

PLAN COMMISSION MINUTES - 10/14/09

Plan Commission Offices  
Manitowoc City Hall

Regular Meeting  
Manitowoc City Plan Commission  
Wednesday  
October 14, 2009  
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  
Jim Muenzenmeyer  
David Diedrich  
Maureen Stokes  
Val Mellon  
Justin Nickels

Members Excused

Dan Hornung  
Jim Brey

Staff Present

David Less  
Paul Braun  
Michelle Yanda  
Elizabeth Werdermann

Others Present

None

III. APPROVAL OF MINUTES of the Regular September 16, 2009 Meeting.

Motion by: Mr. Diedrich \_\_\_\_\_ Seconded by: Ms. Stokes  
Moved that: the minutes be \_\_\_\_\_ Upon Vote: the motion was  
approved as presented. approved unanimously.

IV. PUBLIC INFORMATIONAL HEARINGS

A. None

V. REFERRALS FROM COMMON COUNCIL

A. PC49-2009: Retzak; Temporary Access Easement Agreement Over Unopened Street at Future Homestead Road and Red Fox Lane

Mr. Less explained the request for a temporary access easement measuring 65' x 35' over unopened Homestead Road, at Red Fox Lane. Mr. Less noted that the easement was related to a proposed house to be constructed on Lot 11, Block 9, Royal Oaks Subdivision No. 3. Mr. Less recommended that the Commission recommend to Council approval of the easement document.

Motion by: Mr. Diedrich \_\_\_\_\_ Seconded by: Mr. Muenzenmeyer  
Moved that: the Commission recommend \_\_\_\_\_ Upon Vote: the motion was  
Council acceptance of the Planner's \_\_\_\_\_ approved unanimously.  
recommendation above.

B. PC50-2009: City of Manitowoc; Review of Proposed Acquisition of Land at 1920 So. 10<sup>th</sup> Street under §62.23(5) Wis. Stats. for Stormwater Pond Purposes

Mr. Less explained that this parcel was the site of the former Super 3 grocery store on So. 10<sup>th</sup>, south of Grand Avenue, and noted that the Offer to Purchase that he provided to the Commission was not the topic of review for this body, but was just background information. Mr. Less stated that the Commission's role was to review the proposed acquisition pursuant to §62.23(5) Wis. Stats., and forward a recommendation to the Council regarding the acquisition.

Mr. Less explained that the site would be the location of a stormwater pond as part of the City's stormwater quality plan.

Ms. Mellon commented that this was a very important pond for the City to create.

Mr. Less recommended that the Commission recommend to Council approval of the acquisition, and that it had reviewed this matter pursuant to §62.23(5) Wis. Stats.

Mr. Braun noted that he felt there was a potential developable area in the northwest corner of the property that would have access via So. 12<sup>th</sup> Street.

Mr. Diedrich questioned if there would be a liability issue for a development located immediately adjacent to a stormwater pond?

Mr. Less stated that he didn't think there would be a liability issue if the pond was adequately protected.

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

VI. OLD BUSINESS

A. PC52-2006: FY2007 Comprehensive Planning Grant - Multi-Jurisdictional Project with Manitowoc County - Review of Final Plan

\_\_\_\_\_ Mr. Less explained that the Commission had been provided a draft of the plan, and that the final revision of the document would be made at the time the Ordinance was introduced at the Council level, prior to the required public hearing.

Mr. Less recommended that the Commission adopt a Resolution approving the plan as provided, and that they further recommend to Council: (i) that they instruct the Clerk to call for a public hearing to be scheduled for December 7<sup>th</sup>; and (ii) that the Council adopt the Ordinance and Plan at its December 21<sup>st</sup> meeting.

Motion by: Mr. Diedrich \_\_\_\_\_ Seconded by: Mr. Alpert  
Moved that: the Commission recommend \_\_\_\_\_ Upon Vote: the motion was  
Council acceptance of the Planner's \_\_\_\_\_ approved unanimously.  
recommendation above, and authorize the  
Mayor and City Planner to sign the  
Resolution approving the Plan.

