



City of Manitowoc

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

Meeting Minutes

Plan Commission

Wednesday, February 28, 2018

6:00 PM

Council Chambers

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: 4 - Jim Brey, Dan Koski, Jim Muenzenmeyer and Dennis Steinbrenner

Absent: 4 - Dave Diedrich, Daniel Hornung, Mayor Nickels and Peter Dorner

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

Others Present: Ald. Rhienna Gabriel, Kevin Sonnenburg, Tim Terp, Gary Stolp

III. APPROVAL OF MINUTES

[18-0195](#) Approval of the Minutes of the October 25, 2017 Plan Commission Meeting

NOTE: DUE TO A LACK OF QUORUM THE MEETING MINUTES FROM OCTOBER 25, 2017 WILL BE RE-APPROVED AT THE MARCH 28, 2018 COMMISSION MEETING.

IV. PUBLIC INFORMATIONAL HEARINGS

[18-0196](#) PC 6-2018: Schultz, Request for a Conditional Use Permit for the Establishment of a Micro-Blading Establishment at 2510 Washington Street

P. Braun explained that the request is from Brittany Schultz owner of Acupuncture by the Lake located at 2510 Washington Street. B. Schultz is requesting a conditional use permit (CUP) to allow her to add Micro-Blading to her existing acupuncture and oriental medicine practice. The State of Wisconsin licenses Micro-Blading businesses the same as a traditional tattooist. The City's Zoning Ordinance requires tattoo establishments to receive a CUP in the B-3 General Business District.

P. Braun commented that the building is owned by B. Schultz's father Dr. Kevin Kumbalek who has his Chiropractic practice in a different portion of the building. The Micro-Blading service will be in the same space as her

existing Acupuncture by the Lake business which currently provides acupuncture and other oriental medicine services. There are no planned changes to the exterior of the building.

P. Braun explained that Micro-Blading would help people suffering from a variety of skin related diseases, cancer or individuals that want to enhance their eyebrows for aesthetic reasons. It is a form of semi-permanent makeup applied with tools that are similar to traditional tattooists.

P. Braun stated that notices were mailed out to property owners within 200 feet of the subject property and that no comments were recieved.

P. Braun concluded his comments.

J. Brey asked the Commission if they had any questions, there were none. J. Brey then opened the public informational portion of the hearing, there were no public comments. J. Brey closed the public informational portion of the meeting.

P. Braun read the staff recommendation which includes the following conditions for the request.

1. If the applicant does not secure licensing from the State of Wisconsin, by December 31st, 2018, this CUP is void and terminates effective January 1, 2019. The applicant shall provide the Department of Community Development written documentation evidencing the issuance of the license.
2. The CUP authorizing the location and operation of the business in the CUP Area shall not be approved until the Common Council approves the CUP.
3. This CUP does not waive or pre-empt any requirements under any building, zoning, or health codes or any other requirements of any municipal, state or federal regulation, statute or law.
4. The CUP is granted exclusively to Brittany Schultz, d.b.a. Acupuncture by the Lake and is not assignable to any other person or entity unless authorized by the City Plan Commission and Common Council.
5. 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.

6. The CUP shall automatically terminate effective the date any license or certification granted to the Owner by the State, or any State-approved license which is assigned or transferred to a City-approved assignee or licensee for the micro-blading business at the CUP Area is closed, denied, revoked, or terminated by either the Owner or the State.

Moved by Koski, seconded by Muenzenmeyer, to approve a Conditional Use Permit for a Tattoo / Microblading establishment located at 2510 Washington Street pursuant to the attached conditions, and to instruct the Clerk to schedule a public hearing for the April 16th, 2018 Common Council meeting. The motion carried by the following vote:

Aye: 4 - Alderperson Brey, Member Koski, Member Muenzenmeyer and Member Steinbrenner

[18-0206](#)

PC 3-2017: Knutson / Terp; Request for a Conditional Use Permit for an Open Sales Lot located at 2020 Dufek Drive.

