

Report to the Manitowoc Plan Commission

Meeting Date: January 26, 2022

Request: PC 3-2022: Zabel / Glasstone LLC; Request for a Conditional Use Permit in the C-1 Commercial Zoning District pursuant to 15.310(3)b for the establishment of mini-warehouse located at 3737 Dewey Street.

Existing Land Use for Subject Property: Vacant Land

Existing Zoning for Subject Property: C-1 Commercial

Surrounding Property Land Uses and Zoning

Direction	Existing Land Use	Existing Zoning
North, East, South, West	Retail, business, commercial	C-1 Commercial

Comprehensive Plan: General Business

Consistency Analysis

While a Conditional Use is not required to be consistent with the Comprehensive Plan, in this instance the requested use is consistent with the land use category identified

Report: Eric Zabel from Glasstone LLC is requesting the issuance of a Conditional Use Permit for the establishment of a Mini-Warehouse at the subject property. Currently the lot is vacant with access provided over a private drive off of Dewey Street. The property is located behind Dalton Carpets and access is off the same drive that served the former Job Center building.

Glasstone is proposing to construct a 250' x 40' building with ten - 15' x 40' units to be leased to the general public. The remainder of the building will be used for storage of personal and business items. At this time there is no retail or sales proposed at the location.

Section 15.030 of the Zoning Code defines a Mini-warehouse as *“an unoccupied, compartmentalized warehouse building in which storage spaces of varying sizes are leased or rented to individuals for general storage purposes for varying periods of time, and providing one or more overhead doors serving each compartment. Mini-warehouses shall comply with ILHR 62.995. The following uses shall be prohibited in mini-warehouses:*

- (a) Storage of flammable or hazardous materials or chemicals;*
- (b) Auctions, commercial, wholesale, or retail sales, or miscellaneous or garage sales;*
- (c) Servicing, repair or fabrication of motor vehicles, boats, trailers, lawn mowers or other similar equipment;*
- (d) The operation of power tools, spray painting equipment, table saws, lathes, compressors, welding equipment or other similar equipment;*
- (e) The establishment of a transfer or storage business; and*
- (f) Any use that is noxious or offensive because of odors, dust, noise, fumes or vibrations.”*

A site plan has been submitted to the City for review, approval of which is conditioned on issuance of the Conditional Use Permit.

Municipal Code:

Pursuant to Section 15.370(27)(c) of the Municipal Code, “the Plan Commission and Council shall consider whether the requested use:

- A. is reasonably necessary for the convenience and welfare of the public.
- B. Is in harmony with the character of the surrounding area.
- C. Will have a minimal effect or no effect on the surrounding property values.

The Commission and Council can affix conditions to the CUP to provide assurances that the proposed use will remain in conformity with the criteria under subsection (27)(c) as well as compliance with regulations of the particular zoning district which the conditional use would be located.”

State Statute:

“§62.23(7)(de) Conditional use permits.

1. In this paragraph:

a. “Conditional use” means a use allowed under a conditional use permit, special exception, or other special zoning permission issued by a city, but does not include a variance.

b. “Substantial evidence” means facts and information, other than merely personal preferences or speculation, directly pertaining to the requirements and conditions an applicant must meet to obtain a conditional use permit and that reasonable persons would accept in support of a conclusion.

2. a. If an applicant for a conditional use permit meets or agrees to meet all of the requirements and conditions specified in the city ordinance or those imposed by the city zoning board, the city shall grant the conditional use permit. Any condition imposed must be related to the purpose of the ordinance and be based on substantial evidence.

b. The requirements and conditions described under subd. 2. a. must be reasonable and, to the extent practicable, measurable and may include conditions such as the permit's duration, transfer, or renewal. The applicant must demonstrate that the application and all requirements and conditions established by the city relating to the conditional use are or shall be satisfied, both of which must be supported by substantial evidence. The city's decision to approve or deny the permit must be supported by substantial evidence.

3. Upon receipt of a conditional use permit application, and following publication in the city of a class 2 notice under ch. 985, the city shall hold a public hearing on the application.

