CITY OF LUDINGTON
PLANNING COMMISSION
MINUTES – 10/07/02

The regular meeting of the Ludington Planning Commission was held on October 7, 2002. 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, Robert Garrett, Joyce Usiak, Mike Nekola, Dave Weston, Joe Moloney and Clay Olmstead

Absent: Kaye Holman (excused) and Randy Haight

Also Present: City Attorney, Roger Anderson, Building Inspector, John Healy and Recording Secretary Carol A. Foote

AGENDA APPROVAL:
Commissioner Usiak made a motion to accept the agenda with the following additions:

a. Add Memorial Medical Center Site Plan Review
b. Discuss downtown zoning (New Business)

Seconded by Commissioner Weston. Motion carried unanimously.

PUBLIC COMMENTS & COMMUNICATIONS:
George Sadler, 4033 N. Lakeshore Drive, told the Commission that he owned a drive-thru café on the other end of town. He is interested in opening other business on this side of town. We are proposing a drive-thru with outside seating as well. Right now, neither is allowed in the city. Tonight is a big night for the people on the downtown side, with outside seating. It will be a benefit for the downtown. I think to allow people to not only shop, but sit within the streets, the sidewalks is a benefit for all businesses. That is a big portion of what we are trying to do downtown, on the corner of Robert St. and Ludington Ave. I hope when it comes time to go forward with our site plan review, it is considered. Change is needed for everyone to expand out to the street.

Commissioner Garret asked Mr. Sadler if he currently owned that property. Mr. Sadler said no. Chairman Coleman pointed out that the Central Business District did not allow drive-ins. That is something that would have to be worked through, as far a text change. They would take it under consideration. Mr. Sadler stated that they were allowed as long as it was proven to be accessory to what ever it is you are doing. Chairman Coleman said it made a difference on what the to is. That is some of the things that would have to be worked through. Commissioner Usiak asked if there would be walk up or if there would be service. Mr. Sadler said that it would be a combo of both. There would be someone available for service, clean tables. Commissioner Moloney wanted to know if it would be year round. Mr. Sadler said it would. Commissioner Weston wanted to know if the lot was dirt or black top. Mr. Sadler said it was a combo. Chairman Coleman said there were certain steps to be taken.

MINUTES:
Commissioner Weston made a motion to approve the minutes of the September 4, 2002 meeting, seconded by Commissioner Usiak. Motion carried unanimously.

PUBLIC HEARINGS:

FENCE TEXT:
To consider text changes to the Ludington Zoning Ordinance #23-00, Section 500.6, Fences, Walls and Hedges on Residential Property.

Chairman Coleman reported that they had been working on the fence language since last winter, and he thought they had reached a point where they could consolidate the text and sketch.

Opened public hearing to consider text changes. No public comment. Closed public hearing.

Chairman Coleman made the suggestions to make a couple of changes to the sketch and to add the word *corrugated* in front of *plastic* in 500.6:3b. Chairman Coleman stated that this would not solve all the problems, but a lot of them. Commissioner Nekola asked if there would now be a right of appeal. Chairman Coleman said yes.

Commissioner Nekola made a motion to send the proposed text changes to Section 500.6, Fences, with stated changes, to City Council for approval, seconded by Commissioner Moloney. Motion carried unanimously.

OPEN AIR DISPLAY:

To consider recommendation to City Council to amend the Zoning Ordinance and to adopt a City Ordinance to allow open air retail merchandise display, tables and chairs in the CBD, WCB, WM1, WM2, C1, C2 and MC districts and to allow the use of sidewalks in these districts for such purposes.

Attorney Anderson explained that this was being done in two parts. They did not want to confuse the concept of zoning with the use of the sidewalk. The City has to reserve the right to ask people to remove things from the sidewalk. As the use of the sidewalk, we have it structured as part of the City Code. When we get into the private property, it is dealt with in the Zoning Ordinance. Chairman Coleman told the Commission that another point was that James Street and Ludington Ave. are state highways. Opened for public comments.

Russell Blucker, 801 N. Rath Ave., told the commission that he was just moving into the neighborhood. He said that he was born and raised here in Ludington. He thinks that it would be great to be able to sit and have a cup of coffee and watch people. He said that is was a great people watcher.

Christopher Ponce, 109 E. Filer, said that he has had a business in town for a couple of months now. He would like to see the viable resources that we have be used. He said that he grew up here, and there have not been many changes made downtown. Changes have been made to the East, and to bring back Ludington, we have to offer something. Even the conditions of the

buildings are an eyesore. What we need to address is how much money is in the downtown development fund. George has a great idea with the coffee shop. House of Flavors down the road, people like to hang out around there. I would like to see this town grow. You have to make concessions with your zoning laws. You need to bring more people downtown. I would suggest that you move forward with an open mind.

