CITY OF LUDINGTON
PLANNING COMMISSION
MINUTES 07/05/05

A meeting of the Ludington Planning Commission was held on July 5, 2005. 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: Kaye Holman, Gary Castonia, Mike Nekola, Joe Moloney, Robert Garrett, Jerry Ponko, Clay Olmstead and Tom Coleman

Absent: Joyce Usiak, excused

Also Present: Recording Secretary, Carol Ann Foote and City Attorney, Roger Anderson

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

PUBLIC COMMENTS:
Sally Reed, 201 S. Washington Ave., stated that her request was tabled at the last meeting. She thinks that this will be a great addition to Ludington. She thought that the Commissioners were going to do an on-site review, but she never saw anyone come by. She also asked Chairman Coleman if she could reserve the right to comment after the decision. Chairman Coleman said that procedure did not allow comment after the decision. Ms. Reed wanted to know if there were any negative comments received from the letters that were sent out. The recording secretary reported that sixty-seven notices were sent with two responses in favor and one opposed. Ms. Reed then thanked the Commission for their time and consideration.

Close Public Comment

APPROVAL OF MINUTES:
Commissioner Castonia made a motion to approve the minutes of the June 6, 2005 seconded by Commissioner Holman.
Chairman Coleman added the secretaries report of notices sent out for the Sally Reed request. Commissioner Castonia made a motion to approve the minutes, as amended, seconded by Commissioner Holman. Motion carried unanimously.

PUBLIC HEARINGS:
a. To consider a request from Russell B. Peterson for a special land use to expand a nonconforming structure at the following described property: ORIGINAL PLAT LOT 3 BLOCK 13, also known as 205 N. Ferry St.

Russell Peterson, 1021 N. Sherman St., told the Commission that he would be demolishing part of the existing garage and extending on the same line.

Public hearing closed.

The recording secretary sent thirty-eight notices with no response.

Commissioner Nekola asked if the 624 square foot garage was new. Mr. Peterson said that it was a new garage. Mr. Moloney asked if there would be a change in the roof overhang. Mr. Peterson said that it would be the same as the current garage. Chairman Coleman stated that the ordinance was recently changed so properties on substandard lots could be improved.

Commissioner Nekola reported that the committee had met and found the proposal to meet all the standards. Commissioner Nekola made a motion to approve the special land use request in order to expand a non-conforming structure, seconded by Commissioner Castonia. Chairman Coleman stated that he had a phone conversation with Carol Thompson who had no objections to the proposal. Motion carried unanimously.

b. To consider a request from Walter R. Karboske for a special land use for a single accessory building to exceed 900 square feet and a combination of accessory buildings to exceed 1,200 square feet at the following described property: Addition No. 2 Lots 4 & 5, Block 121, also known as 602 Sixth St.

WallyKarboske, 602 Sixth St., said that he received a special land use November 3, 2003. He explained that he had health problems that year and time ran out on the special land use. Now he would like a few changes in what he originally planned. He said that he wanted to go longer with the garage instead of wider. He also wants to move the playhouse ten feet from the garage instead of attaching it to the garage. Mr. Karboske stated that he was confused about his lots. John Healy was considering his property one lot when actually he has two lots. Mr. Coleman explained that although it was two lots, it was only one parcel. Commissioner Olmstead told him that he could not have a garage on a lot without a principal dwelling. Mr. Karboske stated that he was just asking to get a permit to build the garage 38 x 30. Commissioner Nekola said that the drawing that was submitted showed 36 x 30. Mr. Karboske said that he would like two more feet. Chairman Coleman said that looking at the drawing, the only reason to come back to the Commission is that the time has expired. Now the length and width are changing and the distance of the playhouse from the garage.

Close public hearing.

Commissioner Nekola reported that the Special Land Use committee met and would recommend tabling the issue until additional information is obtained on the changes. Commissioner Nekola made a motion to table seconded by Commissioner Castonia. Motion carried unanimously.

UNFINISHED BUSINESS:
To consider a request from Sally E. Reed, ADDITION NO. 3 W 10 FT OF N 1/2 OF LOT 10 & N 1/2 OF LOTS 11 & 12 BLOCK 128, also known as 201 S. Washington Ave., for a text change to the Ludington Zoning Ordinance #23-00 to allow bed and breakfast facilities in the R2A, General Single Family Residential District.

Commissioner Castonia made a motion to untable , seconded by Commissioner Holman. Motion carried unanimously.

