



# City of Manitowoc

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

## Meeting Minutes

### Plan Commission

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Wednesday, May 22, 2019

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 Acting Chairperson J. Brey at 6:00 PM.

#### II. ROLL CALL

**Present:** 6 - Jim Brey, Dave Diedrich, Daniel Hornung, Dan Koski, Greg Jagemann and Curtis Hall

**Absent:** 2 - Mayor Nickels and Dennis Steinbrenner

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

Others Present: Krysta Huibregtse, Joe Huibregtse, Daniel Lindstrom, Joshua Cangen, Sandy Denor, Alderman Lee Kummer

#### III. APPROVAL OF MINUTES

[19-0584](#) Approval of the Minutes of the April 24, 2019 Plan Commission Meeting.

**Moved by Diedrich, seconded by Hornung, to approve the Minutes of the April 24, 2019 Meeting. The motion carried by the following vote:**

**Aye:** 6 - Alderperson Brey, Diedrich, Member Hornung, Member Koski, Member Jagemann and Member Hall

#### IV. PUBLIC INFORMATIONAL HEARINGS

[19-0585](#) PC 23-2019: Jenruss, LLC / Riverview Apartments: Discussion and Possible Action to Amend the Comprehensive Plan's Future Land Use Map from Multi-Family Residential to Single & Two Family Residential - Urban located at 314 & 316 Riverview Drive.

A. Kroner stated that typically an amendment to the Future Land Use map occurs prior to a change to the zoning map because zoning amendments by statute, shall be consistent with the future land use map. Currently, the land use category for the subject property is Multi-Family Residential and Public Parks and Open Space and the proposed land use category is Single & Two Family Residential and Public Parks and Open Space. A. Kroner commented that at last month's meeting the Commission

recommended to rezone the property from R-6 Multiple Family to R-3 Single Family Residential and the Commission also recommended to bring forward tonight's future land use map amendment.

A. Kroner stated that staff is looking at the goals of the comprehensive plan and the highest and best use of the property and the potential reuse of the site. A. Kroner stated that potentially a multi-family reuse of the property may be better to meet the goals of the comprehensive plan to intermix the densities of the residential uses and housing types in a neighborhood. A. Kroner continued to state that there are some potential site constraints to single family housing development on the property and that a denser multi-family district may be more appropriate. A. Kroner wanted the Commission to know that staff would like to see a land use category and zoning district which would allow for higher density residential uses.

P. Braun stated that staff and the Commission should continue to look at diversifying neighborhoods and that a lot of communities are going back to the more traditional neighborhoods with a mix of housing types and businesses in the neighborhood. He asked the Commissioners to keep in mind diverse neighborhoods on any future land use decisions.

D. Hornung asked if there is a problem with leaving the future land use category as is. A. Kroner replied that if there were any future rezoning requests the proposed zoning district would have to be consistent with the future land use map. Discussion continued regarding which zoning districts would be consistent in each land use category; in the Multi-Family Residential land use category the R-5 and R-6 zoning districts are recommended. A. Kroner stated that a single family land use category is not available in the City's Comprehensive Plan but the single and two family residential land use category is available, and it would allow two family units; but at last month's Plan Commission meeting the Commission recommended the R-3 zoning district which allows only single family uses.

P. Braun stated the process was out of order because the zoning topic was on last month's agenda to determine what path was needed for future processes. If the Plan Commission wanted to retain the R-6 zoning classification or rezone to R-5 then no amendment to the future land use map would have been needed but since the Commission recommended to change the zoning to R-3 Single Family an amendment to the future land use map is required to meet the consistency requirement.

G. Jagemann asked if the Commission moved forward with the future land use map amendment to the Single & Two Family Residential category could they then recommend a zoning district of either R-3 Single Family or R-4 Single and Two Family. A. Kroner responded stating that if the future

land use category is changed to Single & Two Family Residential then a Single and Two family zoning district would be allowed. G. Jagemann stated that he did some research on the trends in other communities and saw a movement towards more mixed and diverse neighborhoods. He also stated that he voiced this idea at the last month's Commission meeting that a R-3 zoning district would hinder diverse neighborhoods. G. Jagemann continued to state that he doesn't support the R-3 Single Family zoning but would suggest the R-4 Single and Two Family zoning. A. Kroner stated that the Commission could go back and suggest the R-4 Single and Two Family District rather than the R-3 Single Family District. The Council always reserves the right to adopt the R-4 district rather than the R-3 district if they wish. G. Jagemann stated that the R-4 zoning district would promote a healthier and diverse neighborhood and that the City of Minneapolis recently eliminated single family zoning entirely from their zoning code to encourage more diverse neighborhoods.

