



# City of Manitowoc

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

## Meeting Minutes

### Plan Commission

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Wednesday, September 26, 2018

6:00 PM

Common 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:** 7 - Jim Brey, Dave Diedrich, Mayor Nickels, Dan Koski, Jim Muenzenmeyer, Dennis Steinbrenner and Greg Jagemann

**Absent:** 1 - Daniel Hornung

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

Others Present: Gene Goodavish, Belinda Esquinas, Dawn Herzog, Margaret Greicar, Angela Bontempo, Jeanne Runnoe, Mark Herring, Mike Lefky, Linda Lefky, Barbara Koch, Petra Morris, Ryan Morris, Peter Allie, Alex Allie, Rhienna Gabriel

#### III. APPROVAL OF MINUTES

[18-0977](#) Approval of the Minutes of the August 22, 2018 Plan Commission Meeting.

**Moved by Diedrich, seconded by Brey, that the Minutes of the August 22, 2018 Meeting be approved. The motion carried by the following vote:**

**Aye:** 7 - Brey, Diedrich, Mayor Nickels, Member Koski, Member Muenzenmeyer, Member Steinbrenner and Member Jagemann

#### IV. PUBLIC INFORMATIONAL HEARINGS

[18-0978](#) PC 25-2016: Resolution Regarding a Comprehensive Plan Amendment to Modify the Map of Future Land Use in the Area of 200 East Waldo Blvd; also known as the Former Elks Club and Golf Course Property

P. Braun introduced the request from Bay Pointe Developers II, LLC to the Plan Commission. Bay Pointe is proposing an amendment to the future land use map changing the uses from Public Parks and Open Space, General Business, and Environmental Corridor to Planned Mixed Use, Public Open Space and Environmental Corridora plan mixed use. P. Braun explained that the subject property is primarily zoned P-1 Conservancy and also includes an area of C-1 Commercial zoning. Since zoning map amendments must be consistent with the Comprehensive Plan, the Future Land Use Map in the Comprehensive Plan must first be amended before other zoning districts could be considered. The Planned Mixed Use category encourages residential, commercial and office

uses which are consistent with Bay Pointe's development plans.

P. Braun explained the history of the previous future land use amendment process in 2016 that was never finalized when Red Arrow Products was the owner of the property. In 2017, Red Arrow sold the property to Bay Point Developers and they are proposing a development consisting of a mix of office and residential uses.

P. Braun informed the Commission that on September 14th, Bay Point hosted a neighborhood meeting with the adjacent property owners to present their plans. P. Braun explained that the meeting was attended by approximately 20 neighbors and that they seemed generally supportive of the development plans. He also stated that after the future land use map is amended the owners will need to petition for a change in zoning.

P. Braun concluded his comments by stating that notices from the City regarding the Plan Commission meeting were mailed to the neighbors and that no comments were received by staff; and that the final public hearing will be held at October 15th Council meeting.

Mayor Nickels asked the Commission if they had any questions.

J. Brey asked if the Bayshore Drive extension into the future roundabout was approved by the D.O.T.; P. Braun stated that the developers hired the same engineering firm that is working for the D.O.T., so there is open communication between all entities.

Mayor Nickels opened the public hearing portion of the meeting.

L. Lefky, 4 E. Waldo Blvd stated that the wetlands and other green spaces should be preserved as much as possible. She is not opposed to the project but the development should be sensitive to the ecosystem. There was no further public input.

Mayor Nickels closed the public hearing portion of the meeting.

