CITY OF LUDINGTON
PLANNING COMMSION
MINUTES 08/07/07

A meeting of the Ludington Planning Commission was held on Tuesday, August 7, 2007. 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 Clay Olmstead, Chairperson.

ROLL CALL: The roll call showed the following results:
Present: Robert Garrett, Kaye Holman, Clay Olmstead, Chris Gamble, Mike Nekola, Chris Pontz, Joe Moloney and Gary Schnitker

Absent: Bill Loforte

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

AGENDA APPROVAL:
Chairman Olmstead added two issues to New Business on the agenda, Korrie Hutchinson's request and September meeting date change. Commissioner Holman made a motion to approve the agenda, as amended, seconded by Commissioner Garrett. Motion carried unanimously.

PUBLIC COMMENTS:
No public comments.

APPROVAL OF MINUTES:
Commissioner Nekola made a motion to approve the minutes, as written, seconded by Commissioner Holman. Motion carried unanimously.

PUBLIC HEARINGS:
Open Public Hearing

To consider a request by Lauri Bentz for a special land use to operate a group day care home in a residential district at the following described property: VILLAGE OF PERE MARQUETTE E 90 FT OF W 96 FT OF LOT 6 EXCEPT S 33 FT FOR ST. PURPOSES BLOCK 5, also known as 918 Maple St. Group Daycare is defined as: "Group Day Care Home" means a private home in which more than 6 but not more than 12 minor children are given care and supervision for periods of less than 24 hours a day unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage, or adoption. Group day care home includes a home in which care is given to an unrelated minor child for more than 4 weeks during a calendar year.

Chairman Olmstead explained to the Commissioners that our zoning ordinance did not address day care facilities in the past. The ordinance was recently amended and now defines the different types of day care. He read the definitions of family, group and day care center. He stated that family and group day care facilities could be located in residential districts.

Lauri Bentz, 918 Maple St., told the Commission that she has been licensed for a group day care home at another address and would like to start one at her new address.

Recording Secretary, Carol Ann Foote, said that there were fifty notices sent with two replies in opposition of the request. Chairman Olmstead read letters from Norm White, Jr. and Jack and Charlene Harper opposing the request.

Closed Public Hearing

Commissioner Nekola reported that the committee met informally and did not come to a consensus.

Commissioner Nekola made a motion to approve the request for a special land use in order to operate a group day care facility at 918 Maple St. with the condition that the facility meets all local zoning standards and state licensing requirements, seconded by Commissioner Holman.

Commissioner Garrett asked if there was a point when density becomes a problem. He stated that they have to look at the character of the neighborhoods. There are density requirements for the condominiums. At some point he thinks the Planning Commission needs to take a look at this.

Attorney Anderson said that the Commission has to evaluate this request on the current standards. If the Planning Commission wants to take a look at a particular standard such as density, they can. Commissioner Garrett stated that they should take another look at it. Chairman Olmstead said that Mr. Harper had also raised that question. They need to refer it back to the Text Committee. He said before now, nobody had to get permission. He said that standards had been set in Section 900:2.6 and Ms. Bentz had addressed those standards. Chairman Olmstead read the standards. He said that Ms. Bentz had a lot that was much larger than the standard lot. Commissioner Gamble asked about the fencing issue. Commissioner Nekola said that his motion said it would meet local regulations. Carol Foote told Mr. Gamble that the Zoning Department had checked her property and the required fencing would be a 4 ft. chain link fence around the play area. The play area is not adjacent to another dwelling, therefore a six foot fence is not required. She stated that Ms. Bentz had submitted drawings that met the requirements.

The motion was voted on and approved unanimously.

Chairman Olmstead referred the text for day care facilities back to the Committee for further discussion.

UNFINISHED BUSINESS:

Comprehensive Plan:
Commissioner Holman said that she will meet with Gary and Joe about the comprehensive plan and the Mayor's list of goals. Chairman Olmstead asked that a list of goals be put in the packets for next month. Commissioner Moloney said that he meet with a Mason County Representative from MSHDA. He will provide Commissioner Holman information from that meeting regarding rental registration.

NEW BUSINESS:

Korrie Hutchinson Request:
Chairman Olmstead explained to the Commissioners that Korrie Hutchinson wrote a letter to the Commission asking them to reconsider the fence conditions that were placed on her Special Land Use. She also attached a copy of the Michigan Zoning Enabling Act. The Commission required Ms. Hutchinson to place a six ft. fence on the east side of the property adjacent to the next door dwelling. Chairman Olmstead said that they could not reconsider because the ordinance required it and she had to comply with the ordinance. He said that the Ordinance would have to be amended to eliminate fence requirements for daycare. The City Attorney has sent a letter to Ms. Hutchinson in reply to her letter. Commissioner Holman said that the text committee would look at it.

Chairman Olmstead proposed to switch the September meeting from the 4th to the 11th.

Commissioner Holman made a motion to change the September meeting date to September 11, seconded by Commissioner Pontz. Motion carried unanimously.

SITE PLAN REVIEW REPORT:
None

COMMISSIONERS' COMMENTS AND COMMUNICATIONS:
Commissioner Holman stated that the text committee would be discussing fences, comp plan, awnings and possible control of the number of daycares. She said that Mayor Henderson asked her to get the Commissions feedback on moving the Pere Marquette Memorial to White Pine Village and replacing it with a statue. She said that the memorial was falling apart and the Lions Club cannot keep it up because of the cost. Commissioner Garrett stated that if it was falling apart, move it.

Commissioner Garrett announced that the City Council had approved the Park Initiative. If anyone is interested in serving on a committee, they should contact Jackie Steckel. Commissioner Moloney thanked Commissioner Garrett for a good job.

Commissioner Holman told the Commissioners that the issue of membrane structures was back to text.

Chairman Olmstead commented that the City looked real good and commended the City workers for a job well done.

Commissioner Nekola said that he served on the Planning Commission when the Waterfront was the issue. Now you can see the fruits of all the work. Commissioner Olmstead stated that there is more traffic down James St. than ever. Commissioner Holman said that the Downtown Ludington Board was working to get the stores to stay open longer at night.

ADJOURNMENT:
Commissioner Nekola made a motion to adjourn the meeting at 7:35 p.m., seconded by Commissioner Holman. Motion carried unanimously.

Respectfully submitted,
Carol Ann Foote, Recording Secretary

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Clay Olmstead, Chairperson