



# City of Manitowoc

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

## Meeting Minutes

### Plan Commission

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Wednesday, April 26, 2017

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 J. Nickels at 6:00 pm

#### ROLL CALL

**Present:** 6 - Jim Brey, Dave Diedrich, Daniel Hornung, Mayor Nickels, Dan Koski and Jim Muenzenmeyer

**Absent:** 2 - Dennis Steinbrenner and Peter Dorner

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

Others Present: Jamie Vergenz, Chris Nutini, Dan Brandl, Erin N. Schultz, Sister Camilla Wolfgram, Lee Kummer, Rose Vukovich

#### III. APPROVAL OF MINUTES

[17-0429](#) Approval of the Minutes of the January 25, 2017 Meeting.

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

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

#### IV. PUBLIC INFORMATIONAL HEARINGS

[17-0431](#) PC 13-2017: Rosethorn Community Church, Inc., Request for a Conditional Use Permit pursuant to Section 15.210(3) for the Operation of a Church located at 1015 S. 11th Street.

P. Braun explained that the request is from Pastor Rose Vukovich on behalf of Rosethorn Community Church. Chapter 15, Zoning Ordinance, requires the issuance of a conditional use permit for the operation of a church in the R-7 Central Residence District. The property, located at 1015 S. 11th Street, was historically used by Silver Lake College as a music conservatory. Rosethorn purchased the property in 2013 and has been using the first floor of the building for a church since the date of purchase.

P. Braun stated that city staff were working with Rosethorn on a different issue and it was discovered that a conditional use permit was required for

the church use. Rosethorn is using only the first floor for their services. They also have received permission from the Fire and Building Inspection Departments to use the first floor for assembly purposes. P. Braun stated that the church has limited times for their services and other activities such as Bible study and prayer. Rosethorn has an agreement with the auto parts store to their north for the use of 9 parking spaces and in addition there are approximately 54 on street spaces available on this block.

In closing, P. Braun stated that he checked with the Police, Fire and Building Inspection Departments, and there were no complaints or issues on file. Notices were mailed out to property owners within 200 feet of the subject property, and one comment was received with some general questions but no concerns with Rosethorn's operation were expressed.

Mayor Nickels opened the public informational hearing; there were no comments from the public. Mayor Nickels closed the public informational hearing and requested the staff recommendation.

P. Braun stated that the recommendation is to approve the request for a Conditional Use Permit for the operation of a Church located at 1015 S. 11th Street subject to the following conditions:

1. The issuance of this CUP shall be for the operation of church services and church related activities such as church administration functions, Bible Study, prayer, choir practice, counseling services and similar activities. The CUP does not allow any overnight lodging or transitional housing.
2. The ongoing validity of this CUP requires compliance with all applicable federal, state and local regulations, licensing and code requirements.
3. Compliance with the terms and conditions of the CUP shall be reviewed by the Plan Commission and Common Council in April, 2018. The Plan Commission and Council shall at that time determine if an annual review shall continue into subsequent years.

**Moved by Hornung, seconded by Diedrich, to approve the Conditional Use Permit for the operation of a Church located at 1015 S. 11th Street subject to the recommended conditions.**

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

## **V. REFERRALS FROM COMMON COUNCIL: None**

## **VI. OLD BUSINESS**

[17-0432](#)

PC 10-2016: Conditional Use Permit Annual Review: The Hope House; Transitional Housing use for property located at 3501 Custer Street.

T. Caulum introduced the annual review of the Hope House CUP for the establishment of a transitional housing use located at 3501 Custer Street; the CUP was originally issued in April of 2016. T. Caulum explained that Hope House has not yet completed construction and their estimated completion date is in July of 2017. As there is no one currently living at the location, there is nothing to review at this time.

E. Schultz spoke on behalf of the Hope House, providing the Commission with an update on the construction project and completion date.

T. Caulum stated the staff recommendation is to take no action at this time and revisit the annual review in April of 2018.

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

[17-0433](#)

PC11-2016: Conditional Use Permit Annual Review: TLC Homes, Inc Adult Day Services use located at 1004 N. 17th Street.

P. Braun explained that the annual review is regarding the conditional use permit that was issued last April to Priority One Investments, LLC d.b.a. TLC Homes Inc.; TLC provides Adult Day Services for individuals that are intellectually or developmentally disabled. P. Braun provided the Commission a brief background on the past neighborhood meetings and the concerns that were raised at that time.

