

Report to the Manitowoc Plan Commission

Meeting Date: Wednesday, January 27, 2021

Request: PC 6-2021: Swetlik; Rezone from R-6 - Multiple Family District to B-2 Neighborhood Business District for property located at 2105 Western Avenue.

Existing Land Use for Subject Property: Existing Vacant Building

Existing Zoning for Subject Property: R-6 Multiple Family

Surrounding Property Land Uses and Zoning

Direction	Existing Land Use	Existing Zoning
West, South, East	Residential	R-6 Multiple Family
North	Institutional (Hospital)	B-1 Office - Residential

Comprehensive Plan: The Future Land Use Map shows the property as Single & Two Family Urban but the property to the north and east are shown as Institutional / Community Facilities and General Business.

Consistency Analysis

The proposed rezoning is consistent with the Comprehensive Plan. The Plan encourages the reuse of vacant and underutilized properties. The Plan also “Actively promote infill development, adaptive reuse, and redevelopment of blighted and/or brown-field sites, where opportunities exist as a means to improve neighborhood conditions, increase local economic and shopping opportunities, and make use of existing infrastructure investments.”

The property is shown on the Future Land Use Map as residential but the lines on a future land use map are not intended to be finite, they are rough or “soft”. The intersection of Western Avenue and S. 21st Street has historically been an intersection which supports business, commercial and institutional uses. The Intent section in the B-2 zoning classification states... “(1) Intent. This district is intended to provide for the orderly and attractive grouping at appropriate locations of multiple-family dwellings and retail stores, shops, offices and service establishments serving the daily needs of the surrounding neighborhood area. The size and location of such districts shall be based upon relationship to the neighborhood’s needs, circulation system, and other related facilities.” The proposed zoning classification allows uses that are complimentary to the surrounding neighborhood. The size of the lot limits the uses for many uses that could potentially be located on the property.

Report: Kassie and Patrick Swetlik purchased the property on January 4, 2021 with intentions of remodeling the building in order to establish a dog grooming business. They are planning to invest \$30,000 - \$40,000 into the building intending to replace windows, open the front commercial windows, replace doors, repaint, and generally clean the site. In the future they intend to reside the building and repave the parking lot. The owners are currently doing interior demo work and will hire contractors for electrical, plumbing and other items.

The property is 0.10 acres with 59' of frontage along Western Avenue and has an average depth of 80'. There is space for 3 to 4 off-street parking spaces; parking is not allowed directly in front of the building but there is available on-street parking on adjacent streets to the west of the building. If the rezoning is approved the owners are planning to approach the City who owns the vacant property to the east, to see if there is an opportunity to increase their parking area. Street parking is prohibited on Western Avenue in front of the property and its prohibit on S. 21st Street. There is on street parking available 13 spaces +/- on Wollmer Street between 22nd and 23rd Streets. Parking on S. 22nd and 23rd streets are unregulated. Historically on-street parking has been a concern in the area due to hospital employees.

Section 15.430(5) in the Off-Street Parking Regulations authorizes the Plan Commission the ability to reduce the required parking spaces to reflect the typical daily demand and to provide innovative parking provisions. The petitioner has not formally requested a reduction in parking spaces but the Plan Commission can reduce the off-parking spaces if they desire.

According to the Assessor's records the building was constructed in 1947 with a total square footage of 1,550 s.f. It was formerly used as a residential building with 4 bedrooms, 2 full baths and a full basement. It is believed that a pharmacy or other retail use was in the building prior to the most recent residential use.

The land value for the property is \$13,600, the Improved value is \$51,900 for a Total Value of \$65,500 generating \$1,339.47 of taxes per year.

Mrs. Swetlik will be the only employee at the location, there will be no employees. The proposed hours are not set in stone but will either be Tuesday – Saturday 9:00am – 5:00pm or Monday – Friday 8:00am – 4:00pm.

