



City of Manitowoc

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

Meeting Minutes

Plan Commission

Wednesday, October 25, 2023

6:00 PM

Council Chambers. Meeting also available via
Zoom remote conferencing software.

I. CALL TO ORDER

Chairman J. Nickels called the Plan Commission meeting to order at 6:00PM.

II. ROLL CALL

Present: 8 - Mayor Nickels, Greg Jagemann, Curtis Hall, Dan Koski, Dennis Steinbrenner, Jim Brey, Daniel Hornung and Dave Diedrich

Staff Present: Paul Braun, Jen Bartz, Kait Piazza

Others Present: Raymond Bieberitz, Terry Bosch, Sue & Fran Kornely, Jeff Patterson, Mark & Joanne Gaedtke, Carrie Redo, Michael Etheridge, Peter Allie, Alex Allie

III. APPROVAL OF MINUTES

[23-0903](#) Approval of Minutes of the September 27, 2023 Plan Commission meeting.

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

Aye: 8 - Mayor Nickels, Member Jagemann, Member Hall, Member Koski, Member Steinbrenner, Alderperson Brey, Member Hornung and Member Diedrich

IV. PUBLIC HEARINGS

[23-0904](#) PC 22-2023: Bay Pointe Developers II LLC: Rezone from P-1 Conservancy to R-5 Low Density Multiple Family located at Bay Shore Drive and E. Park View Lane.

P. Braun reviewed the location and request to rezone to facilitate another phase in Bay Pointe Developers, LLC's development plans. He added that the request is consistent with the Comprehensive Plan and earlier concept plans that were reviewed by the Plan Commission. He stated that neighbors within 200' were notified of the request by mail and that there were no comments received.

There were no questions from the Plan Commissioners.

Chairman J. Nickels opened the public hearing.

Raymond Bieberitz, 204 E Parkview Lane: He asked about endangered species permits and added that the DNR is aware of wildlife in the area. He offered to provide photos.

Chairman J. Nickels closed the public hearing.

Moved by Brey, seconded by Diedrich, that the request to Rezone from P-1 Conservancy to R-5 Low Density Multiple Family be approved and referred to council. The motion carried by the following vote:

Aye: 8 - Mayor Nickels, Member Jagemann, Member Hall, Member Koski, Member Steinbrenner, Alderperson Brey, Member Hornung and Member Diedrich

[23-0905](#)

PC 23-2023: Lotus Recovery Homes: Request for a Conditional Use Permit for Transitional Housing at 1111 Marshall Street.

P. Braun reviewed the Conditional Use Permit request and location. He stated that in addition to transitional housing, the location will also house administrative offices for Lotus. He said that he and Bill Nichols from Building Inspection walked through the building with the applicant and room sizes met the minimum requirements defined in the Municipal Code. He read the definition of transitional housing and reviewed the Conditional Use Permit criteria. He read a few sections from the State Statute and specific definitions. He also stated that adjacent and abutting neighbors were notified of the request by mail and that there were no comments received.

There were no questions from Plan Commissioners.

Chairman J. Nickels opened the public hearing.

Terry Bosch, Executive Director of Lotus, 3008 Barkwood Court: He stated that the application allows Lotus to correct an error that occurred, under prior leadership, the entity had been operating unaware that a Conditional Use Permit was needed. He added that Lotus is a recovery home, not a treatment center, and that residents come voluntarily. They are required to maintain clean and sober living. He added that there are nine beds currently but the request is for a maximum of 12 beds because Lotus may convert some office space into bedrooms. He apologized for not doing it right initially, but will do right going forward.

Chairman J. Nickels closed the public hearing as there were no other comments.

Ald. Brey thanked Lotus for coming forward to do the right thing.

D. Diedrich asked if Lotus employs full-time staff. T. Bosch stated that they

accommodate schedules and occasional weekends, so hours do vary. He added they do segregate by gender and that the Marshall Street site is strictly male.

C. Hall asked for further explanation of the application and approval process for residents. T. Bosch briefly reviewed the process and added that there are pre-placement interviews, contingent upon empty beds. He also reviewed the process if someone does not follow rules and added that a resident can be removed from the home based on infraction.