Chairman J. Brey opened the public hearing portion of the meeting.

Alderman L. Kummer, stated that he received calls from 5 or 6 residents who have voiced concerns over the density of the housing and have stated that they would prefer to have a single family zoning district. He stated that there are some challenges in the area one being the cul-de-sac with the number of driveways in place there is no on-street parking available. In addition, the infrastructure in the area cannot support anything larger than 1 or 2 family dwellings and the streets are narrow compared to other neighborhoods. Most residences have multiple vehicles and some of those are on the street magnifying any traffic issues. L. Kummer stated that two family uses may work but not multiple family uses.

J. Huijbregtse, 416 S 26th Street stated that the road width is very tight for bicycles and vehicles; and multi-family development will make the situation worse. He prefers to have safer streets.

S. Denor, 100 Blk Riverview Driver stated that she agrees with the comments from her neighbors. She does not believe the property should be anything but single or two family residences. She is a resident in the neighborhood for 30 years and watched the apartment deteriorate over the years. She commented the parking is a problem in the area because there is parking only on one side of street. She wants to keep the neighborhood decent and experienced too many problems in the past with multi-family uses.

Chairman Brey, closes the public hearing portion of the meeting.

P. Braun explained that there will be two hearings at Council on June 17th,

the first would be for the Comprehensive Future Land Use Map and the second for the amendment to the Zoning Map.

D. Diedrich motioned to amend the Comprehensive Plan's future land use map to Single & Two Family Residential. J. Brey seconded the motion. J. Brey asked for comments from the Plan Commission.

D. Hornung commented that he would like to have the zoning district changed to R-4 Single and Two Family rather than the R-3 Single Family Residential that was recommended by the Plan Commission at last months meeting. G. Jagemann also stated his support of the R-4 zoning classification.

P. Braun explained the differences between the R-3 and R-4 zoning districts; R-3 is single family only and R-4 is single and two family and uses with 3 or more units are not allowed.

D. Koski asked if there have been any plans or concepts submitted to the City. A. Kroner stated that there have been inquiries but no formal plans.

J. Brey stated he understands all the comments from the other Commissioners but due to the narrow streets and past issues he will not support at the Council meeting amending the Commissions recommendation they made last month to rezone the property to R-3 Single Family.

L. Kummer stated that he is not against owners renting out property but in many cases the property maintenance on rental properties is lacking.

J. Brey asked if staff has heard anything from the current owner Jenruss, LLC. Staff has not heard from Jenruss at all.

J. Brey asked the Commissioners if they would support the R-4 Single and Two Family zoning district rather than the R-3 Single Family district; D. Hornung, G. Jagemann, D. Koski and C. Hall would prefer the R-4 zoning and D. Diedrich and J. Brey continue to support the R-3 District which was recommended at last month's Commission meeting.

J. Brey returned back to the motion D. Diedrich made earlier which was to amend the Comprehensive Plan's future land use map to Single & Two Family Residential.

**Moved by Diedrich, seconded by Brey, to approve the proposed Future Land Use Map Amendment from "Multi-Family Residential" to "Single & Two-Family Residential". The motion carried by the following vote:**

**Aye:** 5 - Diedrich, Member Hornung, Member Koski, Member Jagemann and Member Hall

**Nay:** 1 - Alderperson Brey

[19-0587](#)

PC 25-2019: Tax Incremental District No. 20: Discussion and Possible Action regarding a Proposed Amendment #1 to the Project Plan and District Boundary.

A. Kroner introduced the project to the Plan Commission. The goal is to amend the district boundary and the project plan to allow for a business expansion in the district. TID #20 was originally created for the Lakeside Foods building expansion. The boundary will be amended to include the former Manitowoc Company property. There is a purchaser looking at one of the buildings and needs to upgrade the infrastructure to meet their business needs; the estimated cost for the upgrades is approximately \$4 million.

