

PLAN COMMISSION MINUTES - 12/11/2013

Plan Commission Offices
Manitowoc City Hall

Regular Meeting
Manitowoc City Plan Commission
Wednesday
December 11, 2013
6:30 P.M.

I. CALL TO ORDER

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

II. ROLL CALL

Members Present

Dan Hornung
Justin Nickels
David Diedrich
Steven Alpert
Jim Brey
Jim Muenzenmeyer
Dan Koski

Members Excused

Maureen Stokes

Staff Present

David Less
Paul Braun
Michelle Yanda

Others Present

See Attached Sign In Sheet

III. APPROVAL OF MINUTES of the Regular November 13, 2013 Meeting.

Motion by: Mr. Diedrich

Seconded by: Mr. Muenzenmeyer

Moved that: the minutes be approved as presented.

Upon Vote: the motion was approved unanimously.

IV. PUBLIC INFORMATIONAL HEARINGS

- A. PC32-2013: Silver Lake College; Request to Rezone Campus Property and Land North of USH151 from "R-1" Residential-Agricultural District and "R-6" Multiple Family District, to "B-2" Neighborhood Business District Pursuant to Section 15.250(2)(a) of the Manitowoc Municipal Code

Mr. Less explained that this was a request from Sister Natalie Binversie representing the property owner, and requesting that the City rezone this property from its current "R-1" Residential-Agricultural District and "R-6" Multiple-Family District, to "B-2" Neighborhood Business District pursuant to Section 15.250(2)(a) of the Manitowoc Municipal Code. Mr. Less noted that the purpose behind the rezoning was to establish the College as a permitted use in a "B-2" district, to allow it to move forward and

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implement its master plan without future regulatory limitations, and to encourage development on their lands to the north of USH151.

Mr. Less continued that to be more specific, the property owner was The Holy Family Convent of the Franciscan Sisters of Christian Charity, Inc., a Wisconsin corporation a/k/a The Silver Lake Convent of the Franciscan Sisters of Christian Charity a/k/a Franciscan Sisters of Christian Charity of the Holy Family Convent, a Wisconsin corporation a/k/a Silver Lake Convent of the Francis-Sisters of Christian Charity. Mr. Less explained that the subject property was comprised of 4 tax parcels--2 located to the north of USH151, and 2 to the south of USH151:

- 1) The area to the north contained approximately 17.68 acres according to Assessor records, and was comprised of tax parcel #'s 833-401-010 and 833-402-100. This area measured approximately 2200' of frontage along USH151, an east line of approximately 360' along So. Alverno Road, a north line measuring approximately 1990', and a west line abutting Wimmer Road of approximately 500', all distances being exclusive of public R/W. These 2 parcels have a combined assessed value of \$2,900.
- 2) The area to the south contained approximately 35.70 acres according to Assessor records, and was comprised of tax parcel #'s 833-401-100 and 833-402-200. This area measured approximately 2000' of frontage along USH151, an east line of approximately 725' along So. Alverno Road, and approximately 630' abutting the Silveridge Subdivision area. The westernmost parcel (833-402-200) had an assessed value of \$6,000. The balance of the property south of USH151 was exempt.

Mr. Less explained that the total rezoning area, including public R/W was approximately 58.41-acres, with approximately 34.64-acres being zoned "R-1", and approximately 23.77-acres zoned "R-6". Mr. Less noted that both the north line and south line of the rezoning area abutted the City limits.

Mr. Less then provided a historical overview of events impacting these areas since 1998:

Area North of USH151

- a. This portion of the subject rezoning area was annexed into the City, effective July 10, 1998.
- b. It was subsequently detached in August, 1998.
- c. It was re-annexed into the City, effective November 11, 1998, with temporary zoning established as "R-1".
- d. The area was given permanent zoning when the City approved a City-wide rezoning, effective July 11, 2000.