4. Once granted, a conditional use permit shall remain in effect as long as the conditions upon which the permit was issued are followed, but the city may impose conditions such as the permit's duration, transfer, or renewal, in addition to any other conditions specified in the zoning ordinance or by the city zoning board.

5. If a city denies a person's conditional use permit application, the person may appeal the decision to the circuit court under the procedures contained in par. (e) 10."

(Note: in 2017 the Wisconsin legislature also passed Wisconsin Act 67 which lessened the discretion and control of local governments regarding the issuance of conditional use permits.)

Public Comments Notices of the informational hearing were mailed out to adjoining and abutting properties on Wednesday January 19.

Timeline

- Application Received: January 14, 2022
- Notification Sent: January 19, 2022
- Neighborhood Meeting Held: January 26, 2022 at Plan Commission
- Council Public Hearing scheduled for February 21, 2022

Recommendation: Approve the Conditional Use Permit for the establishment of a Mini-Warehouse located at 3737 Dewey Street pursuant to the following conditions:

REQUIREMENTS FOR
CONDITIONAL USE PERMIT (CUP) APPROVAL FOR
GLASSTONE, LLC (GLASSTONE)
LOCATED AT 3737 DEWEY STREET
FEBRUARY 21, 2022

- 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 and Site Plan approval 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.



LAND USE APPLICATION

APPLICANT Eric Zabel PHONE 920-901-4490

MAILING ADDRESS 1232 N 8th St EMAIL eric@zabelmonuments.com

PROPERTY OWNER Glasstone, LLC PHONE _____

MAILING ADDRESS _____ EMAIL _____

REQUEST FOR:

- Conditional Use Permit (CUP) \$350*
- Site Plan Review \$350
- Certified Survey Map (CSM) \$100
- Official Map Review \$350*
- Zoning District Change/Map Amendment \$350*
- Request for Annexation \$350*
- Planned Unit Development (PUD) \$350*
- Street/Alley Vacation \$350*

**Publication of legal notice fees additional.*

STATUS OF APPLICANT: Owner Agent Other

PROJECT LOCATION ADDRESS Behind Dalton Carpet

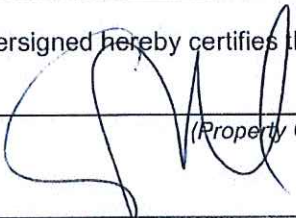
PARCEL ID# 052- formally part of 836301070 CURRENT ZONING C1 commercial

CURRENT USE OF PROPERTY vacant

PROPOSED USE OF PROPERTY Mini Storage unit

REQUIRED: Attach a detailed written description of your proposal or request.
Include as much information as possible including planned use, maps, project renderings or drawings, etc.

The undersigned hereby certifies that the information contained in this application is true and correct.

Signed  (Property Owner) Date 1/14/22

For Office Use Only	
Date Received: _____	PC #: _____
Fee Paid: _____	Check#: _____
Plan Commission Date: _____	

The City of Manitowoc Plan Commission meets the fourth Wednesday of each month at 6pm.
Deadline for submission is the Friday two weeks prior to the meeting.

Please contact the Community Development Department at 920-686-6930 if you have any questions.

Paul Braun

From: Eric Zabel <eric@zabelmonuments.com>
Sent: Friday, January 14, 2022 8:32 AM
To: Paul Braun
Subject: External: Glasstone Mini storage conditional use permit
Attachments: CCE_000295.pdf

Good morning Paul.

Attached is the application for the proposed mini storage building that I am intending to have built. Glasstone is the property holding company that I am the member owner of.

I am planning on building a building that is 250' x 40'. It will have ten, 15' x 40' units which will be rented. Each with a large garage door to allow larger RVs / campers / boats to be stored there. The larger unit, 100' x 40' I intend to rent and store our camper, boat, mini bus, miscellaneous property, etc. there. My architect has suggested two service doors and two garage doors for accessibility in and out for this unit. This building has been drawn to be ADA accessible and the exterior will be built to fit within that area. I don't intend much vehicle traffic; normal mini storage traffic is expected. This building will be unoccupied by individuals.

