



City of Manitowoc

900 Quay Street
Manitowoc, WI 54220
www.manitowoc.org

Meeting Minutes Plan Commission

Wednesday, March 4, 2015

6:30 PM

Council Chambers

I. CALL TO ORDER

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

II. ROLL CALL

Mayor Nickels's absence is excused. Member Steve Alpert's absence is excused.

Present: 6 - Dave Diedrich, Daniel Hornung, Dan Koski, Jim Muenzenmeyer, Jim Brey and Dennis Steinbrenner

Staff Present: Nic Sparacio, Paul Braun, Lisa Mueller

Others Present: Jeff DeZeeuw, Jeff Vogel, Deputy Fire Chief Gregg Kadow

III. APPROVAL OF MINUTES

15-260 Approval of the Minutes of the February 4th, 2015 Meeting.

**Moved by Diedrich, seconded by Steinbrenner, that the Minutes be approved.
The motion carried by the following vote:**

Aye: 6 - Diedrich, Hornung, Koski, Muenzenmeyer, Alderperson Brey and Steinbrenner

IV. PUBLIC INFORMATIONAL HEARINGS: None

V. REFERRALS FROM COMMON COUNCIL: None

VI. OLD BUSINESS

15-261 PC 24-2014: Update Revision to Municipal Code Chapter 15.450 Sign Ordinance.

Mr. Sparacio updated the Commission that the Sign Ordinance changes are still in progress with the next step of the project being a meeting with the City, Vandewalle & Associates and the stakeholders group. This meeting is planned for either the last week in March or in early April.

This item was discussed. No Action taken.

VII. NEW BUSINESS

15-262 PC 1-2015: Oak Park Developers, LLC: Quit Claim Deed and Temporary Turn around easement - Roneta Lane.

Mr. Braun explained that the quit claim deed and temporary turn around easement are related to a four lot certified survey that Oak Park Developers, LLC had created. The deed is for an additional 140' of right of way for Roneta Lane.

**Moved by Hornung, seconded by Diedrich, that the Commission recommend: (i) the Council approve and accept the Quit Claim Deed and Temporary Turn-Around Easement; and (ii) the Clerk subsequently record the documents at the Register of Deeds. The motion carried by the following vote:
Aye: 6 - Diedrich, Hornung, Koski, Muenzenmeyer, Alderperson Brey and Steinbrenner**

15-263

PC 5-2015: James Hansen: City's interest in purchasing property at 811 Franklin Street.

Mr. Braun explained to the Commission that Mr. James Hansen sent a communication to the Mayor's Office to determine the City's interest in the possibility of acquiring his property located at 811 Franklin Street. In the letter Mr. Hansen stated the property is assessed at \$99,500 and he would be willing to sell it for \$50,000. Mr. Hansen stated he is no longer interested in the process of cleaning and renting the property.

Mr. Braun described the property as having 25' of frontage along Franklin Street with a depth of 115'. An existing two story brick and masonry building is located on the northerly half of the lot. The narrow lot width does not allow enough area to enlarge the existing City-owned parking that is to the west. The Commission felt that the City doesn't have any current need for the property because of the narrow width, existing building on the lot and the limited development options.

Moved by Steinbrenner, seconded by Koski, that the Commission unanimously recommend to Council to place the communication on file and instruct the Clerk's Department to respond back to Mr. Hansen with a statement of no interest due to the lots narrow width, existing building and limited site development options for the City. The motion carried by the following vote:

Aye: 6 - Diedrich, Hornung, Koski, Muenzenmeyer, Alderperson Brey and Steinbrenner

15-265

PC 6-2015: Jeff Vogel: Partial Release of Easement - Packer Lane.

Mr. Braun explained to the Commission that the partial release of easement request is from Jeff Vogel, 3215 Packer Lane. There is an existing 20' sanitary and water lateral easement symmetrical about the common lot line of Lot 7 and 8 of a certified survey map recorded in Volume 30 Page 373. The existing easement is recorded in Volume 2841, Page 178 as document # 1136285. Mr. Vogel would like to reduce the easement to 14' symmetrical to allow for additional area on Lot 7 to construct a new house. Mr. Vogel originally owned both lots and created the easement to provide a route for utilities to serve another lot south of Lot 7 and 8 where his current residence is located.

Currently Jonathan and Jodi Vogt own lot 8 and they have signed a document stating they have no concerns with reducing the easement width. Mr. Braun told the Commission that he has communications from the utilities and City Engineering stating that they don't have any concerns with reducing the width.

Moved by Hornung, seconded by Steinbrenner, that the Commission recommend to Council to authorize the partial release of easement from 20' symmetrical about the common property line of lot 7 and 8 to 14'. The motion carried by the following vote:

Aye: 6 - Diedrich, Hornung, Koski, Muenzenmeyer, Alderperson Brey and

Steinbrenner**15-266**

PC 7-2015: Jeff Vogel: Interest to Purchase City Owned Land at Fleetwood Drive and Pleasant Street.

Mr. Braun explained to the Commission that the topic is a request from Jeff Vogel, 3215 Packer Lane who is interested in purchasing some City-owned property that is located at the northwest corner of Pleasant Street and Fleetwood Drive.

