 seconds East 12 feet; North 89 degrees 40 minutes 59 seconds West 210 feet to P.O.B.
Parcel #33-19-10-09-351-015



COPY

- EXISTING LEGEND**
- | | | | |
|-----------|--------------------|---|---------------------|
| ---900--- | CONTOUR - MJR | ⊙ | STORM MANHOLE |
| ---901--- | CONTOUR - MNR | ⊙ | STORM CLEAN OUT |
| --- | STORM SEWER | ⊙ | STORM CATCH BASIN |
| --- | OVERHEAD UTILITIES | ⊙ | STORM END SECTION |
| --- | VINYL FENCE | ⊙ | SANITARY MANHOLE |
| --- | BARBWIRE FENCE | ⊙ | MONITORING WELL |
| --- | ROW | ⊙ | WATER VALVE |
| --- | PROPERTY LINE | ⊙ | HYDRANT |
| --- | CENTERLINE | ⊙ | LIGHT POLE |
| --- | EASEMENT | ⊙ | UTILITY POLE |
| --- | TREE LINE | ⊙ | GUY WIRE |
| --- | ASPHALT | ⊙ | ELECTRICAL RISER |
| --- | CONCRETE | ⊙ | ELECTRICAL PANEL |
| --- | GRAVEL | ⊙ | POST |
| --- | DECIDUOUS TREE | ⊙ | STREET SIGN |
| --- | EVERGREEN TREE | ⊙ | SIGN |
| --- | ORNAMENTAL TREE | ⊙ | PROPERTY LINE |
| --- | SHRUB | ⊙ | FOUND PROPERTY IRON |
| --- | STUMP | ⊙ | SET PROPERTY IRON |

NOTE

NEIGHBORING PARCEL INFORMATION WAS OBTAINED FROM INGHAM COUNTY EQUALIZATION ON MARCH 17, 2021.



Know what's below.
Call before you dig.

!!! CAUTION !!!
THE LOCATIONS AND ELEVATIONS OF EXISTING UNDERGROUND UTILITIES AS SHOWN ON THIS DRAWING ARE ONLY APPROXIMATE. NO GUARANTEE IS EITHER EXPRESSED OR IMPLIED AS TO THE COMPLETENESS OR ACCURACY THEREOF. THE CONTRACTOR SHALL BE EXCLUSIVELY RESPONSIBLE FOR DETERMINING THE EXACT UTILITY LOCATIONS AND ELEVATIONS PRIOR TO THE START OF CONSTRUCTION. IT IS THE CONTRACTOR'S RESPONSIBILITY TO NOTIFY THE VARIOUS UTILITY OWNERS IN ACCORDANCE WITH MICHIGAN P.A. NO. 53 OF 1974.

PARCEL #33-19-10-08-476-032
TINA & JAMES WOLFE
ZONE RS-1

PARCEL #33-19-10-08-476-033
DARREL HEIN
ZONE RS-1

PARCEL #33-19-10-08-476-009
BONNIE CULVER
ZONE RS-1

PARCEL #33-19-10-08-476-048
J&J PROPERTIES OF MASON LLC
ZONE RS-2

PARCEL #33-19-10-08-476-047
J&J PROPERTIES OF MASON LLC
ZONE OFFICE-DIST.

