



CITY OF MANITOWOC
WISCONSIN, USA
www.manitowoc.org



April 27, 2017

To: Mayor and Common Council

From: Manitowoc City Plan Commission

Subject: **PC 11-2016: Conditional Use Permit Annual Review: TLC Homes, Inc, Adult Day Services Use Located at 1004 N. 17th Street.**

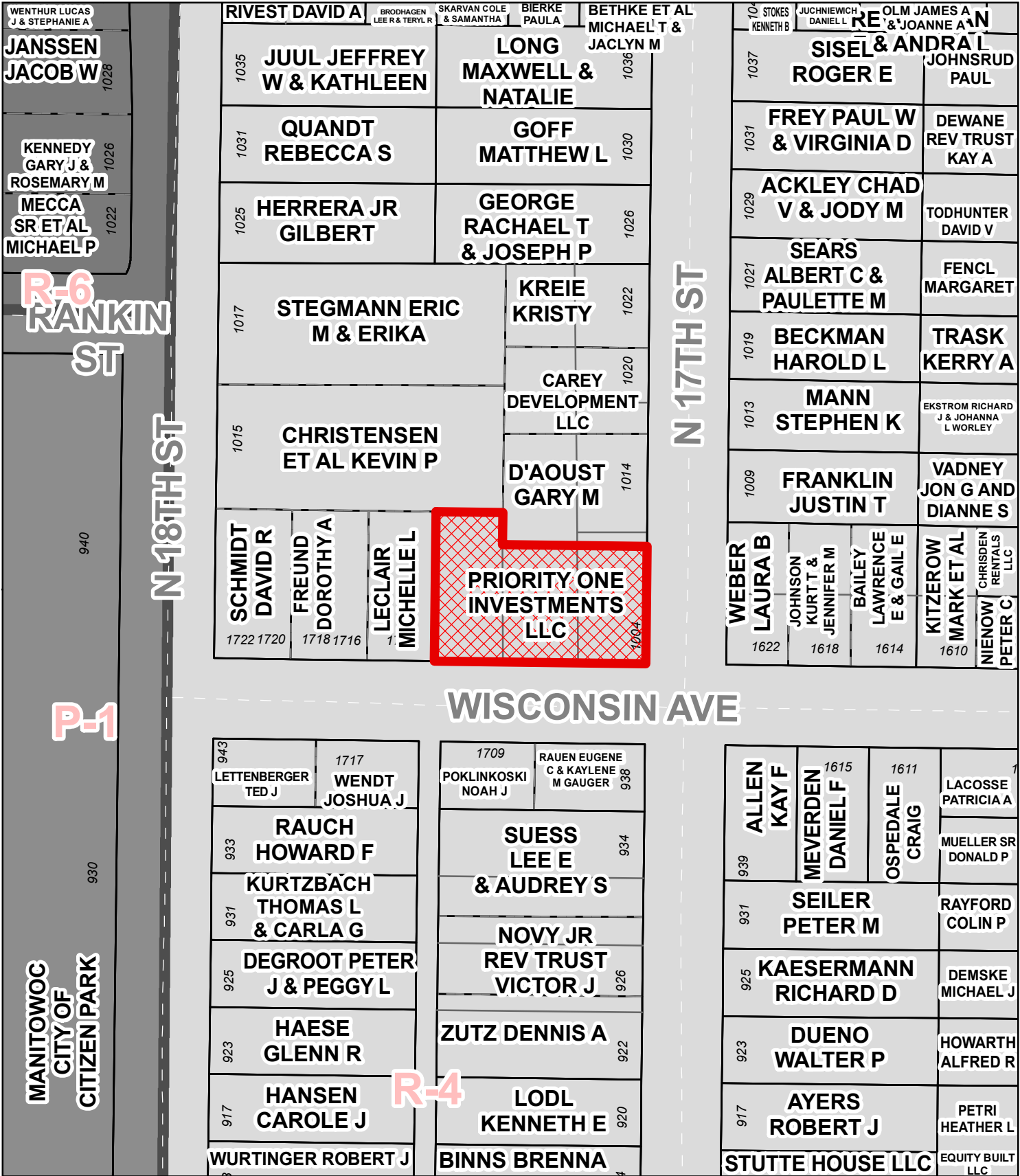
Dear Mayor and Common Council:

At the April 26, 2017 meeting of the Manitowoc City Plan Commission, the Commission considered all items on its agenda, including the item identified above, and wishes to report and recommend to the Common Council the following actions: to approve the annual review of the Conditional Use Permit for Adult Day Services located at 1004 N. 17th Street with one amendment deleting the annual review condition.