Area South of USH151

- a. City annexed the western parcel (tax # 833-402-200), with temporary zoning established as "R-1" as part of the November 11, 1998 annexation, with permanent zoning established when the City approved a City-wide rezoning effective July 11, 2000.
- b. City annexed 23.7-acres effective January 27, 2009 which was the actual campus (tax parcel #833-401-100), and established temporary zoning as "R-6".
- c. The City approved a Conditional Use Permit (CUP) for operation of a school and all accessory facilities on February 2, 2009, but only for the actual campus area (tax parcel #833-401-100) located in the "R-6" portion of the property.
- d. The 23.7-acre area (the campus) was given permanent zoning when the City approved a City-wide rezoning, effective March 1, 2011.
- e. City approved a special permit on October 16, 2013 for an animated ground sign in the "R-6" portion of their property, subject to approval by the Zoning Board of Appeals (ZBA).
- f. The ZBA on October 16th, approved a variance for a ground sign to exceed the maximum allowable square footage of 24sf.

Mr. Less then explained the surrounding zoning and land uses in the area, and detailed that under the current "R-1" zoning, typical permitted uses included single family dwellings, and agricultural uses, as well as day care centers and community living arrangements for not more than 8 individuals, with conditional uses including churches, schools, hospitals, and home for the elderly. Mr. Less continued that under the current "R-6" zoning, permitted uses included single, two family and multiple family housing, and day care centers and community living arrangements for not more than 15 individuals, and that conditional uses include churches, schools, private clubs and lodges, hospitals, and homes for the elderly.

Mr. Less continued that under the proposed "B-2" district, permitted uses included those in the "B-1" zoning district including schools and multiple family housing (subject to requirements in the "R-5" zoning district), office and professional uses, schools, select retail uses, adult day care centers and community living arrangements for not more than 15 individuals. He added that conditional uses permitted in the "B-2" would include conditional uses in the "B-1" district such as bed and breakfast facilities, farmers' markets, domestic violence centers, and adult day care centers and community living arrangements for 16 or more individuals.

In closing, Mr. Less noted that the proposed rezoning area was identified in the City's current 20-year land use map as "office/Industrial" for the area north of USH151; a district designed for lighter business applications, along with light retail uses. Mr. Less continued that the proposed rezoning area to the south of USH151 was the campus and was identified on the land use map as "Institutional and Community Facilities", and was

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designed for schools and similar types of land uses. Mr. Less noted that as such, the proposed rezoning was deemed to be compatible with the Plan.

Finally, Mr. Less noted that notices were mailed from Planning to property owners within 200' of the subject property on December 4th regarding tonight's meeting, and that there were no comments received to date in response to the mailing.

Mr. Diedrich asked if the previously issued CUP would still be relevant upon rezoning of the property?

Mr. Less explained that the CUP would effectively merge and be terminated upon successful rezoning of the property.

Mr. Muenzenmeyer asked about whether future buildings on the campus would be impacted by the 35' zoning height limits in the proposed "B-2" district?

Mr. Less explained that hopefully future buildings wouldn't exceed the 35' height limit currently in the code, but added that he would be working on code changes to address these kinds of buildings in the future.

Bill Fessler, 5629 Calumet Avenue, stated that the rezoning was great, but added that when the CUP was issued to Silver Lake College, the City Engineer at that time triggered the idea that sewer, water and power assessments to the College would be deferred on this property. Mr. Fessler continued that then City Engineer Val Mellon checked on this matter, and added that an assessment must have been triggered as he was notified by MPU that a check was issued for the water. Mr. Fessler asked if the rezoning of these 3 parcels would limit the City's ability to recover assessments on the sewer?

Mr. Less stated that he didn't think the rezoning would have an impact on that matter, and added this process was only addressing the underlying zoning, and was not triggering any development or lot split at this time.

Mr. Fessler asked at what time would the City, and the private parties that paid for the water, become eligible to recover their investment?

Mr. Less replied that he wasn't familiar with this issue, and would have to research it, but added that he didn't think a rezoning would trigger any repayment requirements for assessments.

Mr. Fessler added that he had helped Sister Louise get the deferment for the sewer, as well as the water. Mr. Fessler added that Bill Handlos was the lead person on this matter.

Additional discussion was held.

Mayor Nickels asked Mr. Less for his recommendation.

