



City of Manitowoc

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

Meeting Minutes

Plan Commission

Wednesday, March 28, 2018

6:00 PM

Council Chambers

I. CALL TO ORDER

II. ROLL CALL

Present: 6 - Jim Brey, Daniel Hornung, Mayor Nickels, Dan Koski, Jim Muenzenmeyer and Dennis Steinbrenner

Absent: 2 - Dave Diedrich and Peter Dörner

III. APPROVAL OF MINUTES

Staff Present: Nic Sparacio, Paul Braun, Tyler Caulum

Others Present: Rhienna Gabriel, Carol Glaeser, Ted Hacker, Chad Scheinoha

[18-0195](#) Approval of the Minutes of the October 25, 2017 Plan Commission Meeting

Moved by Brey, seconded by Koski, that the minutes of the October 25, 2017 Meeting be approved. The motion carried by the following vote:

Aye: 6 - Alderperson Brey, Member Hornung, Mayor Nickels, Member Koski, Member Muenzenmeyer and Member Steinbrenner

[18-0293](#) Approval of the Minutes of the February 28, 2018 Plan Commission Meeting

Moved by Brey, seconded by Koski, that the minutes of the February 28, 2018 Meeting be approved. The motion carried by the following vote:

Aye: 6 - Alderperson Brey, Member Hornung, Mayor Nickels, Member Koski, Member Muenzenmeyer and Member Steinbrenner

IV. PUBLIC INFORMATIONAL HEARINGS

[18-0294](#) PC 7-2018: Laugin Enterprises / Wergin, Request for a Conditional Use Permit for the Establishment of Mini-Warehouses in a C-1 Commercial District pursuant to 15.310(3)b located at 2625 Hamilton Street

P. Braun explained that the request is from Don and Dan Wergin from Laugin Enterprises. They are requesting a Conditional Use Permit (CUP) for the construction of Mini-Warehouse buildings in a C-1 Commercial District pursuant to 15.310(3)b of the Municipal Code. The property is

located at 2625 Hamilton Street and measures 1.97 acres. The property has split zoning with the northern portion zoned C-1 Commercial and the southern portion zoned I-2 Heavy Industrial.

P. Braun stated that in the Heavy Industrial portion of the lot there is one existing storage building and two additional buildings under construction. The owners are proposing to construct 2 additional storage buildings in the CUP area along with a private garage for their own personal use. The CUP area is approximately 278 feet X 60 feet or 16,680 square feet.

P. Braun stated that notices were mailed to property owners within 200 feet of the subject property and that no comments were received. P. Braun concluded his comments.

Mayor Nickels opened the public informational hearing; there were no public comments. Mayor Nickels closed the public informational hearing.

P. Braun read the staff recommendation which included the following conditions for the request.

- A. The CUP shall require compliance with all applicable local and state regulations including any site plan approval conditions.
- B. Gravel areas on the site shall either be asphalt or concrete.
- C. The site shall be cleaned of any trash and garbage prior to issuance of a site plan final occupancy permit.
- D. Any disturbed areas on the site shall be restored with grass or other vegetative cover meeting erosion control standards.
- 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.

Moved by Muenzenmeyer, seconded by Steinbrenner, to approve the Conditional Use Permit for the establishment of Mini-Warehouses subject to the recommended conditions. The motion carried by the following vote:

Aye: 6 - Alderperson Brey, Member Hornung, Mayor Nickels, Member Koski, Member Muenzenmeyer and Member Steinbrenner

[18-0295](#)

PC 4-2018: Tax Incremental District # 20 Project Plan Public Hearing

N. Sparacio stated that the details of the proposed new TIF District No. 20 (TID 20) creation were provided at the February meeting, and the steps for tonight are the public hearing and possible adoption of the plan, boundary, and resolution. The required notices have been published, and the initial meeting of the TIF Joint Review Board has been held. No public comments have been received by the Community Development

Department to date. A representative of Lakeside Foods was in attendance to answer any questions about their expansion project.

N. Sparacio further explained that the proposed TID 20 is an Industrial TIF district, meaning that more than 50% of the lands in the district are zoned for and suitable for industrial use. These lands must then remain zoned Industrial for the life of the district. The economic feasibility analysis, possible district expenditures, cash flow analysis, and TIF (12%) capacity analysis are all complete and included in the Project Plan.

Mayor Nickels opened the public hearing. There were no public comments, so Mayor Nickels closed the public hearing. Mayor Nickels stated the recommendation is approval of the Project Plan, Boundary, and Resolution for TID 20.

This item was discussed.

V. REFERRALS FROM COMMON COUNCIL

VI. OLD BUSINESS

Aye: 6 - Alderperson Brey, Member Hornung, Mayor Nickels, Member Koski, Member Muenzenmeyer and Member Steinbrenner

[18-0197](#)

PC 10-2017 Kwik Trip / LaCrosse Sign Company: Compliance Review of an Animated Sign located at 2102 Washington Street.