The proposed use will be a permitted use in the B-2 Neighborhood Business District. The property is located at the intersection of Western Avenue and S. 21st Street which has relatively high traffic counts and historically has been a business, retail intersection. The 1956 Sanborn map shows restaurant, commercial and retail buildings along the corners of the intersection. Permitted uses in the B-2 Neighborhood business are intended to be complimentary to residences in the neighborhood and are not allowed to have exterior storage or display of products.

There are no other adjacent properties that are zoned B-2 but there are adjacent similarly zoned properties which allow business uses. The properties north, east and west of the subject are zoned either B-1 Office-Residential or B-3 General Business which are all under the broader classification of "business". The Zoning Code does not specifically list dog grooming in any zoning district but staff has interpreted "Barber shop, beauty shop, and tanning salons" as a similar use which are allowed in the B-2 zoning district. The code does grant authority to the Director of Building Inspection or their designee to make interpretations of the code.

Uses in the B-2 Zoning Ordinance do have limitations placed on them, below in italics are the limitations on B-2 uses.

"15.250(4) Limitations on Permitted Uses. Every use permitted in a "B-2" Zone shall be subject to the following limitations:

(a) All uses shall be conducted wholly within a building;

(b) No merchandise or other goods, products or containers shall be displayed outside of the building where such business is carried on; and

(c) Lighting for all permitted uses shall be so arranged as to reflect the light away from adjoining residential premises. In addition, said lights shall be so arranged as not to interfere with the safe operation of motor vehicles.”

If the change in zoning is approved the petitioners are planning to have the business open in the spring.

Public Comments Meeting notices were mailed out to residents within 200’ excluding right-of-way on January 20th, Attached is an email from Tracy Hunt, 709 S. 22nd Street.

Timeline

- Application Received: January 11, 2021
- Notification Sent: January 20, 2021
- Plan Commission Informational Hearing: January 27, 2021
- Common Council Public Hearing: February 15, 2021

Recommendation: Approve the request to rezone the property located at 2105 Western Avenue from R-6 Multiple Family Residential to B-2 Neighborhood Business.



CITY OF MANITOWOC
WISCONSIN, USA
www.manitowoc.org



January 19, 2021

NOTICE OF PUBLIC HEARINGS

As a property owner within 200 feet of a proposed zone change in the City of Manitowoc you are being notified of the following public hearings:

- **Plan Commission Informational Hearing - Wednesday, January 27, 2021 at 6:00 P.M.**
This meeting is being conducted both in person and also via remote conferencing. Members of the public may call in at 1-888-475-4499, Meeting ID: 812 1185 6594, Password: 027730.
- **Common Council Public Hearing – Monday, February 15, 2021 at 6:30 P.M.**
The Common Council Public Hearing will be held both in person and also via remote conferencing software.

Both meetings will be held in the Council Chambers, Main Floor, City Hall, 900 Quay Street.

The area of the proposed zone change is identified on the attached maps.

The Petitioner is: PC 6-2021: K. Swetlik; Rezone from R-6 - Multiple Family District to B-2 Neighborhood Business District for property located at 2105 Western Avenue

You are invited to attend these hearings in order to voice your opinion on the proposed zone change. If you wish, you can call (920-686-6930) or visit the Community Development Department, Second Floor, City Hall, and we will be glad to discuss the proposal with you.

Some Uses Permitted in the Proposed B-2
Office-Residential Zoning District

- Auto Service Stations
- Churches
- Community Living Arrangements for not more than 15 individuals
- Adult Day Care and Child Day Care for not more than 15 individuals
- Barber shop, beauty shop, and tanning salons