The property Mr. Vogel is interested in is approximately 23,326 square feet, measuring 109' +/- along Pleasant Street and 214' +/- along Fleetwood Drive. The subject parcel is part of a 16.2 acre parcel that the City received title to in 1993 from Edward Krantz, Lila Bertler, Rudolph Janota, Jr., and Donna Janota. Mr. Braun noted that there were no covenants or restrictions in the quit claim deed that is recorded in Volume 1037, Page 439. The 16.2 acre parcel generally extends from Menasha Avenue to the north to approximately 750' south of Fleetwood Drive. A vast majority of the area is designated wetland on the 2010 Wisconsin DNR wetland map; and it also has a gas line easement running through the center of the property. On the 16.2 acre parcel there is an official map street pattern that was established in 1974.

Mr. Braun stated that the existing zoning is R-2, Single Family Residential; this district precludes two family structures. In the R-2 district the minimum lot size is 8,400 s.f. with a minimum average width of 70 feet; corner lots shall be 10% larger or 9,240 s.f.. Lot Occupancy for principal and accessory buildings shall not exceed 25% of lot area and dwelling unit sizes shall be at least 28 feet wide and shall have a minimum area, excluding attached or detached accessory buildings of 1,200 square feet.

Mr. Vogel is planning on creating two individual lots and would then construct a single family home on each lot. The structures would be approximately 1,400 s.f. ranch homes with 3 bedrooms, 2 baths and a 2 car garage.

There is an existing sanitary lateral off of Pleasant Street but there is not lateral off of Fleetwood Drive; Mr. Vogel would have to construct a manhole and a lateral off of the future official map street that is west of the subject property to serve the proposed westerly lot.

Mr. Braun stated that a certified survey would need to be prepared to create the two lots and that he would like the Plan Commission to approve that future certified survey; but prior to hiring a surveyor the City and Mr. Vogel should come to a general agreement on the sale price before any additional monies are spent on the survey.

Mr. Braun stated that he included in the Commission packet a copy of an article that was in the Municipality magazine. The article which was written by the Municipalities legal staff states that a City, when selling land must follow Wis. Stat. 62.22(1). In general terms the statute does not require that a City have public bids when selling property but it should have an appraisal done to eliminate a successful taxpayer's suit challenging the adequacy of the purchase price.

Moved by Diedrich, seconded by Muenzenmeyer, that the Plan Commission recommend to Council to instruct the Attorney, Community Development, Public Infrastructure and any other Department to move forward with the steps necessary to create the lots of record and eventual sale of the subject parcel. The motion carried by the following vote:

Aye: 6 - Diedrich, Hornung, Koski, Muenzenmeyer, Alderperson Brey and Steinbrenner

VIII. MISCELLANEOUS

A. Manitowoc County Activities: None

B. Certified Survey Maps (CSM):

15-267 City of Manitowoc Orchard Lane (Former Heresite Property) - NE 1/4 Section 1, Township 18 North, Range 24 East, City of Manitowoc.

Mr. Braun explained that the proposed certified survey would be performed on the 20 acre City-owned parcel located at 2803 Orchard Lane, which is the former Heresite property. The property is 660' +/- wide along Orchard Lane with a depth of 1,320' +/- which is approximately 20 acres. The easterly 275' +/- of the parcel was used historically for industrial uses and the westerly 385' +/- was used for farming.

Mr. Braun stated that the City, working with their consultant Symbiont, has used US-EPA Site Assessment Grant monies to determine if there are any environmental issues on the property. The environmental investigation generally showed some limited contaminated soils and that future uses on the property must be limited to industrial type uses. This industrial use designation is inputted into a Wisconsin DNR GIS registry and restricts future land uses. Noting that the 20 acre parcel is all under one tax parcel number and only the easterly 275' +/- was used for industrial uses Keld Lauridsen, Hydrogeologist with the DNR, suggested that the parcel be split into two lots so only the easterly lot would be designated for industrial uses. The westerly farmed land would not have any use designation placed on it in the DNR GIS registry and would be free of any land use restriction.

The Community Development Department would work with Symbiont to determine the location of the lot line to insure that the westerly lot is not encumbered by any industrial use only category.

Moved by Hornung, seconded by Diedrich, that this Certified Survey Map be recommended for approval to the Licensing, Permits & Inspections Committee and that the Council (i) authorize the Community Development Department to proceed with all the steps necessary to create the certified survey which would create two lots and (ii) authorize the Mayor and City Clerk to sign said certified survey map. The motion carried by the following vote:

Aye: 6 - Diedrich, Hornung, Koski, Muenzenmeyer, Alderperson Brey and Steinbrenner

C. Summary of Site Plans: None

D. Director's Report

Mr. Sparacio provided the Commission with an update on recent Common Council actions, the WEDC's review status of the Idle Industrial Sites Redevelopment grant application for the Lakeshore Mall (Memorial Drive) property and continued negotiations to produce an improvement and investment commitment for the Best Western (Maritime Drive) property.

IX. ADJOURNMENT

Moved by Muenzenmeyer, seconded by Diedrich, that this meeting be adjourned at 7:09 pm. The motion carried by the following vote:

Aye: 6 - Diedrich, Hornung, Koski, Muenzenmeyer, Alderperson Brey and Steinbrenner

Respectfully Submitted,

Paul Braun
Secretary

CAUTION TO PLAN COMMISSIONERS: The documents attached to this agenda are for your review in preparation for the City Plan Commission meeting to be held on the above date. Any discussion or communication between members of the Plan Commission by any means prior to the Commission meeting regarding these documents may be a violation of the open meeting laws.