

PLAN COMMISSION MINUTES - 8/10/2011

Plan Commission Offices  
Manitowoc City Hall

Regular Meeting  
Manitowoc City Plan Commission  
Wednesday  
August 10, 2011  
6:30 P.M.

I. CALL TO ORDER

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

II. ROLL CALL

Members Present

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

Members Excused

Justin Nickels  
David Diedrich

Staff Present

David Less  
Michelle Yanda  
Elizabeth Werdermann

Others Present

See Attached Sign In Sheet

III. APPROVAL OF MINUTES of the Regular July 13, 2011 Meeting.

Motion by: Ms. Stokes

Moved that: the minutes be approved as presented.

Seconded by: Mr. Alpert

Upon Vote: the motion was approved unanimously.

IV. PUBLIC INFORMATIONAL HEARINGS

A. PC40-2011/PC24-2011/PC10-2011: WAFCO, LLC; Request for a Conditional Use Permit Under Section 15.350(3)(f) for Lands Located at Vacated So. 17<sup>th</sup> Street, South of Clark Street

Mr. Less explained that tonight's public informational hearing was in regard to a request from the Wisconsin Aluminum Foundry Company, Inc. and WAFCO, LLC (together "WAF") whose corporate offices and principal place of business were on Blocks 207 and 208 of the Original Plat. Mr. Less continued that tonight's hearing was expressly related to WAF's request for a Conditional Use Permit ("CUP") to expand their foundry buildings into lands recently rezoned, vacated and removed from the Official Map.

Mr. Less noted that the CUP requirements appeared under Section 15.350(3)(f) of the Manitowoc Municipal Code ("Code") for a foundry, and then cited the CUP procedures outlined in Section 15.370(27) of the Code. Mr. Less added that under a CUP, the Commission and Council had to determine if the proposed use was reasonably necessary for the convenience and welfare of the public, was in harmony with the character of the surrounding area, and would have a minimal or no effect on surrounding property values. Mr. Less stated that the Commission and Council could affix conditions to the CUP to provide assurances that the proposed use would not have a negative impact on the surrounding area.

Mr. Less then provided a quick synopsis of previous actions related to WAF, and noted that:

1. In 2011, WAFCO, LLC acquired 2 properties abutting the former R/W identified as So. 17<sup>th</sup> Street, south of Clark Street. The former Kathleen M. Scherer-Ferry and Thomas R. Ferry property was acquired by WAFCO, LLC on April 27<sup>th</sup> via Warranty Deed recorded in V. 2639, P. 742; and a property formerly owned by Clarkbridge Apartments, LLC was acquired by WAFCO, LLC on April 28<sup>th</sup> via Warranty Deed recorded in V. 2640, P. 133.
2. These properties were rezoned on April 18, 2011 from "R-6" Multiple Family District and "B-2" Neighborhood Business District, to "I-2" Heavy Industrial District, to facilitate a planned 29,000sf expansion of the WAF

operation in this area as a permitted use. This amendment changed the zoning underlying these 2 properties to "I-2" heavy industrial, matching the balance of the WAF property in Blocks 207 and 208.

3. The former So. 17<sup>th</sup> Street R/W located south of Clark Street and between the 2 parcels referenced above, was vacated and removed from the Official Map on July 5, 2011.

Mr. Less continued that the CUP was the final step in the regulatory process, except for final site plan approval which was an administrative procedure. Mr. Less added that as noted during the recent rezoning, vacation and Official Map hearings, the expansion of a foundry building into the rezoned and vacated area would require the City to issue a CUP under Section 15.350(3)(f) of the Code for the expansion of the foundry building operation. Mr. Less stated that the plan was for WAF to expand its in-building operation by constructing an estimated 161' x 186' (29,946sf) facility expansion in the northwest corner of their operation, and which would encroach approximately 3' into the newly zoned and vacated area. Mr. Less noted that the area to the north of the planned building to the south line of Clark Street was identified for yard storage.

