



# City of Manitowoc

900 Quay Street  
Manitowoc, WI 54220  
www.manitowoc.org

## Meeting Minutes

### Plan Commission

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Wednesday, August 28, 2019

6:00 PM

Council Chambers

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#### I. CALL TO ORDER

The Meeting of the City Plan Commission was called to order by Chairman J. Nickels at 6:00 PM.

#### II. ROLL CALL

**Present:** 8 - Jim Brey, Dave Diedrich, Daniel Hornung, Mayor Nickels, Dan Koski, Dennis Steinbrenner, Greg Jagemann and Curtis Hall

Staff Present: Paul Braun, Jeremy Du Chateau, Lisa Mueller

Others Present: Alder L. Kummer, Heidi Thompson, Carmen Persaud, Chris Gilbert, Mike Thompson, Teri Stemper, Gary Gartman, Keith Koch, Greg Hilbert, Belinda Esquinas

#### III. APPROVAL OF MINUTES

[19-0932](#) Approval of the Minutes of the June 26th, 2019 Plan Commission Meeting.

**Moved by Diedrich, seconded by Koski, that the Minutes be approved. The motion carried by the following vote:**

**Aye:** 8 - Alderperson Brey, Diedrich, Member Hornung, Mayor Nickels, Member Koski, Steinbrenner, Member Jagemann and Member Hall

#### IV. PUBLIC HEARINGS

[19-0934](#) PC 33-2019 Holy Family Memorial / Core Treatment Services Pursuant to MMC 15.230(3)k. Request for a Conditional Use Permit for the establishment of a Transitional Housing Residential Treatment Center in the B-1 Office - Residential Zoning District located at 3 Riverview Drive.

P. Braun explained that the request for the conditional use permit is from CORE Treatment Services, Inc who has partnered with Holy Family Memorial Hospital for the establishment of a transitional housing use located at 3 Riverview Drive. P. Braun explained that the property is zoned B-1 Office-Residential and was formerly used as a living quarters for the nuns associated with the hospital. P. Braun continued to say that notices were sent out to property owners beyond the normal 200 foot radius because only the hospital and City would have been the property owners within 200 feet.

P. Braun explained that the use would be an AODA (Alcohol and Other Drug Addiction) facility for up to 16 individuals at a time. There would be 24/7/365 onsite staff and the doors would be locked at all times for people trying to enter the building.

P. Braun detailed the requirements of the 2017 Wisconsin Act 67 which lessened the discretion and control of local governments regarding the issuance of conditional use permits. The Act requires a city to grant a conditional use permit if an applicant meets, or agrees to meet, all of the requirements and conditions specified in the conditional use permit. P. Braun stated that in essence a conditional use permit cannot be denied by the City and that the conditions must be reasonable; if the conditions are not followed the permit could be revoked in the future by the City.

P. Braun stated CORE and Holy Family Memorial held their own neighborhood meeting but he is not aware of the outcome of that meeting. P. Braun concluded by stating that notices were mailed out to neighbors beyond the normal 200 foot radius and that no comments were received.

Mayor Nickels asked the Commission if they had any questions or comments. D. Koski asked if the entire building would be used for the use; P. Braun stated that yes the whole building will be used by CORE.

D. Diedrich clarified that the statutes require the conditional use permit be approved and that any conditions placed on the use must be reasonable. P. Braun stated that is correct. P. Braun also stated that all the conditions related to staffing, hours, security and the number of beds are directly from CORE's request.

C. Hall asked if there would be enough available parking. CORE attendees in the gallery stated that the residents are not allowed to have vehicles and the staff on duty will park in the existing HFM parking lot.

Mayor Nickels opened the public informational portion of the hearing.

Carmen Persaud, Co-Executive Director from CORE stated that the facility will be licensed by the State as a Community Based Residential Facility and also as a State licensed substance abuse center.

Alder L. Kummer, stated that he received a phone call from a property owner on Liberty Place and that she had a concern about the use. L. Kummer stated that the caller said the neighborhood just got rid of the Riverview Apartments which had a lot of drug issues. L. Kummer asked the following questions: how many staff will be on site, who will the CUP be issued too, where is the funding coming from, and what is the relationship

with Marco Manor?