\_\_\_\_\_ Mr. Muenzenmeyer expressed his thanks to the Planning Department for the effort made in the comprehensive planning process.

\_\_\_\_\_ Ms. Mellon asked why the separate downtown and riverfront plans were not being included in the comprehensive plan document?

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Mr. Less explained that the comprehensive plan was defined in the statutes, and the other documents were special studies that were commissioned, but not part of that definition. Mr. Less added that these special studies would serve to provide direction and guidance to the City in the future. Mr. Less explained the upcoming key dates in the process to adopt the comprehensive plan.

Ms. Mellon noted that an open house for the Lakeshore Cluster portion of the County's comprehensive plan was being scheduled for November 19<sup>th</sup> at City Hall, 5-8pm.

Ms. Mellon then provided Commission members with materials regarding the Bay-Lake Regional Planning Commission (BLRPC), and advised that the BLRPC was looking for additional work opportunities.

B. PC23-2009: Wisconsin Waterfront Grant / Riverwalk Planning Grant - Review of Final Plan

Mr. Less provided Commission members with a final copy of the "Manitowoc Riverwalk Master Plan and Design Guidelines" dated October 19, 2009. Mr. Less commented that he felt the end product was very good, and explained that he had sent a copy of the document to the Department of Commerce (DOC) for their review and approval. Mr. Less continued that once DOC approved the document, he would implement the close out procedure with the DOC and issue final payment on the project to Kindness Architecture + Planning, Inc.

<u>Motion by:</u> Ms. Stokes	<u>Seconded by:</u> Ms. Mellon
<u>Moved that:</u> the Commission recommend Council acceptance of the Planner's recommendation above.	<u>Upon Vote:</u> the motion was approved unanimously.

C. PC30-2009: City of Manitowoc; Proposed Chapel in Evergreen Cemetery

Mr. Less reviewed a site plan and design sketch for a proposed 20' x 20' open air, pergola structure to be located in Evergreen Cemetery, south of Michigan Avenue, and approximately 300' south of the cemetery office. Mr. Less explained that the original request, which was considered by the Commission back in July, was for a masonry chapel. Mr. Less advised that the cost of that project exceeded the budget available, and as such, the Engineering Department has caused the project to be re-designed. Mr. Less

continued that the project cost was now below the available funding that was coming from a bequest from the Donald Dow Charitable Residuary Trust, and added that this project had been previously authorized by the Public Property and Safety Committee, and the Common Council.

Mr. Less recommended that the Commission recommend to Council approval of the planned location and revised architectural design of the proposed pergola structure pursuant to its review under §62.23(5) Wis. Stats.

Motion by: Mr. Muenzenmeyer                      Seconded by: Ms. Stokes  
Moved that: the Commission recommend      Upon Vote: the motion was  
Council acceptance of the Planner's              approved unanimously.  
recommendation above.

Mr. Less asked Ms. Mellon what the schedule was for completion of the project.

Ms. Mellon commented that they would begin the construction project by the end of October, and hoped to have it completed by early November. Ms. Mellon continued that the project was going to be a design-build arrangement, and that the structure would be erected in 2009, with landscaping around the new structure to be completed next spring prior to the Memorial Day holiday.

VII. NEW BUSINESS

A. None

VIII. MISCELLANEOUS

A. Manitowoc County Activities:

1. None

B. Certified Survey Maps (CSM):

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1. Weinberger/Braun; Proposed CSM part of Government Lot 2, Section 7, T.18N., R.23E., Town of Newton

\_\_\_\_\_ Mr. Braun explained that this matter involved a parcel of land that he owned. Mr. Braun stated that this was a proposed CSM to correct a previously recorded CSM, for property abutting English Lake (east of W. Lake Drive), and located west of STH42 and south of USH151. Mr. Braun noted that a previously crafted CSM, which was recorded in V. 28, P. 219, mistakenly combined both the Braun and Weinberger properties into a single tract. Mr. Braun noted that his property should not have been included in the CSM. Mr. Braun added that the new CSM would correct the previous surveyor error, and would not be creating any new buildable lots. Mr. Braun recommended approval of the CSM. \_\_\_\_\_

Motion by: Mr. Diedrich

Seconded by: Mr. Alpert

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

Upon Vote: the motion was approved unanimously.