T. Caulum explained that this item was discussed at the February Plan Commission meeting but no formal action was taken due to a lack of quorum. T. Caulum recapped the history of the Special Use Permit for an animated sign in a B-3 General Business District. T. Caulum stated the first request from Kwik Trip was denied by the Plan Commission, however an alternate animated sign location was approved by the Plan Commission and Common Council in May of 2017.

T. Caulum stated a field visit by staff confirmed Kwik Trip was complying with all of the conditions of the Special Use Permit, except that the landscaping plans have not yet been submitted to the City per the approved conditions.

T. Caulum stated the staff recommendation is to approve the annual review of the animated sign as well as a recommendation to again review the Special Use Permit at the September 2018 Plan Commission.

Moved by Brey, seconded by Muenzenmeyer, to approve the annual review of an animated sign located in a B-3 General Business District. The Commission also recommends a review of the landscaping plan at the September 2018 meeting. The motion carried by the following vote:

Aye: 6 - Alderperson Brey, Member Hornung, Mayor Nickels, Member Koski, Member Muenzenmeyer and Member Steinbrenner

[18-0199](#)

PC 5-2018: Sonnenburg Builders; Request for a Special Permit for an Animated Sign in a C-1 Commercial Zoning District at 2125 N. Rapids Road

P. Braun explained that this item was discussed in detail at the February Plan Commission meeting but no formal action was taken due to a lack of quorum. P. Braun provided a quick update stating that all the sign code requirements are being met and that there were no issues or concerns with the animated sign request.

Moved by Hornung, seconded by Brey, to approve the issuance of a Special Permit for the placement of an Animated Sign at 2125 N. Rapids Road. The motion carried by the following vote:

Aye: 6 - Alderperson Brey, Member Hornung, Mayor Nickels, Member Koski, Member Muenzenmeyer and Member Steinbrenner

[18-0196](#)

PC 6-2018: Schultz, Request for a Conditional Use Permit for the Establishment of a Micro-Blading Establishment at 2510 Washington Street

P. Braun explained that this item was discussed in detail at the February Plan Commission meeting but no formal action was taken due to a lack of quorum. P. Braun commented that the request is from Brittany Schultz, owner of Acupuncture by the Lake located at 2510 Washington Street. She is planning on adding Microblading to her other services she provides at the location. P. Braun stated that there were no comments received by staff or presented at the February public informational hearing.

P. Braun read the staff recommendation which included the following conditions for the request.

1. If the applicant does not secure licensing from the State of Wisconsin, by December 31st, 2018, this CUP is void and terminates effective January 1, 2019. The applicant shall provide the Department of Community Development written documentation evidencing the issuance of the license.
2. The CUP authorizing the location and operation of the business in the CUP Area shall not be approved until the Common Council approves the CUP.
3. This CUP does not waive or pre-empt any requirements under any building, zoning, or health codes or any other requirements of any municipal, state or federal regulation, statute or law.

4. The CUP is granted exclusively to Brittany Schultz, d.b.a. Acupuncture by the Lake and is not assignable to any other person or entity unless authorized by the City Plan Commission and Common Council.
5. 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.
6. The CUP shall automatically terminate effective the date any license or certification granted to the Owner by the State, or any State-approved license which is assigned or transferred to a City-approved assignee or licensee for the micro-blading business at the CUP Area is closed, denied, revoked, or terminated by either the Owner or the State.

Moved by Muenzenmeyer, seconded by Steinbrenner, to approve the Conditional Use Permit for a Tattoo / Microblading establishment located at 2510 Washington Street pursuant to the recommended conditions, and to instruct the Clerk to schedule a public hearing for the April 16th, 2018 Common Council meeting. The motion carried by the following vote:

Aye: 6 - Alderperson Brey, Member Hornung, Mayor Nickels, Member Koski, Member Muenzenmeyer and Member Steinbrenner

[18-0206](#)

PC 3-2017: Knutson / Terp; Request for a Conditional Use Permit for an Open Sales Lot located at 2020 Dufek Drive

P. Braun explained that this item was discussed in detail at the February Plan Commission meeting but no formal action was taken due to a lack of quorum. P. Braun provided a quick update of the request stating that original Conditional Use Permit (CUP) terminated and that the owners were required to reapply for a new CUP for the open sales lot.

P. Braun stated that Gary Stolp, owner of the Subway restaurant to the north, commented that the owners have complied with all of the conditions and that he has no concerns with the use. P. Braun commented that the proposed conditions are identical to the original conditions with the exception being that the termination date will be January 1, of 2020.

P. Braun stated the recommendation is to approve the conditional use permit subject to the following conditions:

1. Compliance with the terms and conditions of the CUP shall be reviewed by the Plan Commission and Common Council in January, 2019.