Any questions, please feel free to call me on my cell. 920-901-4490

Thank you.

Eric Zabel

Be Alert !

This is External or System generated Email. Please verify before opening any links or attachments.

B-3

R-5

P-1

NW 1/4
Sec 36
T19N, R23E

1/4 Section Line

DEWEY ST.

S. 39TH ST.

Request for a Conditional Use Permit for mini-warehouse

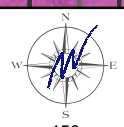
C-1

I-1

SW 1/4
Sec 36
T19N, R23E

R-4


City of Manitowoc



0 150 300 Feet

CONDITIONAL USE PERMIT

City of Manitowoc, WI

 Area of Conditional Use Permit for a Residential Facility for mini-warehouse

DISCLAIMER: Maps and associated data are believed to be accurate, but are not warranted. This information is not intended for legal, survey, or other related uses. Please obtain the original recorded documents for legal or survey information.

Prepared by City of Manitowoc
Community Development Department
www.manitowoc.org
Map Plotted: 1/19/2022

O:\Planning\PC Plan Commission\PC_CUP\2022\PC 3-2022 Zabel Glasstone MiniWarehouse Dewey St\maps\PC 3-2022 CUP Zoning.mxd

PC 3-2022
3737 Dewey St.

Manitowoc City Plan Commission

NW 1/4
Sec 36
T19N, R23E

1/4 Section Line

DEWEY ST.

S. 39TH ST.

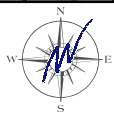
Request for a Conditional Use Permit for mini-warehouse

City of Manitowoc

SW 1/4
Sec 36
T19N, R23E

CONDITIONAL USE PERMIT

City of Manitowoc, WI




0 150 300 Feet

DISCLAIMER: Maps and associated data are believed to be accurate, but are not warranted. This information is not intended for legal, survey, or other related uses. Please obtain the original recorded documents for legal or survey information.

Prepared by City of Manitowoc
Community Development Department
www.manitowoc.org

Map Plotted: 1/19/2022
O:\Planning\PC Plan Commission\PC_CUP\2022\PC 3-2022 Zabel Glasstone MiniWarehouse Dewey St\maps\PC 3-2022 CUP.mxd

 Area of Conditional Use Permit for a Residential Facility for mini-warehouse

PC 3-2022
3737 Dewey St.

Manitowoc City Plan Commission

CERTIFIED SURVEY MAP

DOC# 1245777

VOL 35

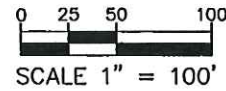
PG 301

TRACT 1 OF A CERTIFIED SURVEY MAP RECORDED IN VOLUME 14, PAGE 367, LOCATED IN THE NE 1/4 OF THE SW 1/4 OF SECTION 36, TOWN 19 NORTH, RANGE 23 EAST, CITY OF MANITOWOC, MANITOWOC COUNTY, WISCONSIN