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Mr. Less recommended that the Commission recommend to Council that the Clerk call for a public hearing (January 6th), and that the Commission issue a final recommendation to approve rezoning upon completion of the public hearing.

Mr. Hornung asked if the College could seek a variance for a structure height above 35'?

Mr. Muenzenmeyer replied that they could seek a variance under City code.

Motion by: Mr. Brey

Seconded by: Mr. Alpert

Moved that: the Commission approve the Planner's recommendation above.

Upon Vote: the motion was approved unanimously.

- B. PC33-2013: Bamco Real Estate LLC/Wisconsin Redevelopment, LLC; Request to Rezone Property in Block 200 of the Original Plat, and in Block Lettered "E" of the Original Plat from "I-2", to "B-2" Neighborhood Business District Pursuant to Section 15.250(2)(a) of the Manitowoc Municipal Code

Mr. Less explained that this was a request from Robert Jagemann d/b/a Bamco Real Estate LLC, as the property owner, and Bob Lemke and Todd Hutchison together d/b/a Wisconsin Redevelopment, LLC, as the contract purchaser of property at 2402 and 2408 Franklin, and an adjoining vacant parcel located immediately west of So. 25th Street. Mr. Less noted that together, they were requesting that the City rezone this property from "I-2" Heavy Industrial District, to "B-2" Neighborhood Business District pursuant to Section 15.250(2)(a) of the Manitowoc Municipal Code as a first step in developing an affordable housing project.

Mr. Less continued that Wisconsin Redevelopment had executed an Offer to Purchase with Mr. Jagemann for the property, with the plan being to redevelop the property into multiple family housing utilizing both WHEDA low income housing tax credits, and federal historic investment tax credits. Mr. Less noted that the Offer would become null and void if WHEDA didn't award Low Income Housing Tax Credits to the project in April, 2014. Mr. Less emphasized that the project's funding would require both WHEDA Low Income Housing Tax Credits, and federal historic investment tax credits to be feasible, and added that these tax credits were a vehicle for the owner/developer to attract equity capital to the project, reducing the amount of financing to a level at which rents would support development operating expenses and debt service. Mr. Less continued that the issue of a financing gap would also have to be addressed, but noted that having the correct zoning approved and in place by the time the application to WHEDA for housing tax credit was filed was a requirement.

Mr. Less then provided some comments on the WHEDA tax credits, and noted that they were designed to encourage private investment in the development and rehabilitation of rental housing for low to moderate income households, seniors and persons with special needs. Mr. Less continued that these tax credits were neither a grant

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or a loan, but rather federal tax credits used to offset income tax liability, and that the project required that at least 20% of the units be rent restricted and occupied by individuals whose income were 50% or less of the area median income; or at least 40% of the units were rent restricted and occupied by individuals whose income was 60% or less than the area median income. Mr. Less added that the WHEDA tax credits were highly competitive.

Mr. Less continued that the project was being designed to hopefully maximize the application's score with WHEDA, and was roughly conceived at this time as being the redevelopment and renovation of this property resulting in 100% residential, with a first floor featuring parking for approximately 36 vehicles and common areas for resident art studios, exercise room and theater; with the upper 4 floors housing a total of 40 apartments with various common area spaces on each floor. Mr. Less added that floor 2 would include a walk out green roof and decking on the east side of the site, and that additional parking would be established on that portion of the property located west of So. 25th Street for approximately 9 vehicles. Mr. Less noted that the mix of units presently was anticipated to be 12, 3-bedroom and 28, 2-bedroom units, with an estimated project cost at \$8.89mm, with approximately \$5.6mm in building rehabilitation. Mr. Less again emphasized that funding of the project was predicated upon securing tax credits from WHEDA and the National Park Service.