Chairman Coleman said that a public hearing was held at the June meeting and the issue had been tabled. Commissioner Holman reported that the text committee met and considered the request very carefully. She stated that in 1996 the Planning Commission considered bed and breakfast facilities in residential areas, did not want it, and have stuck to it. The text committee does not think that bed and breakfast facilities are appropriate in single family residential districts. Commissioner Holman made a motion to recommend to City Council to deny a text change to Ludington Zoning Ordinance #23-00 allowing bed and breakfast facilities in the R2A, General Single Family Residential, district, seconded by Commissioner Olmstead. Chairman Coleman commented that the majority of the city is R2A. One concern is that this would open up the whole city for bed and breakfast facilities. Commissioner Moloney stated that the key word was “text”. If the text were changed there would be far reaching implications. The motion carried unanimously.

Comprehensive Plan:
Commissioner Moloney reported that the committee met with the Building and License Committee regarding a rental registration program. They will meet again to look at cost of this type of program.

Cartier Park:
Commissioner Olmstead reported that there were fishing piers in the works at Cartier Park.

Timberworks, LLC:
No report

Pere Pointe Development:
Dan Diephuis, Diephuis Builders, Inc., told the Commission that the plans were very close to what was approved in April. The storage building changed slightly. It is a bit smaller. The walkway coming off Washington Ave. could not meet handicapped standards; therefore, the sidewalk was taken out. Mr. Diephius explained that the parking structure had changed. They were considering the cost of the structure. The bathhouse and marina building are shown in the correct size and the pool is shown. There will be a small fence off the bathhouse. Mr. Deiphuis said that permits are coming from other entities for the marina. The southeast reserved green space is for parking that would come with the marina. He also explained were the walk would be located. He said that the walk would be barrier free. Commissioner Moloney asked if the walk tied into any City walks. Mr. Diephuis said that they would like to see the City tie into their walk in the future. He explained that the marina walk would be open to the public. It would be in/out service.

Chairman Colelman read the performance guidelines, Section 1000b.5.

a. Building Massing	approved
b. Building Height	approved
c. Fumes and Odors	approved
d. Dust and Litter	approved
e. Architectural/landscaping	Architectural approved/landscaping to come back to PC
f. Artificial Light	to come back to PC
g. Traffic and access	approved
h. Storm water runoff	approved
i. Noise	approved
j. Visual Screening	approved
k. Outdoor Storage	approved
l. Signage	to come back to PC
m. Parking	See conditions below

The developer shall construct the eleven parking spaces shown on the site plan as "shared parking for the Ludington Yacht Cub and a future marina." The developer shall, upon receiving consent from the Yacht Club, construct the twelve parking spaces for the "exclusive use of the Ludington Yacht Club." Because those twelve spaces are partially upon property leased to the Ludington Yacht Club, if the Ludington Yacht Club shall not grant consent, developer shall not be required to construct such twelve parking spaces for the exclusive use of the Ludington yacht Club. Both the eleven shared parking spaces and the twelve spaces for the exclusive use of the Ludington Yacht Club shall be constructed of dust free trap rock or equivalent surface. In recognition that the subsurface conditions on the peninsula are potentially unstable, paving shall not be required.

Mr. Diephuis told the Commission that he was excited and looking forward to working with the City on this project. He asked the Commission to write a letter of endorsement for the marina to submit with his permits.

Commissioner Coleman made a recommendation to approve the final development with the understanding that any major changes would come back to the Commission. In addition, the lighting, landscaping and signage issues would come back to the Commission. Commissioner Olmstead made a motion to approve the plan with those conditions, seconded by Commissioner Ponko. Motion carried unanimously.

NEW BUSINESS:
None

SITE PLAN REVIEW REPORT:
One Ludington Place:
Commissioner Holman reported that a site plan review was held on June 28 to review a proposal for a 10% increase in density at One Ludington Place. The site plan was tabled until additional information is submitted.

COMMENTS AND COMMUNICATIONS:
Sally Reed and Wally Karboske were given the courtesy of comments that were not ordinarily in the order of comments. Both Ms. Reed and Mr. Karboske commented on issues that were not Planning Commission issues. They were referred to the Ludington City Council and Commissioner Holman will pursue it with the Commission.

ADJOURNMENT:
The meeting was adjourned at 8:45 p.m.

Respectfully submitted,
Carol Ann Foote, Recording Secretary

_____
Tom Coleman, Chairman