



# City of Manitowoc

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

## Meeting Minutes

### Plan Commission

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Wednesday, August 26, 2020

6:00 PM

Council Chambers. Meeting was  
also available via Remote Conferencing

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#### I. CALL TO ORDER

The Meeting of the City Plan Commission was called to order by Chairman J. Nickels at 6:00 pm.

#### II. ROLL CALL

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

Staff Present: Adam Tegen, Jeremy DuChateau, Jen Bartz

Others Present: William Vachon, Jeff Dewane, Dave Luckow, Ryan O'Toole, Craig Briess, Norman St. John, Cindy St. John, Doug Schwalbe, Brennan Seehafer

#### III. APPROVAL OF MINUTES

Moved by Diedrich, seconded by Brey, that the Minutes of the July 22, 2020 meeting be approved. The motion carried by the following vote:

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

#### IV. PUBLIC HEARINGS

[20-0874](#) PC 27-2020: 3000 - 3400 Block of Menasha Avenue. City Plan Commission initiated rezone of residential properties from I-1 Light Industrial to R-4 Single and Two-Family Residential pursuant to MMC 15.530(2)c.

**Attachments:** [20-0874 Council Report Menasha Ave rezone.pdf](#)  
[20-0874 PC Report Menasha Ave.pdf](#)

A. Tegen gave an overview on the location and surrounding zoning districts. He shared feedback that the City has received in advance regarding the rezoning from Greg Satori and Bob Wheeler.

A. Tegen stated that Greg Satori had some questions, but no objections to the proposed rezone. He went to to share that Bob Wheeler, representing the estate of Gene Wheeler, asked that their property not be rezoned as they are determining how best to proceed with the estate of his father.

Mayor Nickels asked for questions from the Commissioners.  
There were no questions.

Mayor Nickels opened the public hearing portion of the meeting.  
There was public input provided.

A. Tegen stated that recommendation is to approve the City Initiated Zoning Map Amendment from I-1 Light Industrial to R-4 Single and Two Family Residential excluding parcel 718-003-030.

**Moved by Brey, seconded by Steinbrenner, to approve the City Initiated Zoning Map Amendment from I-1 Light Industrial to R-4 Single and Two Family Residential excluding parcel 718-003-030. The motion carried by the following vote:**

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

[20-0875](#)

PC 28-2020: Seehafer / True Endeavors LLC; 606 Quay Street; request rezone property from I-2 Heavy Industrial to B-4 Central Business District pursuant to MMC 15.530(2)a.

**Attachments:** [20-0875 PC Report Seehafer True Endeavors Rezone.pdf](#)

A. Tegen reviewed the property-owner requested rezone from I-2 Heavy Industrial District to B-4 Central Business District. He pointed out its current use is a temporary outdoor bar and the request comes about to address parking flexibility. He went on state that staff feels that this use is consistent with the comprehensive plan.

A. Tegen stated that notices went out to neighboring property owners and no feedback was received regarding this request.

Mayor Nickels asked for questions from the Commissioners.

D. Koski asked if an island will be created with the I-2 District and if this will this be an issue for future land use. A. Tegen stated that with the current land use City staff have no concern. The trend of development is towards commercial.

D. Hornung asked if there are concerns with spot zoning and stated he has a concern with changing zoning to solve a parking problem. A. Tegen explained that the rezone does not split a parcel and went on to say that City staff did discuss a rezone of the entire area, but felt that rezoning this area only was not an issue.

Mayor J. Nickels asked A. Tegen to clarify the need to rezone if current use is appropriate within current zoning. A. Tegen stated that the advantages of a rezone comes down to parking and current I-2 zoning requirement for off-street parking. A. Tegen indicated that a parking waiver from Plan Commission could

be requested as an alternate option. The current and proposed use is allowed in I-2.

D. Diedrich stated he would be in favor of a parking waiver versus a rezone.

C. Hall asked what the parking requirements are. A. Tegen clarified that the requirements are based on the square footage of the building.

D. Steinbrenner asked if the parking waiver would need to be renewed. A. Tegen indicated it would not as long as the use remains unchanged.

Conversation ensued among the Commissioners regarding a parking waiver, its issuance, and overall rezone of property.

Mayor Nickels opened the hearing for public input

Ryan O'Toole representing Briess Malt & Ingredients stated that they received the notice on August 20th and would like additional time to review the matter in regard to City Master Plan, as well as to discuss the proposal with both the City and the property owner. He provided a letter to the City from Briess Malt & Ingredients with their comments regarding the master plan.