**Moved by Muenzenmeyer, seconded by Diedrich, to approve the amendment to the Comprehensive Plan Map of Future Land Use in the area of 200 East Waldo Blvd formerly known as the Former Elks Club and Golf Course Property, from Public Parks and Open Space, General Business, and Environmental Corridor to Planned Mixed Use, Environmental Corridor, and Public Open Space, and further recommend approval of the related resolution. The motion carried by the following vote:**

**Aye:** 7 - Brey, Diedrich, Mayor Nickels, Member Koski, Member Muenzenmeyer, Member Steinbrenner and Member Jagemann

[18-0979](#)

PC 32-2015: The Crossing of Manitowoc County, 419 Park Street  
Request to Amend a 2015 Conditional Use Permit

P. Braun explained that The Crossing is looking to amend condition "A" in the 2015 conditional use permit. P. Braun commented that condition "A" currently states that *"The Crossing shall not allow the Residence to*

*exceed 12 residents at any one time. A resident advocate shall be present in the Residence at all times when residents are present. The resident advocate does not count towards the total Residence count.*" The Crossing would like to amend Condition "A" removing the language "A resident advocate shall be present in the Residence at all times when residents are present." From their experience, the demographic of the women in their home can be trusted to be alone for a period of time. The women are in need of additional support but not constant supervision. A staff person will always be available and any period of absence will be short. The Crossing has created an internal policy to address when the Resident Advocate is Absent.

P. Braun stated that the Police and Building Inspection Departments reported no concerns or complaints regarding The Crossing. He concluded his comments stating that notices were mailed to neighbors prior to the Plan Commission meeting and that no comments were received

Mayor Nickels opened the public hearing portion of the meeting. Belinda Esquinas, Executive Director of The Crossing, 205 N. 8th Street, stated that a security system and cameras are installed in the home and that there have been no issues with the residents in the past. Public hearing closed.

P. Braun reviewed the amendments to the conditions.

A. The Crossing shall not allow the Residence to exceed 12 residents at any one time. ~~A resident advocate shall be present in the Residence at all times when residents are present.~~ The resident advocate does not count towards the total Residence count.

B. The Crossing shall expressly prohibit the usage or consumption of alcohol and illegal drug usage in the Residence or anywhere on the 419 Park Street Property.

C. All over-night vehicles shall be parked off-street on hard surfaced areas on the 419 Park Street property.

D. Administration and office support services shall not be located at the 419 Park Street location.

E. The Crossing shall file a report with the Community Development Department by January 31st of each calendar year, beginning with January 31, 2017, detailing the status of the Residence in 2016, and in each subsequent year thereafter. This report shall be filed by January 31st in each year the CUP is effective, and each report shall detail the activities at the Residence from the prior calendar year. This report shall include, but

not be limited to: (i) a summary of the financing in place to operate the Residence including a summary of foundation grants, donations, lender financing and State and/or Federal grants in hand, and volunteer hours worked ; (ii) residence summary identifying the number of residents in the Residence; (iii) a description of the services being provided at the Residence and the number of residents accessing various services; (iv) the number of residents that were at the Residence, but left without notice; (v) a summary of agreements with third party providers for support services for residents at the Residence; and (vi) any other information that may be requested by the Community Development Department to address identification of common characteristics or experiences of residents at the Residence.

F. The Crossing shall, at the written request of the Manitowoc Police Chief, install any required security enhancements into the Residence, on terms and conditions acceptable to The Crossing and Chief.

G. Compliance with all federal, state and local regulations, licensing and code requirements.

H. No party shall assign or transfer its interest in the CUP to any party without the prior written approval of the Manitowoc Common Council.

I. The CUP shall automatically terminate effective the same date The Crossing ceases to operate at the Residence. The Crossing shall provide the Community Development Department with written notice of its intent to discontinue operation of the Residence not less than 30 consecutive calendar days prior to the date operations are planned to cease.

J. Compliance with the terms and conditions of the CUP shall be reviewed by the Plan Commission and Common Council in ~~February, 2017~~ September, 2019, and during the month of ~~February~~ September in each subsequent year of the CUP. The annual review may result in the disclosure of non-compliance issues or the identification of terms and conditions that are no longer necessary or required to maintain the intent or compliance with the CUP, and 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.

