



17-0172

CITY OF MANITOWOC
WISCONSIN, USA
www.manitowoc.org



January 26, 2017

To: Mayor and Common Council

From: Manitowoc City Plan Commission

Subject: **PC 7 – 2017: Trans-Link Services, LLC, Request to Amend a Conditional Use Permit for Trans-Loading product over property located at 1615 at 1311 Spring Street.**

Dear Mayor and Common Council:

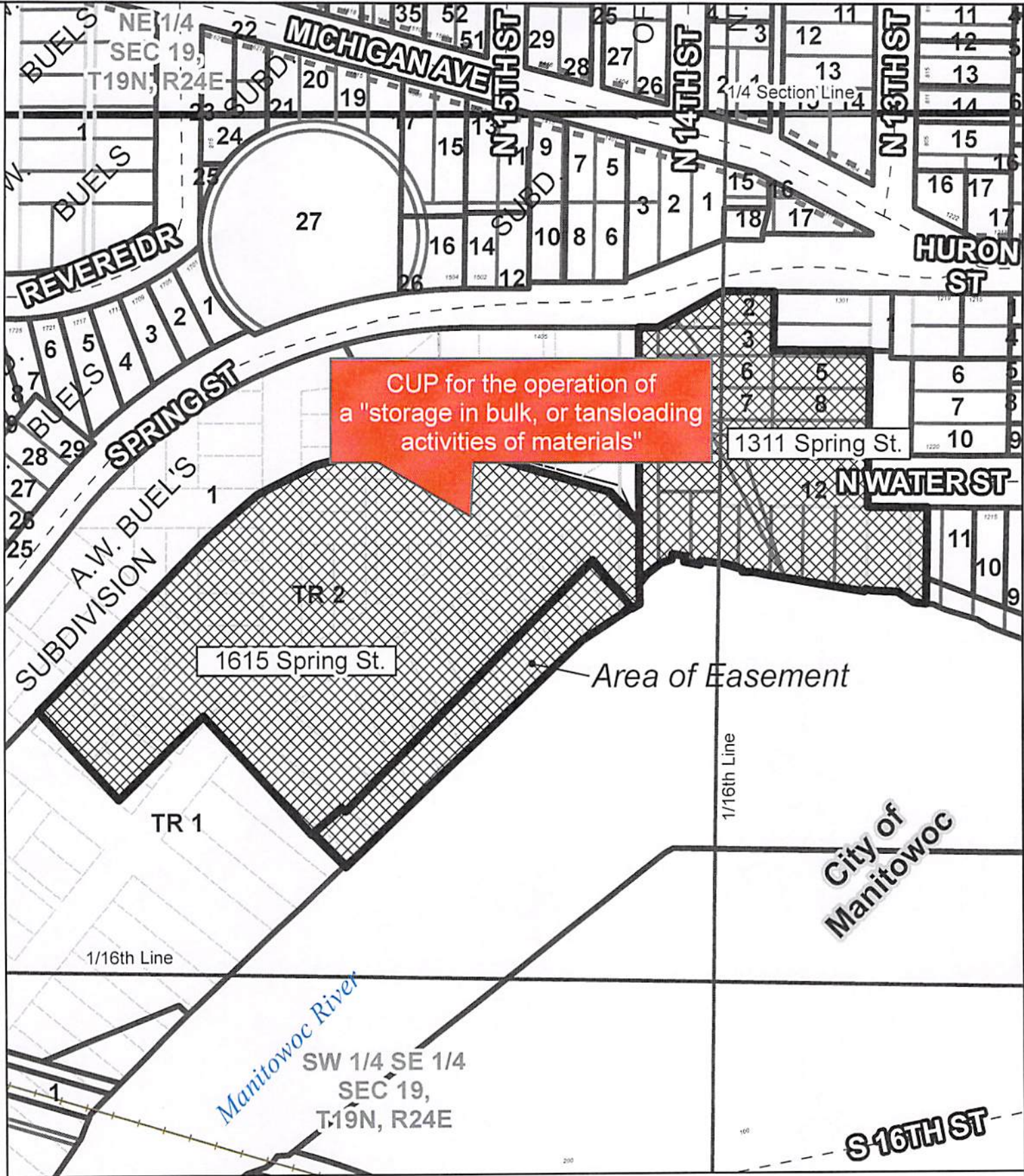
At the January 25, 2017 meeting of the Manitowoc City Plan Commission, the Commission considered all items on its agenda, including the item identified above, and wishes to report and recommend to the Common Council the following actions: approval of the request to amend the November 5, 2014 Conditional Use Permit with said amendments shown on the attached list of conditions.