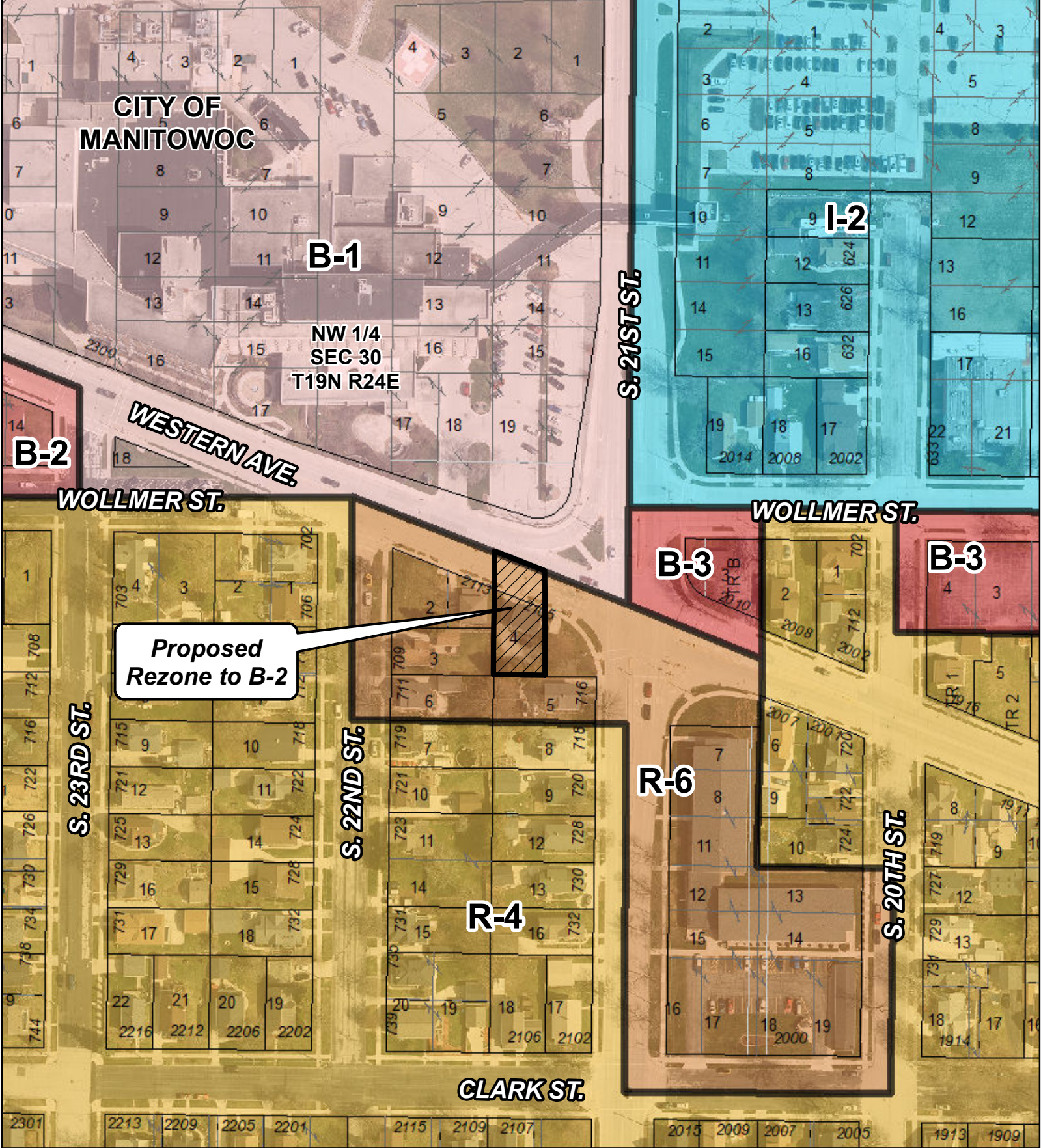
Some Uses Permitted in the R-6 Multiple-Family
District

- Single- and two-family dwellings
- Public Parks
- Adult Day Care and Child Day Care for not more than 15 individuals
- Bed and breakfasts and short-term rentals
- Vacant lot residential gardens

The complete zoning ordinance can be viewed at: <https://www.codepublishing.com/WI/Manitowoc/> Chapter 15.

