



City of Manitowoc

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

Meeting Minutes

Plan Commission

Wednesday, January 27, 2021

6:00 PM Council Chambers. Meeting also available via Remote Conferencing

I. CALL TO ORDER

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

II. ROLL CALL

Present: 7 - Jim Brey, Dave Diedrich, Daniel Hornung, Mayor Nickels, Dennis Steinbrenner, Greg Jagemann and Curtis Hall

Absent: 1 - Dan Koski

Staff Present: Paul Braun, Adam Tegen, Jen Bartz

Others Present: Amy O'Shea, Tracy Hunt, Cian Cox, Patrick Swetlik, Kassie Swetlik, Paul Kluncker, Carl Knutson

III. APPROVAL OF MINUTES

[21-0068](#) Approval of Minutes of the December 16, 2020 Plan Commission meeting.

Moved by Diedrich, seconded by Hornung, that the Minutes of the December 16, 2020 meeting be approved. The motion carried by the following vote:

Aye: 7 - Brey, Diedrich, Hornung, Mayor Nickels, Steinbrenner, Member Jagemann and Member Hall

IV. PUBLIC HEARINGS

[21-0069](#) PC 6-2021: Swetlik; Rezone from R-6 - Multiple Family District to B-2 Neighborhood Business District for property located at 2105 Western Avenue.

P. Braun detailed the location of the requested rezone and the differences between the current zoning of R-6 Multiple Family District and the requested zoning of B-2 Neighborhood Business District. He went on to explain some details of the project plan and noted that the property is small and has no on-street parking on Western Avenue or S 21st Streets.

P. Braun indicated that the use will be a dog groomer with one employee and the anticipated opening date is spring of 2021. He went on to explain that although pet grooming is not specifically listed in B-2 zoning, the

Director of Building Inspection or their designee can interpret the Zoning Code and in this case the use aligns with barber, beauty and tanning establishments which are permitted uses in the B-2.

P. Braun said that a mailing went out all neighbors within 200' making them aware of the rezone request. He also stated that he contacted the Police Department and Building Inspection to provide a report on and concerns and complaints that occurred prior to the Swetlik's taking ownership of the property. There was one garbage issue that was taken care of and multiple police reports under the previous ownership.

Acting Chairman J. Brey asked Commissioners for questions.

D. Diedrich said that the building is an eyesore and stated that improvement would be good. He noted the concerns shared in an email from T. Hunt regarding parking, but also noted that there would likely not be a lot needed for a pet grooming business. He asked P. Braun if he has concerns with off-street parking. P. Braun indicated that he agrees with tight parking. D. Diedrich reiterated that his concern is the parking and the ingress/egress with the busy intersection.

G. Jagemann said that he feels it will be a welcome improvement. He stated that a dog grooming business would not have a lot of customer traffic, so additional parking would not be needed. P. Braun stated that the petitioner has expressed interest in using or purchasing the city-owned property which is adjacent.

C. Hall added that the City does plow that corner currently and agreed that traffic is challenging at that intersection.

Acting Chairman J. Brey opened the public hearing.

Kassie Swetlik, 9035 Popelar Road, Whitelaw; the Western Avenue property owner, stated that she agrees that parking is tight at the location, but it is grown over currently and once cleaned there will be more room. She stated that they can comfortably fit three spaces. She also stated that they want to approach the owner of the neighboring multi-family property to perhaps see if driveways could connect to provide both properties with easier access. She also stated the business will be just her and she will not be open on evenings or weekends. She said that her clients drop off their dog, the dog gets groomed, and they get picked up. She also clarified that the business will be dog grooming only and no retail.

Tracy Hunt, 709 S 22nd Street, stated she has spoken to other neighbors who have concern about the business. She said that her main

concern is about any future use and if the property is rezoned, it could be utilized for an undesirable use should the current owner sell. She also said she does not believe the intersection was ever designed for business uses at this property. She reiterated that the neighbors she spoke with are vehemently opposed.

Amy O'Shea, 1514 Torrison Drive, stated that she is in favor of rezone. She said that she thinks the building is an eyesore and any improvements will help the property value of other adjacent properties. She addressed T. Hunt's concerns that this would not be a good location for any less desirable business as it would not be marketable due to the lack of parking. She stated that dog grooming is a low traffic volume use with high visibility and will provide a great service to the community.

A. O'Shea read a letter into record from Jutta Furca, 1509 Torrison Drive, who agrees with the rezoning and feels it would be good for the community.

Acting Chairman J. Brey closed the public hearing.

Acting Chairman J. Brey asked if the location was rezoned previously as the location was a drug store. P. Braun indicated he was not aware of a previous rezone.