P. Braun explained that the request is from Tim Terp and Karl Knutson who are owners of a vacant lot located at 2020 Dufek Drive. They are requesting the issuance of a Conditional Use Permit (CUP) for an open sales lot in the B-3 General Business District. In February 2017, the Council approved a CUP for the open sales lot with one of the conditions stating that the CUP would terminate on January 1, 2018 and that the owners would need to re-apply. The reason for the termination date was that the Council and Commission felt the proposed use was not the highest and best use of the property and didn't want the open sales lot use to exist for a prolonged period of time. The other two major conditions were a maximum of 8 storage sheds and 4 vehicles could be on the property at any single time and that there were setbacks required for the items on display. The setbacks included a 70' x 100' vision triangle at the northeast corner of the lot, a 10' setback along the north property line and 15' setback along the west property line.

P. Braun stated that over the past year he has not noticed any violations regarding the conditions. The Police and Building Inspection Departments didn't have any complaints on record over the past year regarding the open sales lot. Notices were mailed out to property owners within 200' and one comment was received from a representative from Menards. The individual asked some general questions regarding the type of items that are sold and didn't provide an opinion for or against the CUP.

P. Braun concluded his comments.

J. Brey asked if there were any questions from the Commission. D.

Steinbrenner asked if the neighborhood traffic was cutting through the parcel. P. Braun stated he did see a single set of tire tracks cutting through the property but it looked like it was a single occurrence.

J. Brey opened the public informational portion of the hearing.

T. Terp, 3404 Chasm Lane, stated that the property is currently for sale and would like to have the CUP until they can sell the property.

G. Stolp, 2205 Friday Street, owner of the Subway that is north of the property commented that he has had no problems with the open sales lot over the past year. The only concern is that there has been some tracking of gravel onto the street but in general the owners have done a good job of maintaining the property.

J. Brey closed the public informational portion of the hearing.

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

1. Compliance with the terms and conditions of the CUP shall be reviewed by the Plan Commission and Common Council in January, 2019.
2. The Open Sale Hours for the operation shall be between dawn and dusk, Monday - Sunday.
3. All exterior lighting from the CUP area shall be contained to the site and shall not filter over the property lines onto adjoining properties.
4. In the event the property comprising the CUP Area is sold or leased to a party other than an entity in which Carl Knutson or Timothy Terp has a controlling interest, the CUP shall then terminate effective the date of conveyance.
5. The Property is limited to a maximum of 8 storage sheds and 4 vehicles at any single time. Vehicles include automobiles, trucks, trailers, campers, RV's, and boats.
6. Product sold or stored on the site shall be setback at least 15 feet from the residential use along the west property line and setback at least 10 feet from the north property line. There shall also be a 100' x 70' vision triangle located at the northeast corner of the Owners parcel; the attached CUP map depicts this area. The intent of the above described vision triangle is to maintain the site vision to the business to the north.

7. The storage of any materials, junk, debris, garbage or inoperable vehicles is prohibited on the subject property.
8. All products displayed on the Property shall not be placed in the right-of-way or in the vision triangles. Product shall be displayed, placed, and located in an orderly fashion.
9. This CUP shall automatically terminate on January 1, 2020. The intent of this CUP is to encourage the owners to redevelop the property for a higher and better use but temporarily provides the owners with an interim use. The owners shall have to reapply for a CUP after the termination date.

Moved by Steinbrenner, seconded by Koski, to a Conditional Use Permit for an Open Sales Lot in a B-3 General Business Zoning District located at 2020 Dufek Drive pursuant to the attached conditions, and to instruct the Clerk's Office to schedule a public hearing for the April 16th, 2018 Common Council meeting. The motion carried by the following vote:

Aye: 4 - Alderperson Brey, Member Koski, Member Muenzenmeyer and Member Steinbrenner

V. REFERRALS FROM COMMON COUNCIL

None

VI. OLD BUSINESS

- 18-0197** PC 10-2017 Kwik Trip / LaCrosse Sign Company: Compliance Review of an Animated Sign located at 2102 Washington Street. Recommending approval of the annual review of an animated sign located in a B-3 Business District and review of the landscaping plan at the September 2018 Plan Commission.