Respectfully Submitted,
Paul Braun, City Planner

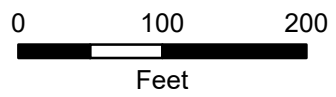
Enclosures: Maps & Petition




Proposed Rezone to B-2

Proposed Rezone Property from R-6 Multi-Family District to B-2 Neighborhood Business District

PC 6-2021
2105 Western Ave.



Legend

 **Proposed Rezone**

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.

Prepared by City of Manitowoc
Community Development Department
www.manitowoc.org
Map Plotted: 1/20/2021
O:\Planning\PC Plan Commission\PC_Rezone\2021\PC 6-2021 R-6 to B-2_2105 Western\Maps\PC 6-2021 Rezone.mxd

**CITY OF
MANITOWOC**

B-1

NW 1/4
SEC 30
T19N R24E

WESTERN AVE

S. 21ST ST.

WOLLMER ST.

**Proposed
Rezone to B-2**

B-3

B-3

R-6

R-4

CLARK ST.

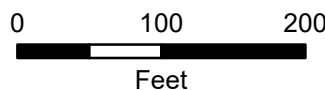
S. 23RD ST.

S. 22ND ST.


S. 20TH ST.

**Proposed Rezone Property from R-6 Multi-Family District to
B-2 Neighborhood Business District**

PC 6-2021
2105 Western Ave.



Legend

 **Proposed Rezone**

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.

Prepared by City of Manitowoc
Community Development Department
www.manitowoc.org
Map Plotted: 1/20/2021

O:\Planning\PC Plan Commission\PC_Rezone\2021\PC 6-2021 R-6 to B-2_2105 Western\Maps\PC 6-2021 Rezone B&W.mxd

**APPLICATION FOR AMENDMENT TO
ZONING ORDINANCE DISTRICT MAP
City of Manitowoc, Wisconsin
(REV. 1/11)**

Date: 1/11/21

Honorable Mayor and Common Council
Manitowoc Municipal Building
900 Quay Street
Manitowoc, Wisconsin 54220-4543

Attention: City Clerk

The undersigned owner (contract owner) of property described herein petitions your Honorable Body to amend the Zoning Ordinance District Map of the City of Manitowoc by reclassifying from the B-6 multiple Family District to the B-2 Neighborhood Business District the following described property.

I. LOCATION OF PROPERTY

A. Street Address: 2105 Western Ave

B. Legal Description of Property: West 55' of lot 4, block 196 of the original pla of the city of Manitowoc

C. Small Scaled Map of Property (attached to this application).

II. REASON FOR ZONE CHANGE REQUEST

The property was originally a commercial building. It now stands boarded up and derelict after years of being rented out by out-of-town landlords. I would love to fix it up and run my dog grooming salon out of it.

III. PROPOSED USE OF PROPERTY

A. Preliminary site plan or sketch subdivision drawn to scale (see attached map).

B. Specifics of proposed use of the subject site are:

- (i) Residential-Number of living units:
- (ii) Non-residential-Square feet of building(s): Est. 750
- (iii) Non-residential-Type of Development: Dog grooming salon
- (iv) Number of parking spaces to be provided: 3
- (v) Number of Employees: None, owner operated

IV. IMPACTS UPON CITY

- A. Any need for traffic or street changes, utility or street extensions, signalization, etc. (please specify) None, location is on a very busy corner by Holy Family Hospital
- B. Conformance with City Comprehensive Plans (please specify) WE are extremely vested in the economic development of the City of Manitowoc, and very excited to bring life back to a commercial building from the 1940s.
- C. Impacts upon surrounding properties (please specify) None, lot will be left as is, and people are excited to no longer have to deal with bad owners/tenants, see cover letter for details.
- D. Estimated cost of construction/rehabilitation and net increase in real estate taxes (please specify) WE estimate the costs of renovations will be around \$40,000. The property is currently tax assessed at \$65,500, but that assessment was from before the building came to be in its current state of disrepair.
- V. **ESTIMATED TIMING OF PROPOSED USE/RE-USE OF PROPERTY** (please specify) I hope to be able to open my new grooming salon in spring.

