CITY OF LUDINGTON
PLANNING COMMISSION
MINUTES – 09/04/01

The regular meeting of the Ludington Planning Commission was held on September 4, 2001. The meeting was held at the Ludington Municipal Building, 400 S. Harrison St., Ludington, MI and was called to order at 7:00 p.m. by Tom Coleman, Chairperson.

ROLL CALL: The roll call showed the following results:

Present: Commissioners: Tom Coleman, Kaye Holman, Robert Garrett, Jack Ereon, Clay Olmstead, Paul Peterson, Joyce Usiak and Ron Sarto.
Absent: Jerry Ponko

Also Present: Building Inspector John Healy and Recording Secretary Carol Ann Foote.

AGENDA APPROVAL:

Commissioner Sarto made a motion seconded by Commissioner Usiak to approve the agenda. Motion carried unanimously.

PUBLIC COMMENTS & COMMUNICATIONS:
Bob Manglitz, 6671 Audubon Dr., Holland, MI. had questions concerning the Waterfront Maritime proposal. He asked if retail would be allowed in that district. Chairman Coleman read section 400.17:3, (3), Permitted Accessory Uses which allows retail uses subordinate to and used in conjunction with a principal permitted or special land use and when conducted entirely within an enclosed building. Mr. Manglitz wanted to know it the two acres south of the marina would be included in the district. Chairman Coleman said that it would not and explained the exact area that would be included.

Mr. Manglitz stated that height, length and density had become major issues. Other than the Bonser property, it is obvious that there could not be a building longer than 120 ft. He said that he also thought the height should be 45 feet. He feels that the density issue is a mute point. He could not get five units on the Rath Ave. properties because of parking. If you had to have two parking spaces per unit, I feel it would restrict the density on those properties along Rath Ave. I don't think that 45 ft. is not unreasonable.

MINUTES:
Commissioner Ereon made a motion to approve the minutes of August 7, 2001, as written, seconded by Commissioner Usiak. Motion carried unanimously.

Commissioner Ereon made a motion to approve the minutes of August 14, 2001, as written, seconded by Commissioner Garrett. Commissioner Holman asked to amend the minutes to include that she asked Mr. Hall to explain the difference in assisted living, adult foster care and nursing homes.
Commissioner Garrett made a motion to approve the minutes of August 14, 2001, as amended, seconded by Commissioner Ereon. Motion carried unanimously.

PUBLIC HEARINGS:
To consider a request from Tendercare of Ludington for a special land use to reconstruct a nonconforming structure that has been more than 50 percent destroyed at 1000 E Tinkham Ave:

Tim Burndt, Administrator, Tendercare of Ludington, explained to the Commission that they had a name change; therefore they needed a new sign. Chairman Coleman commented that he was aware that the sign was already put up. Mr. Burndt explained that the sign had been put up temporarily for their open house. John Healy told the Commission that he had given them permission to put the sign up temporarily.

Commissioner Peterson wanted to know what temporary was. John Healy said that they did come in for permits. They just did not know that the sign was non-conforming. They were not going to put it up at all, but he gave them permission. Commissioner Ereon said that he would like temporary defined. Mr. Healy said that he did not give them a date. They were agreeable not to put it up at all. I allowed it to happen. Commissioner Sarto commented that he thought it was a good call.

Commissioner Sarto made a motion to approve the new sign as stated in the request, seconded by Commissioner Holman. Motion carried unanimously.

To consider a request from House of Flavors for a special land for the outdoor service of food and beverage service in the Central Business District at 402 W. Ludington Ave.

There were no representatives from House of Flavors to present the request. Chairman Coleman read the request for outdoor service of food and beverage to the Commissioners. He stated that it left him confused on what was being requested. Commissioner Sarto said that there were questions. They needed more specifics. Commissioner Garrett thought that there might be a traffic issue. It needed to be checked out. John Healy told the Commission that they were requesting an awning that would extend over the City right of way. This would be an issue that would go to City Council.

Commissioner Holman made a motion to table the request from House of Flavors for a special land use for the outdoor service of food and beverage until the October meeting, seconded by Commissioner Peterson. Motion carried unanimously.