A. Kroner introduced Dan Lindstrom, from Vierbicher who is assisting the City with the TIF amendment process. D. Lindstrom presented the project plan amendment and boundary amendment. He commented that earlier that day the TIF Joint Review Board met and were introduced to the boundary and project plan amendment. The goal is to maintain industrial uses on the future land use map with an industrial user on the former Manitowoc Cranes property. State statutes allow up to four boundary amendments, the proposed amendment is the first for TID #20.

D. Lindstrom stated that the only two changes to the project plan are the developer incentives which would be increasing to \$5.8 million which is an increase of \$900,000 and the organizational costs to prepare the amendment itself. He continued by stating that infrastructure costs remain unchanged. He continued to explain the 1/2 mile radius rule and discussed the cash flow of the TID. He also stated that the City is meeting all the requirements of statutes and that no changes to the Comprehensive Plan or Zoning Map are needed.

D. Hornung asked if the separation of the existing facilities between the buildings are eligible costs. D. Lindstrom, yes, those costs are TIF eligible. D. Lindstrom concluded his presentation.

Chairman J. Brey opened the public hearing portion of the meeting. There were no comments from the public. Chairman J. Brey closed the public hearing and asked for the recommendation.

**Moved by Hornung, seconded by Diedrich, to adopt the resolution approving Amendment #1 to the Project Plan and District Boundary for Tax Incremental**

**District No. 20. The motion carried by the following vote:**

**Aye:** 6 - Alderperson Brey, Diedrich, Member Hornung, Member Koski, Member Jagemann and Member Hall

[19-0588](#)

PC 21-2019: Strharsky, Discussion and Possible Action for a Change in Zoning from R-1 Residential - Agricultural to R-4 Single and Two Family Residential located south of Homestead Road and east of Knuell Street.

P. Braun explained to the Commission that the request is to rezone the property from R-1 Residential - Agricultural to R-4 Single and Two Family Residential. The rezoning is related to a recent annexation by Gerard and Louise Strharsky who recently purchased and annexed a strip of land allowing access to their rear yard. As part of the annexation process a temporary zoning district of R-1 Residential - Agricultural was placed on annexed lands and the public hearing is required to amend the zoning to R-4 Single and Two Family Residential which is the same as the residences in the area. P. Braun concluded his comments.

Chairman J. Brey opened the public hearing portion of the meeting. There were no comments from the public. Chairman J. Brey closed the public hearing.

**Moved by Diedrich, seconded by Koski, to approve the Amendment to the Zoning Map from R-1, Residential-Agricultural to R-4, Single and Two Family Residential. The motion carried by the following vote:**

**Aye:** 6 - Alderperson Brey, Diedrich, Member Hornung, Member Koski, Member Jagemann and Member Hall

**V. OLD BUSINESS****19-0589**

PC 15-2019: Discussion regarding changes to Chapter 15 Zoning Ordinance Related to Recommendations from the Downtown Plan

A. Kroner updated the Commission regarding the idea of a form based zoning district created for the downtown area. A. Kroner proposed to contact a consultant that has experience in writing form based codes and have them teleconference with the Plan Commission so the Commission and staff can be introduced to the concept of form based zoning. The Commission agreed with the idea of a teleconference or presentation to discuss the concept of form based zoning.

**No action was required by the Plan Commission.**

**VI. NEW BUSINESS**[19-0590](#)

PC 19-2019: Discussion and Possible Action regarding city-owned parcels recommended for sale or donation.

P. Braun explained that Mayor Nickels requested Community Development

and Public Infrastructure staff to review a list of city owned parcels and provide a recommendation of which properties could be sold or donated. The City maintains the properties by cutting the grass and shoveling the snow; selling or donating the properties would allow Public Infrastructure staff more time for other projects. D. Diedrich asked if the new owner would be required to pay for any street repair costs and other assessments. The property owner would be liable for any costs but that could be negotiated if and when a land sale occurs.

**Moved by Hornung, seconded by Jagemann, to approve the list of City Owned properties to be either sold or given to another entity and to instruct the City Attorney's Department to finalize all aspects of the sale or transfer of the properties. The motion carried by the following vote:**

[19-0591](#)

PC 20-2019: SMI, Request for Release of an Easement, between Lots 5 & 6, Block 4, Manitowoc I-43 Industrial Park No. 3

P. Braun explained that the easement release request is related to a recent land sale between Manitowoc Public Utilities (MPU) and Apex Leasing. MPU sold a strip of land to Apex to allow for the construction of a warehouse building and now the easements that were located along the old property line need to be released. P. Braun stated that all the utilities and City have approved the release of the easement.