P. Braun stated that staff have monitored the property and have not observed any issues. In addition, no issues were reported by any other department and none of the traffic accidents can be attributed to TLC vehicles or operations.

The Commission discussed the annual review and recommended removing the annual review condition from the permit.

**Moved by Muenzenmeyer, seconded by Brey, to approve the annual review of the Conditional Use Permit for Adult Day Services located at 1004 N. 17th Street with one amendment deleting the annual review condition.**

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

[17-0434](#)

PC 25-2014: Ramirez Annual Review of a Conditional Use Permit for the Operation of a Towing Service at 1545 S. 41st Street.

T. Caulum introduced the annual review of Ramirez Auto Repair and Towing's CUP to operate a wrecker service in the C-1 Commercial Zoning District, and provided detail regarding the October 2016 review. T. Caulum stated that a field visit in April of 2017 yielded positive results, further explaining the area behind the store had been cleaned up with no sign of

scrap metal or tires in sight. Further follow up is needed to ensure the dumpsters are in a compliant location, but this should not hinder approval of this year's review.

T. Caulum stated the staff recommendation is to approve the annual review and revisit the Conditional Use Permit in 2018.

**Moved by Brey, seconded by Diedrich, to approve the annual review of the Conditional Use Permit to operate a Wrecker Service in a Commercial Zoning District. The motion carried by the following vote:**

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

## VII. NEW BUSINESS

### [17-0435](#)

PC 10-2017: Kwik Trip / La Crosse Sign Company: Request for Animated Sign in a B-3 General Business District at 2102 Washington Street.

T. Caulum introduced to the Commission the area surrounding Kwik Trip at the intersection of Washington and S. 21st Streets and detailed the request for a Special Use Permit for the placement of an animated sign. The LaCrosse Sign Co. has submitted an application on behalf of Kwik Trip #611 to erect an animated sign on their current pylon sign located near the south east corner of the lot. T. Caulum reviewed a 2008 Special Use Permit request from Kwik Trip for a similar animated sign at the same location; the 2008 request was denied by the Plan Commission on account of the traffic safety concerns and visual clutter the animated sign would create at the intersection.

T. Caulum raised the concerns of the Community Development Department after staff consulted with the Director of Public Infrastructure and Building Inspector, neither of whom would sign off on the project because of the close proximity to the nearest signal light. As stated in the Sign Code, all animated signs must be at least 100' away from the nearest intersection (15.450(18)(g)9); however that requirement can be waived by the Plan Commission. The proposed animated sign at this particular location is approximately 10' away from the intersection signal lights, which is substantially closer than other cases where the separation requirement had been waived in the past.

Discussion among the Commission members and representatives from Kwik Trip ensued pertaining to other potential placement options for the animated sign that may be less distracting to traffic at the busy intersection. In order to discuss and potentially approve an acceptable location for an

animated sign, the Plan Commission and Staff would have to see a new sign permit application and site plan with the updated location.

T. Caulum stated the staff recommendation was to deny the request because of the close proximity to the signalized intersection and the visual clutter an animated sign would create at the location.

**Moved by Brey, seconded by Koski, to deny the Special Use Permit to erect an animated sign, and to deny the waiver to locate an animated sign closer than 100' away from an existing signalized intersection. The motion carried by the following vote:**

**Aye:** 3 - Alderperson Brey, Member Koski and Member Muenzenmeyer

**Nay:** 2 - Member Diedrich and Mayor Nickels

**Abstain:** 1 - Member Hornung

[17-0436](#)

PC 11-2017: Manitowoc Public Utilities; Review of Placement of a Wind Screen Structure pursuant to § 62.23(5).

N. Sparacio explained the reason for Plan Commission review of the proposed wind fence structure as an alteration or extension of a public utility under Plan Commission referral statutes. Manitowoc Public Utilities (MPU) has stated that they must construct the proposed wind fence to comply with EPA orders on dust control. N. Sparacio further stated that the City's Comprehensive Plan contemplates a trail connection between the Wayside Park and Red Arrow Park, so the shoreline adjacent to MPU is a pinch point for that future trail. Staff is recommending approval, but also requesting cooperation from MPU on the future trail connection.

The Commission discussed the specific location of the proposed fence. It was confirmed that the proposed wind screen appears in the plans to be located between the existing security fence and the existing coke storage wall. It will not expand the storage area, and it will visually screen the coke pile. It was noted that the concrete wall on the perimeter of the storage area appears to consist of movable concrete barrier sections.