Chris Gilbert, Co-Executive Director with CORE stated that two businessmen are funding a vast majority of the costs which amount to approximately \$280,000. C. Gilbert stated that Marco is not evidence based and that no insurance companies can use Marco's facility. CORE also has certain certifications that Marco does not have, meaning that the County can be reimbursed up to 100% of the treatment costs they pay for services CORE provides. C. Gilbert commented that the State requires 1 staff member to every 8 occupants. CORE will be the entity obtaining the conditional use; they are not governed by HFM but they are in a partnership with HFM. The CORE board has members that are both affiliated with HFM and Aurora hospitals, in addition to police and other social service representatives. CORE will be leasing the building from HFM for a \$1 a year. C. Gilbert concluded by stating the occupants are vetted and can be denied access to the facility based on vetting process.

Alder L. Kummer asked about vehicles on the site and will the residents be limited to Manitowoc County residents?

C. Gilbert state that residents will not be allowed a vehicle at the site, the only vehicles will be staff vehicles. C. Gilbert also commented that the police are required to go through an admission process and cannot just drop people off. The residents are not limited to Manitowoc County, but Manitowoc County residents get preference over out of county individuals.

Joan Kersten, 424 S. 26th Street commented that she is thankful for this opportunity to speak. In her current profession she has experience with achohol and drug treatment admissions and knows there is a need for this type of facility. She supports the proposal.

Mayor Nickels closed the public hearing portion of the meeting and asked the commissioners if they had any comments. D. Hornung suggested that the conditional use permit be issued to CORE, the Commision agreed with the change.

**Moved by Brey, seconded by Diedrich, to Grant the Conditional Use Permit for the establishment of a 16 unit AODA (Alcohol & Other Drug Addictions) treatment facility pursuant to the following conditions:**

**A. The CUP shall require compliance with all applicable local and state regulations including issuance and maintenance of a license to CORE Treatment Services, INC (CORE) by the Wisconsin Department of Health Services (DHS) for the operation of an Assisted Living Facility / AODA Treatment Facility. If CORE is not successful in receiving a license from DHS or any other licensing entity by December 31, 2020 CORE shall be required to re-apply for a CUP.**

**B. CORE shall be subject to a maximum of 16 beds as described in the submittal documents.**

C. Residential staff will be required to be on-site 24 hours a day and the building shall be locked from the outside at all times. CORE shall also have a security system and camera on the outside of building, CORE shall work with the Manitowoc Police Department regarding the placement and operation of the security system.

D. CORE shall not assign or transfer its interest in the CUP to any party without the written approval of the Manitowoc City Plan Commission and Manitowoc Common Council.

E. 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. This CUP shall be reviewed by the Plan Commission at their January, 2021 meeting or at any other time the Commission feels is warranted.

The motion carried by the following vote:

Aye: 8 - Alderperson Brey, Diedrich, Member Hornung, Mayor Nickels, Member Koski, Steinbrenner, Member Jagemann and Member Hall

## V. OLD BUSINESS

## VI. NEW BUSINESS

### [19-0933](#)

PC 30-2019 Fox Communities Credit Union; Request for a Special Permit for an Animated Sign located at 4102 Calumet Avenue.

P. Braun presented the request from Fox Community Credit Union. FCCU plans on re-purposing the former Charcoal Grill sign and incorporate a 11 s.f. animated sign into the existing monument base; in addition FCCU would add their business signage to the existing monument sign. The animated portion of the sign is approximately 80' from a signal light, the code requires 100' separation but the Plan Commission can waive the separation distance on a case by case basis.

D. Koski stated that he and other staff from Engineering reviewed the request and felt there is no concern with the separation distance, in fact other existing animated signs in the area are closer to a signal light than what FCCU is proposing.

**Moved by Hornung, seconded by Brey, to Grant the Special Permit for the animated sign as depicted in the sign application packet and a waiver of the 100' separation distance to the signal light. The motion carried by the following vote:**

Aye: 8 - Alderperson Brey, Diedrich, Member Hornung, Mayor Nickels, Member Koski, Steinbrenner, Member Jagemann and Member Hall

### [19-0935](#)

PC 32-2019 Amendment to Municipal Code Chapter 15.450 - Sign Ordinance. Creation of a Multi-tenant sign category.

P. Braun explained that the proposed amendment to Chapter 15.450 -

Sign Ordinance will be creating a new sign category called multi-tenant signs. This new sign category will allow a common development with the same ownership, common access points or design standards to be allowed to erect a single sign which displays the individual entities in the common development. The multi-tenant sign will decrease signage overall because there will be a single sign displaying multiple entities versus each entity having their own ground sign.