G. Jagemann asked how often are staff are on site. T. Bosch stated that staff are on site daily, but that there are no set schedules. He added that staff can be on site within 5-7 minutes.

Moved by Steinbrenner, seconded by Jagemann, that the Request for a Conditional Use Permit for Transitional Housing be approved and referred to council. The motion carried by the following vote:

Aye: 8 - Mayor Nickels, Member Jagemann, Member Hall, Member Koski, Member Steinbrenner, Alderperson Brey, Member Hornung and Member Diedrich

[23-0906](#)

PC 24-2023: Lotus Recovery Homes: Request for a Conditional Use Permit for Transitional Housing at 404, 406 & 408 N Lake Street.

P. Braun reviewed the request and location, noting that this request is for 15 adults at this location. He added that the location was previously owned by the federal government for U.S. Coast Guard members. He stated that he and Bill Nichols from Building Inspection walked through the building and the structure meets the square footage minimums to house a max of 5 residents per dwelling unit - there are three units.

P. Braun stated that adjacent and abutting neighbors were notified of the request by mail and that there was one email received from Jeffrey and Karen Patterson.

Chairman J. Nickels asked the Plan Commissioners for questions.

D. Diedrich asked for specifics about the facility. T. Bosch stated that it will be a female-only facility. He added that there is currently no office at the Lake Street location, so the plan is for meetings to be held at the 408 Lake Street location as the 404/406 Lake Street units have residents and the other unit was most recently a market-rate rental.

Chairman J. Nickels opened the public hearing.

Jeff Patterson, 414 Chicago Street: He asked for reassurance all Plan Commission members received and reviewed their communication. He went on to review his letter and referred to an article within his letter. He pointed out that Manitowoc appears to be unique with recovery houses in

comparison to other local community's numbers. He added that it feels as though this is an industry in our community. He suggested that the City Plan Commission recommend City Council review transitional housing per zoning code.

Terry Bosch, Executive Director of Lotus, 3008 Barkwood Court: He responded to specific items stated by J. Patterson and added that the list presented may not be accurate. He addressed specifics within the letter - line by line. He added that in response to a recent event, he spoke with J. Patterson's wife and offered to meet to provide background for understanding. He again reviewed the application process and criteria for acceptance, and restated that recovery housing is voluntary.

Chairman J. Nickels closed the public hearing.

Chairman J. Nickels stated that the items will move to the November 20 Common Council for full approval.

Moved by Diedrich, seconded by Steinbrenner, that the Request for a Conditional Use Permit for Transitional Housing be approved and referred to council. The motion carried by the following vote:

Aye: 8 - Mayor Nickels, Member Jagemann, Member Hall, Member Koski, Member Steinbrenner, Alderperson Brey, Member Hornung and Member Diedrich

[23-0907](#)

PC 25-2023: The Haven of Manitowoc County: Request for a Conditional Use Permit for Transitional Housing at 826 S. 19th Street.

P. Braun reviewed the request and location. He stated that The Haven and Wisconsin Aluminum Foundry (WAF) are in agreement that the residence, owned by WAF, can house up to three individuals if modifications are made. He added that the location will be a next step of transition toward self-sufficiency from The Haven. He also added that residents will pay rent. He stated that adjacent and abutting neighbors were notified of the request by mail and that there were no comments received.

There were no questions from Plan Commissioners.

Chairman J. Nickels opened the public hearing.

Michael Etheridge, Executive Director of the Haven: He provided statistics for The Haven and stated that this request supports their shared housing initiative. Residents are able to work and save money during the 6-month program which put them in a position to move to transitional housing.

Craig Fickett, 822 S 19th Street: He stated that the he owns and rents the neighboring house and considered the proposed location as unlivable as none of the mechanicals are in order and the windows were boarded. He

added that the property is on easement with his property and the driveway is connected. He stated that he agrees with the premise of transitional housing, he doesn't think this property is a good fit due to the easement. He asked if Plan Commission has reviewed the easement and requests not to proceed, before reviewing the easement. He reiterated that he feels as though the property is in derelict condition.

