

**CITY OF TWO RIVERS
PLAN COMMISSION
February 4, 2016**

MINUTES

The meeting was called to order by Chairman Buckley at 5:35 PM.

Present: Adam Becker, Chairman Gregory Buckley, David England, City Engineer Jim McDonald and Adam Wachowski.

Absent and excused: Vince Alber and Jayne Rulseh.

Also present: John Lukas, Abbey Ridge; Jerry and Joy Walters, 2703 River Lane; Marcus Neemann, Herald-Time-Reporter; and Vicky Berg, Recording Secretary.

Review request to amend the Site Plan for Washington Highlands Planned Unit Development (PUD) to replace three proposed duplex buildings (six units) with one 8-unit apartment building; and review the Site, Architectural, Landscaping and Exterior Lighting Plans for the aforementioned 8-unit apartment building, submitted by John Lukas on behalf of Abbey Ridge LLC (owner).

Correspondence from Curtis Mark, 2622 Washington Street, in opposition to the proposed amendment was distributed to the Commission.

Chairman Buckley provided a brief verbal overview of the activities to date for Washington Highland Planned Unit Development. A list of amendments to the Development Agreement was distributed for reference.

Mr. Lukas explained discussions with the Condominium Association and the City have take place for several months resulting in the proposed amendment. The proposed amendment is driven by the building out schedule in the Development Agreement. A few of the existing condominium units remain unsold. There is a demand for market based rental units. The 8-unit senior (minimum age 55) apartment building is a reasonable compromise to comply with the Development Agreement and would be a good fit between the two 8-unit 2-story apartment buildings and the duplex condominium buildings.

The proposed 8-unit apartment building would create tax base and continue to develop the Washington Highlands Planned Unit Development. This would also generate income for the developer to construct the final six duplex condominium buildings.

Mr. Lukas noted ten years has expired and final condominium documents have been executed. Any future construction shall be in accord with the condominium declaration.

The Condominium Association held a meeting at City Hall in late Mary 2015 wherein the members present voted to endorse the concept of a senior apartment. At that time, a single story building was discussed.

Discussion continued regarding the height of the existing and proposed buildings. The two 8-unit apartment buildings (27th & Adams Streets) are approximately 32 feet in height; the duplex condominium building on the west side of River Lane is approximately 27 feet in height; the proposed 8-unit apartment building is approximately 28 feet in height.

The exterior materials and color scheme for the proposed 8-unit apartment building will be of similar materials and colors so the apartment building will blend in with the existing apartment and condominium buildings.

Motion by Commissioner England and seconded by Commissioner McDonald to recommend approval of the proposed Amendment to the Site Plan to allow construction of an 8-unit senior apartment building and forward to Council for public hearing. Friendly, amendment by McDonald and seconded by England to recommend with any requirements of the City Engineer related to drainage, storm water management and other infrastructure serving the subject property. Upon a roll call vote, Ayes (5): Becker, Buckley, England, McDonald and Wachowski; Noes (0). Motion carried.

Discussion continued related to the Site, Architectural, Landscaping and Exterior Lighting Plans for the 8-unit apartment building. The Plans include separating the sanitary and water services from the existing and proposed apartments from the condominiums.

Motion by Commissioner Wachowski and seconded by Commissioner Becker to approve the Site, Architectural, Landscaping and Lighting Plans with any requirements of the City Engineer related to drainage, storm water management and other infrastructure serving the subject property. Upon a voice vote, motion carried.

Mr. Walters noted the Association did bless the concept of a senior apartment building but is concerned with the height of the proposed apartment building. Mr. Walters also noted the condominiums have narrow private roads. The construction of the apartment buildings has generated more traffic through the condominiums. Provided the sliding gate located at the north end of Washington Boulevard remains closed, except for trash and emergency services, this would decrease traffic flow through the condominiums.

Mr. Walters also inquired about the possibility of the City taking over the private lift station serving the condominiums. City Engineer Jim McDonald stated the City would welcome discussion related to the privately owned sanitary and water service and the lift station.

Review the proposed 2016 District Zoning Map

Motion by Commissioner England and seconded by Commissioner Becker to recommend the map for approval and forward to Council for public hearing. Upon a roll call vote, Ayes (5): Becker, Buckley, England, McDonald and Wachowski; Noes (0). Motion carried.

Information Only - Report on status of possible redevelopment project involving St. Peter the Fisherman School property

Chairman Buckley noted there is a party interested in the property for redevelopment.

At 6:45 PM motion by Commissioner McDonald and seconded by Commissioner England to adjourn. Upon a voice vote, motion carried.

