

PLAN COMMISSION MINUTES - 1/12/2011

Plan Commission Offices  
Manitowoc City Hall

Regular Meeting  
Manitowoc City Plan Commission  
Wednesday  
January 12, 2011  
6:30 P.M.

I. CALL TO ORDER

The meeting of the City Plan Commission was called to order by Chairman Justin Nickels at 6:30 P.M.

II. ROLL CALL

Members Present

Steve Alpert  
Justin Nickels  
Maureen Stokes  
Dan Hornung  
Val Mellon  
Jim Muenzenmeyer

Members Excused

Jim Brey  
David Diedrich

Staff Present

David Less  
Paul Braun  
Michelle Yanda  
Elizabeth Werdermann

Others Present

See Attached Sign In Sheet

III. APPROVAL OF MINUTES of the Regular December 15, 2010 Meeting.

Motion by: Ms. Stokes  
Moved that: the minutes be approved as presented.

Seconded by: Mr. Muenzenmeyer  
Upon Vote: the motion was approved unanimously.

IV. PUBLIC INFORMATIONAL HEARINGS

- A. PC49-2010: Saunders; Request for Special Permit Under Section 15.43(11) for Creation of a Parking Lot in a Residential Zoning District - 1205 So. 13<sup>th</sup> / Lot 3, Block 314, Original Plat

Mr. Less explained that tonight's public informational hearing was in regard to a request from Jonathan and Cheryl Saunders, who were requesting approval to establish an off-street parking lot on residentially zoned land pursuant to Section 15.43(11) of the Manitowoc Municipal Code ("Code"), and the issuance by the Commission of a Special Permit to authorize the improvement. Mr. Less noted that this was not a proposal to change the underlying zoning of the proposed parking area, and was a companion to a recently approved rezoning for the parcel due north of the site proposed for an off-street parking lot. Mr. Less advised that the ordinance approving the rezoning of the parcel at the southeast corner of Hamilton and So. 13<sup>th</sup> was adopted by the Council on December 6, 2010.

Mr. Less then noted that the informational hearing held before the Plan Commission in November regarding the above referenced rezoning, was actually a joint informational hearing which included a specific reference and discussion of the rezoning, as well as the proposed parking lot. Mr. Less stated that the notice for the November informational hearing was mailed back on November 3, 2010, with the informational hearing held on November 10<sup>th</sup>. Mr. Less continued that at the November hearing, it was stated that if the rezoning was approved, and when an approvable site plan was prepared for the proposed parking lot, that the abutting and adjacent property owners would again be provided notice of a continuation of the informational hearing on the Special Permit request. Mr. Less stated that this would be tonight's hearing.

Mr. Less continued that at the December 15<sup>th</sup> Commission meeting, the Commission reviewed a preliminary site plan for the off-street parking lot, offered suggestions, and agreed to convene the informational hearing on the proposed parking lot at tonight's meeting. Mr. Less added that regarding tonight's hearing, the abutting and adjacent property owners were provided notice on January 5<sup>th</sup>, and that there had not been any communication received from these parties in response to the mailing.

Mr. Less explained that Section 15.43(11) of the Code authorized the issuance of a Special Permit to allow for a parking lot to be located in a residentially zoned area, when the parking lot was to be used in connection with an adjoining land use in a "B",

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“C” or “I” zoning district. Mr. Less continued that in this request, the Saunders were the record owner of property at the southeast corner of Hamilton and So. 13<sup>th</sup> which was identified as the west 56' of Lot 2, Block 314, Original Plat (tax parcel number 000-314-022), and which was acquired by the petitioner in April, 2005. Mr. Less stated that this parcel was the parcel that was successfully rezoned to “B-2” in December, and which was occupied with a 2-story frame structure that was currently home to the “Lake Breeze Salon” which featured a total of 8 styling stations on the main floor located in 4 private suites, and a single grand suite that had 4 stations in a single room. Mr. Less added that there was handicap accessibility into the building via a ramp located at the east side of the building.

Mr. Less continued that immediately south of this corner parcel was the lot that was the subject of tonight’s hearing, and which was acquired by the Saunders in June, 2010 (Lot 3, Block 314, Original Plat). Mr. Less noted that this lot was currently zoned “R-7” Central Residence District and was vacant, as it previously was occupied by a dilapidated home which was recently demolished. Mr. Less identified the parcel as tax parcel number 000-314-030, and added that it measured 60' of frontage on So. 13<sup>th</sup>, with a lot depth of 150', had an assessed valuation of \$35,800 which included improvements at \$25,800 and a land value of \$10,000, had an estimated fair market value of \$37,400, and had generated just over \$600 in annual property taxes.

