



# City of Manitowoc

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

## Meeting Minutes

### Plan Commission

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Wednesday, October 25, 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 Acting Chairman J. Brey at 6:00 pm.

#### II. ROLL CALL

**Present:** 5 - Jim Brey, Dave Diedrich, Dan Koski, Jim Muenzenmeyer and Peter Dorner

**Absent:** 3 - Daniel Hornung, Mayor Nickels and Dennis Steinbrenner

#### III. APPROVAL OF MINUTES

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

Others Present: Michael Lefky, Jayson Lefky, Vince Cassiani, Tom Verstegen, Lee Kummer, Paul Steinbrecher

[17-1067](#)

Approval of the Minutes of the October 16, 2017 Meeting.

**Moved by Diedrich, seconded by Koski, that the Minutes of the October 16, 2017 Meeting be approved. The motion carried by the following vote:**

**Aye:** 5 - Alderperson Brey, Member Diedrich, Member Koski, Member Muenzenmeyer and Member Dorner

#### IV. PUBLIC INFORMATIONAL HEARINGS

[17-1068](#)

PC 26-2017: Americare Senior Services, Inc / Angelus Village of Manitowoc, LLC; Request for a Conditional Use Permit for the establishment of an Assisted Living Facility located at 200 E. Waldo Blvd Pursuant to Municipal Code 15.310(3)g

D. Diedrich stated that he will abstain from the Conditional Use Permit discussion.

P. Braun explained that the request is from V. Cassiani who is representing Americare Senior Services, Inc. Americare is requesting the issuance of a Conditional Use Permit for the establishment of a 52 unit Assisted Living Facility in a C-1 Commercial Zoning District. The development would be located at 200 E. Waldo Boulevard on the site of the former Elks Club clubhouse. Americare is the developer and managing member of Angelus

Village of Manitowoc, LLC. Americare is currently in negotiations with Red Arrow Products Company, LLC to purchase approximately 3.4 acres of land. The conditional use permit area is approximately 400' x 375' with the south line being located 200' north of E. Waldo Boulevard's right of way line.

P. Braun stated that the proposed 52 unit facility is estimated to be a \$6.5 million dollar project generating roughly \$135,000 a year in taxes. The building would have three floors being a mix of studio, one bedroom and two bedroom units. The individuals living in the facility would fall under the Department of Health Services definition of a Residential Care Apartment Complex (RCAC) license and which requires no more than 28 hours of care per week.

P. Braun explained that the property is currently zoned C-1 Commercial and that there are many uses that could develop at the location without any approvals required from the City with many of the uses not being complimentary to the surrounding properties. In addition to the commercial land uses, billboards could also be located on the site deterring from the aesthetics of the area. Americare has stated that they have no issue with not allowing billboards on the site and are receptive to a Planned Unit Development being placed on their property along with the remainder of the Red Arrow Products property.

P. Braun stated that notices were mailed out to property within 200 feet of the subject area and that one comment was received. Dale Hanke, Red Arrow Products Company, LLC called and said that they are still in negotiations with Americare and that they are trying to work through some contingencies in the offer to purchase.

P. Braun concluded his comments.

J. Brey asked if there were any questions from the Commission, there were none. J. Brey opened the public informational portion of the hearing.

Alderman L. Kummer expressed his concerns with the proposal. He felt the development was a poor use of the property and would chop up the remaining property. Without knowing how the remaining land would be divided he felt the proposal does not fit the unique property overlooking Lake Michigan. He also stated that the development would block the views of Lake Michigan and there should be a higher and better use developed on the property.

M. Lefky, 4 E. Waldo Boulevard, spoke on behalf of his wife who would support the facility if there is a need in the community for the assisted living

services.

J. Lefky, 1805 Waldo Boulevard, Apartment C, spoke and stated that based on county statistics he researched he does not believe there is a need for the facility.

V. Cassiani, Americare Senior Living / Angelus of Manitowoc stated that he had similar concerns with there being a demand for the assisted living facility especially with the Manitowoc Company leaving the community. Two market studies have been completed and the studies have stated that even after completion of the Americare development there would still be a demand for over 280 individuals. The development is a RCAC which is licensed by the state and cannot provide more than 28 hours of care a week.

J. Verstegen, President of Total Project Management addressed the question of whether the proposal is the highest and best use of the property, he stated that the space is intended to be a living space for everyone's parents and that there will be approximately \$2 million of value added per acre. They have tried to incorporate the design of the rest of the Red Arrow property but those plans have been put on the side for now. The current zoning district does allow for similar types of uses but because it's an assisted living facility the CUP is required. Angelus selected the site because of the view of the lake and natural amenities. J. Verstegen concluded by stating that he felt there would need to be a mix of uses to develop the remaining Red Arrow property.

J. Brey closed the Public Hearing.

P. Braun stated the staff recommendation is to approve the conditional use permit subject to the following conditions:

- A. The CUP shall require compliance with all applicable local and state regulations including issuance and maintenance of a license to Angelus Village of Manitowoc, LLC (Angelus) by the Wisconsin Department of Health Services (DHS) for the operation of an Assisted Living Facility. If Angelus is not successful in receiving a license from DHS by December 31, 2019 Angelus shall be required to re-apply for a CUP.
- B. Angelus shall be subject to a maximum of 52 units as shown on the submittal drawings.
- C. Angelus shall not assign or transfer its interest in the CUP to any party without the written approval of the Manitowoc City Plan

Commission and Manitowoc Common Council.