Vicky Berg, Recording Secretary

**CITY OF TWO RIVERS
PLAN COMMISSION
February 8, 2016**

MINUTES

The meeting was called to order by Chairman Buckley at 5:30 PM.

Present: Adam Becker, Chairman Gregory Buckley, David England, City Engineer Jim McDonald, Jayne Rulseh and Adam Wachowski.

Absent and excused: Vince Alber.

Also present: Russell Shambeau Jr., Jason Wagner, Daniel and Roxanne Scanlan; and Vicky Berg, Recording Secretary.

Review Extra-Territorial Certified Survey Map located in the Northeast 1/4 and the Northwest 1/4 of the Northwest 1/4 of Section 24, Town 20 North, Range 24 East in the Town of Two Rivers, Manitowoc County, Wisconsin, submitted by Russell, Bonnie and Peter Shambeau (property owners)

Motion by Commissioner McDonald and seconded by Commissioner England to approve the Certified Survey Map with any requirements of the Town of Two Rivers and Manitowoc County. Upon a roll call vote, Ayes (6): Becker, Buckley, England, McDonald, Rulseh and Wachowski; Noes (0). Motion carried.

Consider request for a Right-of-Way Privilege Agreement related to encroachments into the north side of the undeveloped 16th Street right-of-way adjacent to 1602 East Street and Harbor Park, submitted by Daniel and Roxanne Scanlan (property owners)

A copy of the 1996 building permit for the wood deck behind the dwelling was distributed. The 1996 deck sketch indicates the deck was to be located at least six feet from the south property line. Based on the survey dated January 2016 the wood deck is located 4.5 feet from the property line.

The Scanlan's confirmed the patio was installed after the wood deck. The patio extends approximately fourteen (14) feet beyond the property as shown on the survey. The pavers and a portion of the flower bed are also over the property line.

Discussion included determining which items may continue to encroach into the right-of-way; defining the encroachment area; and providing some form of separation between the park and encroachment area.

The Harbor Park Landscaping Plan includes the placement of large rocks at the 16th & East Street intersection as natural safety barrier to prevent vehicles from entering the park.

A Right-of-Way Privilege Agreement is the tool in accord with Wisconsin State Statutes which allows minimal encroachments into a right-of-way. The City is neither interested in vacating the street because the City's Comprehensive and Waterfront Plans include retaining all current access to the water, nor is the City able to sell a portion of the right-of-way.

Motion by Commissioner McDonald and seconded by Commissioner England to require a guard rail (36 inches high with 3.5 inch horizontal or vertical spindle spacing) along the south and west sides of the patio prior to September 30, 2016 and eliminate the fire pit. The exterior border of the encroachment area would be the railroad ties outlining the patio and flower bed. Upon a roll call vote, Ayes (6): Becker, Buckley, England, McDonald, Rulseh and Wachowski; Noes (0). Motion carried.

At 6:26PM motion by Commissioner McDonald to adjourn.

Mr. Scanlan voiced he felt the guard rail was overkill because the change in grade is no more than the height of two railroad ties. They just want some space and they have been maintaining that portion anyway.

Chairman Buckley thanked them for maintaining the right-of-way adjacent to the encroachments.

Commissioner McDonald explained the guard rail serves a dual purpose to provide safety at the change of grade down to the river, but more importantly, to provide separation between the encroachment area and park.

Ms. Scanlan asked if the pavers could remain and could the fire pit remain in ground if converted to a flower pot.

Based on the original motion the railroad ties define the edge of the encroachment area. Therefore, the pavers should be removed. The fire pit may remain in the ground if converted to a flower pot.

Mr. Scanlan requested the encroachment area be the north 15 feet of the right-of-way from the water's edge to East Street extended.

As previously stated, such an Agreement allows for minimal encroachments, the City's intent is to create Harbor Park to the extent noted on the approved plan which includes plantings west of the patio and large rocks at the street intersection.

Following further discussion, motion by Commissioner England and seconded by Commissioner Rulseh to expand the encroachment area to include the pavers, provided the Scanlan's install a guard rail along all sides of the patio and eastward from the southeast corner of the patio just south of the pavers to a distance no closer than 12 feet from East Street extended. Upon a roll call vote, Ayes (4): Buckley, England, McDonald and Rulseh; Noes (2): Becker and Wachowski. Motion carried.

At 6:52 PM motion by Commissioner Wachowski and seconded by Commissioner Becker to adjourn. Upon a voice vote, motion carried.

Vicky Berg, Recording Secretary