Mr. Less noted that as the rezoning of the parcel to the north had been completed, it was now appropriate for the Commission to consider final action on the issuance of a Special Permit for a parking lot on Lot 3, including a slight spill over onto Lot 2. Mr. Less then explained the surrounding land uses and zoning.

Mr. Less continued that the Saunders were requesting a Special Permit to develop an estimated 11 stall parking lot under Section 15.43(11) of the Code, and added that SMI, on behalf of the Saunders, had provided a revised preliminary site plan to identify this parking arrangement, which would ultimately need to be formalized into a formal site plan submittal to the City which met the requirements under Sections 15.37(2), 15.43(11) and 15.69 of the Code prior to final approval by the Commission. Regarding this most current version of the site plan, Mr. Less noted that:

1. The site plan identified a total of 11 parking stalls.
2. Two (2) of the stalls did not meet the standard definition of a parking space under Section 15.43(1) of the Code (minimum 9' x 18' sized stall), but this section did authorize compact parking

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stalls that were required to be marked and reserved as such, and could be a minimum width of 8' and 15' in length, but could not comprise more than 25% of the total parking requirement.

3. The east 39' of Lot 3 would be grass to aid in drainage. The hard surfaced portion of the lot would be graded so as to drain to the west towards So. 13<sup>th</sup> Street.

Mr. Less then noted that in the previous hearings on the proposed zoning for the parcel to the north, irrespective of unencumbered on-street parking on Hamilton and So. 13<sup>th</sup>, the off-street parking Code for a professional business office for this property would require an estimated 12 stalls as follows:

1. A minimum of 2 spaces for a 1-family dwelling (apartment); plus
2. For the beauty salon:
  - a. A minimum of 5 spaces, plus
  - b. 1 space for each 300sf of gross floor area (net public space) over 1,500sf (1 space), plus
  - c. 1 additional parking space for each 2 staff members working the same hours (4 spaces).

Mr. Less elaborated that under Section 15.43(11) of the Code, the parking lot had to meet certain conditions in order to comply:

1. Accessory to a use in an adjacent "B", "C" or "I" zoning district (the adjacent property to the north was zoned "B-2" and met this requirement).
2. Parking lot shall not extend more than 150' into a residential zone. In this case, the property extends 150' into a residential zone, but based upon the site plan submitted, the parking lot would not extend beyond 111' into the lot, and would meet this requirement.
3. Parking lot to be used solely for the parking of passenger vehicles.
4. No commercial repair work or service of any kind would be permitted to take place in the parking lot.

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5. No sign of any kind, other than those designating entrances, exits and conditions of use would be maintained on such parking lot.
6. No charge would be made for parking in the parking lot.
7. Parking would be permitted from 5AM - 11PM, and closed at all other times.
8. Each entrance and exit to and from the parking lot would have to be at least 20' distant from any adjacent property located in a residential zone. The south line of the entrance into the parking lot was located approximately 22' from the north property line to the south.
9. The Commission could modify these requirements where desirable.

Mr. Less then explained that pursuant to Section 15.43(12) of the Code which addresses parking area development and maintenance for lots of 5 vehicles or greater, the new parking area would have to meet the following requirements:

1. The area would have to be hard surfaced and striped within 12 months from construction of the lot.
2. It would have to be site screened on the south and west side from the adjacent residential structure.
3. No part of the lot could be within 10' of a dwelling unit, unless it was site screened by a wall or fence.
4. If there was to be lighting in the parking lot, it would have to be directed away from adjoining residential land uses.
5. The area must be designed to comply with storm water requirements, and snow storage and removal.

Mr. Less added that the proposed parking lot would also have to meet the landscaping requirements of Section 15.69 of the Code. Mr. Less continued that in

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addition to the above, the property owner would also have to execute a site plan performance agreement and fulfill letter of credit requirements under Section 15.37(2)(h) of the Code.