Mr. Less then explained that the subject property was comprised of 2 tax parcels in 2 different blocks: (i) Lots 19, 20, 21 and 22, Block 200, Original Plat (000-200-220); and (ii) Part of Lots 19 and 20, Block "E", Original Plat, which was south of the railroad R/W (000-362-200) and which would also be known as Block 362. Mr. Less continued with a brief ownership history of the parcels included in the rezoning:

- a) 2402 and 2408 Franklin. Regarding the property in Block 200, **Bamco Real Estate LLC** acquired the property from **AGM Corporation** on March 31, 2005 for \$165,000. **AGM Corporation, a Wisconsin Corporation** acquired property from **John H. Torke and Cathleen A. Torke** on 5/8/1996 (v. 1169, p. 167). **John H. Torke and Cathleen A. Torke, his wife, as survivorship marital property** acquired property from **John Cayce and Maxine Cayce, his wife** on 2/9/1990 (v. 895, p. 490). **John Cayce and Maxine Cayce, a one half undivided interest to each as tenants in common,** acquired from **Mirro Corporation, formerly "Mirro Aluminum Company" and before that "Aluminum Goods Manufacturing Company, a New Jersey corporation** on 10/1/1982 (v. 687, p. 742). Prior to that, **Manitowoc Plating Works** sold Lots 19, 20, 21 and 22, Block 200 to **Aluminum Goods Manufacturing Company** on 7/8/1929 (v. 159, p. 549), and **Manitowoc Heating Works, a corporation,** acquired Lots 19, 20, 21 and 22, Block 200, on 5/1/1919 (v. 120, p. 175).
- b) Block 362. Regarding the property in Block 362, **Chicago and North Western Railway Company** sold part Block "E" in Block 362 to **Aluminum Goods Manufacturing Company, a New Jersey corporation** on 10/17/1929 (v. 159, p. 319). The parcel in Block 362 was vacant and measured .64-acres

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in area, and abutted the Canadian National Railroad property, which also bordered the north side of the property in Block 200.

Mr. Less continued that the Bamco portion of Block 200 measured approximately .50-acres in area, and contained a 5-story masonry building measuring approximately 160' x 92', and an adjacent, attached 1-story metal structure measuring approximately 60' x 99' that occupied the east half of the block. Mr. Less noted that the property was currently assessed at \$175,100, and generated approximately \$3,700 in annual real estate taxes. Mr. Less continued that the portion of the property in Block "E" or Block 362 was a vacant parcel which measured .14-acres in area, and was currently assessed at \$12,600, and generated approximately \$275 in annual real estate taxes. Mr. Less noted that property dimensions were exclusive of public R/W, and added that both parcels were tax delinquent with the parcel in Block 200 owing back taxes totaling \$15,752 from 2009-2012; and in Block "E" owing back taxes of approximately \$835 from 2010-2012.

Mr. Less then explained that the existing 5-story building was constructed around 1929, and measured approximately 160' x 92', with the 1-story concrete/steel building to the east measuring approximately 60' x 99'. Mr. Less noted that former occupants in this building included the current owner, an art gallery, Visible Ink (graphic arts - approximately 1990-1998), Berkedal & Shimek (approximately 1983-1988), John Cayce with warehouses and offices, and Mirro as noted above. Mr. Less added that historic Sanborn Maps identified a 40,000 gallon tank on this property, as well as a loading dock at the property's east end abutting So. 24th Street. Mr. Less continued that in the 9 years under Bamco ownership, there had been multiple tenancies in the building including numerous musical groups, bands, theater groups and theatrical production companies, along with several small manufacturing tenants.

Mr. Less added that while information on the former Mirro Plant #3 was spartan, he was able to ascertain some information about the historic usage of the property:

- a) There were an estimated 40 and 50 workers employed at this location.
- b) The 1st floor was dedicated to manufacturing with approximately 20 smaller presses located on this floor, from the middle of the building to its west side. Presses were used for the blanking of steel parts ie. brackets and handles, for future pots and pans. These presses used oils for lubrication purposes, and to keep the dies sharp when producing blank steel handles. There was also a tin plating area on this floor, which was a separate area towards the east side of the building, and which was a heavy user of chemicals and oils.
- c) Floors 2-5 were mainly used for storage.
- d) A basement area was used for zinc plating, and was located on the east side of the building, off of Franklin at So. 24th.
- e) There were 2 elevators in the building--1 on the east side and 1 on the west side.