Mr. Less then explained that as mentioned in previous hearings, the proposed WAF expansion would be for WAF's airset sand casting operation, which was a modified sand casting process that combined dry sand with liquid resins as a binder, and allowed WAF to produce larger parts in shorter periods of time. Mr. Less continued that the facility expansion included a new stack, estimated at 80' in height, which would be located in roughly the center of the physical expansion area. Mr. Less explained that the stack would be required if WAF moved permanent mold machines into the new building. Mr. Less noted that the new construction project was estimated to cost between \$500,000 and \$2mm, and that WAF employment had increased from 277 at the end of 2010, to around 348 persons at present.

Mr. Less then noted that the proposed CUP Area at this time was being defined as a 25' x 226' rectangular area as measured from the south line of the recent rezoning, vacation and Official Map line, or 25' as measured from the north line of Lot 6 in Block 208, and the north line of Lot 5 in Block 207 of the Original Plat. Mr. Less then explained surrounding land uses and zoning in this area.

PLAN COMMISSION MINUTES - 8/10/2011

Mr. Less continued that while the formal site plan had not yet been filed, and assuming approval of the CUP by Council, the City would be requiring WAF to substantially landscape the north end of their property along the south line of Clark Street. Mr. Less added that WAF would also have to maintain certain setbacks from residential properties, as residential zoning districts abutted the east and west ends of the proposed CUP Area. Mr. Less cited a minimum 6' side yard requirement along the west side of CUP Area, and a minimum 10' sideyard requirement along the east side of CUP Area. Mr. Less added that the Code required the placement of an effective sight screen by a wall, tight fence, evergreen hedge, or other suitable enclosures between 4½' and 7' in height when abutting a residential zoning district.

In closing, Mr. Less noted that the Planning Department did send notices on August 4<sup>th</sup> to property owners within 200' of the proposed CUP area regarding tonight's hearing. Mr. Less explained that the notices were mailed to the same group of property owners that received notices for the rezoning, vacation and Official Map informational hearings, those being owners on the north side of Western and Clark Street between So. 16<sup>th</sup> and So. 17<sup>th</sup> Street. Mr. Less noted that there were no telephone calls or written comments received in response to this most recent mailing.

Mr. Less then explained that as noted in previous hearings, this request was generally consistent with the City's 2009 Comprehensive Plan in that it identified this general area as "Urban Neighborhood" - described in the Comprehensive Plan as a land use category "...intended to stabilize the land uses, densities, and character of existing neighborhoods that are not characterized by a homogeneous land use pattern." Mr. Less identified this district as an area characterized by a mix of housing types, along with small public, institutional and commercial uses. Mr. Less noted that a principal policy identified under this district was to maintain the urban character of areas mapped in this future land use category by supporting existing non-residential uses which would not negatively impact the surrounding neighborhood. Mr. Less continued that, that included in the more overarching land use goals were several objectives and general policies to:

1. Support land uses and development designs with continued public infrastructure investments that help to enhance Manitowoc's manufacturing economy, as well as its identity as a sustainable community.
2. Actively promote infill development, adaptive reuse, and redevelopment of blighted and/or brownfield sites, where opportunities exist as a means to improve neighborhood

conditions, increase local economic and shopping opportunities, and make use of existing infrastructure investments.

3. Ensure logical transitions between potentially incompatible land uses whenever possible, avoid locating potentially conflicting or nuisance-producing land uses adjacent to each other. Where necessary, buffer potentially incompatible uses through landscaped buffers, open space uses, or less intensive uses.

Mr. Less stated that based on the City's Plan, the proposed CUP was found to be consistent with the current Comprehensive Plan. Continuing, Mr. Less noted that going forward, the Commission would be asked to make a recommendation to Council on the proposed CUP, with the earliest Council action on the CUP to be taken at its August 15<sup>th</sup> meeting.

Mr. Brey asked for public input.

Lily Yang, 1619 Clark Street, explained that she was speaking on behalf of her mother who was also present this evening, who was concerned that noise from WAF would be increased due to their planned expansion, and also expressed concern with the safety for children in this area.

Mr. Brey commented that he was aware of the location of Ms. Yang's home.

Ben Jacobs, WAF, 828 S. 18<sup>th</sup> Street, commented that he had spoke with Ms. Yang and her mother prior to the meeting and could not see noise levels getting significantly higher. Mr. Jacobs noted that airset was a quieter foundry process, and noted that the area would be fenced in as per Code so children would not be able to access WAF's yard area.

