

**CITY OF TWO RIVERS
PLAN COMMISSION
June 12, 2017**

MINUTES

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

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

Absent and excused: Connie Loudon (two vacant positions)

Also present: Kim Burton, Jerome Fox, Dawn Holdorf, Jim Holdorf, Mike LeClair, Lon Wendt, Kitty Wendt, Marty Marchek, City Planner and Vicky Berg, Recording Secretary.

Review extraterritorial Certified Survey Map to create Lot 1 (1.42 acres) in the Southwest 1/4 of the Northwest 1/4 of Section 13, Town 20 North, Range 24 East, in the Town of Two Rivers

Motion by Commissioner England and seconded by Commissioner McDonald to approve the Certified Survey Map subject to any requirements of the Town of Two Rivers or Manitowoc County. Upon a voice vote, motion carried.

Review Certified Survey Map to dedicate of the north 30 feet of 35th Street between Wilson Street and Sayer Avenue; and dedicate an additional 5.25 feet of right-of-way for Riverview Drive between 35th Street and Blue Heron Drive

Motion by Commissioner McDonald and seconded by Commissioner Rulseh to recommend approval of the Certified Survey Map and forward to Council for action. Upon a roll call vote, Ayes (4): Buckley, England, McDonald and Rulseh; Noes (0). Motion carried.

Review Certified Survey Map to create a 5.0 acre parcel and to dedicate the west 33 feet of Sandy Bay Road located approximately 2,220 feet north of Sandy Ridge Drive

Motion by Commissioner McDonald and seconded by Commissioner England to recommend approval of the Certified Survey Map and forward to Council for action. Upon a roll call vote, Ayes (4): Buckley, England, McDonald and Rulseh; Noes (0). Motion carried.

Consider request for a Conditional Use Permit for a warehouse in the 100 Block of Thiede Road, submitted by Mike LeClair d/b/a Avis J, LLC

Motion by Commissioner Rulseh and seconded by Commissioner McDonald to recommend approval and forward to Council for public hearing with the following conditions:

- a. This Permit shall become effective upon the execution and recording by the Owner of the Premises as acceptance hereof.

- b. This Permit shall be void unless proper application, pursuant to the Building and Zoning Codes of this Municipality, for appropriate Building and Zoning Use Permits in conformity to this Permit, is made within twelve (12) months of the date hereof.
- c. This Permit is subject to amendment and termination in accordance with the provisions of the Zoning Code of this Municipality.
- d. Construction and operation of the use permitted shall be in strict conformity to the approved Site, Architectural, Lighting and Landscaping Plans filed with the petition for this Permit and such plans are incorporated herein by reference as if set forth in detail herein.
- e. Any substantial change or expansion of the facilities permitted by the initial issuance of this Permit would require approval by the Plan Commission and City Council as an amendment to this Permit.
- f. This Permit is specifically issued to Avis J, LLC and shall lapse upon a change in ownership or tenancy of the subject premises.
- g. Conditions of Operations:
 - 1. The warehouse is intended to be used for indoor storage of movable personal property, goods or merchandise.
 - 2. Outdoor storage is permitted only in the existing fenced storage area shown on the plan.
 - 3. No manufacturing, fabrication or processing use is permitted.
 - 4. No hazardous substances or materials as defined by federal, state or local law shall be brought upon, kept or used in, on or about the warehouse, except for small quantities of gasoline or motor oil necessary for motor vehicles.
 - 5. The building shall comply with applicable Building and Fire Codes and safety requirements.
 - 6. All landscape plantings, including the existing pine trees, shall be maintained and kept in good health or be replaced; and all landscaped areas shall be maintained in such a manner to be free of weeds.
 - 7. Signage shall be in accord with the City's Sign Code.

Upon a roll call vote, Ayes (4): Buckley, England, McDonald and Rulseh; Noes (0). Motion carried.

Review Site, Architectural, Landscaping and Lighting Plans for a 40' x 80' warehouse in the B-2 Business District located in the 100 Block of Thiede Road, submitted by Mike LeClair d/b/a Avis J, LLC (property owner)

Motion by Commissioner McDonald and seconded by Commissioner Rulseh to approve the plans with the following conditions:

- a. Existing pine trees along the south property shall remain to provide a buffer between the business and residential zoned properties.

- b. The City Engineer recommended raising the building at least six inches for storm water management purposes. No additional storm water requirements would be necessary.

Upon a roll call vote, Ayes (4): Buckley, England, McDonald and Rulseh; Noes (0). Motion carried.

Consider request for a Conditional Use Permit to rent, store and service utility trucks and trailers in the B-2 Business District at 1900 School Street, submitted by Lon and Katherine Wendt, d/b/a K&L Enterprises

Chairman Buckley stated it has been brought to his attention that the dumpster on the premises is stored in the open near the southeast corner of the building. The Wendt's current permit for recreational vehicle sales and this proposed permit includes a provision that the dumpster should be located within an enclosure screened from view.

Ms. Wendt said they were unaware of the dumpster provision in their current permit. Mr. Wendt stated the dumpster was in that location when they purchased the property.