Respectfully Submitted,

Paul Braun
Plan Commission Secretary

Attachment: Conditions and Map
Granicus # 17-0078

Applicant:
Trans-Link Services LLC
1616 Wollmer Street
Manitowoc, WI 54220




CONDITIONAL USE PERMIT

City of Manitowoc, WI



Prepared by City of Manitowoc
 Planning Department
 www.manitowoc.org
 Map Plotted: 01/17/2017
 Y:\Planning\PC Plan Commission\Actions 2017\
 PC7-2017 CUP Trans Link Services

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.

	Area of Conditional Use Permit for Bulk Storage and Transloading Activities
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0 100 200 300 Feet

PC7-2017 Conditional Use Permit;
 1311 and 1615 Spring St.

**AMENDED CONDITIONAL USE PERMIT (CUP) TRANS-LINK SERVICES, LLC
JANUARY 25, 2017**

CUP CONDITIONS PC7-2017

This CUP replaces a previously approved CUP which was dated November 5, 2014.

Recommend approval of the CUP, subject to the following conditions:

- A** CUP shall be granted exclusively to Trans-Link Services, LLC (Trans-Link) for the storage in bulk, or transloading activities of materials pursuant to Section 15.350(3)w of the Municipal Code and being located at 1615 Spring Street (tax # 819-402-052); 1311 Spring Street (tax # 000-039-020) and an easement area over the St Barbara Cement, Inc property (tax # 819-402-050), 0.92 acres all shown on the accompanying map. The following materials or products will not be allowed to be transloaded or stored unless authorized by the Plan Commission and Common Council: brick, coal, and asphalt.
- B.** The CUP shall not become effective until after the date that the Common Council adopts the Plan Commission report containing the conditions.
- C.** This CUP shall not be assigned, transferred, sublet or conveyed in any manner without the written consent of the Common Council and Plan Commission.
- D.** Trans-Link shall make every effort to reduce noise levels at the site, and shall maintain noise levels no greater than allowed by law.
- E.** The transloading of materials shall be permitted Monday thru Friday, between the hours of 7:00 AM and 7:00 PM.
- F.** The transloading of materials shall be permitted on Saturday and Sunday between the hours of 8:00 AM and 5:00 PM.
- G.** Transloading shall not be permitted on any U.S. holiday.
- H.** In the event dust problems occur as a result of the operation, the owner shall apply dust palliatives as requested by the City in accordance with the Municipal Code.
- I.** Non-compliance with any terms or conditions 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.



17-0078

Standing Committee: Plan Commission

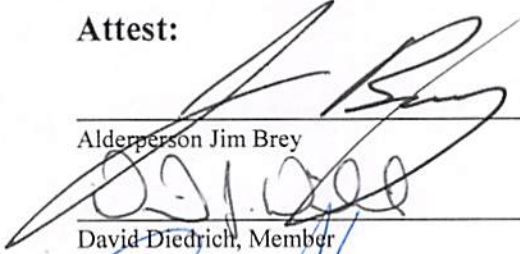
Document Name: 1311 & 1615 Spring Street. Request to Amend a 2014 Conditional Use Permit.
PC 7 – 2017: Trans-Link Services, LLC.

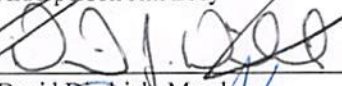
Consent

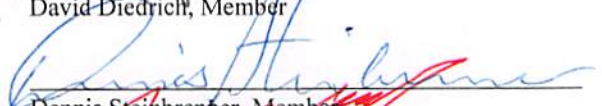
Non-Consent

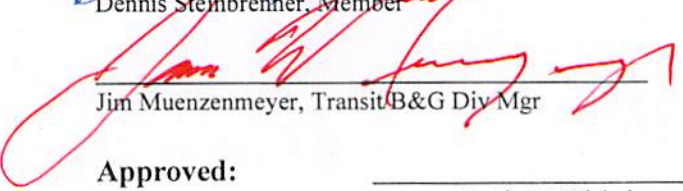
Recommendation: Approval of the request to amend the November 5, 2014 Conditional Use Permit with pursuant to conditions said amendments as noted.

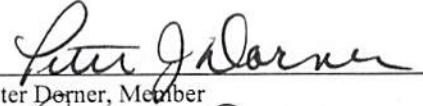
Attest:



Alderperson Jim Brey



David Diedrich, Member



Dennis Steinbrenner, Member


Jim Muenzenmeyer, Transit/B&G Div Mgr


Peter Dörner, Member


Daniel Hornung, Member


Dan Koski, Director of Public Infrastructure


Rick Schwarz, Building Inspector (Alternate)

Approved:

Justin M. Nickels
Mayor

Date

**Report to the
Manitowoc Plan Commission**

Meeting Date: January 25, 2017

Report Print Date: January 20, 2017; 12:27 PM

Request: PC ⁷ – 2017: Trans-Link Services, LLC; 1311 & 1615 Spring Street. Request to Amend a 2014 Conditional Use Permit.