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Mr. Less continued that prior to Mirro's ownership, there was a company named "Manitowoc Plating Works" at the site which was: (i) an electro plater, tin plater and galvanizer; (ii) they were located in the 1-story building and basement; and (iii) the company was organized in 1916, and first showed up on the 1919 Sanborn Maps, and was located at the east end of the subject property at Franklin and So. 24th. Mr. Less noted that Manitowoc Plating Works operated with a tool room, grinding room, galvanizing and tinning, stamping, soldering, plating and polishing departments, and plated nickel and steel in their 5-story plant.

Mr. Less then noted that historic records indicated that there was a 40,000 gallon water tank and loading dock on the parcel in Block 362, as well as 2, 1000 gallon underground storage tanks that contained fuel oil that were removed at some time prior to the current and immediate past owners taking title to the property. Mr. Less explained that this information was relevant as the City would be using its EPA Assessment grant funds to perform a Phase I, and potentially a Phase II, environmental assessment and analysis at the property, which would be integral to gaining lender and investor confidence as the project attempts to move forward. Mr. Less added that at the City's request, the DNR had approved classifying the property as a petroleum site pursuant to CERCLA for the purposes of brownfield funding, with DNR's determination meaning that the property met the federal definition of a brownfield, that there were no viable responsible parties based on EPA guidance, and that the property would be of relatively low risk based on EPA's guidelines for community-wide assessment grants.

Mr. Less then detailed the surrounding zoning and land uses in the area, and noted that the parcel in Block 200 was rectangular in shape, and measured 220' along Franklin Street and 100' along So. 24th, or an area of 22,000sf; the parcel in Block 362 was generally a right triangle with 110' along Franklin and 100' along So. 25, or a total area of approximately 5,500sf.

Mr. Less stated that under the current "I-2" zoning, typical authorized uses included uses permitted in the "I-1" Light Industrial District, which would include commercial and retail, office and professional uses; as well as heavier industrial uses such as boiler works, heavy machinery manufacturers, shipbuilding and refining plants. Mr. Less continued that also permitted were dwelling units only to accommodate watchmen or caretakers of the premises, which he believed was the rationale established by Building Inspection several years ago to allow Mr. Jagemann to reside in the building.

Mr. Less continued that under the proposed "B-2" district, permitted uses included uses in the "B-1" zoning district including multiple family housing (subject to requirements in the "R-5" zoning district), office and professional uses, schools, select retail uses, adult day care centers and community living arrangements for not more than 15 individuals. Mr. Less noted that conditional uses permitted in the "B-2" would include conditional uses in the "B-1" district such as bed and breakfast facilities, farmers' markets, domestic violence centers, and adult day care centers and community living arrangements for 16 or more individuals.

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In closing, Mr. Less noted that the proposed rezoning area was identified on the City's current 20-year land use map as "General Business" for the buildings and Block 200, and "Planned Mixed Use" for the area west of So. 25th Street. Mr. Less added that these districts both included policies that talked about encouraging development compatible with residential areas, and developments that could be vibrant and could function as community gathering spots. Mr. Less continued that these districts, as well as the plan purported actively promoting infill development, adaptive reuse, and redevelopment of blighted and/or brownfield sites, where opportunities existed as a means to improve neighborhood conditions, increase local economic and shopping opportunities, and make use of existing infrastructure. Mr. Less closed by noting that as such, the proposed rezoning and subsequent potential redevelopment were deemed to be compatible with the Plan.

Finally, Mr. Less noted that notices were mailed from Planning to property owners within 200' of the subject property on December 4th regarding tonight's meeting, and that there were no comments received to date in response to the mailing.

Mr. Diedrich commented that this building already was in excess of "B-2" zoning district height restrictions.

Mr. Less commented that buildings of this nature would be grandfathered in under Code, otherwise buildings of this type would have to pursue a variance.

Mr. Hornung suggested that the Code should be looked at to deal with this type of situation.

Mr. Muenzenmeyer asked if the 60' height limit in a "B-3" would be a better match for this property?

Mr. Less stated that when he reviewed the project, the "B-2" was the best fit.