CTR. CORNER
SEC. 36-19-23

(CHISELED "X")
MTWC. CO. COORD.
N 294217.659
E 224975.769

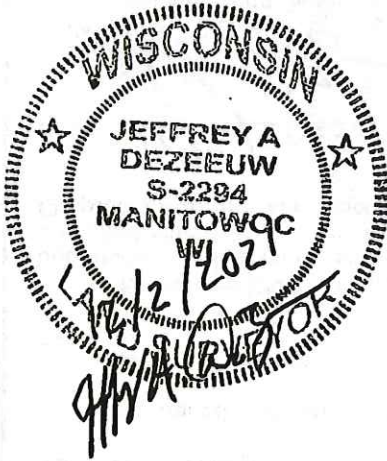
CURRENT PARCEL NUMBER:
836-301-070.00



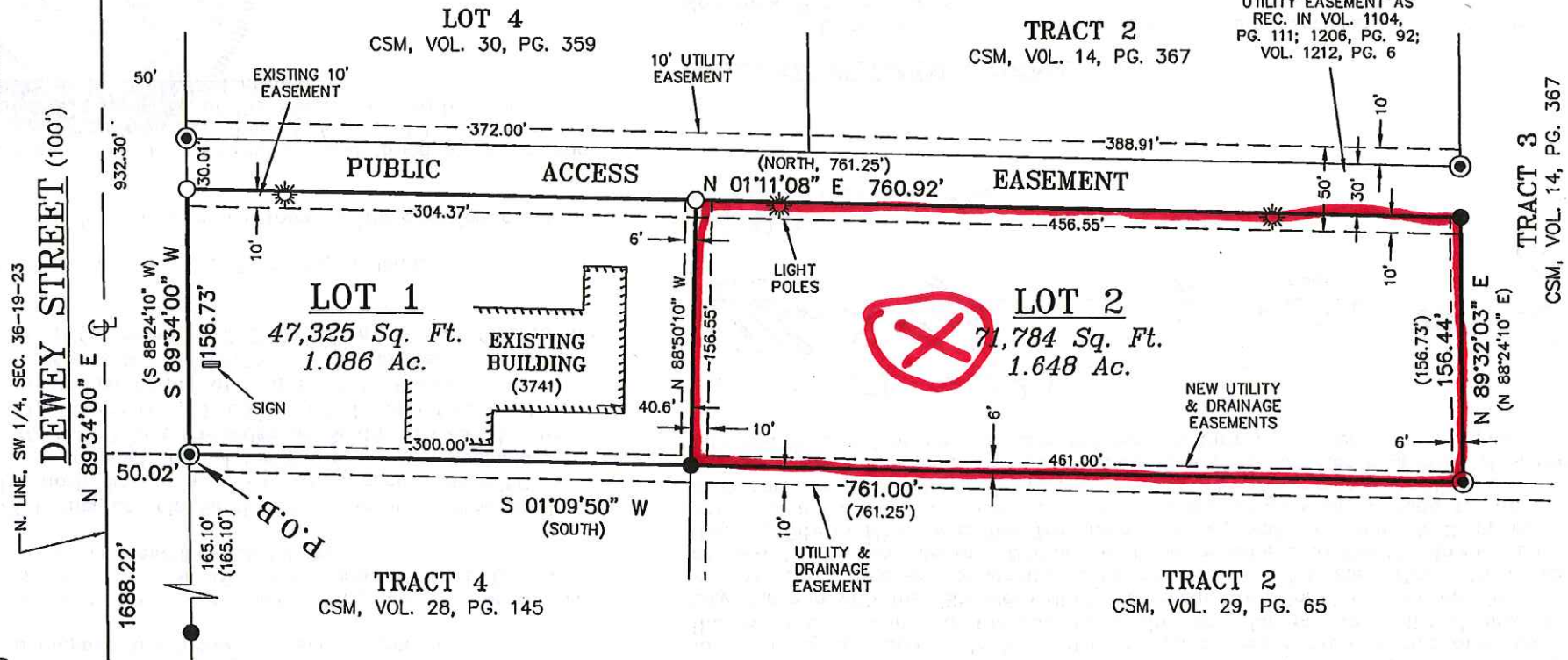
LEGEND

- = 3/4" x 18" IRON REBAR SET WEIGHING 1.13 LBS/FT
- ⊙ = EXISTING 1" IRON PIPE
- = EXISTING 3/4" IRON ROD
- (000) = "RECORDED AS" DIMENSIONS

NORTH IS REFERENCED TO THE WISCONSIN COORDINATE REFERENCE SYSTEM. (PER THE COUNTY PUBLISHED SECTION SUMMARY)



STATE OF WI - MTWC CO
KRISTIN TUESBURG REGISTERS
RECEIVED FOR RECORD
12/28/2021 9:13:28 AM



W 1/4 CORNER
SEC. 36-19-23

(MAG NAIL W/WASHER)
MTWC. CO. COORD.
N 294197.837
E 222355.325

TOTAL AREA
119,109 Sq. Ft.
2.734 Ac.

SHEET 1 OF 2