Mr. Brey asked Mr. Less for his recommendation.

Mr. Less recommended that the Commission recommend to Council granting to WAF a CUP under Section 15.350(3)(f) of the Code for the expansion of a foundry building in an "I-2" zoning district as part of the existing

PLAN COMMISSION MINUTES - 8/10/2011

WAF facility and operation, and subject to the conditions presented to the Commission and on file in the City Planner's office. Mr. Less noted that the CUP included an assignability clause that would first require the City Council's approval before the CUP could be assigned.

Mr. Brey commented that he was confident that WAF would continue to work with the area property owners towards building ever improving relationships with the neighborhood.

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.

B. PC38-2011: Counard; Structure Moving Application to Relocate Residential Building From 9408 Polifka Road, Cato, WI to 3813 Waldo Boulevard Under Section 15.370(3) of the Manitowoc Municipal Code

Mr. Less explained that this was a request from Keith Counard, Jr. who was requesting approval to move a residential building from a location on the north side of Polifka Road, west of Thunder Road and east of CTH "T" in the Town of Kossuth, to a location on Waldo Boulevard and east of N. Rapids Road, pursuant to Section 15.370(3) of the Manitowoc Municipal Code ("Code").

Mr. Less identified the "Donor" property, or the location from which the structure would be moved, as 9408 Polifka Road, as the precise location was not identified in the current application. Mr. Less added that the Donor property was in the Town of Kossuth, was located west of I-43, east of CTH "T", and was on the north side of Polifka Road. Mr. Less noted that the size of the structure had not been disclosed .

Mr. Less then identified the "Recipient" property, or the location where the structure would be moved to, as a parcel of land at 3813 Waldo Boulevard , located east of N. 40<sup>th</sup> and west of Glenview Drive, and which was identified as Tax #824-202-440. Mr. Less explained that this parcel measured 116.6' along its Waldo Boulevard frontage by 225' of lot depth (or a total of .60-acres in area), was zoned "R-2" Single-Family District, and contained a very nice 1½ story home with a 36' x 40' detached garage. Mr. Less added that the property was surrounded by residential land uses on all sides.

Mr. Less explained that the Recipient parcel was owned by Keith Counard, Jr. by virtue of a Warranty Deed dated June 12, 2009 along with his wife, and then his wife's

PLAN COMMISSION MINUTES - 8/10/2011

interest was transferred to Mr. Counard by Quit Claim Deed at the end of July, 2010. Mr. Less noted that the parcel had an estimated fair market value of \$105,100 according to City Assessor records.

Mr. Less noted that the proposed structure move route was not identified at this time, nor was the timetable for moving the structure, so that information would have to be determined by the Director of Building Inspection at the appropriate time. Mr. Less continued that assuming the route utilized I-43 to the Waldo Boulevard exit, and then continued east to the Recipient property, they were estimating a travel route of approximately 11.7 miles between the Donor and Recipient properties as measured along public R/W's including I-43.

Mr. Less noted that based on Mr. Counard's letter request, it appeared that this new structure would be located in the southwest corner of his lot, and he would further remove an existing 16' x 22' shed dating back to the 1960's.

In closing, Mr. Less noted that pursuant to Section 15.370(3) of the Code, the department did send notice to the property owners abutting and adjacent to the Recipient property on August 4<sup>th</sup>, adding that there were no responses to the mailing.

Mr. Less then explained the requirements before issuance of a permit for moving a structure in the City, and noted that they included the following:

1. Completion of a "Moving Permit Application" from the Building Inspection Department, including delivery of a scaled site plan of the Recipient property (*not in file, but to be provided to the Director of Building Inspection*);
2. Preparation of a building inspection report of the structure to be moved and a plot plan for the Recipient property, if required (*not in file, but to be provided to the Director of Building Inspection*);
3. Contact with other City officials (*other than contact with Jim Muenzenmeyer, no documentation provided that other officials have been contacted. Mr. Less noted that he did send an email to MPU and DPW on August 9th advising them of this matter*);
4. Evaluating the condition of the structure to be moved, or any additional improvements required to be made to the structure by

PLAN COMMISSION MINUTES - 8/10/2011

the Plan Commission, and the requirement for an irrevocable Letter of Credit in amount approved by Director of Building Inspection, if required *(not in file, but to be provided to the Director of Building Inspection)*;

- 5. Delivery of a performance bond (at least \$25k) which indemnified City for any costs or expenses incurred related to moving process *(not in file, but to be provided to the Director of Building Inspection)*.