In closing, Mr. Less noted that the proposed parking area was identified as “urban neighborhood” in the City’s 2009 Comprehensive Plan – a district described in the Plan as a land use category “...mapped in established neighborhoods surrounding the downtown which are characterized by a mix of housing-unit types, as well as small public, institutional, and commercial uses.” Mr. Less continued that the plan further noted that in its description of this district, it “...is intended to stabilize the land uses, densities, and character of existing neighborhoods that are not characterized by a homogeneous land use pattern.” Mr. Less added that the Plan further emphasized support for policies for pursuing residential infill and redevelopment opportunities where feasible, ensuring that new development complemented the character and scale of existing homes, discouraging and preventing neighborhood blight, and promoting area stability and residential owner occupancy. In closing, Mr. Less stated that this improvement, therefore, appeared to be consistent with the Plan and land use for this area, and not only addressed the reuse of a former abandoned property, but would result in the beautification of this portion of the area. Mr. Less stated that the proposed parking lot in a residential zoning district would therefore be consistent with the current Plan.

There was no public comment.

Mayor Nickels asked Mr. Less for his recommendation.

Mr. Less recommended that the Commission approve the Special Permit under Section 15.43(11) of the Code to Jonathan and Cheryl Saunders for the construction of the parking lot upon Lot 3, Block 314, Original Plat (tax parcel number 000-314-030, plus the South 2' of the west 56' of Lot 2, Block 314, Original Plat (tax parcel number 000-314-022), subject to the following: (i) construction of the parking lot would be subject to compliance with all conditions under Sections 15.37(2), 15.43(11), 15.43(12) and 15.69 of the Code; (ii) compliance with the conditions of a site plan to be filed, reviewed and approved by the City that was substantially consistent with the preliminary site plan authorized and attached to this Special Permit; (iii) authorize the construction of not more than 2 of the parking spaces as parking stalls of not less than 8' in width, as long as they were appropriately signed for compact vehicles; and (iv) construction of the parking lot would be completed on or before November 15, 2011.

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Mr. Less wanted to make sure that everyone was clear that approximately 2' of the proposed parking lot was invasive to the lot to the north, and that the Special Permit incorporated this pour over area.

Motion by: Mr. Hornung \_\_\_\_\_ Seconded by: Mr. Alpert  
Moved that: the Commission approve \_\_\_\_\_ Upon Vote: the motion was  
the Planner's recommendation above. approved unanimously.

V. REFERRALS FROM COMMON COUNCIL

A. PC6-2011: Manitowoc County; Offering of Tax Deed Property at 1623 Mirro Drive

\_\_\_\_\_ Mr. Less explained that this matter was in regard to a communication from the Manitowoc County Treasurer for a parcel of real estate located at 1623 Mirro Drive in the City, that was in the process of foreclosure. Mr. Less described the parcel as:

Tract Numbered Two (2) of the attached CSM recorded in the Office of the Register of Deeds for Manitowoc County, WI in Vol. 20 of Certified Survey Maps, P. 5, #867267.

Tax ID No. - 052-816-103-051.

Mr. Less stated that this parcel appeared to be a nice, residential lot, that by itself should be marketable, without any City support or ownership. Mr. Less recommended that the Commission recommend to the Council that the communication from Manitowoc County be placed on file, and that no further action be taken regarding this property.

Motion by: Mr. Hornung \_\_\_\_\_ Seconded by: Ms. Stokes  
Moved that: the Commission approve \_\_\_\_\_ Upon Vote: the motion was  
the Planner's recommendation above. approved unanimously.

B. PC1-2011: Volta Holdings, LLC; Quit Claim Deed to the City of Manitowoc for .02-Acres for Johnston Drive Purposes

\_\_\_\_\_ Mr. Less explained that this deed was for a portion of Johnston Drive right-of-way, located north of Albert Drive. Mr. Less advised that he had no problem with the dedication, and noted that it was associated with a previously approved Certified Survey

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Map (approved at the December 15, 2010 Commission meeting). Mr. Less recommended that the Commission recommend to Council that it approve and accept the Quit Claim Deed, and that the Clerk subsequently record the document at the Register of Deeds.

Motion by: Mr. Hornung \_\_\_\_\_ Seconded by: Ms. Mellon  
Moved that: the Commission approve \_\_\_\_\_ Upon Vote: the motion was  
the Planner's recommendation above. \_\_\_\_\_ approved unanimously.