PARCEL #33-19-10-08-476-049
MSU FEDERAL CREDIT UNION
ZONE C-2

PARCEL #33-19-10-08-476-041
J&J PROPERTIES OF MASON LLC
ZONE C-2

PARCEL #33-19-10-08-476-042
J&J PROPERTIES OF MASON LLC
ZONE C-2

PARCEL #33-19-10-17-200-027
GOOD WILL CO INC (MEIJER)
ZONE C-2

PARCEL #33-19-10-09-351-014
MASON COMMERCE CENTER LLC
ZONE M-1

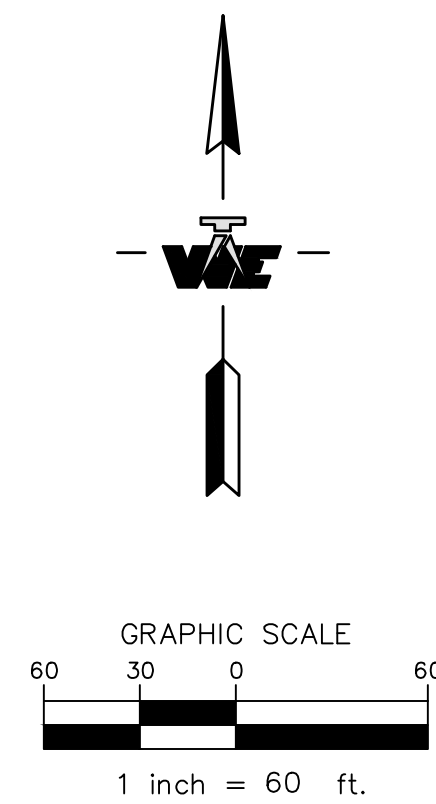
PARCEL #33-19-10-09-351-011

PARCEL #33-19-10-09-351-015

PARCEL #33-19-10-09-351-013
J&J PROPERTIES OF MASON LLC
ZONE M-1

PARCEL #33-19-10-09-351-008
HAMEL HOLDINGS LLC
ZONE C-2

PARCEL #33-19-16-100-024
GESTAMP MASON LLC
ZONE M-2



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REVISION	DATE	DRAWN	DESCRIPTION

WOLVERINE
Engineers & Surveyors, Inc.
312 North Street
Mason, Michigan 48854
Ph: 317 676 9200
Fax: 317 676 9396
http://www.wolverine.com

PROJECT	CAPEX LAND INCORPORATED CITY OF MASON INGHAM COUNTY, MICHIGAN TOPOGRAPHIC
APPROVED	DBH
CHECKED	DBH
DRAWN	LDR
JOB NO.	21-0034
DATE	3/19/2021
SCALE	1" = 60'
SHEET NO.	1 OF 1

MAP OF DESCRIPTION

PARCEL DESCRIPTIONS: (AS PER INGHAM COUNTY EQUALIZATION)

PARCEL 33-19-10-09-351-011:

PART OF THE SOUTHWEST $\frac{1}{4}$ OF SECTION 9, TOWN 2 NORTH, RANGE 1 WEST, CITY OF MASON, INGHAM COUNTY, MICHIGAN DESCRIBED AS:

BEGINNING ON THE WEST SECTION LINE AT A POINT NORTH $00^{\circ}12'13''$ WEST 675 FEET FROM THE SOUTHWEST CORNER OF SECTION 9; THENCE NORTH $00^{\circ}12'13''$ WEST 407.12 FEET ALONG SAID WEST LINE; THENCE SOUTH $40^{\circ}15'15''$ EAST 536.14 FEET; THENCE NORTH $89^{\circ}39'31''$ WEST 345 FEET TO THE POINT OF BEGINNING.

PARCEL 33-19-10-09-351-015:

PART OF THE SOUTHWEST $\frac{1}{4}$ OF SECTION 9, TOWN 2 NORTH, RANGE 1 WEST, CITY OF MASON, INGHAM COUNTY, MICHIGAN DESCRIBED AS:

BEGINNING ON THE WEST SECTION LINE AT A POINT NORTH $00^{\circ}12'13''$ WEST 363 FEET FROM THE SOUTHWEST CORNER OF SECTION 9; THENCE NORTH $00^{\circ}12'13''$ WEST 312 FEET ALONG SAID WEST LINE; THENCE NORTH $89^{\circ}40'59''$ EAST 345 FEET PARALLEL WITH THE SOUTH SECTION LINE; THENCE SOUTH $28^{\circ}53'18''$ EAST 539.57 FEET; THENCE SOUTH $89^{\circ}40'59''$ WEST 204 FEET; THENCE NORTH $00^{\circ}12'13''$ WEST 171 FEET; THENCE NORTH $89^{\circ}40'59''$ WEST 190 FEET; THENCE SOUTH $00^{\circ}12'13''$ EAST 12 FEET; THENCE NORTH $89^{\circ}40'59''$ WEST 210 FEET TO THE POINT OF BEGINNING.