K. At any date and time, 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 Brey, seconded by Diedrich, to approve the amended language for Condition "A" and change the annual review to September 2019. The motion carried by the following vote:**

**Aye:** 6 - Brey, Diedrich, Mayor Nickels, Member Muenzenmeyer, Member Steinbrenner and Member Jagemann

**Abstain:** 1 - Member Koski

## V. REFERRALS FROM COMMON COUNCIL

### [18-0980](#)

PC 24-2018: Metal Ware Inc.; Request to Purchase Land and a Right of First Refusal - Lots 1, 2, & 3 of a Certified Survey Volume 33, Page 201 Manitowoc I-43 Industrial Park.

P. Braun explained the request from Metal Ware Inc to purchase lot 3 and also obtain a right of first refusal for lots 1 & 2 all part of a Certified Survey Volume 33, Page 201 in the Manitowoc I-43 Industrial Park.

**Moved by Brey, seconded by Koski, to recommend the following: i) approve the right of first refusal and ii) approve any subsequent land sale that may occur in the future. The motion carried by the following vote:**

**Aye:** 6 - Brey, Mayor Nickels, Member Koski, Member Muenzenmeyer, Member Steinbrenner and Member Jagemann

**Abstain:** 1 - Diedrich

### [18-0981](#)

PC 21-2018: Red Line Plastics, LLC; Request to either Purchase or obtain a Right of First Refusal - Lot 2 of a Certified Survey Volume 33, Page 199 Manitowoc I-43 Industrial Park.

P. Braun explained the request from Red Line Plastics, LLC to either purchase or obtain a right of first refusal on Lot 2 of a Certified Survey Volume 33, Page 199 in the Manitowoc I-43 Industrial Park.

**Moved by Diedrich, seconded by Muenzenmeyer, to : i) approve the right of first refusal and ii) approve any subsequent land sale that may occur in the future. The motion carried by the following vote:**

**Aye:** 6 - Brey, Diedrich, Mayor Nickels, Member Koski, Member Muenzenmeyer and Member Steinbrenner

**Abstain:** 1 - Member Jagemann

### [18-0982](#)

PC 32-2018: Manitowoc Tool and Machining (MTM); Request for a Right of First Refusal for an area at the southwest of corner of S. 59th Street and Vits Drive.

P. Braun explained the request from Manitowoc Tool and Machining is to obtain a right of first refusal on approximately 17 acres located at the southwest corner of Vits Drive and S. 59th Street in the Manitowoc I-43 Industrial Park. Prior to any land sale a certified survey would need to be prepared to create the lot.

**Moved by Diedrich, seconded by Brey, to i) approve the right of first refusal and ii) approve any subsequent land sale that may occur in the future. The motion carried by the following vote:**

**Aye:** 7 - Brey, Diedrich, Mayor Nickels, Member Koski, Member Muenzenmeyer, Member Steinbrenner and Member Jagemann

[18-0983](#)

PC 33-2018: Jagemann Stamping; Request to Purchase Lot 1 of a Certified Survey Volume 33, Page 199 Manitowoc I-43 Industrial Park.

P. Braun explained the request from Jagemann Stamping is to purchase Lot 1 of a Certified Survey Volume 33, Page 199 in the Manitowoc I-43 Industrial Park.

**Moved by Diedrich, seconded by Muenzenmeyer, to approve the request to purchase the 11.1 acre parcel in the I-43 Industrial Park. The motion carried by the following vote:**

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

**Abstain:** 2 - Diedrich and Member Jagemann

[18-0984](#)

PC 10-2017: Kwik Trip Review of Special Permit for an Animated Sign located at 2102 Washington Street.

P. Braun explained that the Special Use Permit is related to the placement of an animated sign on Kwik Trip's property at S. 21st and Washington Streets. As a condition of the permit a landscaping area shall be developed on the site. P. Braun stated that staff has talked with Kwik Trip and that they will complete the landscaping requirement in the next month.

