



# City of Manitowoc

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

## Meeting Minutes

### Plan Commission

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Wednesday, October 26, 2016

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 Justin Nickels at 6:00 pm.

#### II. ROLL CALL

**Present:** 8 - Jim Brey, Dave Diedrich, Daniel Hornung, Mayor Nickels, Dan Koski, Jim Muenzenmeyer, Dennis Steinbrenner and Peter Dorner

Staff Present: Nic Sparacio, Paul Braun, Tyler Caulum, Lisa Mueller

Others Present: Jeff DeZeeuw, Michael Check

#### III. APPROVAL OF MINUTES

[16-1002](#) Approval of the Minutes of the September 28, 2016 Meeting.

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

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

#### IV. NEW BUSINESS

[16-1009](#) PC 37 - 2016: Oak Park Developers, LLC., Certified Survey review and possible dedication of Knuell Street.

P. Braun stated that Mike and Jeffrey Check, who are members of Oak Park Developers, LLC have a pending land sale for all of their property north of Knuell Street and south of Goodwin Road. A certified survey is a requirement because of the buyer's financing. It's unknown at this time what the buyer's intentions are with the land. The existing Official Map streets, which were created in 2004 based off a concept plan from S.M.I., run through the property extending from the northern ends of Knuell and Kellner Streets north to Goodwin Road.

P. Braun wanted to have the Plan Commission provide their opinion and recommendation regarding the dedication of the Official Map portion of Knuell Street. P. Braun explained that there is a large ribbon of DNR mapped wetlands that the future streets would go through. He continued to

explain that he talked with Carrie Webb who is the DNR's Water Management Specialist and she stated that an applicant wanting to perform any work in a wetland must prove that there are no other alternatives which could avoid the wetlands. A concern of requiring dedication is that the wetlands may prevent any street construction, so it may not make sense to have a dedicated right-of-way if the construction of the road isn't allowed due to the wetlands. If it is impossible to construct a road through the wetlands then the Official Map street should be amended.

P. Braun commented that if the Official Map streets are amended then the City should require a utility easement through the Oak Park Developers, LLC property to insure the orderly extension of the sanitary, water and other utilities into the Soaring Eagles Dairy property which is to the north of the Oak Park Developers property. P. Braun continued to explain that a large portion of the Official Map streets run through property owned by Soaring Eagle Dairy, LLC; which they recently purchased in 2012 from Oak Park Developers, LLC. P. Braun stated that he will contact Soaring Eagle Dairy to make them aware of the potential changes to the Official Map street pattern.

Mayor Nickels asked M. Check if he had anything to add to the discussion. M. Check stated he is not aware of what the buyers' intentions are. He continued to state that, with the location of the mapped DNR wetlands, it is virtually impossible to cross the wetlands with any street extensions.

The Plan Commission continued to discuss the issue of wetlands, future utility extensions to the north, the depth of the sewers and the long range plans that Soaring Eagle may have for their property. P. Braun stated that he would contact Soaring Eagle to make them aware of the discussions and to get a sense of what their long term plans are with their property. M. Check stated that even if a street could be placed through the wetland they would not be able to create any saleable adjacent lots and that the asking price for the other buildable lots would have to be inflated to cover the costs of the street through the wetlands. M. Check continued to state that there is a north / south running easement for ATC that runs along the east line of Soaring Eagle Dairy's property line and that he would assume no home owner would want to have their driveway run under the utility lines to access their residence.

After further discussion the Plan Commission instructed staff to meet with Soaring Eagle Dairy to determine their long range plans. The Commission also instructed staff to begin the official map street process removing the Knuell Street official map extension up to the existing dedicated but unimproved cul de sac that is to the east of the Oak Park Developers property. Finally, the Commission instructed staff to meet with the

Engineering Department to determine the best location of any easements that would service Soaring Eagle Dairy's land.

**This item was discussed. No action taken.**

## V. PUBLIC INFORMATIONAL HEARINGS

### [16-1003](#)

PC 36 - 2016 Public Hearing for the purpose of hearing any and all interested parties in the matter of the Analysis of Brownfield Cleanup Alternatives at the former Mirro Plant 9 property located at 1512 Washington Street.

Mayor Nickels introduced to the Commission the topic regarding the public hearing for Brownfields Cleanup Alternatives. Mayor Nickels opened up the public hearing portion of the meeting. There were no public comments provided.

N. Sparacio provided the Commission with the background information regarding the public hearing. The public hearing is part of the community involvement process for the Brownfields Revolving Loan Fund program. N. Sparacio stated that the Plan Commission does not need to take any formal action. The purpose of the meeting is to provide a venue for public comment.

Mayor Nickels asked again if there were any public comments; there were none. Mayor Nickels closed the public hearing.

**This item was discussed. No action was required to be taken.**

## VI. REFERRALS FROM COMMON COUNCIL

### [16-1004](#)

PC 35 - 2016 Request to Lease vacant City Owned Land off of Orchard Lane for Farm Purposes (Former Heresite Property).

P. Braun stated that the Finance Committee referred the request from Jay Steuer to the Plan Commission. Mr. Steuer is interested in leasing a portion of the City-owned 20 acre parcel off of Orchard Lane. Mr. Steuer currently farms other land in the general area of the City property and would like to add the subject property to the lands he leases.

P. Braun stated that the original 20 acre parcel was split into two by a certified survey and the west lot, which is 12.6 acres is the area Mr. Steuer is interested in leasing. Of the 12.6 acres, approximately 9.5 acres can be farmed because of a wooded area in the northeast corner of the lot and overgrowth along the fence lines. P. Braun said that there have been other individuals interested in purchasing the property but the City was not interested in selling at that time because of the environmental assessment work that was occurring on the property.