DESCRIPTIONS OF 20' WIDE NON-EXCLUSIVE SURFACE EASEMENT FOR PUBLIC NON-MOTORIZED PATHWAY:

A 20' WIDE NON-EXCLUSIVE EASEMENT FOR A PUBLIC NON-MOTORIZED PATHWAY IN THE SOUTHWEST $\frac{1}{4}$ OF SECTION 9, TOWN 2 NORTH, RANGE 1 WEST, CITY OF MASON, INGHAM COUNTY, MICHIGAN THE CENTERLINE OF WHICH IS DESCRIBED AS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 9; THENCE NORTH $00^{\circ}12'13''$ WEST 989.18 FEET ALONG THE WEST LINE OF SECTION 9; THENCE $89^{\circ}47'47''$ EAST 21.40 FEET TO THE POINT OF BEGINNING; THENCE SOUTH $53^{\circ}26'40''$ EAST 37.13 FEET; THENCE 34.04 FEET ALONG A 34.54 FOOT RADIUS CURVE TO THE RIGHT WHOSE CHORD BEARS SOUTH $20^{\circ}18'06''$ EAST 32.68 FEET WITH A DELTA ANGLE OF $56^{\circ}57'56''$; THENCE SOUTH $11^{\circ}32'59''$ WEST 53.20 FEET; THENCE 58.98 FEET ALONG A 44.18 FOOT RADIUS CURVE TO THE LEFT WHOSE CHORD BEARS SOUTH $27^{\circ}49'57''$ EAST 54.70 FEET WITH A DELTA ANGLE OF $76^{\circ}29'42''$; THENCE SOUTH THENCE SOUTH $61^{\circ}02'41''$ EAST 27.19 FEET; THENCE SOUTH $75^{\circ}53'59''$ EAST 25.80 FEET; THENCE 48.84 FEET ALONG A 39.87 FOOT RADIUS CURVE TO THE RIGHT WHOSE CHORD BEARS SOUTH $38^{\circ}48'14''$ EAST 45.84 FEET WITH A DELTA ANGLE OF $70^{\circ}10'43''$; THENCE SOUTH $24^{\circ}58'05''$ EAST 27.28 FEET; THENCE 35.27 FEET ALONG A 47.11 FOOT RADIUS CURVE TO THE LEFT WHOSE CHORD BEARS SOUTH $54^{\circ}38'00''$ EAST 34.46 FEET WITH A DELTA ANGLE OF $42^{\circ}54'07''$; THENCE SOUTH $65^{\circ}38'46''$ EAST 23.69 FEET; THENCE SOUTH $29^{\circ}09'16''$ EAST 32.34 FEET; THENCE SOUTH $38^{\circ}09'51''$ EAST 30.44 FEET; THENCE 50.54 FEET ALONG A 83.85 FOOT RADIUS CURVE TO THE LEFT WHOSE CHORD BEARS SOUTH $16^{\circ}11'51''$ EAST 49.77 FEET WITH A DELTA ANGLE OF $34^{\circ}31'49''$; THENCE 21.84 FEET ALONG A 38.90 FOOT RADIUS CURVE TO THE RIGHT WHOSE CHORD BEARS SOUTH $26^{\circ}14'18''$ EAST 21.56 FEET WITH A DELTA ANGLE OF $32^{\circ}01'32''$; THENCE SOUTH $30^{\circ}33'35''$ EAST 42.15 FEET; THENCE SOUTH $43^{\circ}31'46''$ EAST 57.85 FEET; THENCE 98.05 FEET ALONG A 117.07 FOOT RADIUS CURVE TO THE RIGHT WHOSE CHORD BEARS SOUTH $27^{\circ}37'57''$ EAST 95.21 FEET WITH A DELTA ANGLE OF $47^{\circ}59'08''$; THENCE SOUTH $9^{\circ}11'13''$ EAST 48.26 FEET; THENCE SOUTH $2^{\circ}57'00''$ WEST 27.94 FEET TO THE NORTHERN BOUNDARY OF PARCEL #33-19-10-09-351-017 AND THE POINT OF ENDING OF THE CENTERLINE OF SAID 20 FOOT WIDE EASEMENT.