**Moved by Diedrich, seconded by Koski, to approve the release of easement and instruct city staff to sign and record the release document at the Manitowoc County Register of Deeds Office. The motion carried by the following vote:**

[19-0592](#)

PC 1-2019: Grove U.S. L.L.C. successor by merger with Manitowoc Cranes, LLC; Quit Claim Deed for Viebahn Street Right of Way.

P. Braun explained that the quit claim deed is related to a certified survey that was recently recorded. The quit claim deed is for Viebahn Street purposes.

**Moved by Hornung, seconded by Diedrich, to approve and accept the quit claim deed and instruct the City Clerk to record the deed at the Manitowoc County Register of Deeds Office. The motion carried by the following vote:**

**Aye:** 6 - Alderperson Brey, Diedrich, Member Hornung, Member Koski, Member Jagemann and Member Hall

[19-0593](#)

PC 1-2019: Strharsky Quit Claim Deed, Homestead Road.

P. Braun explained that the quit claim deed is for Homestead Road and is related to a recently adopted petition for direct annexation from Gerard and Louise Strharsky who live at 2715 Knuell Street.

**Moved by Diedrich, seconded by Hornung, to approve and accept the quit claim deed and instruct the City Clerk to record the deed at the Manitowoc County Register of Deeds Office. The motion carried by the following vote:**

**Aye:** 6 - Alderperson Brey, Diedrich, Member Hornung, Member Koski, Member Jagemann and Member Hall

[19-0594](#)

PC 24-2019: Amendment to Chapter 15.510 Mobile Home Regulations.

P. Braun stated that the proposed amendments to Chapter 15.510 were initiated through City Attorney's office. The proposed amendments are updating the recitals and references to other building codes or statutes. Chapter 15.510 is titled "Mobile Home Parks, Mobile Homes, Manufactured Homes and Recreational Vehicles." A public hearing in front of the Council will be scheduled for the June 17th Council meeting.

**Moved by Hornung, seconded by Hall, to approve the changes to Chapter 15.510 of the Municipal Code and instruct the City Clerk to schedule a public hearing before the Common Council. The motion carried by the following vote:**

**Aye:** 6 - Alderperson Brey, Diedrich, Member Hornung, Member Koski, Member Jagemann and Member Hall

[19-0599](#)

PC 1-2019. Annual Nomination and Election for the position of Second Vice Chairperson for the City Plan Commission.

P. Braun reviewed the process for electing a 2nd Vice Chair for the Plan Commission. D. Diedrich nominated D. Hornung.

**Moved by Diedrich, seconded by Hall, to approve the nomination of Dan Hornung as Second Vice Chairperson to the City Plan Commission. The motion carried by the following vote:**

**Aye:** 6 - Alderperson Brey, Diedrich, Member Hornung, Member Koski, Member Jagemann and Member Hall

## VII. MISCELLANEOUS

A. Manitowoc County Activities: None

B. Certified Survey Maps (CSM):

1. Apex Leasing: SE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  and SW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  Section 34, Township 19 North, Range 23 East, City of Manitowoc.

2. Zimmer Investments, LLC: SW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$ , Section 9, Township 19 North, Range 24 East, City of Manitowoc.

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

**Aye:** 6 - Alderperson Brey, Diedrich, Member Hornung, Member Koski, Member Jagemann and Member Hall

C. Summary of Site Plans:

1. SP 6-2019: Verizon, 4622 Calumet Avenue.

D. Director's Report

A. Kroner provided the Director's Report giving updates on i) the clean up of downtown signs in the right-of-ways, ii) the clean up of dilapidated private signs in the downtown and iii) Mirro site environmental clean up activities and development.



## VIII. ADJOURNMENT

**Moved by Hornung, seconded by Diedrich, to adjourn at 7:29 PM. The motion carried by the following vote:**

**Aye:** 6 - Alderperson Brey, Diedrich, Member Hornung, Member Koski, Member Jagemann and Member Hall

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.