Mr. Less explained that as previously mentioned, there were no specifics provided regarding the date or time to complete this relocation.

Mr. Brey asked for public input. There was no public input.

Mr. Brey asked Mr. Less for his recommendation.

Mr. Less recommended that the Commission recommend to Council approval of the request for structure moving, subject to compliance with Section 15.370(3) of the Code; with the Director of Building Inspection authorized to issue the necessary permits upon receipt, review and approval of: (i) the delivery of a "Moving Permit Application"; a scaled site plan for the Recipient parcel; (ii) a building condition report; (iii) a foundation plan for the structure, if required; (iv) identification of any obstruction or traffic issues along the proposed route from the Police Chief, Department of Public Works and MPU-Electric; (v) a performance bond; (vi) an Irrevocable Letter of credit pursuant to Section 15.370(2)(k), if required; and (vi) any other requirements deemed necessary by the Director of Building Inspection for the project to proceed.

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.

V. REFERRALS FROM COMMON COUNCIL

- A. None

VI. OLD BUSINESS

PLAN COMMISSION MINUTES - 8/10/2011

- A. PC49-2006: LVR Properties, LLC/Larry's Hauling, Inc; Request for Extension of 2006 Conditional Use Permit (CUP) Under Section 15.35(3)26. for Operation of a Recycling Facility at 901 So. 17<sup>th</sup> Street - Annual Compliance Review

Mr. Less explained that he had outreached to the Police Chief and Director of Building Inspection regarding problems that might have been identified related to the above referenced CUP. Mr. Less advised that there were no problems identified with the LVR operation, and recommended that the CUP not be modified, amended or revoked, and that the Commission recommend that Council confirm the Commission's findings in this matter.

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

Mr. Brey commented that he had been contacted by a single person regarding garbage in the area, but when he checked it out, he did not observe garbage at the LVR operation. Mr. Brey commented that Mr. Muenzenmeyer had reviewed the area as well, and the conclusion was that it was recyclable materials.

- B. PC32-2010: Domestic Violence Center; Request for a Conditional Use Permit Under Section 15.23(3)2. for Property at 300 E. Reed Avenue - Annual Compliance Review

Mr. Less explained that he had outreached to the Police Chief and Director of Building Inspection regarding problems that might have been identified related to the above referenced CUP. Mr. Less advised that there were no problems identified with the Domestic Violence Center operation, and recommended: (i) that Section 8. of the CUP be removed from the permit requiring the continuation of the annual compliance review; (ii) that except for this condition, the CUP not be further modified, amended or revoked; and (iii) that the Commission recommend that Council confirm the Commission's findings in this matter.

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.

C. PC27-2010: Lakeshore Interfaith Hospitality Network; Request for a Conditional Use Permit Under Section 15.37(29) for the Adaptive Reuse of Property at 1110 So. 10<sup>th</sup> Street for Transitional Housing Services - Annual Compliance Review

Mr. Less explained that he had outreached to the Police Chief and Director of Building Inspection regarding problems that might have been identified related to the above referenced CUP. Mr. Less advised that there were no problems identified with the LIHN operation, and recommended: (i) that Section 10. of the CUP be removed from the permit requiring the continuation of the annual compliance review; (ii) that except for this condition, the CUP not be further modified, amended or revoked; and (iii) that the Commission recommend that Council confirm the Commission's findings in this matter.

Mr. Less explained that in all CUP compliance reviews on this evening's agenda, while the annual compliance review requirement might be recommended to be extinguished, the CUPs' would remain otherwise in full force and effect.

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

Rick Mozinski, 903 Washington, explained that he was a board member and legal counsel for LIHN, and expressed his thanks for the cooperation of the City in this matter. Mr. Mozinski added that the LIHN was a worthwhile cause in the community, and continued to be a good neighbor.