VI. OLD BUSINESS

A. PC27-2009: Annual Review of Special Permits for Fixed Animated Signs Pursuant to Section 15.45(18)(e)7. of the Manitowoc Municipal Code

Mr. Less reviewed this matter with the Commission, and advised that they had previously issued various Special Permits for animated signs. Mr. Less noted that in most cases, there had been compliance with the terms of the Special Permit, but noted that in 3 cases, Special Permits had been issued, but there had not been compliance ie. the animated sign had not been constructed and/or landscaping completed:

Lamar/Kaderabek, Leonard Lane/Rapids Road  
Lamar/Coldwell Banker, 2406 Washington  
Home Care Health Services, 1004 Washington

Mr. Less explained that the Plan Commission could revoke the Special Permits for non-performance, and detailed the requirements to do so under Section 15.45(18)(e)4.- 8. of the Code. Mr. Less explained that Mr. Muenzenmeyer had contacted the holders of the Special Permits via letter back in early October, 2010, and advised them that the Special Permits would be revoked if these signs were not installed by the end of 2010.

Mr. Less stated that he would like authorization from the Commission to contact the Special Permit holders, and to convene a public informational hearing at the February meeting to discuss and deliberate the revocation of these Special Permits, and to provide the permit holders a chance to provide their commentary on this matter.

Mr. Hornung asked if the June date was significant?

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Mr. Less stated that the annual compliance review held in June was the beginning of this process of revoking the Special Permit, and recommended that the Commission authorize moving ahead with a public informational hearing on this matter in February.

Mr. Muenzenmeyer clarified that the Home Health Care animated sign on Washington had been successfully installed, and should be removed from the list.

Motion by: Ms. Stokes \_\_\_\_\_ Seconded by: Mr. Alpert  
Moved that: the Commission approve \_\_\_\_\_ Upon Vote: the motion was  
the Planner's recommendation above, approved unanimously.  
excluding the Special Permit for Home  
Health Care.

B. PC3-2011: City of Manitowoc; Comprehensive Outdoor Recreation Plan 2011-2016

Mr. Less introduced Warren Utecht, V.P. of Planning Services, Martenson & Eisele, Inc., as the author of the new planning document for the City. Mr. Less explained that the Commission was being asked to recommend approval to an update of the City's open space and recreation plan, a copy of which he had given to Commission members at the last meeting.

Warren Utecht, 1901 Bluebird, Appleton, explained that the plan covered the period 2011 - 2016. Mr. Utecht identified the linkage between the plan and being able to apply for park grants, and noted that he did some re-arranging of the plan, with the main change being placement of the recommendations towards the front of the document. Mr. Utecht continued that the State's "Smart Growth" law wanted the plan to include an implementation element, and as such, the document contained a 6-year implementation plan that he recommended should be looked at on an annual basis. Mr. Utecht summarized the document by noting that the master plan and implementation element appeared in the first 11 pages, and added that the plan had already been reviewed and endorsed by the Parks and Recreation Committee.

Mr. Muenzenmeyer commented on text changes made to the section describing the Manitowoc Senior Center.

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Mr. Utecht noted that he did not know this building, and that Alderman Levendusky suggested to him that the text in this section be changed replacing the terminology “structural modifications” with “upgrades” (p.4).

Mr. Less recommended that the Commission recommend Council adoption of the plan, and a companion resolution.

Motion by: Mr. Hornung \_\_\_\_\_ Seconded by: Mr. Muenzenmeyer  
Moved that: the Commission approve \_\_\_\_\_ Upon Vote: the motion was  
the Planner’s recommendation above. approved unanimously.

VII. NEW BUSINESS

A. PC2-2011: Annual Review of Community Living Arrangements (CLA’s)

Mr. Less reviewed a handout that detailed the listing and demographic profile of Community Based Residential Facilities and Adult Family Homes (together “Community Living Arrangements”) in the City as of January 1, 2011, pursuant to Section 15.37(19)(b) of the Code. Mr. Less explained that this was an annual review of these facilities, to see if they had been good performers in the community, or if there had been problems associated with these operations. Mr. Less noted that he had outreached to the Clerk, Building Inspector and Police Chief, requesting that they search their files to identify any complaints they may have received over the past year. Mr. Less advised that other than problems with parking affiliated with group homes on Knuell Street, there were no problems identified.

Mr. Less summarized the handout by noting that as of January 1, 2011, there were 28 facilities in the City – 21 Community Based Residential Facilities (CBRF) and seven (7) Adult Family Homes (AFH) for 3-4 residents in the City, together with a total capacity of 338 persons. Mr. Less added that while the City regulated AFH’s for more than 2 persons, there were probably another dozen AFH’s for 1-2 persons that were present in the community, but which were regulated by Manitowoc County. Mr. Less concluded his comments, noting that approximately 72% of the existing capacity was in Class “C”, non-ambulatory facilities.