M. Etheridge responded that a contractor was hired and the house is livable. Money, additional funding and in-kind donations have been raised for improvements and renovations and A.C.E. Builders has been hired. He stated that The Haven is willing to work with the easement.

C. Fickett added that he believes the house is blighted as it has been vacant for years. He added that he feels it would take a lot of money to make it livable as drywall would need to be removed per the state due to possible contamination.

Chairman J. Nickels closed the public hearing.

Chairman J. Nickels asked if Building Inspection could review the site prior, along with parking. P. Braun stated that the City has not added that as a condition prior, but that it could be included and if the applicant accepts as a condition, it would be allowed. P. Braun clarified that the easement is between the property owners and the City would not enforce the rights in the easement.

Discussion ensued about the Building Inspection review to determine livability as well as the easement.

D. Diedrich made a motion to approve with the Building Inspection review to confirm livability and to review parking in one year. Discussion ensued and P. Braun stated that CUPs are reviewed annually, but a note can be added to review the parking as well at that time.

G. Jagemann stated that he currently owns property with an easement and that he supports both the Building Inspection review and annual review to include parking.

Chairman J. Nickels stated that it is positive that WAF/private sector is seeing a need and stepping up to address a gap.

Moved by Diedrich, seconded by Jagemann, that the Request for a Conditional Use Permit for Transitional Housing be approved as amended and referred to council. The motion carried by the following vote:

Aye: 8 - Mayor Nickels, Member Jagemann, Member Hall, Member Koski, Member Steinbrenner, Alderperson Brey, Member Hornung and Member Diedrich

V. OLD BUSINESS[23-0908](#)

PC 18-2021: Annual Review Connection Church; Request for a Conditional Use Permit for the establishment of a Church and Gym/Community Center located at 1455 North Rapids Road.

P. Braun discussed the review process and shared the conditions of the Conditional Use Permit. He shared that he was contacted by neighbors who stated that doors were open while pickle ball was being played on several occasions. He stated that he called about the open doors and by the time he drove out to the site the doors were closed. Signage could be posted about keeping the doors closed during pickle ball play. P. Braun also added that there were no lines drawn for outdoor court as a neighbor had mentioned.

D. Diedrich recommends violations be formalized in a letter and that the church be notified the Conditional Use Permit could be revoked if infractions continue. D. Steinbrenner agreed and noted that with new church leadership there may not have been knowledge transfer.

P. Braun will draft a letter to be sent and stated that the review can be reopened annually or at anytime.

This annual review was referred to the Common Council.

[23-0920](#)

PC 18-2022: Annual Review Manitowoc Cooperative Ministry, First Presbyterian Church; Conditional Use Permit for establishment of a Transitional Housing, Warming Shelter; 502 N. 8th Street

P. Braun discussed the review process and he shared the conditions of the Conditional Use Permit with the Commissioners.

D. Diedrich stated that he has a concern with the comments from the Assistant Police Chief about the police not being allowed in and also with tent or tents on the hill. He added that he is not opposed to the warming shelter, but would like the concerns addressed.

P. Braun pointed out that the annual review by Building Inspection and Fire Department's still needs to be initiated by Shelter leadership prior to opening for the season. Discussion ensued about tents as was discussed at Council.

Pastor Matt Sauer: Addressed concerns and stated that law enforcement representatives are on the steering committee and he was not aware that Police Officers were not allowed access. He shared the preferred process if law enforcement is looking to speak with a resident and added that

misunderstanding is the likely cause since he was not made aware of the situation. He went to address specific concerns stated in the letter.

Chairman J. Nickels stated that while it's positive law enforcement is on the steering committee, it is disappointing it did not make it to shelter staff.

D. Diedrich clarified there is a limit of 12 residents. M. Sauer confirmed.

M. Sauer stated that with the requirement that the shelter can only operate for two seasons, shelters in other communities are not under same scrutiny. He added that Sheboygan's shelter is in the basement of a church. He added that they are trying to find an acceptable, affordable alternate location, but asked if other communities can be contacted for their approach to requirements.