Mr. Diedrich noted that Mr. Less had already addressed the environmental question he had on the property, and then asked what would happen if the zone change occurred and WHEDA did not allocate tax credits for the project?

Mr. Less replied that the zoning would remain as amended, but emphasized that the zoning needed to be in place before the application was filed with WHEDA.

Mr. Diedrich commented on the tax status of the property as previously referenced by Mr. Less.

Mr. Less noted that this could become an issue that the City would want to look at in the future.

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The Mayor left the meeting at 7:05pm. Mr. Brey chaired the remainder of the meeting.

Bob Lemke, 1134 Kavanaugh Place, Wauwatosa, provided an overview of the project and its amenities, and presented various graphics depicting the redevelopment of the property. Mr. Lemke explained that hurdles included securing the WHEDA tax credits, along with getting the building certified as historically significant. Mr. Lemke continued that as part of their efforts, they were working with a Chicago-based consultant to ultimately attain a listing for the property in the National Register of Historic Places. Mr. Lemke went on to explain that their financial projections were based upon a 95% occupancy level, and that the application was due to WHEDA by the end of January.

Mr. Diedrich asked where the rent levels would be set?

Mr. Lemke estimated that they would vary between \$400-\$700/month.

Mr. Less asked Mr. Lemke to talk about how the plan of financing for the project needed to come together, and his feeling regarding the overall competitiveness of the application.

Mr. Lemke commented that this project was not fundable last year, and explained that for 2014, the property was located in a special WHEDA designated census tract that would provide their application with additional points in the WHEDA scoring system. Mr. Lemke estimated that the application would score between 318 and 328 points with WHEDA, which would have been funded in 2013.

Mr. Less commented that of approximately 50 applications filed for the WHEDA tax credits in 2013, they funded approximately 25. Mr. Less continued that a new State law has enhanced and effectively doubled Wisconsin's supplemental historic rehabilitation tax credit from 10% to 20% of qualified expenditures. Mr. Less noted that this could further enhance the financial viability of the project.

Mr. Lemke added that the State and federal historic tax credits could now be bifurcated and sold to different parties, and estimated that the State credits could be sold for 50 cents per dollar, and the federal credits for an estimated 95 cents per dollar. Mr. Lemke noted that the project needed to raise approximately \$8mm in private equity.

Mr. Hornung asked how long the attractive rents would be in place?

Mr. Lemke stated that the minimum period was 15 years, but in some situations, could be up to 30 years under a continuing obligation provision in the law.

Mr. Less noted that a market study was currently being done as well.

Mr. Lemke concluded that they had spent approximately \$30,000 on the application preparation process to date.

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Mr. Diedrich asked if the project amenities would be available to the community or for the exclusive benefit of the project residents?

Mr. Lemke stated that they would be for use exclusively for project tenants.

There was no additional public comment, and Mr. Brey asked Mr. Less for his recommendation.

Mr. Less recommended that the Commission recommend to Council that the Clerk call for a public hearing (January 6th) and that the Commission issue a final recommendation to approve the rezoning upon completion of the public hearing.

Motion by: Mr. Hornung

Moved that: the Commission approve the Planner's recommendation above.

Seconded by: Mr. Alpert

Upon Vote: the motion was approved unanimously.

Mr. Brey commented that he was pleasantly surprised that the project did not generate any neighborhood feedback to him as the district's Alderman, and added that while parking was a concern of his, he would support the project. Mr. Brey added that the project's proximity to the railroad trackage was also a concern. Mr. Brey felt that it would be a good idea for Mr. Lemke to hold a neighborhood meeting sometime after the first of the year to invite area residents into the building.

Mr. Less then addressed related agenda item VII. A. regarding additional support for this project. Mr. Less recommended that the Commission recommend to Council that it authorize the City Planner to serve as the City's agent in this project, and to: (i) take any and all actions necessary to support an application to WHEDA and any other agency/entity for project funding; (ii) support the project in areas including, but not limited to pursuit of certifying the property as a historic structure at the federal and/or State levels, securing tax credits and additional project financing sources, as well as preparation and filing of applications to provide public gap financing for the project; and (iii) at the instruction of the Planner, the Mayor and Clerk be authorized to sign any letters or other documents necessary to complete and support the application to WHEDA or any other federal and/or State agency, as well as any activity identified above.