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Mr. Less advised that he had asked the Building Inspector and Police Chief to review their files on these facilities, and noted that AFH's on Knuell Street were still creating neighborhood parking problems. Mr. Less noted that he did not think this was significant enough to consider not renewing the licenses for these facilities, as the concerns were centered on complaints regarding parking on the public street.

Mr. Less recommended that the Commission recommend that the Council authorize the licenses for these facilities for 2011.

Motion by: Ms. Stokes \_\_\_\_\_ Seconded by: Ms. Mellon  
Moved that: the Commission approve \_\_\_\_\_ Upon Vote: the motion was  
the Planner's recommendation above. \_\_\_\_\_ approved unanimously.

B. PC4-2011: Steven Kratz; Discussion Regarding Potential Rezoning of Property on Custer Lane

Mr. Braun began by explaining that this was just for discussion purposes, and that the parcel in question was located north of Custer Lane, east of Springhill Drive and was bordered on its south and east sides by a railroad track. Mr. Braun explained that the subject vacant parcel was owned by Steve Kratz, who resided on the south side of Custer Lane, and who wanted to build a garage on this site, but was prohibited from doing so due to its current zoning as "R-4", and that as there was not a house adjacent to the proposed garage. Mr. Braun continued that Mr. Kratz had recently visited the Planning offices to talk about the potential for rezoning. Mr. Braun noted that Mr. Kratz had acquired this 1/2-acre parcel back in April, 2009 for \$8,500, and added that to construct a garage on a lot would require, at minimum, a "B-3" zoning designation.

Mr. Less commented that this parcel featured a great deal of topography, which limited its developability. Mr. Less added that the parcel was further limited due to setback requirements.

Mr. Braun noted that the property's land use designation on the City's 2009 Comprehensive Plan was not clear, as the land to the north of this site was outside of the City. Mr. Braun added that the City's Plan didn't identify the lot as being either commercial or industrial. Mr. Braun continued that he had talked with Mr. Minikel regarding sewer service to this lot, as he was advised by Mr. Kratz that he had no need for sewer or water services, but added that the site could be served by City sewer and developed as a house. Mr. Braun added that the sanitary sewer was approximately 13' in depth and could service this property.

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Mr. Less noted that the rezoning of this parcel to "B-3" would foreclose on its future use for single and two family residential, but added that this zoning was needed so as to allow for the construction of a garage with no homestead on the same lot of record.

Mr. Alpert asked if Custer Lane would continue to dead end?

Mr. Less replied "yes", and added that this area had been looked at in terms of future mapping on several occasions.

Mr. Braun added that the purpose of tonight's discussion was to ascertain if the Commission would be supportive of rezoning the subject parcel to "B-3".

Steve Kratz, 4607 Custer Lane, commented that he lived on the south side of Custer Lane nearly across from the subject parcel. Mr. Kratz explained that his brother Wayne, owned lands to both the west and north of the subject parcel, and that the presence of the railroad trackage was a problem for the site. Mr. Kratz explained the surrounding land uses, and went on to explain that he wanted the garage for his personal use and suggested his willingness to deed restrict the property. Mr. Kratz added that he would also landscape the site.

Mr. Less asked which way the garage front would be oriented?

Mr. Kratz replied that he was open to suggestions.

Mr. Braun explained that a site plan for the proposed garage would be required, as he would be looking at this structure as a warehouse.

Mr. Kratz noted that he had no need for sewer and water in the garage.

Mr. Muenzenmeyer commented that he had an issue with a deed restriction on this property that would not be enforceable by the City. Mr. Muenzenmeyer stated that if it was zoned to "B-3", he would essentially ignore the deed restriction, as it would not be enforceable by the City.

Mr. Kratz replied that he had no intent to sell the property.

Mr. Muenzenmeyer added that he felt the Comprehensive Plan identified this area as residential.

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Mr. Hornung asked Mr. Kratz if his brother had access to the subject parcel from Rapids Road?

Mr. Kratz stated "yes" regarding the Rapids Road question, and added that he had already talked with neighbors on West Custer about his intentions, and there were no problems with a proposed rezoning.