Reason for Request: Section 15.350(3)w of the Zoning Code (the I-2 Heavy Industrial District) permits “storage in bulk, or transloading activities” only after issuance of a Conditional Use Permit (CUP). The applicants would like to amend their existing CUP to allow for the transloading and storage of additional materials and to modify the CUP area and hours of operation.

Existing Land Use for Subject Property: Industrial – current transloading and storage operations.

Existing Zoning for Subject Property: I-2 Heavy Industrial

Surrounding Property Land Uses and Zoning

Direction	Existing Land Use	Existing Zoning
West	Industrial, Transloading, Cement Plant	I-2 Heavy Industrial
South	Industrial, Manufacturing	I-2 Heavy Industrial
East	Industrial and Residential	I-2 heavy Industrial & R-4 Single and Two Family
North	Residential Single and Two Family	R-4 Single and Two Family

Comprehensive Plan: The future Land Use Map indicates the area as Office/Industrial. The Comprehensive Plan states that the City’s B-3, I-1 and I-2 zoning districts are most appropriate in the Office/Industrial Land Use category.

The Downtown & River Corridor Master Plan identifies the area as “Peninsula Harbor” and states that this area is “Manitowoc’s working river harbor providing active commerce and employment in the heart of the community. With a diverse mix of thriving industrial uses, the district should focus on the maintenance and advancement of the working riverfront.” The master plan also specifically references the former Rockwell Lime property promoting the redevelopment and reuse of the property for an active working harbor business use.

In addition the “Manitowoc Riverwalk Master Plan and Design Guidelines” categorizes the area upriver from the 10th Street bridge as the Industrial District working harbor area.

Report: The request for an amendment to the existing 2014 CUP was submitted by Troy and Bobbie Flentje and Peter and Alex Allie, all doing business as Trans-Link Services, LLC (Trans-Link). Trans-Link operates its transloading and storage business on property owned by 1615 Spring LLC and 1311 Spring LLC. In addition, there is an easement that is between St. Barbara Cement Inc and 1615 Spring LLC that allows access to the Manitowoc River. The CUP amendment request is asking to include these areas into the CUP and to allow additional types of material to be transloaded on the site. The CUP area is depicted on the accompanying map.

The amended CUP area includes all of the 1615 Spring LLC (tax # 819-402-052, 6.68 acres), 1311 Spring LLC (tax # 000-039-020, 3.311 acres) and an easement over the St Barbara Cement, Inc property (819-402-050, 0.92 acres); the total acreage for the CUP area is 10.91 acres.

In 2014, the Plan Commission and Council approved a CUP to Peninsula Logistics, LLC, and that CUP prohibited the transloading of stone, brick, coal, and asphalt. Trans-Link would like to remove "stone" from the list of prohibited items, because with the rising water levels in Lake Michigan there is a large demand for the stone products. Trans-Link is anticipating hiring several employees to transload at the site.

Trans-Link is also requesting some amendments to the hours and days of operation. The current CUP states that the hours of operation are Monday thru Friday, between the hours of 6:00 AM and 9:00 PM, and Saturday between 7:00 AM and 7:00 PM, and not permitted on Sundays or any U.S. holiday. Trans-Link is requesting to modify the hours and dates to the following: Monday thru Friday 7:00 AM – 7:00 PM, and Saturday and Sundays 8:00 AM to 5:00 PM, with no loading on holidays.

Under a CUP, the Commission and Council must determine if the proposed 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. And 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 not have a negative impact on the surrounding area.

The property is currently zoned I-2 Heavy Industrial, and the Heavy Industrial zoning for this property dates back to 1930. Section 15.350(3)w (the I-2 Heavy Industrial district) permits "storage in bulk, or transloading activities of materials as listed in section 15.330(4)b," which is the I-1 Light Industrial Conditional Use Permit section of the code. This section lists 27 items that could be transloaded or stored on site and include the following: asphalt, brick, building materials, butane and propane, cement, clay products, coal, contractors equipment, feed, fertilizer, fuel, grain, gravel, hay, ice, lime, lumber, machinery, paper, pipe, roofing, sand, stone, tar and creosote products, wood, wool and other similar materials.

Historically the property was the location of the former Rockwell Lime cement and lime transloading operation prior to being acquired by 1615 Spring, LLC. The current owners have cleaned up the site compared to its former use and have razed many of the former buildings. The current owners have done some environmental cleanup and stabilization in recent years and have recently been awarded a WisDOT Harbor Assistance Grant to repair and install approximately 500 feet of sheetwall.