To consider text changes to Zoning Ordinance 23-00 in order to change the building height in the CBD (Central Business District) and MC (Maritime Commercial) from 150' to 75'.

Chairman Coleman told the Commission that the only place in the Ordinance that would change if the building height were changed in the CBD and MC districts would be Section 400.14.

Commissioner Holman made a motion to send to City Council the request to change the text in Zoning Ordinance 23-00 to change the building height in the CBD (Central Business District) and MC (Maritime Commercial) from 150 ft. to 75 ft, seconded by Commissioner Ereon. Motion carried unanimously.

UNFINISHED BUSINESS:

To consider a request from Progressive Associates, Inc. to rezone the property at 502 Sherman from R3A (Multi-family residential) to G1 (Government):

Commissioner Olmstead reported that the zoning sub committee had met. The property was zoned Government before it was rezoned to R3A. The sub committee would recommend the property be zoned back to G1 (Government).

Commissioner Olmstead made a motion to send to City Council the request that the following property be rezoned from R3A (Multi family residential) to G1 (Government), seconded by Commissioner Holman:
COM AT NE COR SEC 14, T18N, R18W, THENCEW ON N SECTION LINE 1324.5 FT TO E 1/16LINE, TH S 0 DEG 28 MIN 28 SEC W 1300.59 FT TO N 1/16 LINE, TH S 89 DEG 21 MIN 35SEC W 1000.16 FEET TO P.O.B., TH N 0 DEG28 MIN 28 SEC E 404.76 FEET, TH S 89 DEG59 MIN 57 SEC W 295.07 FT TO E R.O.W. OF SHERMAN ST, TH S 00 DEG 42 MIN 01 SEC W408.09 FT ALG SHERMAN ST, TH N 89 DEG 21MIN 35 SEC E 296.72 FT TO P.O.B., EXCEPTR.R. R.O.W. RUNNING DIAGONALLY ACROSS SW CORNER THEREOF; 2.63 AC M/L AND SUBJ TO EASEMENT ACROSS S'LY 33 FEET FOR STREETAND UTILITY PURPOSES, also known as 502 N. Sherman
Motion carried unanimously.

To consider text changes to the Ludington Zoning Ordinance #23-00 in order to add Article 400.17 WM 1 & 2 (Waterfront Maritime):

Chairman Coleman stated that the adhoc committee determined that the revised text would be a good way to go. The committee would recommend approval of this text.

Chairman Coleman made a motion to send to City council the proposed text to add Article 400.17, WM (Waterfront Maritime 1 and 2) to the Ludington Zoning Ordinance #23-00, seconded by Commissioner Sarto. Motion carried unanimously.

Waterfront Master Plan/Comprehensive Plan:

Commissioner Garrett reported that he had been in contact with Dave Peterson of the Michigan State University Extension to get an estimate for updating the Ludington Comprehensive and Waterfront plans. The numbers came to approximately $2,000, not including printing, binders, paper, and a City clerk/typist. He feels that the cost is minimal and recommends that they go with Michigan State. Chairman Coleman wanted to know what kind of time frame was involved. Commissioner Garrett said about six months.

Commissioner Garrett made a motion to ask the City Council for up to $4,000 to have Michigan State University Extension update the City of Ludington Comprehensive Plan, seconded by Commissioner Ereon. Motion carried unanimously.

NEW BUISNESS:

Chairman Coleman asked that a public hearing be set for October for the rezoning of the Waterfront Maritime 1 and 2 districts.

SITE PLAN REVIEW:

None

COMMENTS AND COMMUNICATIONS:

Chairman Coleman read communications from Pere Marquette Township on a presentation on zoning to be held October 7 at Pere Marquette Town Hall.

Chairman Coleman presented a resume, for the record, from Mary Aitken, a professional planer that is moving to Ludington.

ADJOURNMENT:

A motion was made by Commissioner Holman to adjourn the meeting at 7:55 p.m., seconded by Commissioner Sarto. Motion carried unanimously.

Respectfully submitted,
Carol Ann Foote, Recording Secretary

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Tom Coleman, Chairperson