LUDINGTON CITY PLANNING COMMISSION
MINUTES
MAY 2, 2000

The regular meeting of the Ludington Planning Commission was held on May 2, 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, Kaye Holman , John Henderson, Marge Carlson, Frank Marrison, Jack Ereon, and Jack Scott.

Absent: Ron Sarto and Paul Peterson

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 Marrison to approve the agenda. Motion carried unanimously.

PUBLIC COMMENTS & COMMUNICATIONS:

Kathy McLain, Jamesport Brewing, 410 S James St., asked the Commission to reconsider their stipulation of no glassware on the deck at Jamesport Brewing. She told the Commission that the use of plastic would be very expensive. She stated that the with the type of clientele they have, there would not be a problem with throwing things off of the deck.

Harriet Jones, Jamesport Brewing, 410 S James St., said that sometimes people have to wait at the bar for a table on the deck and have a glass of wine. They have to take it and pour it into a plastic cup. People do not like drinking wine in plastic. It's just a matter of expense and logistics that we just don't want to do it.

Charles Nowakowski, 906 Monona Dr., We bought a piece of property and was told that it was semi-commercial. I want to build a garage and have a shop for my wife. She does hair and sells wigs to the hospital. Now I have talked to John Healy, and found out that I can't do that there. It is limited commercial; you can have doctor's offices and such, but not a beauty shop.

Joan Nowakowski, 906 Monona Dr, I will be doing hair just two days a week. I want to keep doing the ladies that I have done for many years. I would sell the wigs when the doctors send them over.

Commissioner Ereon asked when they bought this property and whom they bought it from.

Mrs. Nowakowski told him that they just bought the property from Dr. Mast.

Inspector Healy told the Commission that in the limited commercial district barber and beauty shops are not recognized. When Mr. Nowakowski came in the office today, we discussed several options to try to make it a legal use. Maybe a use variance or maybe bringing it before the Planning Commission to make it a permitted use or special land use.

Mr. Nowakowski said that he had this trouble before with The Stables. We went to court to fight the City then.

Mrs. Nowakowski said that when the case against the City was settled, she did not accept the money. Mr. Nowakowski said that not allowing beauty shops would be discrimination. It would be just his wife, alone in the shop. They also service a lot of people in chemo with wigs.

Commissioner Ereon wanted to know how many more lots were in that area? Inspector Healy explained that the other lots to the East were zoned R3A. Commissioner Ereon said that he thought that they should allow beauty shops.

Commissioner Coleman stated that when he buys property, he finds out what the zoning is. This was all hear say from the seller. This is a learning lesson. You asked John what your options were. Now it is up to you to pick which option.

Mrs. Nowakowski told the Commission that her daughter had gone to the courthouse and was told that a beauty shop was possible because this property was "semi-commercial".

Commissioner Coleman told them that they needed to work with Mr. Healy and look at the options. When they pick an option, then come back. He did not want to go into that at this meeting.

Public Comments Closed.

MINUTES: Commissioner Ereon made a motion to approve the minutes of the April 18, 2000 meeting seconded by Commissioner Holman. Motion carried unanimously.

PUBLIC HEARINGS: None

UNFINISHED BUSINESS: NONE

NEW BUISNESS:

**Proposed text changes-Article 700.6, Temporary Parking Areas in CBD, MC, W, and WS Districts**.

Commissioner Coleman explained that Inspector Healy had asked that the Commission look at possible text that would allow temporary parking in some of the vacant lots in the downtown area. This proposed text has been through the City Attorney and we recommend that it be added to the Zoning Ordinance.

Commissioner Marrison wanted to know about overnight parking. Commissioner Ereon wanted to know about Semis. Attorney Anderson said that boats and trailers would not be allowed. Commissioner Ereon said that he would want to restrict trucks.

Commissioner Coleman said that this would be private parking. Private property owners could allow what they want. If the private owner chooses to allow overnight, I do not see a problem.

City Attorney Anderson suggested exclusion of boats, campers, and trailers. Then the City could ticket any that were there. That is what there have been problems with.

Commissioner Ereon wanted to know who requested this. Attorney Anderson explained that this had come up several times. There are areas where vacant lots were just sitting and at the same time there was not enough parking. This would be a temporary basis for parking.

Commissioner Coleman made a motion seconded by Commissioner Holman to set the proposed text, with changes, for public hearing at the June meeting. Motion carried unanimously.

**Glassware on Decks**

Chairman Henderson opened discussion regarding using glassware on decks for outdoor service of food and beverage. He wanted to know if they were consistent with all the decks. Inspector Healy stated that they were all the same. Chairman Henderson said that they should check with the Police Department to find out if there had been any problems. He stated that he had no issue or problem with the use. Maybe they should lighten up a little.

Commissioner Scott stated that he could not imagine being faced with any calamities by the use of glassware. He had talked to Wally Taranko, and he did not remember any instances. He also said that he did not think that glassware should be restricted. They were over reacting to a simple request.

Commissioner Henderson suggested that the special land use committee take a look at the issue and have a decision in June. In the meantime, they have the rule and they need to live by the rule until it changes.

**Nowakowski Property Issue:**

Inspector Healy asked the Commission how they wanted to handle the request to allow home occupations as a permitted use or special land use in the Limited Commercial district. Commissioner Henderson explained the time frame involved with any text change, and told the Nowakowski's if that did not meet their time frame, they may want to look for a different avenue. Commissioner Coleman said that the text committee would take a look at it.

**Waterfront Committee:**

Chairman Henderson told the Committee that Commissioner Sarto had requested that Commissioner Coleman take over as Chairman. Commissioner Coleman agreed to take the position.

Commissioner Coleman also reported that the Adhoc Committee wanted to meet with the Professional Planner sometime in the middle of May. They will have something to present to the Board soon.

**Planned Unit Development:**

Commissioner Henderson asked City Attorney Anderson if he knew what was going on with the developers regarding a possible PUD. He explained that the reason he asked, was because they really don't know much about it and if they were going to have to deal with it they might need some training.

City Attorney Anderson told the Commission that they had not heard back from the developers. They have not specified the density on the property. He explained to the developer's attorney that the Planning Commission could not increase the density above what is allowed. The developers are looking at all the density problems, because there would have to be approvals from all boards.

SITE PLAN REVIEW REPORT:
None

PUBLIC COMMENTS:
None

ADJOURNMENT:

A motion was made by Commissioner Scott seconded by Commissioner Holman to adjourn the meeting. Motion carried unanimously and the meeting was adjourned at 8:20 p.m.

Respectfully submitted,
Carol A Foote, Recording Secretary

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John Henderson, Chairman