**Moved by Steinbrenner, seconded by Brey, to instruct staff to work with Kwik Trip to implement and finalize all conditions of the Special Use Permit for the animated sign. The motion carried by the following vote:**

**Aye:** 7 - Brey, Diedrich, Mayor Nickels, Member Koski, Member Muenzenmeyer, Member Steinbrenner and Member Jagemann

**VII. NEW BUSINESS**

None

**VIII. MISCELLANEOUS**

None

**VI. OLD BUSINESS**

[18-1003](#)

Discussion and possible action on TIF 15, 19, and 22.

Mayor Nickels provided a review of the recent TIF activities regarding TID 15, 19, and 22. TID 15 allocation to TID 14 was approved unanimously by the TIF Joint Review Board. Both districts are planned to close before December 31, 2019. TID 19, which is the downtown district was also unanimously approved by the TIF Joint Review Board. The resolution for the creation of TID 22 was not approved by the Common Council, therefore

the Joint Review Board didn't act on that district.

Mayor Nickels requested that the Plan Commission make a recommendation to the Council asking them to reconsider the creation of TID 22. He is concerned with the ability of future growth in the Calumet Avenue / S. Rapids Road corridor if the TIF district is not created. The district would be a tool to assist with the costs of infrastructure in the area.

Mayor Nickels explained that there was no site development agreement created by Manitowoc County and Meijer. The County states that the Conditional Use Permit issued by the City is the site development agreement, this assumption was never mentioned to the City when the CUP was developed. Mayor Nickels again stated that he is looking for a recommendation from the Plan Commission to encourage the Council to reconsider their position on the TIF 22 creation.

The Plan Commission discussed the creation of TID 22 stating that because the City's economy is strong so is the County's. The Commission discussed what would occur if Meijer decided not to construct and what affect this would have on the surrounding area. They also stated that City tax payers would have to pay for any of the utility relocation costs.

Mayor Nickels stated that the School District and LTC were both supportive of the TIF.

Alder Gabriel stated that she would like to have more information regarding the TIF district. Additional discussion occurred regarding the TIF creation and costs associated with development in the area. The Plan Commission generally stated that the creation of TID 22 would create economic and quality of life opportunities in this area of the City and that the lack of a site development agreement between the County and Meijer leaves ambiguities on which party is responsible for infrastructure improvements in the area.

**Moved by Steinbrenner, seconded by Diedrich, to Approve the motion to encourage the Common Council to reconsider their vote on TIF 22. The motion carried by the following vote:**

**Aye:** 7 - Brey, Diedrich, Mayor Nickels, Member Koski, Member Muenzenmeyer, Member Steinbrenner and Member Jagemann

A. Manitowoc County Activities: None

B. Certified Survey Maps (CSM):

1. Kohlmann / Drumm: Government Lot 6 & 7, Section 23, Township 19 North, Range 23 East, Town of Manitowoc Rapids.
2. First Lutheran Church: Lot 3, 4, 5, 6, 9, 10, 13, 14, 18, 19, and 20, Block 108 of the Original Plat.

## C. Summary of Site Plans:

1. SP 8 - 2018: West of the Lake Gardens; 915 Memorial Drive, Parking Lot Construction
2. SP 9 – 2018: Manitowoc Pattern and Machine / Wisconsin Aluminum Foundry; 1441 Dufek Drive,
3. SP 10 – 2018: Meijer (Revised); 1802 S. Rapids Road
4. SP 11 – 2018: Pick N Save; 3300 Calumet Avenue Fuel Center

## D. Director's Report

**IX. ADJOURNMENT**

**Moved by Diedrich, seconded by Brey, to adjourn at 7:05 PM. The motion carried by the following vote:**

**Aye:** 7 - Brey, Diedrich, Mayor Nickels, Member Koski, Member Muenzenmeyer, Member Steinbrenner and Member Jagemann

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.