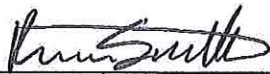
VI. FILING FEE AND COST OF LEGAL NOTICES

The required \$350.00 filing fee is enclosed. Furthermore, I understand I am responsible for the prompt payment of the actual cost of published legal notices required to process this application.

Kindly inform me of the times and dates of the public meetings and public hearings at which this request will be discussed and possibly taken action on.

Sincerely,

Property Owner's Signature (required):



Mailing address:

9035 Poplar Rd.

Whitelaw, WI, 54247

kassandra.sweethik@gmail.com

Contract Purchaser's Signature (if applicable):**

Mailing address:

**Please provide a copy of an executed "Offer to Purchase" to the City Planning Department under separate cover.

Attachments

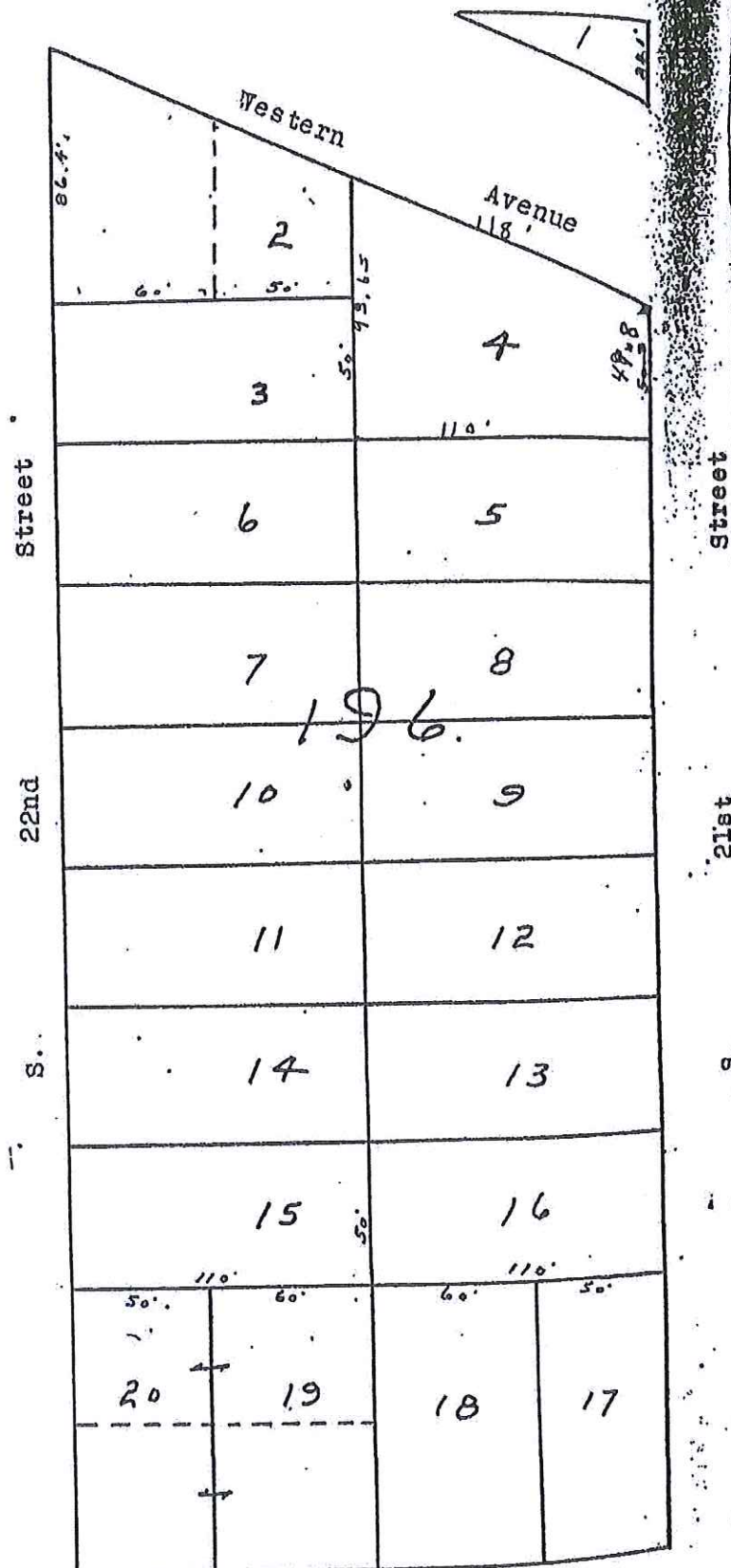
- *Map of property to be changed in zone
- *Preliminary site plan
- *Filing fee