Mr. Hornung asked Mr. Kratz if he would have any problem with zoning a larger portion of land to the west of future Springhill Drive as "I-1"?

Mr. Kratz added that there was no access to the area from Rapids Road, and noted that he had tried to acquire the land to the north of the subject that was owned by Ms. Budnik, but felt that she was not reasonable in her pricing expectations.

Mr. Less stated that he had no problem with the "B-3" zoning for the subject parcel, due to its unusual location and its proximity to the railroad trackage. Mr. Less added that he did not think he'd want to go to an industrial zoning designation.

Mr. Muenzenmeyer noted that a "B-3" was required for a stand alone garage.

Mr. Less identified potential land uses in the "B-3" zoning district, and added that while the usage of this parcel for a garage was not precisely in tune with the Comprehensive Plan and future land use map, the Plan did recognize the need for more liberalized infill development for this type of atypical parcel.

Commission members expressed comfort with the proposal. Additional discussion was held.

No action was taken.

C. PC5-2011: Notz; Proposed Official Map Amendment Located East of So. 19<sup>th</sup> Street and North of Lissa Lane

Mr. Braun explained a proposal by Isaac Notz regarding a 2.994-acre property he owned east of So. 19<sup>th</sup> and west of Lone Oak Lane, and which was impacted by an existing Official Map pattern that was in conflict with his plans for construction of a home. Mr. Braun then provided Commission members with a copy of a map that Mr. Notz had just given to him, and which depicted his existing CSM tract, along with a graphic representation of the footprint for his planned home, garage and associated geothermal loop fields to the east of these structures for the heating and cooling of the

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home. Mr. Braun explained the dimensions of the lot (199' on So. 19<sup>th</sup> and a lot depth of 644' ), and that Mr. Notz had acquired the land in July, 2007.

Mr. Braun then explained the existing Official Map street pattern in this area, and identified the impacted properties. Mr. Braun noted that the 66' Official Map streets in this area were established on the Official Map in March, 1994, and was part of a comprehensive pattern established for this area. Mr. Braun identified the 6 impacted property owners in this area, and explained the proposed Notz project. Mr. Braun continued that the Official Map street along the east end of the property was in conflict with the location of the proposed geothermal field. Mr. Braun added that under the County's zoning ordinance, the Notz property was zoned "A-1" to the north and south, and "R-3" to the east and west. Mr. Braun noted that the minimum lot size in the "A1" district was 1-acre, and the minimum lot width was 150'. Mr. Braun continued that under the "R-3" zoning, the minimum lot size was 15,000sf, and the minimum lot width was 100'. Mr. Braun stated that the Notz parcel had a lot frontage at So. 19<sup>th</sup> Street of 199.35', and described the potential lot development that could occur in this area if it would be rezoned to "R-3".

The Commission discussed the Notz proposal, and while supportive of amending the Official Map pattern in this area, felt that Mr. Notz should first organize the impacted property owners so as to comprehensively discuss the proposed changes.

Mr. Braun did note that County regulations would allow a private easement road to serve up to 2 lots of record, and noted that there were smaller lots located to the south of Jenny Road where the smallest lot measured approximately 18,000sf in area. Mr. Braun identified potential lots in this area, and emphasized the need to discuss this proposal with the potentially impacted property owners to determine their needs.

Mr. Less stated that he felt the real question was whether or not the City needed the Official Map in this immediate area, as Lissa Lane to the south provided an east-west connection between So. 19<sup>th</sup> and So. 15<sup>th</sup> Street. Mr. Less questioned the need for the amount of public R/W in such a small area.

Mr. Braun added that the smaller lots that could be developed probably would not be attractive in this area, as it was more aligned with larger lots. Mr. Braun noted that his feeling at this time was that people looking for homesteads outside of the City were more partial to larger, estate-type lots.

Isaac Notz, 3008 So. 19<sup>th</sup>, explained his proposed 3,600sf home, and that his problem was with the width of his lot, and noted that the existing Official Map pattern

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would not work for his plans for his property. Mr. Notz then represented that he had talked with a few of the property owners, and they were in favor of removing the Official Map in this area. Mr. Notz emphasized that he was ready to move forward with his home construction project, and concluded his comments by noting that it was unlikely that there would be 6 property owners in this area that would want this future public street across their property. Mr. Notz noted that he understood the need for the Official Map in this area.