2. The Open Sale Hours for the operation shall be between dawn and dusk, Monday - Sunday.
3. All exterior lighting from the CUP area shall be contained to the site and shall not filter over the property lines onto adjoining properties.
4. In the event the property comprising the CUP Area is sold or leased to a party other than an entity in which Carl Knutson or Timothy Terp has a controlling interest, the CUP shall then terminate effective the date of conveyance.
5. The Property is limited to a maximum of 8 storage sheds and 4 vehicles at any single time. Vehicles include automobiles, trucks, trailers, campers, RV's, and boats.
6. Product sold or stored on the site shall be setback at least 15 feet from the residential use along the west property line and setback at least 10 feet from the north property line. There shall also be a 100' x 70' vision triangle located at the northeast corner of the Owners parcel; the attached CUP map depicts this area. The intent of the above described vision triangle is to maintain the site vision to the business to the north.
7. The storage of any materials, junk, debris, garbage or inoperable vehicles is prohibited on the subject property.
8. All products displayed on the Property shall not be placed in the right-of-way or in the vision triangles. Product shall be displayed, placed, and located in an orderly fashion.
9. This CUP shall automatically terminate on January 1, 2020. The intent of this CUP is to encourage the owners to redevelop the property for a higher and better use but temporarily provides the owners with an interim use. The owners shall have to reapply for a CUP after the termination date.

Moved by Brey, seconded by Koski, to approve the Conditional Use Permit for the establishment of an Open Sales Lot in a B-3 General Business Zoning District located at 2020 Dufek Drive pursuant to the recommended conditions, and to instruct the Clerk to schedule a public hearing for the April 16th, 2018 Common Council meeting. The motion carried by the following vote:

Aye: 5 - Alderperson Brey, Mayor Nickels, Member Koski, Member Muenzenmeyer and Member Steinbrenner

Nay: 1 - Member Hornung

to MMC 15.370(19). Recommending approval of the associated licenses for the community Living Arrangements for 2018 pursuant to section 15.370(19).

T. Caulum explained that this item was discussed at the February Plan Commission meeting but no formal action was taken due to a lack of quorum. T. Caulum stated that the annual review of Community Living Arrangements is pursuant to Section 15.370(19)b of the Municipal Code. T. Caulum explained that he contacted the Police, Fire and Building Inspection Departments to see if there were any complaints or concerns on record for the past year; no complaints were on record with any of the departments.

T. Caulum explained that as of January, 2018 there are a total of 35 Community Living Arrangements in the City; 7 of which are adult family homes, (3 or 4 beds) and 28 of which are Community Based Residential Facilities (5 or more beds).

Moved by Muenzenmeyer, seconded by Hornung, to approve the annual review of the Community Living Arrangements. The motion carried by the following vote:

Aye: 6 - Alderperson Brey, Member Hornung, Mayor Nickels, Member Koski, Member Muenzenmeyer and Member Steinbrenner

[18-0201](#)

PC 3-2018: Harbor Assistance Program - Annual Statement of Intentions

P. Braun explained that this item was discussed at the February Plan Commission meeting but no formal action was taken due to a lack of quorum. P. Braun stated that the statement of intentions indicates eight possible projects and the list of projects does not commit the City to complete any of them. The Harbor Commission has also reviewed and supported the statement of intentions.

Moved by Hornung, seconded by Koski, to support the 2018 - 2020 Wisconsin Department of Transportation Harbor Assistance Program's Annual 3 Year Statement of Intentions. The motion carried by the following vote:

Aye: 6 - Alderperson Brey, Member Hornung, Mayor Nickels, Member Koski, Member Muenzenmeyer and Member Steinbrenner

[18-0203](#)

PC 1-2018: Maritime Ag, LLC; Quit Claim Deed for Knuell Street purposes

P. Braun explained that this item was discussed at the February Plan Commission meeting but no formal action was taken due to a lack of quorum. The quit claim deed is related to a certified survey that was approved and the dedication is for a portion of Knuell Street.

Moved by Hornung, seconded by Muenzenmeyer, to approve and accept the Quit Claim Deed; and instruct the Clerk to record the deed at the Manitowoc County Register of Deeds Office. The motion carried by the following vote:

Aye: 6 - Alderperson Brey, Member Hornung, Mayor Nickels, Member Koski, Member Muenzenmeyer and Member Steinbrenner

VII. NEW BUSINESS

[18-0297](#)

PC 4-2018: Discussion and Possible Action on Tax Incremental District # 20 Project Plan and Boundary Creation Resolution

The Commission discussed this item earlier during the Public Hearing portion of the meeting.

Motion by Hornung, second by Brey to approve the TID 20 Project Plan and Boundary Creation and to approve the adoption resolution.

VIII. MISCELLANEOUS

A. Manitowoc County Activities: None

B. Certified Survey Maps (CSM):

1. Kornely: NW ¼, NE ¼, Section 9, Township 19 North, Range 24 East, City of Manitowoc.
2. Stanleas III, LLC.:NE ¼, NW ¼ Section 14, Township 19 North, Range 23 East, City of Manitowoc.

C. Summary of Site Plans:

1. SP 1-2018 Wisconsin Aluminum Foundry: Building Expansion, 838 S. 16th Street

D. Director's Report

N. Sparacio provided an update on Council actions towards recent Plan Commission recommendations and on development activities around the community.

IX. ADJOURNMENT

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.