Discussion continued regarding the potential design of a trail section in this location. N. Sparacio stated that a bridge section would be required to span the MPU water discharge and that 30 to 50 feet of space are required to add a trail surface and the necessary buffer areas. The Commission discussed whether the trail connection would be preferred along the shoreline versus in the neighborhood west of MPU. A feasibility analysis or preliminary engineering study will be necessary before proceeding with plans.

**Moved by Brey, seconded by Koski, to approve the proposed wind fence structure as a necessary alteration to the Manitowoc Public Facilities property, and to request that Manitowoc Public Utilities cooperate with the City on plans for a**

future trail connection at such time that a feasibility study moves forward. The motion carried by the following vote:

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

[17-0437](#)

PC 12-2017: Discussion on Proposed Project Plan Amendment #4 for Tax Incremental Financing District #15.

N. Sparacio explained that the City's proposed Tax Incremental Financing (TIF) support for the expansion of Dowco involves amending the project plan for TIF District #15. The proposed approach to support the job creation, building expansion, and capital investment by Dowco is to authorize this project as being outside the boundary of the District but within one half mile. The TIF District #15 plan will be amended to that effect and will be brought back to the Plan Commission for a public hearing in June.

**Moved by Muenzenmeyer, seconded by Hornung, to authorize Community Development Department staff to proceed with the Project Plan amendment for TID 15 related to the Dowco expansion. The motion carried by the following vote:**

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

[17-0438](#)

PC 1-2017: Doneff Holdings LLC, Quit Claim Deed for Mirro Drive Purposes.

P. Braun explained that the quit claim deed is for Mirro Drive right-of-way and is associated with a recent certified survey that was approved. The area to be dedicated is 0.32 acres.

**Moved by Hornung, seconded by Diedrich, to recommend that i) the Council approve and accept the quit claim deed; and ii) the Clerk, after confirmation from the Community Development Department, record the document, at the Manitowoc County Register of Deeds Office.**

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

## VIII. MISCELLANEOUS

A. Manitowoc County Activities: None

## B. Certified Survey Maps (CSM):

1. Midwest Assisted Living LLC: NE ¼, SE ¼, Section 34, Township 19 North, Range 23 East, City of Manitowoc.
2. Downing: SW ¼, SE ¼, Section 13, Township 18 North, Range 23 East, Town of Newton
3. Manitowoc Company: NW ¼, SE ¼, & SW ¼, SE ¼ Section 36, City of Manitowoc
4. BR & LE Properties, LLC: SE ¼, NE ¼ Section 31, Township 20 North, Range 24 East, Town of Kossuth
5. Manitowoc Public School District / Doneff Holdings LLC: NE ¼, NW ¼, Section 16, Township 19 North, Range 24 East.

## C. Summary of Site Plans January 14, 2017 to April 14, 2017:

1. SP 1-2017: Tramontina – Office Addition; 2005 Mirro Drive
2. SP 2-1017: MTM - Building Addition; 4330 Expo Drive
3. SP 3-2017: Aurora Health Clinic; New Construction; 3509 Dewey Street.
4. SP 4-2017: Skana Aluminum; Building Addition; 2009 Mirro Drive.
5. SP 5-2017: Holy Family Memorial Pharmacy Pickup & Parking lot construction, 1650 S. 41st Street
6. SP 6-2017: Forest Creek Apartments Buildings 3 & 4
7. SP 7-2017: RPM Small Engine, LLC; 1920 N. Rapids Road, 2,400 s.f. building addition
8. SP 8-2017: Mark Rhein Insurance Agency; 2904 Custer Street, 644 s.f. office addition

## D. Director's Report

N. Sparacio provided the director's report via email. The Commission discussed a potential Official Map Amendment for the N 8th Street future right-of-way. The members could not recall a reason for establishing a 100 foot wide right-of-way for this street. The thought of a need for a wider street on N 8th may pre-date the construction of I-43. This impacts setbacks along on N 8th Street such that many of the existing structures and parking areas are made nonconforming. It was also noted that there are many conflicts for Commissioners for the June 28 meeting. An alternative date will be set at the May meeting.

**IX. ADJOURNMENT**

**Moved by Brey, seconded by Muenzenmeyer, that the Meeting be adjourned at 7:13 PM. The motion carried by the following vote:**

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.