P. Braun closed his comments.

J. Nickels asked the Commission if they had any questions.

D. Steinbrenner asked if the definition of shopping center could be expanded rather than creating a new sign category. P. Braun stated that staff looked into that but determined that creating the new multi-tenant sign category was more appropriate because shopping centers are under a single ownership. The new multi-tenant sign category could be applied to multiple properties with different ownerships if the development occurred at the same time and is using common entrances and have similar design standards.

There were no other comments or questions from the Commission.

**Moved by Hornung, seconded by Koski, to Adopt the changes to the Sign Ordinance Section 15.450 of the Municipal Code regarding the creation of a Multi-tenant sign category. The motion carried by the following vote:**

**Aye:** 8 - Alderperson Brey, Diedrich, Member Hornung, Mayor Nickels, Member Koski, Steinbrenner, Member Jagemann and Member Hall

[19-0936](#)

PC 29-2019 Site Plan Review - Manitowoc Aquatic Center Proposed Expansion pursuant to §62.23(6) "Matters Referred to the Plan Commission"

P. Braun commented that pursuant to state statute 62.23(5) the location and architectural design of any public building shall be referred to the Plan Commission for their recommendation prior to final action by the Council. The Commission reviewed the proposed addition to the aquatic center and had no concerns with the proposal.

**Moved by Diedrich, seconded by Hornung, to Approve the Site Plan for the proposed expansion to the Manitowoc Family Aquatic Center. The motion carried by the following vote:**

**Aye:** 8 - Alderperson Brey, Diedrich, Member Hornung, Mayor Nickels, Member Koski, Steinbrenner, Member Jagemann and Member Hall

[19-0937](#)

PC 1-2019: Bright Horizon Properties, LLC; Quit Claim Deed for N. 8th Street purposes.

P. Braun stated that the quit claim deed from Bright Horizon Properties,

LLC is related to a recently recorded certified survey map. The deed is for additional dedication of N. 8th Street; the dedication will result in a 90' right of way and is consistent with the official map.

**Moved by Diedrich, seconded by Hall, that this Deed be approved. The motion carried by the following vote:**

**Aye:** 8 - Alderperson Brey, Diedrich, Member Hornung, Mayor Nickels, Member Koski, Steinbrenner, Member Jagemann and Member Hall

## VII. MISCELLANEOUS

A. Manitowoc County Activities: None

B. Certified Survey Maps (CSM):

1. Gorte; Section 18, Township 18 North, Range 23 East, Town of Newton.
2. Lakeside Foods; NE ¼ Section 36, Township 19 North, Range 23 East, City of Manitowoc.
3. J&J Grace Properties LLC; SW ¼ of SW ¼ Section 9, Township 19 North, Range 24 East, City of Manitowoc.
4. Bright Horizon Properties, LLC; SW ¼ of NW ¼ Section 17, Township 19 North, Range 24 East, City of Manitowoc.
5. WAFCO LLC / Wisconsin Aluminum Foundry; W ½ of NE ¼ Section 30, Township 19 North, Range 24 East, City of Manitowoc.
6. WAFCO, LLC; SE ¼, NW ¼ Section 30, Township 19 North, Range 24 East, City of Manitowoc.

C. Summary of Site Plans:

1. SP 9-2019: Rapids Leasing & Rentals, LLC; 304 N. Rapids Road. Parking Lot Expansion
2. SP 10-2019: Lakeside Foods; 1955 S. 30th Street. New construction freezer warehouse
3. SP 11-2019: East Point Rentals; 1013 Viebahn Street. New construction, mini – storage buildings.
4. SP 12-2109: Lakebreeze Apartments, LLC 2303 Johnston Drive. New Clubhouse building.

D. Director's Report

Provided update on preliminary site plan for Zoological society at Lincoln Park Zoo.

## VIII. ADJOURNMENT

**Moved by Hornung, seconded by Diedrich, that the Meeting be adjourned at 6:44 PM. The motion carried by the following vote:**

**Aye:** 8 - Alderperson Brey, Diedrich, Member Hornung, Mayor Nickels, Member Koski, Steinbrenner, Member Jagemann and Member Hall

Respectfully Submitted,

Paul Braun  
Secretary

CAUTION TO PLAN COMMISSIONERS: The documents attached to this agenda are for your review in preparation for the City Plan Commission meeting to be held on the above date. Any discussion or communication between members of the Plan Commission by any means prior to the Commission meeting regarding these documents may be a violation of the open meeting laws.