D. PC25-2010: Manitowoc Eagles Aerie #706; Request for a Conditional Use Permit (CUP) Under Section 15.21(3)3. and 4. for the Location of Private Club and Lodges, and Fraternal Organizations - Annual Compliance Review

Mr. Less explained that he had outreached to the Police Chief and Director of Building Inspection regarding problems that might have been identified related to the above referenced CUP. Mr. Less advised that there were no problems identified with the Eagles Club operation, and recommended: (i) that Section 9. of the CUP be removed from the permit requiring the continuation of the annual compliance review; (ii) that except for this condition, the CUP not be further modified, amended or revoked; and (iii) that the Commission recommend that Council confirm the Commission's findings in this matter.

PLAN COMMISSION MINUTES - 8/10/2011

Mr. Brey explained that he was a club member and would abstain from the vote.

Motion by: Mr. Muenzenmeyer \_\_\_\_\_ Seconded by: Ms. Mellon  
Moved that: the Commission approve \_\_\_\_\_ Upon Vote: the motion was  
the Planner's recommendation above. \_\_\_\_\_ approved by a vote of 5-0. Mr. Brey  
abstained.

Robert Kloida, 3106 Coolidge Place, offered to answer any questions, and explained that they were in the process of completing their project.

- E. PC43-2009: Spencer's Total Auto Repair & Towing LLC/Kerscher & Bucha/Ruzek, Inc.; Request for a Conditional Use Permit (CUP) Under Section 15.27(3)1. for a Wrecker Service Business as Part of Ruzek's, Inc. Vehicle Repair Business at 734 N. 8<sup>th</sup> - Annual Compliance Review

Mr. Less explained that he had outreached to the Police Chief and Director of Building Inspection regarding problems that might have been identified related to the above referenced CUP. Mr. Less advised that there were no problems identified with the Spencer operation, and recommended that the CUP not be modified, amended or revoked, and that the Commission recommend that Council confirm the Commission's findings in this matter.

Mr. Less then referenced 3 letters that Mr. Muenzenmeyer had just given to him regarding the Spencer operation from: (i) Emmett and Sandy Wagner, 728 N. 8<sup>th</sup>; (ii) Richard Piontek, as the owner of Certified Auto Inc., 801 N. 8th; and (iii) Lawrence Hansen, 809 Huron, all offering complimentary commentary regarding the Spencer business operation.

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.

Dwayne Spencer Radaj, 734 N. 8<sup>th</sup>, commented that he was glad to stay in business.

- F. PC45-2009: Voigt/Myrik Properties, LLC; Request for a Conditional Use Permit (CUP) Under Section 15.29(3)1. for Operation of a Tattoo and Body Piercing Business at 904 So. 8<sup>th</sup> Street - Annual Compliance Review

Mr. Less explained that he had outreached to the Police Chief and Director of Building Inspection regarding problems that might have been identified related to the above

referenced CUP. Mr. Less advised that there were no problems identified with the tattoo and body piercing operation, and recommended: (i) that Section F. of the CUP be removed from the permit requiring the continuation of the annual compliance review; (ii) that except for this condition, the CUP not be further modified, amended or revoked; and (iii) that the Commission recommend that Council confirm the Commission's findings in this matter.

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.

Dwayne Woodside, 1914 Clark Street, commented that he had been in business for 2 years, and had been warmly received by the community.

## VII. NEW BUSINESS

### A. PC37-2011: City of Manitowoc; Vacation for Portion of an Alley Under Wis. Stat. § 66.1003(4) and Official Map Amendment Under Wis. Stat. § 62.23(6) in Block 6 of Reed Lawn Subdivision

Mr. Less introduce a matter pertaining to a portion of an "Alley for Utilities" located to the east of N. 2nd Street in the recorded plat for the Reed Lawn Subdivision. Mr. Less explained that this was not a public informational hearing, but felt that tonight's discussion would warrant the Commission's recommendation. Mr. Less explained that at the center of the discussion was a 10' wide public way that was owned by the City, extending an average of 129' between the east line of the Reed Avenue Subdivision and N. 2nd Street. Mr. Less noted that this public way appeared to be a well intentioned planning effort when it was placed on the City's Official Map (likely back in 1947 by virtue of approval and recording of the Reed Avenue Subdivision Plat), as it extended from the City-owned property east of the east line of the Reed Lawn Subdivision (Lincoln Park Zoo and Conservancy) all the way to N. 8th Street.