Manitowoc is one of a few ports on Lake Michigan that offers deep water access points. The river depths in this area are approximately 18 - 21 feet.

Depending on the product, it is anticipated that the equipment needed to perform the transloading operation will include cranes and end loaders. At this time it is not anticipated that any employees will be on site unless a transloading operation is taking place.

The Police, Fire, and Building Inspection Departments were contacted to see if there were any complaints on file. Since the issuance of the 2014 CUP, there was one complaint dated November 4, 2015 regarding some loud noise from the area. At that time, staff looked into the complaint and determined that it was caused by workers placing a large steel ramp from the barge onto the sheet wall and ground.

Public Comments Notices were mailed to property owners in our standard 200' radius, but the list was also expanded to include the residences along Revere Drive and Michigan Avenue. As of the time of this writing no comments have been received.

Recommendation: Recommend approval of the request to amend the November 5, 2014 Conditional Use Permit with said amendments as noted on the attached list of conditions.

**AMENDED CONDITIONAL USE PERMIT (CUP) TRANS-LINK SERVICES, LLC
JANUARY 25, 2017**

CUP CONDITIONS PC7-2017

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G. Transloading shall not be permitted on any U.S. holiday.

H. In the event dust problems occur as a result of the operation, the owner shall apply dust palliatives as requested by the City in accordance with the Municipal Code.

I. Non-compliance with any terms or conditions 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.

Trans-Link Services LLC
1616 Wollmer Street
Manitowoc, WI 54220

January 9, 2017

City of Manitowoc
Attn: Mayor Justin Nickels
900 Quay Street
Manitowoc, WI 54220

RE: Amendment of Conditional Use Permit for transloading operation in Manitowoc

Dear Mayor Nickels,

I write this letter to you to request permission to amend our existing Conditional Use Permit to conduct transloading activities at our facility located at 1615 Spring Street. Over the past two years, we've used the facility for the transloading and storage of bulk, break bulk and project cargo.

The City of Manitowoc's Comprehensive Plan and Downtown and River Corridor Master Plan calls for the "reuse of the former Rockwell Lime Company property for active working harbor business use". The property is also zoned I-2 "heavy industrial". Since the late 1800s the property has been used as a dock for cement products, coal and oil. Currently, the owners of the property and the State of Wisconsin are investing \$3,600,000 to replace the dock wall and dredge the river. This will allow significantly more local products to be loaded onto barges and vessels from this property.

Since beginning our operations at the Spring Street property in late 2014, we have been very courteous neighbors to the surrounding home owners, and the noise generated by our operations has been minimal which nothing out of the ordinary for heavy industrial property. On Spring Street and at the Manitowoc peninsula, we've handled tens of thousands of tons of cargo in the past two years which have resulted in substantial savings in logistical costs for local manufacturers, as well as opened new opportunities for manufacturers to compete on work that freight would have been otherwise too costly.

With our original request for a Conditional Use Permit, we submitted several self-imposed restrictions on commodities that can be transloaded at the property. These restrictions include, stone, brick, coal and asphalt. Our request today is to amend the restrictions to allow for stone to be loaded onto vessels.

There is a sizable untapped market for stone and aggregates to be used on erosion control and break wall projects around Lake Michigan. Material handlers, conveyors and cranes will be used to load the stone onto the vessels. The operation is very quiet. Stone is picked up by the material handler, conveyor or crane and is quietly set into place on the deck of the barge. The barges typically have 14 foot sidewalls, which further reduces any noise. The quiet operation would be consistent with our neighboring industries. Our proposed maximum hours of operation would be 7am to 7pm Monday thru Friday, and 8am to 5pm on Saturdays and Sundays, with no loading operations occurring on holidays. We would like to be courteous to neighbors and continue our respectful relationship with them.

Based on the market for this stone, we anticipate needing to hire several full time employees to load the vessels. We also believe that our suppliers, which are based locally, will need to hire several new employees to keep up with demand. I believe total job creation for the area could be as much as 12-15 jobs. Furthermore, the increased shipping activity will help encourage the US Army Corps of Engineers to dredge the Manitowoc River with even more frequency. I also fully believe that the increased shipping activity will eventually result in existing manufacturers' expansion and well as new potential companies locating in Manitowoc.

The deep water working river that we have is perhaps our greatest resource and we ask for your continued assistance and support as we amend our conditional use permit to expand our loading activities on the Manitowoc River.

Sincerely,

Troy and Bobbie Flentje
Trans-Link Services LLC

With copy to: City of Manitowoc
Attn: Paul Braun, City Planner
900 Quay Street
Manitowoc, WI 54220