Chairman Coleman stated that this was not directed at any one parcel. This is for the use of sidewalks for the downtown central business district. Retail areas. Some of the things happening now, we are bringing into reality. We are looking at a much larger area.

Danielle Sadler, owner of Tropical Espresso, told the Commissioners that she was from San Diego and she thinks the downtown seating is very important. When she moved here in March, the downtown looked like a ghost town. Where I'm from, even if it is cold, they bring heaters out and people dine outside. It makes it look more interesting and fun. It brings more people to the area. Every store closes here at 6:00. If you let people outside for seating and displays outside, it would look like something is going on. It would bring more people around.

Public Hearing Closed.

Chairman Coleman told the Commission that last year there had been a downtown taskforce assigned. They looked at what could happen downtown. There were different things assigned to different groups. The Planning Commission had three and this is a start. One of these was outdoor cafes. This is a step in that direction. It is our intent to get started on the downtown Ludington vision for the future. Chairman Coleman then explained some of the restrictions placed on the merchandise display.

Attorney Anderson asked if the Planning Commission wanted items on private property removed when the business was not open. Chairman Coleman said that he did not think that was a problem, but they needed to discuss it. Mr. Anderson asked if sporting goods would include boats, jet skis, etc. Chairman Coleman said that was not their intent. Commissioner Nekola stated that if boats where put out on private property and extended over the area, the Ordinance would take care of it. If it is on the sidewalk, it has to fit. Mr. Anderson said that with the present Ordinance, you cannot have outdoor displays of ATV's, motorcycles, etc. The question is do you want to allow this. Chairman Coleman said that he felt that they needed to discuss it more. Commissioner Nekola said that he felt the issue of amplified music needed to be looked at.

Chairman Coleman made the recommendation to take open-air displays back to the text committee. There was no opposition.

UNFINISHED BUSINESS:

Comprehensive Plan:

Commissioner Garrett reported that since Mr. Peterson from Michigan State University was out ill, they had met with Larry Nix regarding writing the plan. They gave him the materials and

asked for an itemized proposal. The proposal was just received today. The committee will now meet.

Open Space Preservation:

Attorney Anderson explained that the state passed legislation about a year ago that required all municipalities to allow clustering as an option when density requirements are zoned for three or fewer residential units per acre. There is only one district in Ludington that would fall under this and that is R1A. The intent is to preserve open spaces, to protect wetlands to encourage this kind of thing.

Chairman Coleman stated that this was a requirement from the state. It will be set up for public hearing in November.

NEW BUSINESS:

Downtown Zoning:

Commissioner Nekola stated that the gentleman that came in with drive thru idea had a good idea. We have a lot of limited commercial around the downtown. A drive thru coffee shop makes sense. As we all know, if we change zoning, that allows everyone to have drive ins. I am not saying that is a bad thing. Maybe people could come back to us and tell us what is limiting about our zoning ordinance. We need to do something that makes the downtown grow and be vibrant and if our zoning ordinance is prohibiting that, we need to be taking a look at it. Chairman Coleman said that he thinks that you have to look at a bigger picture. One thing in good planning is to remember that the downtown gives the neighborhoods someplace. Do not want situations that poor planning creates. There is no reason why we can't take a look at it. This is a start, not a finish. Commissioner Nekola said that instead of reacting to one individual proposal, he would like the Planning Commission to take a look at it, to be ahead of it. Don't look at it individually, but in general.

SITE PLAN REVIEW REPORT:

Lasley Management, LLC:

Inspector Healy reported that a site plan review was held on September 11, 2002 for a proposed parking lot at 706 E. Foster. The existing house was demoed and the garage remains. The site plan was unanimously approved with conditions.

Mason-Oceana 911:

Inspector Healy reported that a site plan review that was held on September 11, 2002 for the MSO 911 communication tower was unanimously approved with conditions.

Memorial Medical Center:

Inspector Healy told the Commission that a site plan review was approved for Memorial Medical Center's parking area on October 4, 2002, with conditions.

COMMENTS AND COMMUNICATIONS:

None

ADJOURNMENT:
Commissioner Moloney made a motion, seconded by Commissioner Weston that the meeting be adjourned at 8:10 p.m. Motion carried unanimously.

Respectfully submitted,
Carol Ann Foote, Recording Secretary

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Tom Coleman, Chairperson