Mr. Less then explained the problem related to the N. 2<sup>nd</sup> Street portion of this public way, noting that a driveway on the east side of N. 2<sup>nd</sup> abutting the north line of the 10' wide area, encroached, in part (8.2' at the Street R/W to 3.8' at the angle point towards the garage) into the dedicated area. Mr. Less continued that additionally, the roof of the principal structure on this lot also encroached approximately 2.4' into the dedicated area. Mr. Less commented that how and when a building permit was issued for the driveway improvement was not clear, but that to remedy the current problems, he suggested that the City initiate a vacation and Official Map amendment in this area. Mr. Less explained meetings that had been held with the principal property owner, and noted that a storm sewer

PLAN COMMISSION MINUTES - 8/10/2011

was located in the public way, the easement rights for which would be retained by the City if the proceedings moved forward and were completed successfully. Mr. Less then referenced an assignment agreement that had been executed by and between the 2 property owners abutting the 10' wide public way in question. Mr. Less stated that he felt the City initiating a vacation and Official Map proceeding was the best means of cleaning up a problematic situation. Mr. Less recommended that the Commission recommend to Council that it authorize proceeding with a City-initiated vacation and Official Map proceeding pursuant to Wis. Stats. § 66.1003(4) and Wis. Stats. § 62.23(6) respectively.

Mr. Hornung questioned why more of the 10' wide strip towards 8<sup>th</sup> Street would not be included in the vacation?

Mr. Less replied that he felt including the full extent of the 10' wide strip would be more problematic due to private improvements that were already located in the area, and felt that the N. 2<sup>nd</sup> Street portion required more immediate attention. Mr. Less added that the ability to deal with the larger area in the future was not foreclosed by moving forward on this smaller section of the 10' wide strip.

Ms. Mellon asked if the City had to dig up the storm sewer, would the property owner share in that cost for replacement and repair of existing private driveway improvements?

Mr. Less advised that this had not been previously discussed with the property owner.

Ms. Mellon stated that the cost sharing provision should have been included in the original driveway permit.

Mr. Less stated that the circumstances surrounding the issuance of that original permit were not clear, and felt that Ms. Mellon's concern could be added as a condition to vacate, and to the utility rights reserved.

Mr. Muenzenmeyer asked if the "Standard Utility Easement Conditions" would be placed upon this vacation area?

Mr. Less replied "yes".

Mr. Hornung asked if the 10' wide strip could be relocated to the south?

PLAN COMMISSION MINUTES - 8/10/2011

Mr. Less replied that the lot to the south was already problematic, as there was a shed on the lot without a principal structure, making it nonconforming.

Mr. Hornung stated that it was unfortunate to give up that whole piece.

Mr. Less stated that retention of the public way in this area would be more problematic.

Mr. Muenzenmeyer commented under the City's current subdivision regulations, a pedestrian way would be at minimum 20' in width, and added that he felt this area was originally designed to serve as an alley, and had already been compromised.

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

B. PC39-2011/PC48-2008: Lamar Advertising Co./Coldwell Banker; Proposed  
---Animated Sign at 2406 Washington Street Pursuant to Section 15.450(18)  
of Manitowoc Municipal Code

Mr. Less explained that this was a request that was previously before the Commission and approved approximately 2 years ago, but had never been implemented, and was actually a proposed improvement to this area. Mr. Less explained that Lamar was now requesting that the Commission issue a new Special Permit to authorize the construction of a fixed animated billboard at the Bytof Family Limited Partnership/Coldwell Banker property at 2406 Washington Street. Mr. Less explained that this was the same project as originally presented to the Commission, and involved the replacement of the double stacked non-animated billboard, with a single face animated billboard. Mr. Less advised that he had sent the Commission his data analysis and recommendation prior to the meeting.

Mr. Less recommended that the Commission approve and authorize the issuance of a Special Permit for a fixed animated billboard at the location specified in the application on-file in the Planner's office, and subject to the conditions on file in the Planner's office.

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.

PLAN COMMISSION MINUTES - 8/10/2011

Mr. Brey commented that while he opposed the original proposal 2 years ago, now that the house to the north had been demolished, he was supportive.