NOTE: Due to a lack of quorum this Special Permit will be approved at the March 28, 2018 Commission meeting.

- 18-0199** PC 5-2018: Sonnenburg Builders; Request for a Special Permit for an Animated Sign in a C-1 Commercial Zoning District at 2125 N. Rapids Road. Recommending issuance of the Special Permit for the animated sign as depicted in the sign application packet.

NOTE: Due to a lack of quorum this Special Permit will be approved at the March 28, 2018 Commission meeting.

VII. NEW BUSINESS

- [18-0200](#) PC 2-2018: Annual Review of Community Living Arrangements pursuant

to MMC 15.370(19). Recommending approval of the associated licenses for the community Living Arrangements for 2018 pursuant to section 15.370(19).

T. Caulum stated that the annual review of Community Living Arrangements is pursuant to Section 15.370(19)b of the Municipal Code. T. Caulum explained that he contacted the Police, Fire and Building Inspection Departments to see if there were any complaints or concerns on record for the past year; no complaints were on record with any of the departments.

T. Caulum explained that as of January, 2018 there are a total of 35 Community Living Arrangements in the City; 7 of which are adult family homes (3 or 4 beds) and 28 of which are Community Based Residential Facilities (5 or more beds).

Moved by Koski, seconded by Muenzenmeyer, to approve the annual review of the Community Living Arrangements. The motion carried by the following vote:

Aye: 4 - Alderperson Brey, Member Koski, Member Muenzenmeyer and Member Steinbrenner

[18-0201](#)

PC 3-2018: Harbor Assistance Program - Annual Statement of Intentions

P. Braun reviewed the 8 projects that are listed in the Harbor Assistance Programs' Statement of Intentions. P. Braun commented that the Statement of Intentions does not commit the City to do any of the projects; it just makes the projects eligible for funding. Two recent projects that were funded by the program include the new sheet wall installed at the 1311 Spring Street property and the Lake Michigan Carferry dockwall replacement, which is planned to begin after the 2018 sailing season. P. Braun informed the Commission that the Statement of Intentions was also reviewed by the Harbor Commission.

Moved by Steinbrenner, seconded by Muenzenmeyer, to support the 2018 - 2020 Wisconsin Department of Transportation Harbor Assistance Program's Annual 3 year Statement of Intentions. The motion carried by the following vote:

Aye: 4 - Alderperson Brey, Member Koski, Member Muenzenmeyer and Member Steinbrenner

[18-0202](#)

PC 4-2018: Tax Incremental District # 20 Project Plan Introduction and Discussion.

N. Sparacio described the boundaries of the proposed TIF district and the expansion plans of Lakeside Foods. The proposed district is very focused and includes only the properties owned by Lakeside Foods in order to secure a stable increment source for the pay-as-you-go TIF agreement for the plant expansion. Other neighboring properties were considered by staff, but at this time, there are no other industrial expansions planned that would warrant the inclusion of other parcels.

N. Sparacio further explained the details and timing for the Lakeside Foods expansion project. The role of the Plan Commission is to review the project plan and district boundary and to conduct the related public hearing. These steps are planned to occur in the month of March. Staff will continue work on the draft project plan including identifying potential infrastructure projects in the vicinity of the proposed district. N. Sparacio stated that the City has about \$60 million in available TIF capacity before it reaches the statutory 12% maximum. The proposed TID will have a base value of about \$5 million, so it will fit well within the available capacity. Community Development is requesting authorization for staff to proceed with the creation of TIF District 20.

J. Brey asked whether adding other vacant properties to the proposed district could harm the Lakeside Foods TIF agreement if the assessed value of those other parcels or buildings were reduced. N. Sparacio stated that was correct and was the very reason why additional parcels are not being included at this time. D. Koski asked whether the district could be amended in the future to bring in other parcels if there was a project that would increase assessed value. N. Sparacio responded that yes, the district can be amended in the future if other TIF needs are identified. J. Muenzenmeyer asked for clarification of the land and building values shown on the proposed district map.