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MAR 04 2021

CITY OF MASON
PLANNING DEPT.

Notice of Assessment, Taxable Valuation, and Property Classification

This form is issued under the authority of Public Act 206 of 1893, Sec. 211.24c and Sec. 211.34c, as amended. This is a model assessment notice to be used by the local assessor.

FROM: CITY OF MASON 201 W ASH ST PO BOX 370 MASON, MI 48854	0000049	PARCEL CODE NUMBER: 33-19-10-09-351-015 PROPERTY ADDRESS: 1123 S JEFFERSON
TO:  CAPEX LAND INC PO BOX 422 MASON MI 48854-0422		PRINCIPAL RESIDENCE EXEMPTION % Exempt As "Homeowners Principal Residence" 0.00% % Exempt As "Qualified Agricultural Property": 0.00% % Exempt As "MBT Industrial Personal": 0.00% % Exempt As "MBT Commercial Personal": 0.00% Exempt As "Qualified Forest Property": <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Exempt As "Development Property": <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

ACCORDING TO MCL 211.34c THIS PROPERTY IS CLASSIFIED AS: 202 COMM-VACANT

PRIOR YEAR'S CLASSIFICATION: 202 COMM-VACANT

The change in taxable value will increase/decrease your tax bill for this year by approximately: \$130	PRIOR AMOUNT YEAR: 2018	CURRENT TENTATIVE AMOUNT YEAR: 2019	CHANGE FROM PRIOR YEAR TO CURRENT YEAR
1. TAXABLE VALUE:	78,237	80,114	1,877
2. ASSESSED VALUE:	354,800	354,800	0
3. TENTATIVE EQUALIZATION FACTOR: 1.000			
4. STATE EQUALIZED VALUE (SEV):	354,800	354,800	0
5. There WAS or WAS NOT a Transfer of Ownership on this property in 2018: Was Not			

The 2019 Inflation Rate Multiplier is: 1.024

PARCEL IDENTIFICATION: PART OF SW 1/4 OF SEC 9 T2N RIW CITY OF MASON INGHAM COUNTY DESC AS: BEG ON W SEC LN AT A PT N00D12°13'W 363 FT FROM SW COR SEC 9 - N00D12°13'W 312 FT ALNG SD W LN - S89D40°59'E 345 FT PLL WITH S SEC LN - S28D53°18'E 539.57 FT - S89D40°59'W 204 FT - N00D12°13'W 171 FT - N89D40°59'W 130 FT - S00D12°13'E 12 FT - N89D40°59'W 210 FT TO POB 3.62 AC (SPLIT ON 4/19/2007 FROM 10-09-351-012 & -007 FOR 2008/9 ROLL)

March Board of Review Appeal Information:

The Taxable Value, the Assessed Value, the State Equalized Value, the Property Classification, or the Transfer of Ownership may be appealed by filing a protest with the Local Board of Review. Protests are made to the Board of Review by completing a Board of Review Petition Form. A Petition Form may be obtained directly from the local unit or from the State Tax Commission's website at www.michigan.gov/taxes. Click on the Property Taxes box, then click on Forms and Instructions, then click on Board of Review to obtain Form 618 (L-4035), *Petition to the Board of Review*.