2. Troullier/City of Manitowoc; Proposed resurvey of Lot 2 and Outlot "1" Manitowoc Industrial Park Subdivision partly in Section 25 and 26, T.19N., R.23E., City of Manitowoc

Mr. Braun explained that the City had recently completed a land sale to Mr. Troullier in the City's first industrial park (Manitowoc Industrial Park Subdivision). Mr. Less identified the property as Lot 2 and part of Outlot #1, and stated that the property was located on the south side of Custer Street, and west of So. 41<sup>st</sup> Street. Mr. Braun explained that the proposed CSM was to combine the 2 parcels acquired, into a single tract. Mr. Braun asked Ms. Mellon if he should add easements to the CSM, as the City was preparing to construct a stormwater pond to the east?

Ms. Mellon stated that she wanted to retain an easement to the east, and added that she would discuss this matter with Mr. Minikel, and get back to Mr. Braun with an answer.

Mr. Braun recommended approval of the CSM.

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Motion by: Ms. Stokes

Seconded by: Mr. Alpert

Moved that: Commission approve the CSM as presented, subject to required easements, petitions, and other conditions as specified above. \_\_\_\_\_ Upon Vote: the motion was approved unanimously.

3. KK Building LLC/DAW Buildings, LLC; Proposed CSM Being Pt. of Lots 1 & 2 and all of Lots 3-6, Block 175 of Original Plat

Mr. Braun explained that the proposed CSM was part of the larger Dermatology Associates project that was planned for the north half of Block 175 of the Original Plat. Mr. Braun stated that the CSM would combine into a single parcel, the various lots acquired by KK Building LLC in 2007 and 2009. Mr. Braun recommended approval of the proposed CSM.

Mr. Less reviewed the graphic renderings of the project with the Commission.

Motion by: Mr. Diedrich

Seconded by: Ms. Mellon

Moved that: Commission approve the CSM as presented, subject to required easements, petitions, and other conditions as specified above. \_\_\_\_\_ Upon Vote: the motion was approved unanimously.

4. Grotegut Dairy Farm; Proposed CSM in NE¼ of NE¼ Sec. 30, T.19N., R.23E., Town of Manitowoc Rapids

\_\_\_\_\_  
Mr. Braun described a proposed CSM involving property located west of So. Union Road, and south of Middle Road. Mr. Braun explained that the owner wanted to create a new 2.48-acre parcel (at the northwest corner of the property) which would measure 300' x 360', and would come out of the existing larger tract. Mr. Braun noted that the proposed new CSM tract would include the existing farm buildings. Mr. Braun continued that he wanted the Official Map for Middle Road identified on the CSM, and that the approval would be subject to Town and County regulations. Mr. Braun recommended approval of the proposed CSM.

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Motion by: Mr. Diedrich

Seconded by: Mr. Alpert

Moved that: 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 9/11/09 - 10/7/09:

1. SP14-2009: Silver Valley Supper Club, 1222 So. Alverno - Parking Lot Expansion (approved).

Mr. Diedrich commented on a recent article regarding a DNR fine to the Knox's for Silver Valley.

Mr. Braun stated that the DNR fine was issued because a wetland was filled.

No action was taken.

2. SP15-2009: First Chrysler, 4611 Expo Drive - Garage Addition (approved).
3. SP16-2009: Coldwell Banker, 2406 Washington - Parking Lot Expansion (approved).
4. SP17-2009: Nutrients, Inc., 1300 Dewey - Building Addition (approved).
5. SP18-2009: Custer Village LLC, 5131 Expo Drive - 16-Unit Apartment Building-New Construction (approved).



IX. ADJOURNMENT

The meeting was adjourned at 6:50 P.M.

Respectfully Submitted,

David Less  
Secretary