P. Braun stated that he was unsure where the two-year maximum requirement stemmed from.

M. Sauer added he will contact Building Inspection and Fire Department staff to conduct the annual inspection requirement.

This annual review was referred to the Common Council.

[23-0790](#)

PC 19-2023: Discussion Regarding Amendment to Chapter 15 Related to Accessory Dwelling Units.

K. Piazza provided an update and stated that the draft ordinance was presented to the Committee of the Whole and the Committee of the Whole's discussion and commentary was similar to what the Plan Commission discussed - utilities, short-term rentals, are ADUs allowed in single family districts. She stated that the next steps will be to gather input from other communities, including number of permits pulled by zoning district. She added that public education will be included as part of the process including gathering input and concerns from the community. She stated that the final proposed language will be shared for approval in spring 2024.

Chairman J. Nickels stated that there were comments related to addressing ADUs as an option to address housing and not short-term rentals. Mayor Nickels stated he is not in favor of allowing ADUs to be used as short term rentals and would rather focus on long term, permanent housing solutions.

Ald. Brey stated originally he was skeptical of ADUs but after talking with staff and others he can see the potential benefits of them and agreed with the need to clarify which zoning districts they would be allowed in, as well

as a requirement that ADUs or the principal building would need to be owner occupied.

The item was discussed.

VI. NEW BUSINESS

23-0909

PC 21-2023: Swetlik: Request to Purchase City Owned Property. Parcel # 000-196-040. East 55' of Lot 4, Block 196 of the Original Plat.

P. Braun reviewed the location of the request.

C. Hall asked if people would be able to enter and exit the driveway right on the corner. P. Braun said no plan has been submitted yet for the site and the location of the driveway could be addressed during the sale process.

Moved by Brey, seconded by Diedrich, that this Report be approved and referred to council. The motion carried by the following vote:

Aye: 8 - Mayor Nickels, Member Jagemann, Member Hall, Member Koski, Member Steinbrenner, Alderperson Brey, Member Hornung and Member Diedrich

VII. MISCELLANEOUS

A. Manitowoc County Activities: None

B. Certified Survey Maps (CSM):

i. Parker/Rent in Manitowoc LLC; All of Lot 2 CSM Vol 33, Page 77 and part of Lots 3 & 4 of the Subdivision of the SE 1/4 of Section 25, T19N, R23E, City of Manitowoc

ii. Gulseth: Tract B of a CSM Vol, 10, Page 611, Part of Lot 1 of a CSM recorded in Vol 32, Page 7 & Part of the SE 1/4 of the SE 1/4 Section 8, T19N, R24E City of Manitowoc

iii. Paul Metz - Peaceful Valley Real Estate, LLC; Part of Lots 5 & 6, Block 18, Original Plat of the Village of Manitowoc Rapids, Being part of Gov. Lot 1, Section 23, T19N, R23E, City of Manitowoc, Manitowoc County

iv. Peter's Key Investments LLC / Rent in Manitowoc LLC; Lot 2 of CSM V 33, Pg 77 & part of Lots 3 and 4 of the Subdivision of SE 1/4 of Section 25, T19N, R23E, City of Manitowoc

v. Brandon Bartow; Tr 1.1 of a CSM, Volume 21, Page 251 & part of the NW 1/4 of the SE 1/4 & SW 1/4 of the SE 1/4 Section 13, T18N, R23E, Town of Newton

vi. Eslinger All of Lot 1 CSM Vol 35, Page 65 plus additional lands being part of NW 1/4 of the NW 1/4 Section 31, T20N, R24E Town of Kossuth

C. Summary of Site Plans from September 22-October 17:

i. SP 9-2023: Manitowoc Lutheran High School Addition, 4045 Lancer Circle

VIII. ADJOURNMENT

**Moved by Diedrich, seconded by Koski, that the meeting be adjourned at 7:43PM.
The motion carried by the following vote:**

Aye: 8 - Mayor Nickels, Member Jagemann, Member Hall, Member Koski, Member Steinbrenner, Alderperson Brey, Member Hornung and Member Diedrich