BLOCK 196

ORIGINAL PLAT, CITY OF MANITOWOC

Wollmer

Street



Rezoning 2105 Western Ave

Attention: Mayor and Common Council

My husband and I have been extremely excited about the recent economical development happening in the City of Manitowoc. We no longer have to drive to Green Bay or Appleton to find nice places to spend our date nights. Places like "The Warf", "Waterfront Wine Bar", "Pizza Garden" and "Pet Skull Brewing" have become staples for us. When it came time to branch off on my own and open my own grooming salon, we knew we wanted to do our part in improving Manitowoc. We were committed to buying a place where we could really improve the community, and when a family member mentioned selling this property, we knew it was perfect. From what we can gather from first hand accounts, this building was built in 1947, as a corner drugstore across from Holy Family Hospital. I have first hand accounts from seniors in our community stopping at the pharmacy after a hospital visit, and another account from an older gentleman of having "a fun time with his buddies" in the apartment above the store. Over the years it became a sort of boarding house for students at Empire Beauty School, and lastly being converted to a single family home and rented out.

The years, neglectful owners, and bad tenants have not been kind to the building. It's become an eyesore on the corner, and provides a depressingly derelict view for patients at the hospital. I have spoken with neighbors who report a revolving door of tenants that engage in regular domestic disturbances and drug use. One neighbor said that the property seemed to attract nothing but problems and bad tenants. Surrounding houses have had to put up privacy fences because of it. Needless to say, it's about time something was done to improve the area.

I have been grooming for about 8 years in Manitowoc county. I have a great reputation, and I now have my own LLC and amazing clientele. I will also be offering something new to Manitowoc, a spa style dog salon with holistically inspired methods, all natural products, and a chemical free environment. All I require is a place to run my business out of, and I think our newly purchased property on Western Ave would be a perfect location!

We are contacting local companies to do the renovations on the building to support our local community. We estimate our total renovations and improvements to the building to cost around \$30,000-\$40,000, which we have already gotten from our bank. All of my main salon equipment has been purchased, and is USA made, as all of my products and equipment will be. While I plan on being a solo owner/operator, there is possible room for expansion and providing jobs in the future. We will also be converting the upstairs back into an apartment, and offering a fully renovated and modern housing option, with present landlords committed to a high standard of quality.

We hope that you will be open to re-zoning this property, and we look forward to starting a new Manitowoc pet grooming business in spring!

Sincerely yours,

Kassie (and Patrick) Swetlik

2105 Western Ave



- Replace all windows
- Re-open boarded up front commercial windows
- Replace doors
- Repaint all window and door frames to match upper fascia
- Add decorative shutters to front windows
- Take care of "door to nowhere" on second story
- Remove overgrowth and landscape east side of building
- Repair siding

Future Plans

- Replace all siding
- Re-pave drive and parking lot







LAVELAND

LJ6378



Paul Braun

From: tracy Hunt <tracy.hunt@rocketmail.com>
Sent: Sunday, January 24, 2021 8:16 PM
To: Paul Braun
Subject: External: 2105 Western Avenue Rezoning application PC 6-2021

Hi, my name is Tracy Hunt and I live at 709 S 22nd St. and also own the adjacent vacant lot to the north on the corner of S 22nd and Western Ave. I moved to Manitowoc about 7 years ago from the greater Seattle area of Washington State. I am unsure who the applicant is, or what neighbors they talked to but I do have communications that go back a few years between myself and KS Reality who have always been the property managers I email about various tenant issues. No one has talked to me and I will say that the last year the tenants had the least affect on my property because they were the most normal renters.