P. Braun addressed T Hunt's concern that the city cannot contract zone and rezone would allow any use in that district.

Motion by Steinbrenner, seconded by Jagemann to approve the rezone at 2105 Western Avenue from R-6 - Multiple Family District to B-2 Neighborhood Business District. The motion carried by the following vote:

Aye: 7 - Brey, Diedrich, Hornung, Mayor Nickels, Steinbrenner, Member Jagemann and Member Hall

V. OLD BUSINESS

[21-0073](#)

PC 8-2021: Manitowoc Lutheran High School Request to Purchase City Owned Property.

D. Steinbrenner stated he will recuse himself on this agenda item due to his previous affiliation with the school.

P. Braun detailed the location of the property on the northeast corner of N. Rapids Road and Waldo Blvd. He stated that the property is former WisDOT right-of-way and it was deeded to the City. He stated that there were conditions placed on the title by WisDOT upon the transfer to the City; early discussions indicate that WisDOT has agreed to waive the conditions.

P. Braun pointed out that there are utilities running through the location and referred to a map for additional details. He stated that future use indicates a potential roundabout in the area. If supported, he stated the City would like to retain a portion for a future roundabout and would also recommend utility easements be created if they don't exist currently.

P. Braun stated next steps are for this item to go to Public Infrastructure. He said the recommendation is to transfer property to MLHS, but to retain enough property for the future roundabout if its constructed sometime in the future.

D. Diedrich asked if sidewalks are maintained by the City or the school. D. Steinbrenner indicated that the school maintains the sidewalk and lawn in that location.

Paul Klunker stated that the roundabout would cut into the 1.94 acres. He stated he suggests it be delayed until the estimated right-of-way boundaries can be determined.

P. Braun recommends Plan Commission approve the concept and transfer of the property. P. Braun stated that Public Infrastructure can determine how much is needed for future use and this will be on the PI agenda the week of February 1, 2021.

P. Klunker agreed to keep this process moving by sending the request to Public Infrastructure.

Motion by Hornung, seconded by Nickels, to approve the Manitowoc Lutheran High School request to purchase city-owned property. The motion carried by the following vote:

Aye: 6 - Brey, Diedrich, Hornung, Mayor Nickels, Member Jagemann and Member Hall

Abstain: 1 - Steinbrenner

[21-0072](#)

PC 5-2020: Knutson, Annual Review of a Conditional Use Permit for an Open Sales Lot located at 2020 Dufek Drive.

P. Braun shared the location of the property and description of the conditional use permit as an open sales lot for storage sheds and vehicles. He noted that the permit expires in January 2022 if the current use as an open sales lot is ongoing. He said that he spoke with Carl Knutson, property owner, to verify if their plan is still to open a coffee shop at the location. P. Braun stated he was provided with a preliminary site plan, but was advised there have been delays in the project due to numerous reasons.

P. Braun shared that Gary Stolp, a neighboring property owner, stated

concerns about the vision triangle, mud on the streets, and cars driving through the lot. He also noted that if this use continues, the surface should be a hard surface and not gravel.

P. Braun stated that if the coffee shop does not occur and the CUP expires, the property owner will need to reapply for a CUP and a future condition may be to have a hard surface parking lot. He also stated that he did reach out to the police and fire departments, as well as building inspection, and there were no other complaints or issues.

Acting Chairman J. Brey asked the Commissioners for questions and there were none.

D. Hornung stated that the Plan Commission could push the 2022 review date out if there are further delays and recommended the property owner request an extension if that is the case.

Mayor J. Nickels added that something different needs to happen with this lot by 2022 as Bank First is expanding down the street and the goal has been to see this lot as something more than what it is currently.

Motion by Diedrich, seconded by Hall to approve the annual review of a Conditional Use Permit for an open sales lot located at 2020 Dufek Drive. Motion carried by the following vote:

Aye: 7 - Brey, Diedrich, Hornung, Mayor Nickels, Steinbrenner, Member Jagemann and Member Hall

[21-0070](#)

PC 33-2019: Holy Family Memorial / Core Treatment Services Annual Review of 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.

Motion by Diedrich, seconded by Nickels to approve the Holy Family Memorial / Core Treatment Services annual review of a Conditional Use Permit for the establishment of a Transitional Housing Residential Treatment Center in the B-1 Office - Residential Zoning District and to remove the annual review as a condition. Motion carried by the following vote.

Aye: 7 - Brey, Diedrich, Hornung, Mayor Nickels, Steinbrenner, Member Jagemann and Member Hall

[21-0071](#)

PC 4-2020: Michael Plate. d.b.a. Plate Enterprises: Annual Review of a Conditional Use Permit - for the operation of a Recycling Facility Located 1107 Franklin Street.

P. Braun reviewed the Conditional Use Permit for the recycling and salvaging location. He noted that the conditions have been met, but there were concerns and issues early on. He said that Michael Plate has been responsive to any concerns that needed to be addressed. He further

explained that this property is in the C-1 Commercial District and the zoning code has been amended so that this type of CUP can no longer be issued in a C-1 district; the current use is a "grandfathered" use.