Mr. Hornung suggested that the pattern could be modified to eliminate the Official Map pattern between Lone Oak Lane and So. 19<sup>th</sup>, as long as a cul-de-sac bulb was placed at the end of Lone Oak Lane so as to provide future ingress/egress for those parcels. Commission members concurred.

Mr. Alpert asked Mr. Notz if he was aware of the current Official Map pattern when he purchased this property?

Mr. Notz stated that he was aware of the Official Map street.

Mr. Notz noted that his home construction budget was \$600,000, and added that he had a problem with the Official Map street devaluing his property along its south and east sides.

Commission members agreed with Mr. Hornung's suggestion above.

Mr. Less suggested that as a next step in this process, Mr. Notz organize a meeting with the area property owners, particularly the owner to the south of his parcel, and Mr. Braun to talk through the Official Map options for this area. Mr. Less continued that if there was a meeting of the minds, then Mr. Notz could file for amendment to the Official Map.

No action was taken.

VIII. MISCELLANEOUS

A. Manitowoc County Activities:

1. None.

B. Certified Survey Maps (CSM):

1. Meyer/Wisconsin Public Service Corporation: Proposed CSM in the NE<sup>1</sup>/<sub>4</sub> of the SW<sup>1</sup>/<sub>4</sub> and the SE<sup>1</sup>/<sub>4</sub> of the SW<sup>1</sup>/<sub>4</sub>, Sec. 27, T.19N., R.23E., Town of Manitowoc Rapids

Mr. Braun explained a proposed CSM for lands located north of West Custer and adjacent to the City's I-43 Industrial Park. Mr. Braun noted that this parcel was currently located outside of the City limits, and explained that the proposed future tract of land was directly across from the City's I-43 Industrial Park and So. 63<sup>rd</sup> Street. Mr. Braun explained that the 2.775-acre parcel was proposed to be split from a larger 8-acre parcel of land and deeded to WPS, noting that the balance of the land would be deeded to a farmer to the east. Mr. Braun continued that the CSM would be just for the lands located south of the railroad tracks and north of West Custer.

Mr. Hornung asked if this proposed parcel would be annexed into the City?

Mr. Braun stated that there was no plan to annex this land into the City.

Mr. Less referenced the letter he recently sent to Manitowoc County on the WPS proposal, adding that this was a confusing matter in terms of how it was being handled under the County zoning ordinance.

Mr. Braun explained that he hoped the City would be granted the right to review and approve landscaping and aesthetic controls for this building and property. Mr. Braun noted that the City has concerns first, with the aesthetics of the proposed development, and second, that the proposed improvement could constrict the expansion capability of a Manitowoc industry in the future.

Mr. Hornung commented that while he didn't have any concerns with the proposed CSM, MPU had issues with WPS on various fronts. Mr. Hornung added that he didn't see how this land would eventually be annexed into the City.

Mr. Braun noted that the lot would not have any electors, and could be brought into the City as part of a larger annexation.

Mr. Less noted that the City couldn't compel annexation as consideration for a CSM approval, and added that the County had a variety of issues to contend with in this situation, the loftiest of which was a rationale for granting a variance from lot area requirements. Mr. Less stated that the City's issue was the CSM approval. Mr. Less

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added that EPI04, Inc., the owner of Extrutech Plastics, abutted the proposed gas regulator station to the east, and that he had forwarded this information to Greg Sheehy at Extrutech. Mr. Less stated that he had no problem with the proposed CSM, and would have to demonstrate to Mr. Braun that the various County approvals were all in place.

Mr. Braun again noted that the proposed tract would not have any electors, and could be annexed into the City in the future. Mr. Braun ended his comments by noting that he had no problem with the proposed CSM, and recommended approval, subject to County and Town approvals

Motion by: Mr. Alpert

Moved that: the Commission approve the CSM as presented, subject to required easements, petitions, and other conditions as specified above.

Seconded by: Ms. Mellon

Upon Vote: the motion was approved unanimously.

2. Dickens: Proposed CSM in the NE $\frac{1}{4}$  of the NW $\frac{1}{4}$ , Sec. 20, T.19N., R.24E., City of Manitowoc

Mr. Braun advised that after this item was placed on the agenda, the request was made by the owner's surveyor to have it withdrawn.

No action was taken.

C. Summary of Site Plans 12/9/2010 - 1/6/2011:

1. None.

IX. ADJOURNMENT

The meeting was adjourned at 7:45 P.M.

Respectfully Submitted,

David Less  
Secretary