Moved by Muenzenmeyer, seconded by Steinbrenner, to authorize Community Development staff to proceed with creation of the TID 20 Project Plan and district boundary. The motion carried by the following vote:

Aye: 4 - Alderperson Brey, Member Koski, Member Muenzenmeyer and Member Steinbrenner

[18-0203](#)

PC 1-2018: Maritime Ag, LLC; Quit Claim Deed for Knuell Street purposes. Recommending approval.

P. Braun explained that the Quit Claim Deed is for Knuell Street right-of-way and is associated with a recent certified survey that was approved. The area dedicated is 0.23 acres.

Moved by Muenzenmeyer, seconded by Koski, to approve and accept the Quit Claim Deed; and instruct the Clerk to record the document at the Manitowoc County Register of Deeds Office. The motion carried by the following vote:

Aye: 4 - Alderperson Brey, Member Koski, Member Muenzenmeyer and Member Steinbrenner

[18-0204](#)

PC 4-2016: Downtown Plan Update and Discussion

N. Sparacio provided an update on the Downtown Master Plan project. The process is going well, and public participation has been exceptional at workshops and online engagement surveys. The project is reaching a critical point where the ideas and input are starting to come together. The plan will seek a balance of smaller incremental improvements and larger

catalytic opportunities, but keep in mind that one of the main goals of the plan is to create a marketing piece to encourage investment and development. The agenda materials included highlights of the potential catalytic development sites that have bubbled to the top so far in the process.

This item was discussed; no action taken.

[18-0205](#)

PC 18-2017: Downtown Parking Study Update and Discussion

N. Sparacio provided an update on the Downtown Parking Analysis project. A executive summary and major findings were included in the agenda packet. The next steps include conducting a public meeting for downtown businesses and property owners, and then finalizing the plan document for Council review and approval.

This item was discussed; no action taken.

VIII. MISCELLANEOUS

A. Manitowoc County Activities: None

B. Certified Survey Maps (CSM):

1. Diederichs: Government Lot 1, Section 14, Township 19 North, Range 23 East, Town of Manitowoc Rapids.
2. Colorcraft: SE ¼, NE ¼ Section 34, Township 19 North, Range 23 East, City of Manitowoc.
3. S&S Investments: NE ¼, SE ¼ Section 1, Township 18 North, Range 23 East, Town of Newton.
4. Strodthoff: NE ¼, SW ¼, Section 26, Township 19 North, Range 23 East, Town of Manitowoc Rapids.
5. Backus: SW 1/4, SE ¼, Section 11, Township 18 North, Range 23 East, Town of Newton.
6. Maritime Ag, LLC: SE ¼, NE ¼, Section 11, Township 19 North, Range 23 East, City of Manitowoc.
7. Behringer: SE ¼, NW ¼, Section 18, Township 18 North, Range 23 East, City of Manitowoc.
8. Wisconsin Aluminum Foundry: E ½, NW ¼, and W ½, NE ¼ Section 30, Township 19 North, Range 24 East, City of Manitowoc

C. Summary of Site Plans:

1. Color Craft: Building Expansion, 5631 West Drive.
2. Menards: Warehouse Expansion, 5120 Calumet Avenue
3. Fox Community Credit Union: New Construction, 3417 Calumet Avenue.

D. Director's Report

N. Sparacio provided a director's report via email. In addition, the Plan Commission discussed the results of 2017 Wisconsin Act 67. In particular, Conditional Use Permits are now required to include a formal public hearing. This will increase the timeline for obtaining a CUP.

IX. ADJOURNMENT

Moved by Koski, seconded by Muenzenmeyer, to adjourn at 6:55 PM. The motion carried by the following vote:

Aye: 4 - Alderperson Brey, Member Koski, Member Muenzenmeyer and Member Steinbrenner

Respectfully Submitted,

Paul Braun
Secretary