The Board of Review will meet at: (enter dates and times and place)

MARCH 11, 2019 9 AM TO NOON AND 2 PM TO 5 PM. MARCH 13, 2019 2 PM TO 5 PM & 6 PM TO 9 PM. TO APPEAL YOUR ASSESSMENT PLEASE CALL 517-676-9155 FOR AN APPOINTMENT. YOUR ASSESSMENT CHANGED FOR THE FOLLOWING REASON, MARKET ADJUSTMENT.

Not less than 14 days before the meeting of the Board of Review, the assessment notice shall be mailed to the property owner.

Property taxes are calculated on the Taxable Value (see Line 1 above). The Taxable Value number entered in the "Change from Prior Year to Current Year" Column, does not indicate a change in your taxes. This number indicates the change in the Taxable Value.

State Equalized Value is the Assessed Value multiplied by the Equalization Factor, if any. State Equalized Value must approximate 50% of market value.

IF THERE WAS A TRANSFER OF OWNERSHIP on your property in 2018, your 2019 Taxable Value will be the same as your 2019 State Equalized Value.

IF THERE WAS NOT A TRANSFER OF OWNERSHIP on your property in 2018, your 2019 Taxable Value is calculated by multiplying your 2018 Taxable Value by 1.024 (Inflation Rate Multiplier for the current year). Physical changes in your property may also increase or decrease your Taxable Value. Your 2019 Taxable Value cannot be higher than your 2019 State Equalized Value.


The denial of an exemption from the local school operating tax for "qualified agricultural properties" may be appealed to the local Board of Review. The denial of an exemption from the local school operating tax for a "homeowner's principal residence" may be appealed to the Michigan Tax Tribunal by the filing of a petition within 35 days of issuance of this notice. The petition must be a Michigan Tax Tribunal form or a form approved by the Michigan Tax Tribunal. Michigan Tax Tribunal forms are available at www.michigan.gov/taxtrib.

Filing a protest with the Board of Review is necessary to protect your right to further appeal valuation and exemption disputes to the Michigan Tax Tribunal and classification appeals to the State Tax Commission. Properties classified Commercial Real, Industrial Real, or Developmental Real may be appealed to the regular March Board of Review or to the Michigan Tax Tribunal by filing a petition by May 31. Commercial Personal, Industrial Personal, or Utility Personal Property may be appealed to the regular March Board of Review or to the Michigan Tax Tribunal by filing a petition by May 31 if a personal property statement was filed with the local unit prior to the commencement of the Board of Review as provided by MCL 211.19, except as otherwise provided by MCL 211.5m, 211.5n and 211.30. The petition must be a Michigan Tax Tribunal form or a form approved by the Michigan Tax Tribunal. Michigan Tax Tribunal forms are available at www.michigan.gov/taxtrib.

PRINCIPAL RESIDENCE AFFIDAVIT INFORMATION REQUIRED BY PA 114 OF 2012. To claim the principal residence exemption, if you have not already done so, you are required to file a Principal Residence Exemption (PRE) Affidavit, Form 2368, by June 1 for the immediately succeeding summer tax year levy and all subsequent tax levies or by November 1 for the immediate succeeding winter tax levy and all subsequent tax levies.

THIS IS NOT A TAX BILL**Notice of Assessment, Taxable Valuation, and Property Classification**