I consider the property at 2105 Western Avenue to be a "lemon" property in addition to being a habitual nuisance. I have some concerns about statements made in this petition and potential future ramifications for this well established residential neighborhood zone.

- Based on my novice research , this petition seems to lack any facts, statistics or impact assessment's other than a misleading copy of the original plat map, flattery, anecdotal evidence and hearsay. I don't follow how enjoying frequenting bars in downtown relates to rezoning in a residential part of town.
- According to the cover letter, per the applicant this property has been in their family. I find it problematic to use it's current state of dilapidation as impetus to re-zone when the party themselves are responsible for it current state.
- To attempt to put general and regular responsible property maintenance under " economic development" is patently false. Per the petitioner this business will create 0 new jobs. The services being offered are already available in Manitowoc, and It's my understanding the applicant has previously attempted to run a similar business on N. 8th St in an already appropriately zoned location that didn't work out, so I'm not sure how moving to a less
- A property is not any kind of "magnet" for bad behavior, irresponsible property managers/owners are. Partnering with state supplemented housing programs has it's own impacts.
- My hearsay witness accounts about the nature of the building was that is was primarily servicing foot traffic as a mom and pop corner store during the time the train depot was running on Meadowlane and the shipyards were booming.
- The applicant states that there is a possibility for expansion, do they mean the building or the business?
- Part II- I don't know that mismanagement outweighs the potential negative impacts to the neighborhood.
- Part III B- 3 parking spaces. The applicant did not provide the size of her clientele, average stay times for customers or what impact on current traffic this business would have. I assume one space will be for the renter, and one will be for the proprietor leaving one space for clients. For the last 7 years the overflow parking for that property has been on 22nd St. What potential increase can be expected, because the neighbors already call the city on the hospital employees that park there.
- Part III A, There is currently only one way in and out of the property and you are basically in the right turn lane heading east on Western Ave. (at its conjunction with 21st St). to enter and exit. Business traffic could have a significant impact on Western Avenue at the corner of 21st St in regards to congestion and visibility, in addition to potential overflow parking in the surrounding area. The barrier in between east and west bound lanes encourages some drivers that do not wish to go around the block to exit left from the property.
- Part III B, hope is not a specific explanation of conformance with CCP's
- Part III C, to state that ANY rezoning will have no impact on the surrounding communities illustrates at best a fundamental misunderstanding of property development and at worst dubious intent. There has been no information provided to cover very basic impact assessments such as noise increase, overflow parking, and accessibility.

In closing, I know what this town has been and have had more than my share of "The Manitowoc Way". The last 7 years I have watched as the city has moved in a new direction with planning and development that I believe will benefit the community, specifically the railroad property development, the Meijer store and beginning to address the Mirro building. I believe rezoning this property is a step back, to a time that I see the negative ramifications from in too many neighborhoods and we should all be moving away from. There are plenty of available spaces throughout town in better repair with better access already in business zones. This proposal puts our entire neighborhood at potential risk for negative impacts in the future to remedy a situation created by willful neglect of parties to the applicant. I don't

understand why the answer would be to rezone a random unbuildable lot in the middle of a residential area. Just because a lot and structure were a positive ,vital part of this city and neighborhood over 60 years ago, doesn't make it so now. No evidence has been provided to show that this application meets any of the requirements necessary to be approved in good faith.

This property should really not exist at all in it's current state, nor the abandoned house next to it, and would be better served as a city green space, to provide better visibility through the very busy intersection and a more polished look to the corner for the residents who live and work here now.

Thank you for your time,

Tracy Hunt

Be Alert !

This is External or System generated Email. Please verify before opening any links or attachments.