Motion by: Mr. Diedrich

Moved that: the Commission approve the Planner's recommendation above.

Seconded by: Mr. Koski

Upon Vote: the motion was approved unanimously.

V. REFERRALS FROM COMMON COUNCIL

A. PC1-2013: City of Manitowoc; Utility Easement to Manitowoc Public Utilities in Block 175 of Original Plat

Mr. Less explained that the easement was related to an MPU transformer that was located in Block 175 of the Original Plat, as part of the Dermatology expansion project. Mr. Less added that the easement had been put into a file, and should be acted upon, and recommended that the Commission recommend to Council approval of the document, with the Clerk to record the easement at the Register of Deeds.

Motion by: Mr. Hornung

Moved that: the Commission approve the Planner's recommendation above.

Seconded by: Mr. Diedrich

Upon Vote: the motion was approved unanimously.

VI. OLD BUSINESS

A. None

VII. NEW BUSINESS

A. PC33-2013: Discussion of Municipal Project Support for Proposed Redevelopment Project at 2402 and 2408 Franklin, and Adjacent Parcel West of So. 25th Street

See discussion under IV. B. of these minutes.

VIII. MISCELLANEOUS

A. Manitowoc County Activities:

1. None

B. Certified Survey Maps (CSM):

1. Weigel: CSM in the NE¹/₄, NE¹/₄ and the NW¹/₄, NE¹/₄, Section 18, T.19N., R.24E., Being a Resurvey of Lot 17, Block 1, Oaks Subdivision No. 2, City of Manitowoc

Mr. Braun explained a proposed CSM on the south side of Albert Drive and on the west side of Eagle Ridge Court, and noted that the Weigel's were adding additional acreage to the west side of their current lot. Mr. Braun recommended approval of the CSM.

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Motion by: Mr. Diedrich

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

Seconded by: Mr. Hornung

Upon Vote: the motion was approved unanimously.

2. Abbey Ridge LLC: CSM in the NE¹/₄, NW ¹/₄, Section 18, T.19N., R.24E., being a resurvey of Lots 3, 4 and 5, Block 1 of Abbey Ridge Subdivision No. 1, City of Manitowoc

Mr. Braun explained a proposed CSM on the south side of Abbey Ridge Lane, located to the north of Abbey Ridge Condominiums. Mr. Braun noted that the owner wanted to take a 1.39-acre area comprised currently of 3 larger lots, and re-create the area as 2 lots to make the lots more saleable. Mr. Braun recommended approval of the CSM.

Mr. Hornung asked if this was the same area where there were title issues which were discussed by the Commission several months ago?

Mr. Less replied that this current proposal was to the north of the area previously discussed, and that there had not been any further communication regarding correcting the aforementioned title issues.

Mr. Muenzenmeyer commented on the absence of any easements along the common lot lines to be removed, or to be created.

Mr. Braun stated that he would double check to determine if easements had to be removed, or were necessary to be added.

Motion by: Mr. Muenzenmeyer

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

Seconded by: Mr. Alpert

Upon Vote: the motion was approved unanimously.

3. Wergin: Proposed CSM in the NW¹/₄, NW¹/₄, of Section 17, T.19N., R.24E., City of Manitowoc

Mr. Braun explained a proposed CSM for property located west of N. 8th Street, south of Albert Drive, and north of the Manitowoc River. Mr. Braun stated that the owner had a possible buyer for their residence, but the buyer only wanted to purchase 1.60-acres (out of a total 6.2-acres) comprised of the existing residence and pond, and that the purchaser would not have direct access to a public R/W. Mr. Braun continued that the Wergin's would place the undeveloped 4.675-acre lot on the market for sale, and that a permanent public access easement would need to be created to provide access to

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the 1.60-acre parcel and a public R/W. Mr. Braun added that regarding MPU water, the splitting of this area into 2 lots would not be an issue if the easement was created, but noted that regarding MPU electric, an easement would be required. Mr. Braun added that there were some wetland issues with the property as well.