Chairman Buckley noted further discussion with the Wendt's regarding the dumpster issue is necessary prior to the public hearing on July 5, 2017.

Chairman Buckley also noted signage should be in accord with the Sign Code. A ground sign has been installed on an existing standard and a second sign is located near the sidewalk.

Ms. Berg explained the sign on the existing standard requires a permit. The sign near the sidewalk may be classified as a sandwich sign or a movable sign. A sandwich sign does not require a permit, may be set in the terrace, and must be removed daily. A movable sign requires a permit, does not have to be removed daily, and must maintain a setback of at least five feet from the front property line.

Mr. Wendt inquired why there is a setback. At the time of the meeting, it was unknown why the setback was established. Ms. Berg will review the Plan Commission records. Chairman Buckley noted the sign setback issue shall be included on the next Plan Commission meeting for discussion and amendment.

Motion by Commissioner England and seconded by Commissioner Rulseh to recommend approval and forward to Council for public hearing with the following conditions:

- a. This Permit shall become effective upon the execution and recording by the Owner of the Premises as acceptance hereof.
- b. This Permit shall be void unless proper application, pursuant to the Building and Zoning Codes of this Municipality, for appropriate Building and Zoning Use Permits in conformity to this Permit, is made within twelve (12) months of the date hereof.

- c. This Permit is subject to amendment and termination in accordance with the provisions of the Zoning Code of this Municipality
- d. Construction and operation of the use permitted shall be in strict conformity to the approved Site Plan for this Permit and such plans are incorporated herein by reference as if set forth in detail herein.
- e. Any substantial change or expansion of the facilities permitted by the initial issuance of this Permit would require approval by the Plan Commission and City Council as an amendment to this Permit.
- f. This Permit is specifically issued to Lon and Katherine Wendt d/b/a K & L Enterprises and shall lapse upon a change in ownership or tenancy of the subject premises; or if the land uses ceases operation for more than 12 months.
- g. Conditions on the Operations:
 - 1. Outdoor storage and parking of all rental trucks and trailers shall be in accord with areas approved by the Plan Commission and as shown on the approved site plan attached hereto.
 - 2. Rental trucks and trailers shall be parked in an orderly and organized manner.
 - 3. All repair and service of rental trucks and trailers shall be conducted indoors.
 - 4. All parts, trash, recyclable materials, totes and dumpster(s) stored outside shall be within an enclosure screened from view.
 - 5. Signage shall be in accord with the City's Sign Code.

Upon a roll call vote, Ayes (4): Buckley, England, McDonald and Rulseh; Noes (0). Motion carried.

Review request for a Conditional Use Permit to allow utility truck and trailer storage at 1910 - 20th Street, requested by Manitowoc County (owner) and Richard Carey d/b/a Chard International (tenant)

Motion by Commissioner McDonald and seconded by Commissioner Rulseh to recommend approval and forward to Council for public hearing with the following conditions:

- a. This Permit shall become effective upon the execution and recording by the Owner of the Premises as acceptance hereof.
- b. This Permit shall be void unless property application, pursuant to the Building and Zoning Codes of the Municipality, for appropriate Building and Zoning Permits in conformity to this Permit, is made within twelve (12) months of the date hereof.
- c. This Permit is subject to amendment and termination in accordance with the provisions of the Zoning Code of this Municipality.
- d. Any substantial change or expansion of the facilities permitted by the initial issuance of this Permit would require approval by the Plan Commission and City Council as an amendment to this Permit.

- e. This Permit is granted specifically to Richard Carey d/b/a Chard Development.
- f. This Permit shall lapse upon a change in tenancy or should the property, now owned by Manitowoc County, be sold to another party other than Mr. Carey. This Permit may be reissued only after proper application is made to the City as if this Permit was being issued anew.
- g. This permit shall lapse should the Conditional Use Permit for utility truck and trailer rental at 1900 School Street lapse.
- h. Conditions on the Operation:
 - 1. All utility trucks and trailers shall be licensed and roadworthy.
 - 2. There shall be no storage of equipment or parts.
 - 3. Storage of utility trucks and trailers for rent is limited to the area shown on attached plan and such vehicles shall be parked in an orderly and organized manner.
 - 4. Signage shall be in accord with the City's Sign Code.

Upon a roll call vote, Ayes (4): Buckley, England, McDonald and Rulseh; Noes (0). Motion carried.

Discuss a possible code amendment related to the keeping of animals as a permitted use on larger sized residential parcels in the City

Notes for discussion created by Commissioner England were distributed.

Discussion included permitted versus conditional use, creation of a new zoning district versus an overlay zoning district, making no changes as agricultural land uses are currently a conditional use and addressed on a case by case basis, amending the number and species of animals.

Motion by Commissioner McDonald and seconded by Commissioner Rulseh to table to allow for further discussion. Upon a roll call vote, Ayes (4): Buckley, England, McDonald and Rulseh; Noes (0). Motion carried.

At 6:42 PM motion by Commissioner England and seconded by Commissioner McDonald to adjourn. Upon a voice vote, motion carried.