C. Review Planning Department Proposed 2012 Budget

Mr. Less explained that he had previously provided his preliminary 2012 Planning and Community Development Authority (CDA) budgets to the Commission for review. Mr. Less explained major changes between 2011 and 2012, and then provided Commission members with a draft memo, addressing a suggested 10 per cent reduction in the overall department budget as requested by the Mayor. Mr. Less advised that the budget and memo were subject to minor modification and change going forward.

Mr. Less recommended that the Commission recommend to the Mayor that the Planning and CDA budgets be included, as proposed, in his Executive Budget.

Mr. Alpert asked if the presentation of the budget was an annual matter?

Mr. Less explained that he always brought the Planning budget to the Commission for review in August of each year.

Additional discussion was held.

Mr. Brey commented that he would be abstaining from the vote because of his position on the Council.

Motion by: Mr. Hornung \_\_\_\_\_ Seconded by: Ms. Stokes  
Moved that: the Commission approve \_\_\_\_\_ Upon Vote: the motion was  
the Planner's recommendation above. approved 5-0. Mr. Brey abstained.

VIII. MISCELLANEOUS

A. Manitowoc County Activities:

1. None

B. Certified Survey Maps (CSM):

PLAN COMMISSION MINUTES - 8/10/2011

1. PC38-2009/PC13-2003/SP11-2009: Custer Ridge Holdings LLC/Custer Village LLC; Proposed Modification of Easements at Expo Drive - Proposed CSM in SW¼ of SW¼ Sec. 26, T.19N., R.23E., City of Manitowoc Including a Resurvey of Lots 1-6, Block 1 of Doneff's Custer Village Subdivision and a Resurvey of TR2.1 of CSM Rec. V. 23, P. 207

Ms. Yanda explained the proposed CSM on the west side of Expo Drive, east of I-43 and south of West Custer. Ms. Yanda noted that this was a CSM to combine multiple tracts of land to facilitate the construction of an apartment building in this area. Ms. Yanda recommended approval of the CSM, subject to City conditions.

Motion by: Mr. Hornung

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

Seconded by: Mr. Muenzenmeyer

Upon Vote: the motion was approved unanimously.

Mr. Less advised that a "Correction Instrument" related to this CSM had been filed with the Clerk, and would be on the September Commission agenda.

2. Schreiber; Proposed CSM in the SW¼ of NW¼, Sec. 32, T.19N., R.23E., Town of Manitowoc Rapids

Ms. Yanda explained a proposed CSM located north of USH151 and east of So. Union Road. Ms. Yanda noted that at the June Commission meeting, the Commission had approved an 8.75-acre lot split from the larger Schreiber land holdings. Ms. Yanda continued that the request now was to further split the 8.75-acre parcel into 2 tracts measuring 4.30-acres and 4.45-acres, with the southernmost and latter tract (Lot 1-2) available for sale. Ms. Yanda noted that she had no problem with the proposal, and recommended approval of the CSM.

Motion by: Mr. Hornung

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

Seconded by: Mr. Alpert

Upon Vote: the motion was approved unanimously.

PLAN COMMISSION MINUTES - 8/10/2011

3. Wallace & Edna Luebke Estate; Proposed CSM in the SE¼ of NW¼, Sec. 9, T.18N., R.23E., Town of Newton

Ms. Yanda explained a proposed CSM located east of STH 42 and west of Center Road. Ms. Yanda noted that the owner wanted to split off a 2.31-acre parcel from a larger 72-acre parcel of land. Ms. Yanda noted that she had no problem with the proposal, that the CSM would have to identify the Official Map Center Road R/W, and then recommended approval of the CSM.

Motion by: Ms. Stokes

Seconded by: Ms. Mellon

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

Upon Vote: the motion was approved unanimously.

C. Summary of Site Plans 7/8/2011 - 8/3/2011:

1. SP5-2011: KNM, LLC, 1950 Johnston Drive - Building Addition (approved).
2. SP6-2011: Associated Bank, 1121 Franklin Street - New Construction (approved).
3. SP7-2011: Lake Breeze Salon, 1201 So. 13<sup>th</sup> - Parking Lot Expansion (approved).

IX. ADJOURNMENT

The meeting was adjourned at 7:20 P.M.

Respectfully Submitted,

David Less  
Secretary