Mr. Muenzenmeyer commented about the location of the “P-1” zoning line in relation to the location of the water line.

Mr. Hornung asked what would happen if the owner wanted to further split proposed Lot 2, and would break off the southern end and just give the City that portion of the property?

Mr. Braun explained that he tried this a few years ago, but was unsuccessful, and felt it would be a great spot for a trail system through the area.

Mr. Hornung and Mr. Diedrich commented that they weren’t too excited about the proposed split.

Jeff DeZeeuw, 4529 Andrea Court, re-stated that the Wergin’s had an interested purchaser for a maximum 1.60-acres including the house and the pond.

Mr. Koski commented that there were no unpaid street assessments for this property.

Mr. Hornung commented that he didn’t particularly like the split, but didn’t readily see a reason to not approve it at this time.

Mr. Less commented that the City had ultimate control over any future splits at the property.

Motion by: Mr. Hornung

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

Seconded by: Mr. Muenzenmeyer

Upon Vote: the motion was approved unanimously.

4. Dewane: Proposed CSM in the SW¹/₄ , SE¹/₄, of Section 17, T.19N., R.23E., Town of Manitowoc Rapids

Mr. Braun explained a proposed CSM on the north side of CTH “JJ”, west of Friday Street. Mr. Braun stated that the owner wanted to split a 7.6-acre residence off from the tillable lands, with the house subsequently being placed on the market for sale, and with the tillable lands to be leased to a relation for farm use. Mr. Braun recommended approval of the CSM.

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Motion by: Mr. Hornung

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

Seconded by: Mr. Diedrich

Upon Vote: the motion was approved unanimously.

5. Gauthier: Proposed CSM in the SW¹/₄ , SW¹/₄, of Section 21, T.19N., R.23E., Town of Manitowoc Rapids

Mr. Braun explained a proposed 9.95-acre CSM located on the north side of Middle Road and west of So. Alverno Road. Mr. Braun noted that the owners were planning on placing their residence for sale, but wanted to split the homestead from the tillable lands, with the latter being sold to a neighboring farmer for agricultural use. Mr. Braun added that the CSM would have to identify the existing Official Map streets impacting the property, as well as potential wetlands, and then recommended approval of the CSM.

Motion by: Mr. Diedrich

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

Seconded by: Mr. Hornung

Upon Vote: the motion was approved unanimously.

6. Heinzen: Proposed CSM in the SW¹/₄, SW¹/₄, of Section 21, T.19N., R.23E., Town of Manitowoc Rapids

Mr. Braun explained that the proposed 10-acre CSM was located to the immediate west of the Gauthier property identified under 5. above, and offered the same commentary, and then recommended approval of the CSM.

Motion by: Mr. Diedrich

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

Seconded by: Mr. Hornung

Upon Vote: the motion was approved unanimously.

7. Strodthoff: Proposed CSM lot in the NE ¹/₄ SW ¹/₄ of Section 26, T.19.N, R.23E, Town of Manitowoc Rapids

Mr. Braun explained a proposed CSM on the north side of West Custer Street and west of Vista Road. Mr. Braun noted that the owner wanted to split his residence off from the undeveloped lands, and subsequently establish a 1.01-acre parcel. Mr. Braun noted that this CSM had been proposed and approved by the Commission several years

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ago, but had never been finalized by the owner. Mr. Braun recommended approval of the CSM.

Motion by: Mr. Hornung

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

Seconded by: Mr. Diedrich

Upon Vote: the motion was approved unanimously.

C. Summary of Site Plans 11/8/2013 – 12/5/2013:

1. SP25-2013: MTM Real Estate LLC, 433 Expo Drive – Parking Lot Addition (approved).

IX. ADJOURNMENT

Mr. Less commented that this was Michelle's final meeting, as she had taken a new job with Kohler Company. Commission members thanked her for years of dedicated service.

The meeting was adjourned at 7:30 P.M.

Respectfully Submitted,

David Less
City Planner