P. Braun recommended that only the west lot be leased and that the lease term be year to year or a very short term with clauses in place to terminate the lease if the City has a buyer or another use for the property.

**Moved by Diedrich, seconded by Hornung, to approve the request subject to the following: i) instruct the City Attorney's office to draft a lease, and ii) determine a lease rate and length of lease, including language to allow the City the right to terminate the lease if the land is sold or used for different purposes at the City's sole discretion, and iii) instruct the Mayor and Clerk to sign said lease. The motion carried by the following vote:**

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

## VII. OLD BUSINESS

### [16-0799](#)

PC 25-2014: Ramirez Auto and Towing 1545 S. 41st Street. Annual Review of a Conditional Use Permit for the Operation of a Wrecker Service in the C-1 Commercial Zoning District.

T. Caulum provided an update on the annual review of a Conditional Use Permit (CUP) to operate a wrecker service in a C-1 Commercial Zoning District for Ramirez Auto and Towing. T. Caulum stated that he and Deputy Fire Chief Kadow visited the shop and Mr. Ramirez had made the requested improvements regarding the storage of tires and scrap metal to comply with the CUP.

Discussion ensued regarding the good reputation of Ramirez Auto in the community and the potential addition of a large dumpster to remove the scrap metal more efficiently.

T. Caulum stated the staff recommendation to approve the annual review of the CUP, instructing the staff to construct an updated review of the CUP in April of 2017.

**Moved by Brey, seconded by Muenzenmeyer, to approve the review of the CUP to operate a wrecker service in a C-1 Zoning District. Move the next review of the CUP to the April 2017 Plan Commission meeting to encourage increased compliance with the CUP. The motion carried by the following vote:**

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

### [16-1010](#)

PC 34-2016: Discussion/Update on Revision to Chapter 15.270 B-3 General Business District to allow Outside Storage & Sales as a Conditional Use Permit.

Mayor Nickels explained to the Commission that D. Hornung requested that the topic be placed on the Plan Commission agenda for further discussion. D. Hornung explained that he wanted to make sure that the intent of the "Outside Storage and Sales" ordinance change was intended

to only allow such uses in the B-3 General Business District, and that it was not intended to be allowed in the B-4 Central Business District. J. Brey stated that his intention was that the ordinance change would only allow outside storage and sales in the B-3 district and not in the B-4.

N. Sparacio commented that it was an oversight when the original text was drafted and that outside storage and sales was not intended to be allowed in the B-4 district which is generally the downtown area. Additional discussion occurred and the consensus was that outside storage and sales would not be allowed in the B-4 downtown zoning district.

**This item was discussed. No action taken.**

## VIII. NEW BUSINESS

### [16-1006](#)

PC 1 - 2016: Donald Umnus Trust; Quit Claim Deed for Dutch Road.

P. Braun introduced the quit claim deed and stated that the dedication is related to a certified survey that was recently approved. The area to be dedicated is 0.15 acres for Dutch Road purposes. Mayor Nickels called for a vote.

**Moved by Diedrich, seconded by Hornung, to recommend that i) the Council approve and accept the Quit Claim Deed; and ii) the Clerk to subsequently record the document at the Register of Deeds Office. The motion carried by the following vote:**

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

### [16-1007](#)

PC 1 - 2016: Donald Umnus Trust; Quit Claim Deed for S. Alverno Road.

P. Braun introduced the quit claim deed and stated that the dedication is related to a certified survey that was recently approved. The area to be dedicated is 0.18 acres for S. Alverno Road purposes. Mayor Nickels called for a vote.

**Moved by Diedrich, seconded by Hornung, to recommend that i) the Council approve and accept the Quit Claim Deed; and ii) the Clerk to subsequently record the document at the Register of Deeds Office. The motion carried by the following vote:**

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

### [16-1008](#)

PC 1 - 2016: Plenty O Suds, LLC.; Quit Claim Deed for Calumet Avenue and S. 36th Street.

P. Braun introduced the quit claim deed and stated that the dedication is related to a certified survey and site plan submittal that were recently approved. The area to be dedicated is triangular shaped, measuring 35 square feet. The land is located at the southwest corner of Calumet

Avenue and S. 36th Street. Mayor Nickels called for a vote.

**Moved by Diedrich, seconded by Hornung, to recommend that i) the Council approve and accept the Quit Claim Deed; and ii) the Clerk subsequently record the document at the Register of Deeds Office. The motion carried by the following vote:**

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

## IX. MISCELLANEOUS

A. Manitowoc County Activities: None

B. Certified Survey Maps (CSM):

1. Gregory Muske / Tara Russell: NW 1/4, SW ¼ and SW 1/4 , SW ¼, Section 18, Township 19 North, Range 23 East Town of Manitowoc Rapids.

C. Summary of Site Plans From August 16, 2016 – To September 16, 2016:

1. SP 16 – 2016: Wisconsin Aluminum Foundry, 816 S. 15th Street, 800 square foot addition

2. SP 17 - 2016: Hamilton Street Mini Storage; 2625 Hamilton Street

3. SP 18 – 2016: Prevea Clinic; 4810 Expo Drive, 10,972 square foot new building

4. SP 19 – 2016: LakeBreeze Apartments, Buildings 6, 7, 8, 9, 10, & 11. Lake Breeze Drive.

D. Director's Report

N. Sparacio provided a Director's report to the Commission via email. There were no questions by the Commissioners.

## X. ADJOURNMENT

**Moved by Diedrich, seconded by Dorner, that the Meeting be adjourned at 7:00 pm. The motion carried by the following vote:**

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

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.