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FROM: CITY OF MASON 201 W ASH ST PO BOX 370 MASON, MI 48854		0000048		PARCEL CODE NUMBER: 33-19-10-09-351-011 PROPERTY ADDRESS: 1041 S JEFFERSON	
TO: CAPEX LAND INC PO BOX 422 MASON MI 48854-0422		 RECEIVED MAR 04 2021 CITY OF MASON PLANNING DEPT.		PRINCIPAL RESIDENCE EXEMPTION % Exempt As "Homeowners Principal Residence" 0.00% % Exempt As "Qualified Agricultural Property": 0.00% % Exempt As "MBT Industrial Personal": 0.00% % Exempt As "MBT Commercial Personal": 0.00% Exempt As "Qualified Forest Property": <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Exempt As "Development Property": <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
ACCORDING TO MCL 211.34c THIS PROPERTY IS CLASSIFIED AS: 202 COMM-VACANT					
PRIOR YEAR'S CLASSIFICATION: 202 COMM-VACANT					
The change in taxable value will increase/decrease your tax bill for this year by approximately: \$9					
1. TAXABLE VALUE:		PRIOR AMOUNT YEAR: 2018	CURRENT TENTATIVE AMOUNT YEAR: 2019	CHANGE FROM PRIOR YEAR TO CURRENT YEAR	
2. ASSESSED VALUE:		5,393	5,522	129	
3. TENTATIVE EQUALIZATION FACTOR: 1.000		35,070	35,070	0	
4. STATE EQUALIZED VALUE (SEV):		35,070	35,070	0	
5. There WAS or WAS NOT a Transfer of Ownership on this property in 2018: Was Not					
The 2019 Inflation Rate Multiplier is: 1.024					

PARCEL IDENTIFICATION: BEG ON W SEC LN AT PT N0D12'13"W 675FT FROM SW COR OF SEC 9 - N0D12'13"W 407.12FT ALNG SD W LN - S40D15'15"E 538.14FT - N89D39'31"W 345FT TO POB ON SW 1/4 OF SEC 9, T2N R1W. CITY OF MASON, INGHAM COUNTY. 1.612 AC SPLIT ON 02/13/2001 FROM 10-09-351-006 & 10-09-351-009.

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IF THERE WAS A TRANSFER OF OWNERSHIP on your property in 2018, your 2019 Taxable Value will be the same as your 2019 State Equalized Value.**IF THERE WAS NOT A TRANSFER OF OWNERSHIP** on your property in 2018, your 2019 Taxable Value is calculated by multiplying your 2018 Taxable Value by 1.024 (Inflation Rate Multiplier for the current year). Physical changes in your property may also increase or decrease your Taxable Value. Your 2019 Taxable Value cannot be higher than your 2019 State Equalized Value.The denial of an exemption from the local school operating tax for "qualified agricultural properties" may be appealed to the local Board of Review. The denial of an exemption from the local school operating tax for a "homeowner's principal residence" may be appealed to the Michigan Tax Tribunal by the filing of a petition within 35 days of issuance of this notice. The petition must be a Michigan Tax Tribunal form or a form approved by the Michigan Tax Tribunal. Michigan Tax Tribunal forms are available at www.michigan.gov/taxtrib.Filing a protest with the Board of Review is necessary to protect your right to further appeal valuation and exemption disputes to the Michigan Tax Tribunal and classification appeals to the State Tax Commission. Properties classified Commercial Real, Industrial Real, or Developmental Real may be appealed to the regular March Board of Review or to the Michigan Tax Tribunal by filing a petition by May 31. Commercial Personal, Industrial Personal, or Utility Personal Property may be appealed to the regular March Board of Review or to the Michigan Tax Tribunal by filing a petition by May 31 if a personal property statement was filed with the local unit prior to the commencement of the Board of Review as provided by MCL 211.19, except as otherwise provided by MCL 211.9m, 211.9n and 211.9d. The petition must be a Michigan Tax Tribunal form or a form approved by the Michigan Tax Tribunal. Michigan Tax Tribunal forms are available at www.michigan.gov/taxtrib.
PRINCIPAL RESIDENCE AFFIDAVIT INFORMATION REQUIRED BY PA 114 OF 2012: To claim the principal residence exemption, if you have not already done so, you are required to file a Principal Residence Exemption (PRE) Affidavit, Form 2369, by June 1, 2013. If you have not already done so, all subsequent tax bills will be assessed at the full rate.