Respectfully Submitted,
Paul Braun
Plan Commission Secretary

Attachment: Conditions and Map
Granicus # 17-0433

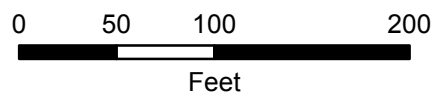
Applicant's address
TLC Homes, Inc.
Attn: Tim Frey
633 St. Clair Avenue
Sheboygan, WI 53081



TLC Homes Inc. Request for a Conditional Use Permit for the establishment of an Adult Day Service Use
1004 N. 17th Street

PC 11-2016

Prepared by City of Manitowoc
Planning Department
www.manitowoc.org
Map Plotted: 03/15/2016
X:\maps\Plan_Commission\Conditional_use\PC11-2016_Frey_CUP.mxd



Legend

Area of Request for Conditional Use Permit

DISCLAIMER: Maps and associated data are believed to be accurate, but are not warranted. This information is not intended for legal, survey, or other related uses. Please obtain the original recorded documents for legal or survey information.

**REQUIREMENTS FOR
ADAPTIVE REUSE CONDITIONAL USE PERMIT (CUP) APPROVAL FOR TLC HOMES,
INC., 1004 N. 17TH STREET
AMENDED 4/27/2017**

Re: PC11-2016: The adaptive reuse CUP is granted exclusively to Priority One Investments, LLC d.b.a. TLC Homes, Inc. ("TLC") pursuant to Sections 15.37(29) and 15.37(27) of the Manitowoc Municipal Code ("Code") for the land and building at 1004 N. 17th Street (Property), and shall hereinafter serve as authorization for the location and operation at the Property of an Adult Day Services operation pursuant to Sections 15.150(3)e and 15.150(3)k of the Code, as may be amended from time to time. The area of the CUP is identified on the attached map and shall hereinafter be referred to as the "CUP Area". The CUP Area is defined as Tax Parcel # 790-004-142.

TLC is required to comply with the following conditions:

1. The CUP authorizing the siting and operation of TLC in the CUP Area shall not become effective and binding until the latest date that: (i) the Common Council approves the CUP as outlined herein. In the event the Council does not approve said CUP on or before midnight on May 31, 2016, the authorization for this CUP by the Common Council shall automatically terminate effective June 1, 2016 and TLC shall be required to re-apply.
2. The maximum number of Day Service individuals at the CUP Area shall not exceed 25 individuals at any single time. The primary Day Service hours of operation shall be Monday - Friday from 9am – 3pm. Up to two staff may be on site prior to or after the hours of operation (9am – 3pm) to "setup" or "clean-up" after the Day Service operation is closed.
3. There shall be no office, administration or similar activities at the location with the exception of activities that are directly related to the 1004 N. 17th Street operation.
4. All exterior lighting from the CUP area shall be contained to the site and shall not filter over the property lines onto adjoining properties.
5. In the event the property comprising the CUP Area is sold or leased to a party other than an entity in which TLC or Tim Frey has a controlling interest, the CUP shall then terminate effective the date of conveyance.
6. The CUP shall not be assigned, transferred, sublet or conveyed without the written approval upon review and recommendation by the City Plan Commission, and approval by the Manitowoc Common Council.
7. Non-compliance with the terms of the CUP may result in the modification of the terms and conditions of the CUP, issuance of citations and financial penalties, or immediate revocation of the CUP.
8. ~~Compliance with the terms and conditions of the CUP shall be reviewed by the Plan Commission and Common Council in April, 2017. The Plan Commission~~

~~and Council shall at that time determine if an annual review shall continue into subsequent years. The annual review may result in the disclosure of non-compliance issues or the identification of terms and conditions that are no longer necessary or required to maintain the intent or compliance with the CUP, and may result in the modification of the terms and conditions of the CUP, issuance of citations and financial penalties, or immediate revocation of the CUP. The Plan Commission and Common Council reserve the right to review the CUP at any time.~~

9. There shall be no exterior signage allowed advertising the Adult Day Service use.
10. TLC transport vans and employees shall park in the locations as detailed in the TLC application.
11. TLC shall comply with all items and criteria as stated in their application packet.
12. A landscaping plan shall be submitted to and approved by the Community Development Department prior to any plantings.