Acting Chairman J. Brey added that this is a good service to the community and Manitowoc County by cleaning up junk that is an eyesore of items that people do not want.

D. Steinbrenner agreed that the zoning amendment to not allow this service in a C-1 is a good idea.

Motion by Mayor J. Nickels, seconded by D. Hornung to approve the Michael Plate. d.b.a. Plate Enterprises annual review of a Conditional Use Permit for the operation of a Recycling Facility Located 1107 Franklin Street, but to not remove the annual review as a condition at this time. The motion carried by the following vote:

Aye: 7 - Brey, Diedrich, Hornung, Mayor Nickels, Steinbrenner, Member Jagemann and Member Hall

VI. NEW BUSINESS

[21-0074](#)

PC 4-2021: City of Manitowoc; Text Amendment to MMC 15.330 & 15.350 Regarding Ammunition Manufacturing and Storage in the I-1 Light Industrial Zoning District.

P. Braun stated that this item is related to AMMO Inc expansion. He explained that the current zoning of I-1 Light Industrial does not allow ammunition manufacturing. As a condition of the sale, the City agreed to allow the manufacture of ammunition in the I-1 district on a property that is more than 25 acres. He indicated that there are only four or five parcels in the city that meet the criteria. He also noted that this is a text amendment, not map amendment.

Motion by Hornung, seconded by Diedrich to approve the text amendment to MMC 15.330 & 15.350 regarding Ammunition Manufacturing and Storage in the I-1 Light Industrial Zoning District. Motion carried by the following vote:

Aye: 6 - Brey, Diedrich, Hornung, Mayor Nickels, Steinbrenner and Member Hall

Abstain: 1 - Member Jagemann

[21-0076](#)

PC 2-2021: Annual Review of Community Living Arrangements.

Moved by Diedrich, seconded by Jagemann, that this Action Item be approved for consent agenda. The motion carried by the following vote:

Aye: 7 - Brey, Diedrich, Hornung, Mayor Nickels, Steinbrenner, Member Jagemann and Member Hall

[21-0077](#)

PC 3-2021: Modifications to Community Development Fee Schedule.

Motion by Diedrich, seconded by Steinbrenner to approve modifications to the Community Development Fee Schedule. Motion carried by the following vote:

Aye: 7 - Brey, Diedrich, Hornung, Mayor Nickels, Steinbrenner, Member Jagemann and Member Hall

[21-0078](#)

PC 7-2021: Discussion Regarding Minimum Dwelling Unit Size in R-5 Low-Density Multiple Family District.

P. Braun stated that this item came from a request through Building Inspection as an individual inquired into tiny houses. He provided the minimum dwelling size in the residential zoning districts and indicated that it not being included in R-5 district may be an oversight from years ago. The recommendation is complete a text amendment to add the minimum dwelling unit size.

P. Braun stated that the tiny house concept should be discussed to determine if this is something City would address.

D. Steinbrenner said that all the tiny houses he sees are mobile and have wheels and stated that the City does not want mobile homes on city lots. P. Braun stated that if someone would want to pursue a tiny mobile home park, there is a section in the Zoning Code to address the idea.

Mayor J. Nickels asked history or rationale behind minimum requirement. P. Braun stated that he is not aware of what the initial drafters of ordinance planned, but perhaps it was added to avoid undersized residences.

C. Hall asked if there are houses that do not meet these requirements and referenced tiny/small houses in the City of Two Rivers.

D. Hornung said he would encourage Community Development staff to research further. He stated that as housing prices go up, this may provide more affordable housing for the community.

Mayor J. Nickels asked how prevalent this is in other cities and if we know what others cities have as minimum dwelling size. P. Braun stated that no research has been done regarding tiny houses in neighboring communities. This item was added to close a loophole in the zoning code. C. Hall asked where the 720sf came from. P. Braun explained it matches the R-4 and R-6 zoning districts.

D. Steinbrenner said now is a good time to research this as tiny homes can be expensive. He added that if someone is interested in a mini home, could two be added on a conventional lot. He said that the City should be prepared with an answer.

Motion by Hornung, seconded by Jagemann that the discussion regarding minimum dwelling unit size in R-5 Low-Density Multiple Family District be tabled. The motion carried by the following vote:

Aye: 6 - Brey, Hornung, Mayor Nickels, Steinbrenner, Member Jagemann and Member Hall

Nay: 1 - Diedrich

VII. MISCELLANEOUS

A. Manitowoc County Activities: None

B. Certified Survey Maps (CSM): None

C. Summary of Site Plans for December 10, 2020 to January 15, 2021: None

VIII. ADJOURNMENT

Motion by Jagemann, seconded by Steinbrenner that this meeting be adjourned at 7:15 PM. The motion carried by the following vote:

Aye: 7 - Brey, Diedrich, Hornung, Mayor Nickels, Steinbrenner, Member Jagemann and Member Hall