- D. To maintain the aesthetic and natural open space of the subject area Angelus shall not be allowed to construct any off-premise (billboards) in the CUP area.
- E. By mutual consent, Angelus agrees to incorporate the CUP area into a Planned Unit Development (PUD) when a PUD is created and overlaid onto the remaining Red Arrow Products Company, LLC property.
- F. 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.

P. Dorner stated that he would be voting against the proposal because of the lack of information. He asked V. Cassiani if other locations were researched. V. Cassiani stated that the former Mid-Cities Mall and Drive-In Theater sites were also researched, but for various reasons, they kept coming back to the Red Arrow site.

D. Koski stated that he would have a difficult time not supporting the proposal where a buyer and seller both agree on the project and where the developer can meet all the conditions of the Conditional Use Permit.

J. Muenzenmeyer stated that he would like to see a Planned Unit Development and an overall concept plan in place. He continued to say that there are many uses in the existing C-1 zoning district that are permitted that are not compatible with the neighborhood with no Commission or Council approval required. He also has some concerns with access to the site off of Waldo Boulevard and that whatever access is developed it should be designed to be able to service the remaining Red Arrow property.

N. Sparacio stated that he supports the staff recommendation and appreciates the discussion by everyone regarding the Red Arrow property. He is familiar with one of the other Angelus developments in Hobart that is located in the Centennial Center development which is a very successful mixed use development. N. Sparacio feels the development won't detract from the area and is a good catalyst for other development in the area. He continued to state that the development would be beneficial to the TIF district and that at this time Angelus is not requesting any TIF assistance.

**Moved by Muenzenmeyer, seconded by Koski, to approved the Conditional Use Permit for the establishment of a 52 unit Assisted Living Facility subject to the recommended conditions. The motion carried by the following vote:**

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

**Nay:** 1 - Member Dorner

**Abstain:** 1 - Member Diedrich

## V. REFERRALS FROM COMMON COUNCIL: None

## VI. OLD BUSINESS: None

## VII. NEW BUSINESS

### [17-1069](#)

PC 27-2017: City of Manitowoc / Color Craft Graphic Arts: Release of Easement, Lot 7, Block 3, I-43 Industrial Park.

P. Braun explained that the Release of Easement request is related to the sale of Lot 7, Block 3, Manitowoc I-43 Industrial Park No. 3 from the City of Manitowoc to Color Craft Graphic Arts to allow for their building expansion. The easement release area runs along the north line of the City owned lot. All entities with an interest in the easement area have authorized the release of the easement.

**Moved by Diedrich, seconded by Dorner, to approve the Release of Easement. The motion carried by the following vote:**

**Aye:** 5 - Alderperson Brey, Member Diedrich, Member Koski, Member Muenzenmeyer and Member Dorner

### [17-1070](#)

PC 1-2017: Stanleas III, LLC Quit Claim Deed for Homestead Road.

P. Braun explained that the quit claim deed is for Homestead Road right-of-way and is associated with a recent certified survey that was approved. The area to be dedicated is 0.24 acres.

**Moved by Diedrich, seconded by Koski, to approve the Quit Claim Deed for Homestead Road purposes. The motion carried by the following vote:**

**Aye:** 5 - Alderperson Brey, Member Diedrich, Member Koski, Member Muenzenmeyer and Member Dorner

### [17-1071](#)

PC 1-2017: Stanleas III, LLC Quit Claim Deed for Nicyssa Lane.

P. Braun explained that the quit claim deed is for Nicyssa Lane right-of-way and is associated with a recent certified survey that was approved. The area to be dedicated is 0.12 acres.

**Moved by Diedrich, seconded by Koski, to approve the Quit Claim Deed for Nicyssa Lane purposes. The motion carried by the following vote:**

**Aye:** 5 - Alderperson Brey, Member Diedrich, Member Koski, Member Muenzenmeyer and Member Dorner

## VIII. MISCELLANEOUS

A. Manitowoc County Activities: None

B. Certified Survey Maps (CSM):

1. Stanleas III, LLC / Schreiner: NE ¼, NW ¼, Section 14, Township 19 North, Range 23 East, City of Manitowoc.

2. Stanleas, III, LLC: NE ¼, NW ¼ Section 11, Township 19 North, Range 23 East, City of Manitowoc.

3. Laugin Enterprises: NE ¼, SE ¼ Section 25, Township 19 North, Range 23 East, City of Manitowoc.

C. Summary of Site Plans:

1. Wisconsin Aluminum Foundry / TJ's Bar: Parking Lot Construction, 1423 Clark Street.

2. Briess Malt and Ingredients, Inc: Building Expansion, 605 Jay Street.

D. Director's Report:

N. Sparacio provided a progress report regarding the Downtown Master Plan, Downtown Parking Plan, EPA site assessment grant applications and the submittal of Downtown TIF corrections to the State of Wisconsin Department of Revenue. P. Braun provided an update on the car ferry dock wall project which will begin after the sailing season ends in 2018. The addition of the federal FastLane grant funds has caused a delay in the project.

## IX. ADJOURNMENT

**Moved by Diedrich, seconded by Muenzenmeyer, that the Meeting be adjourned at 6:40 PM. The motion carried by the following vote:**

**Aye:** 5 - Alderperson Brey, Member Diedrich, Member Koski, Member Muenzenmeyer and Member Dorner

Respectfully Submitted,

Paul Braun  
Secretary