A. Tegen said that the use is permitted and that the next step would be a site plan submission. He stated that the property owner indicated that they would like to break ground prior to October. A. Tegen stated that the property owner would need to provide site plan and address parking prior to being issued a Certificate of Occupancy. He went on to indicate that as long as the property is in compliance with the zoning code, they are able to develop within those parameters.

Commissioners discussed next steps based on how the Plan Commission determines how best to proceed.

Ryan O'Tolle stated that Breiss representatives would like to discuss with key parties within the next three weeks so it could move forward to Council.

Doug Schwalbe spoke on behalf of Brennan Seehafer/True Endeavors and stated that time is tight on the project, so they would appreciate moving forward with the rezone.

Ryan O'Toole stated that his proposal is that this be tabled to allow property owners have time to speak and then it proceed to Council. He went on to say that he wants to ensure two business owners have the right path to proceed and the discussion is not intended to delay the project.

A. Tegen read the recommendation to approve the Zoning Map Amendment from the I-2 Heavy Industrial District to B-4 Central Business District.

**Moved by Hornung, seconded by Diedrich, that the request to approve the Zoning Map Amendment from the I-2 Heavy Industrial District to B-4 Central Business**

**District be tabled. The motion passed by the following vote:**

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

**Nay:** 3 - Brey, Mayor Nickels and Member Koski

**20-0876**

PC 26-2020: Vinton Construction Company; Request for a Conditional Use Permit in an I-2 Heavy Industrial Zoning District Pursuant to Section 15.350(3)z for Property off of Albert Drive for the establishment of a concrete batch plant, stone crushing and bulk storage of product operation.

**Attachments:** [20-0876 Council Report Vinton CUP.pdf](#)  
[20-0876 PC Report Vinton CUP.pdf](#)

A. Tegen reviewed the project and location, as well as neighboring property zoning districts. He stated that Vinton is in the process of purchasing the property from the current owner and it is pending the issuance of the conditional use permit.

A. Tegen shared that Steve Roeckle from Brandt Buses did call and asked how often the plant would be running and also shared his concern with dust for employee vehicles. A. Tegen stated that P.Braun, City Planner, spoke with Steve Roeckle and presented the information on the estimated plant use and also shared that there are conditions related to dust control. A. Tegen stated that Steve Roeckle did not have an opposition, but just sought clarification.

A. Tegen stated that Kevin Neelis, an adjacent property owner, called and expressed his concern with the impact of this use on his property and the residents. Kevin Neelis also had questions on the overall process of obtaining a conditional use permit, and A. Tegen stated that state statute was provided to him as background.

Mayor Nickels asked for questions from the Commissioners.  
There were no questions.

Mayor Nickels opened the public hearing portion of the meeting.  
There was public input provided.

A. Tegen read the recommendation to approve the request for a Conditional Use Permit for the establishment of a top soil processing, concrete batch plant, stone crushing and bulk storage of product operation subject to the 12 conditions in the CUP.

**Moved by Diedrich, seconded by Hornung, to Approve the request for a Conditional Use Permit for the establishment of a top soil processing, concrete batch plant, stone crushing and bulk storage of product operation subject to the 12 recommended conditions. The motion carried by the following vote:**

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

## V. OLD BUSINESS

## VI. NEW BUSINESS

[20-0877](#) PC 29-2020: Discussion: Re-recording easements and easement expirations.

**Attachments:** [Easement Re-record Discussion.pdf](#)

A. Tegen stated that staff did a quick review to determine if municipal utility easements are required to be re-filed and are waiting for a formal response from the City Attorney. He said that information will be shared at a future Plan Commission meeting.

**This Action Item was tabled**

## VII. MISCELLANEOUS

- A. Manitowoc County Activities: None
- B. Certified Survey Maps (CSM):
  - 1. Brunner, NW 1/4 NW 14/ Section 13, T19N R23E City of Manitowoc
  - 2. Davis, SW 1/4 NW 1/4 Section 35, T20N, R23E, Town of Kossuth
- C. Summary of Site Plans from July 16 - August 19: None
- D. Director's Report

A. Tegen shared that the City Council approved term sheet for property at 702 York. City will work with developer on parking and additional needs. He went on to provide an update on the River Point development and indicated the City has received interest from developers and are hoping to get projects off ground this year or early next year He also stated that more fill is coming in and more progress on groundwork is taking place.

A. Tegen said that the City is hoping to close on EPA loan in September and he stated that this loan will pay for additional soil on site.

## VIII. ADJOURNMENT

**Motion by Brey, seconded by Jagemann, that this meeting be adjourned at 6:45 pm. The motion carried by the following vote:**

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