LUDINGTON CITY PLANNING COMMISSION
MINUTES – 03-07-00

The regular meeting of the Ludington Planning Commission was held on March 7, 2000. The meeting was held at the Ludington Senior Citizen Center, 308 S. Rowe St., Ludington, MI and was called to order at 7:00 p.m. by Chairman John Henderson.

ROLL CALL: The roll call showed the following results:

Present: Commissioners: Tom Coleman, Ron Sarto, Kaye Holman , John Henderson, Marge Carlson and Paul Peterson.

Absent: Commissioners Frank Marrison, Jack Ereon, and Jack Scott

Also Present: Bldg. Insp./Zoning Administrator John Healy, City Attorney Roger Anderson and Recording Secretary Carol Ann Foote.

AGENDA APPROVAL: Commissioner Coleman made a motion seconded by Commissioner Carlson to approve the agenda. Motion carried unanimously.

PUBLIC COMMENTS & COMMUNICATIONS: There were no public comments or communication.

MINUTES: Commissioner Coleman asked if the letter to the area Township Boards had been sent, as decided at the February meeting. Chairman Henderson told him that it had not been sent, but would be done soon. Commissioner Carlson made a motion seconded by Commissioner Holman to approve the minutes of February 1, 2000 as written. Motion carried unanimously.

PUBLIC HEARINGS: **For purposes of hearing comments upon the proposed new Zoning Ordinance No. 788.**

City Attorney Roger Anderson explained to the Commission that there had been a lot of amendments and typographical errors to the Ordinance over the years, but the Ordinance had never been readopted. He said that the Ordinance needed to be brought in line with historical interpretation. If they ever had to go to court and prove changes, they would have to prove every single amendment. He said that that would be a monumental nightmare. There are no subsequent changes to the way it is enforced now. There is no
intent to make any subsequent changes. There are no properties to be rezoned. Building Inspector Healy agreed with Attorney Anderson that there would be no substantial changes in the Ordinance.

Chairman Henderson opened the discussion for public comment. There were none.

Commissioner Peterson made a motion to forward the readopting of Zoning Ordinance No.788 to City Council for approval, seconded by Commissioner Sarto. Motion carried unanimously.

**Consider a request from SJS Ventures/Jamesport Brewing Company to construct a deck for outdoor service of food and beverage at 410 S James St.**

Harriet Jones, 404 S James Street, told the Commission that the proposed deck was located behind the building and was well within the required lines. They would have Tables, chairs, umbrellas, etc. They would like to have it finished for Harbor Festival. She feels as though it would be very advantageous in

the summer, because people like to be outside. She said it was very necessary for their plans. They would serve food, beer and wine on the deck.

Gerry Genter, 407 S Rath stated that he has watched the growth of the area. Everything that Jamesport Brewing Company has done has been in good taste.

Kara Tilden, James St. Station, 320 S James St. said that they were excited to have them on that end of town. She felt like James St. Station was an experiment when they put in their deck. Their only concern was that Jamesport Brewing Company should have to follow the same stipulations that were put on James St. Station.

Chairman Henderson closed the public hearing.

Commissioner Sarto told the Commission that the Special Land Use Committee had met. He explained that they had a lot of general questions. They were trying to be consistent. They put stipulations on one similar deck and they want to make sure they are 100% consistent. They would impose the same regulations which is a lengthy list.

Chairman Henderson read the list of stipulations that were imposed on James St. Station.

Commissioner Sarto was concerned about the availability of walking off the deck with open containers. There was no way to control egress/ingress without walking off. He feels that in order to control this, they would have to close off the back and go in or out through the building.

Shane Woodring, James St. Station, 320 S James St. told the Commission that the Liquor Commission would not approve the deck unless it met their approval.

Commissioner Sarto said that it even if the Liquor Commission will approve it that way, he feels it is in the best interest of everyone not to allow people to just walk off the deck.

Mrs. Jones told the Commission that the back had a fire exit that would be closed but they had to have one there.

Commissioner Sarto wanted to know about the paved parking in the back. Mrs. Jones told him that it would probably be for employees and deliveries. Building Inspector Healy said that in that district there were no parking requirements.

Commissioner Sarto said that if they gave approval, it would have to be up to code and that handicap accessibility should be addressed up front. Mrs. Jones explained that they had acquired an ADA exemption.

Commissioner Coleman pointed out that the Planning Commission looks at the compatibility with the adjacent properties and reserves the right to make revisions or changes if or when it comes necessary. He also stated that he could see that the back area could become parking for customers in four or five years. There will be some kind of use that would have people coming in and out off the deck. He would like to see more of what will be done to prevent it.

Commissioner Henderson said that he felt that there should be screening off the deck to make it more difficult to gain entry. He feels that the going in or out could become a neighborhood problem.

Commissioner Sarto said that he thinks that they should table the matter until the egress/ingress, from the deck, is resolved and the Commission is shown how the problem will be eliminated. Chairman Henderson agreed stating that they were not trying to make it hard, they have questions and want answers.

Building Inspector Healy said that Police Chief Taranko would like to know where the bulk of deliveries were going to be made and what time of day. Mrs. Jones said that they would not open until noon so deliveries would probably be made in the morning. Also, they were going to put the delivery area next to the alley.

Attorney Anderson asked if maybe the Committee could meet with Mrs. Jones to save time, before the next meeting. The Commission agreed.

Commissioner Coleman made a motion to table the special land use issue until the April meeting, seconded by Commissioner Sarto. Motion carried unanimously.

UNFINISHED BUSINESS:

**Waterfront Committee Report:**

Commissioner Sarto reported to the Commission that the Committee met on February 15th and February 28th. Basically they reviewed all of the areas that they had been talking about. They have targeted Loomis St. down to the S. Rath area to concentrate hard on. They have proposed ideas that they will put text together on and present at the next meeting. Then they will get the professional planner involved. Commissioner Coleman stated that there were some spots that they could have done better on. They were looking at some things that were mentioned at the last meeting, such as setbacks, height, etc.

NEW BUSINESS:

**Consideration for parking as a permitted use or special land use in the CBD and MC districts.**

Building Inspector Healy told the Commission that there were several parcels in the City that could be used as either a permitted, temporary, or permanent use and would like the Commission to take a look at it. Chairman Henderson said that it would be given to the Text Committee. Commissioner Coleman commented that he had attended the Chamber of Commerce meeting and that the one thing that kept coming up was the lack of parking downtown.

SITE PLAN REVIEW REPORT:
None

PUBLIC COMMENTS:
None

ADJOURNMENT:

A motion was made by Commissioner Peterson seconded by Commissioner Holman to adjourn the meeting. Motion carried unanimously and the meeting was adjourned at 7:50 p.m.

Respectfully submitted,
Carol A Foote, Recording Secretary

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John Henderson, Chairman