

VILLAGE OF CLEVELAND
MANITOWOC COUNTY, WISCONSIN
RESOLUTION NO. 2023-R-06
CERTIFIED SURVEY MAP
DGI-CLEVELAND LLC

WHEREAS, DGI-Cleveland LLC/Todd Platt, Manager submitted a Certified Survey Map to combine and then subdivide two vacant lots owned by Frank J Forner on the northeast corner of the Dairyland Dr and North Ave intersection (Parcel Nos. 031-021-015-001.00 and 031-021-016-000.00); and

WHEREAS, the Plan Commission reviewed the application and Staff Report at its March 1, 2023, meeting, and issued findings and recommended conditional approval of the Certified Survey Map.

NOW, THEREFORE, BE IT RESOLVED, the Village Board of Cleveland adopts the findings of the Plan Commission as amended:

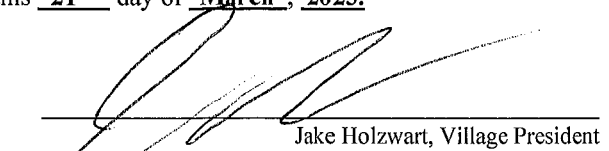
- A. The Certified Survey Map (CSM) is consistent with the purposes of the Village's zoning ordinance in that it promotes the health, safety, prosperity, aesthetics, and general welfare of the Village of Cleveland for the following reasons: the proposed development on Lot 2 (1) brings needed amenities to the Village that residents must now travel 40 minutes round trip to obtain; (2) provides ready access to goods that promote healthy home environments; and (3) encourages other small-scale retail businesses to locate in the vicinity; and Lot 2 is configured in a manner that supports future adjacent parcel development.
- B. The CSM is consistent with the regulations of the proposed B-2 zoning district for the following reasons: the change from I-1 Industrial Zoning permits less invasive and environmentally damaging uses from taking place in close proximity to high-density residential development; and based on its size will not allow heavy-truck industrial development at a location with higher traffic volumes and a challenging traffic design at the intersection of Dairyland Dr. and North Ave.
- C. The CSM is consistent with the purposes of the Village's subdivision ordinance in that it does (a) promote public health, safety and general welfare by lessening congestion in the streets and highways by providing local access to commonly-needed amenities and avoiding unnecessary traffic to surrounding communities, and by dedicating North Ave. right-of-way to the public ; (b) furthering the orderly layout and use of land through a lot configuration conducive to future subdivision; (c) providing for adequate light and air since the development is small-scale retail that will not require a density of buildings; (d) facilitating adequate provision for water, sewerage and other public facilities by locating where there are existing utility services available; (e) protecting the proper ingress and egress from the neighborhood by suggesting Dairyland Dr. as the principal access point; and (f) promoting the proper monumenting of land subdivided, and the conveyance by accurate legal description by complying with state and local platting and subdivision requirements.
- D. The CSM is consistent with the Year 2020 Comprehensive Plan as it supported the objectives of the *Neighborhood Residential* classification by providing small-scale commercial development in an area of high visibility and easy access for local residents and commuters.
- E. The CSM conforms to the Official Map as it does not conflict with future streets or other rights-of-way.
- F. The CSM as submitted is consistent with Ch. 236.34, Wis. Stats. as reported by the Village Engineer.

NOW, THEREFORE, BE IT FURTHER RESOLVED, the Village Board of Cleveland approves the Certified Survey Map filed by DGI-Cleveland LLC to combine and then subdivide two vacant lots owned by Frank J Forner on the northeast corner of the Dairyland Dr and North Ave intersection with the following conditions:

- 1. Lot 1 of the CSM will be updated to include the *Sewer Easement for Village of Cleveland* as recorded in Vol 2090 Pg 44, Manitowoc Co. Register of Deeds.

2. The Board's approval is effective if and when the change in zoning on Lots 1 and 2 to B-2 *Special Business District* is effective.
3. A CSM will be prepared consistent with our findings and conditions and submitted to the Zoning Administrator within 45 days of the Board's decision.
4. Failure to meet the conditions of this approval within 120 days from the date of approval will result in the CSM being denied.
5. The Board's approval is effective if and when the site development plan is effective.

Adopted and approved by the Village Board of Cleveland this 21st day of March, 2023.



Jake Holzwart, Village President

ATTEST:



Stacy Grunwald, Director of Village Services

MOTION: BERDYCK/HOFFMAN

VOTE: 6 Ayes 0 Noes 0 Abstentions

EFFECTIVE DATE: 03/21/23