



# City of Manitowoc

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

## Meeting Minutes

### Plan Commission

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Wednesday, July 27, 2016

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 Chairman Justin Nickels at 6:30 PM.

#### II. ROLL CALL

**Present:** 5 - Daniel Hornung, Mayor Nickels, Dan Koski, Jim Muenzenmeyer and Dennis Steinbrenner

**Absent:** 3 - Jim Brey, Dave Diedrich and Peter Dorner

#### III. APPROVAL OF MINUTES

Staff Present: Nic Sparacio, Tyler Caulum, Lisa Mueller

Others Present: Corey Norlander, Scott Kohlmeier, Mike Morley, Gerard Neuser, Paul Phillips, Josh Stradal

[16-0681](#)

Approval of the Minutes of the June 22nd, 2016 meeting.

**Moved by Muenzenmeyer, seconded by Hornung, that the Minutes of the June 22, 2016 Meeting be approved. The motion carried by the following vote:**

**Aye:** 5 - Member Hornung, Mayor Nickels, Member Koski, Member Muenzenmeyer and Member Steinbrenner

#### IV. PUBLIC INFORMATIONAL HEARINGS

[16-0683](#)

PC24-2016: Morley - Official Map Amendment pursuant to § 62.23(6) Homestead Road and North Union Road.

T. Caulum described the area of the requested Official Map Amendment, the designated county zoning for the property, and the Official Map Amendment process. He stated that M. Michael Morley is finalizing the sale of his parcel at the far north end of the Official Map street. C. Norlander is purchasing the parcel to convert it to a horse farm and an indoor riding arena that would be constructed over the current Official Map street location.

T. Caulum stated that the subject area is defined as a Long Term Urban Grown in the City's Comprehensive Plan. The proposed street location

conflicts with DNR designated wetlands, and there would be alternative locations to place a future street connection. Therefore, removal of the proposed street from the Official Map is not inconsistent with the Comprehensive Plan. Staff had heard from one notified property owner, Randy Weinart, who called to support the removal of the Official Map Amendment.

D. Hornung asked for the initial idea behind the Official Map street when it was created. The Commission recalled that there was discussion regarding the need for, and difficulty of, connecting future streets around the western edge of the City limits. This is likely a very long term growth area. Mayor Nickels opened the public informational hearing.

Corey Norlander, 2205 Elm Ave. Sheboygan, explained his position and spoke in support of removal of the Official Map street.

Michael Morley, 7523 Homestead Rd. Whitelaw, is the current owner of the property, supports the amendment, and is requesting a waiver of the \$350 Official Map Amendment fee.

There were no further comments so Mayor Nickels closed the public hearing and requested the staff recommendation. T. Caulum stated that staff recommends approval of the Official Map Amendment with the standard conditions.

**Moved by Steinbrenner, seconded by Koski, to (i) approve the requested Official Map amendment, (ii) instruct the Clerk to call for a public hearing in front of the Common Council to be scheduled for September 19, 2016, (iii) instruct the Clerk to publish the required legal notices; and (iv) bill the petitioner for all required notices and recording costs. The motion carried by the following vote:**

**Aye:** 5 - Member Hornung, Mayor Nickels, Member Koski, Member Muenzenmeyer and Member Steinbrenner

## V. REFERRALS FROM COMMON COUNCIL: None

## VI. OLD BUSINESS

### [16-0684](#)

PC 20-2016: Conditional Use Permit. Manitowoc County Expo Grounds / Meijer, Planned Unit Development pursuant to 15.750 of the Municipal Code.

N. Sparacio explained this stage of the process is the review of the general development plan as part of the Conditional Use Permit process. The PUD will come back to the Plan Commission for approval as part of the final development plan stage. A draft of the PUD covenants document is now available for review.

N. Sparacio stated the overall intent of the PUD is to reflect the approved site and building plans for the Meijer store and fuel station, and to then

mirror the Harbor Town Area development standards for future development on the outlots. N. Sparacio highlighted the changes to the site and building plans since the Plan Commission last reviewed the information. The primary changes were related to signage, parking, and building materials.

N. Sparacio stated that the staff recommendation is to approve the Conditional Use Permit and General Development Plan with the following conditions:

1. Comply with all applicable requirements of the Manitowoc Municipal Code.
  2. Construct Dewey Street extension, "Meijer Drive," other required right-of-way improvements to City specifications and implement all other infrastructure improvements needed to support the development as specified by the terms of the site plan approval.
  3. Work with Maritime Metro Transit to identify a mutually agreeable location for the bus shelter/stop.
  4. Prior to approval of the Final Development Plan, supply the Community Development Department with the Easements, Covenants, and Restrictions document that will be applied to additional development of the property.
  5. The Final Development Plan shall substantially conform to the approved General Development Plan and shall be submitted to the Plan Commission within 24 months of the Common Council approval for this Conditional Use Permit.
  6. The Final Development Plan and PUD shall not be considered approved until the appropriate documents are approved by the Common Council and recorded by the Register of Deeds.
- The Commission discussed the similarities and differences between the proposed Meijer PUD and the Harbor Town PUD.

**Moved by Hornung, seconded by Steinbrenner, to approve the Conditional Use Permit and General Development Plan for the Manitowoc County Expo Grounds/Meijer Planned Unit Development subject to the recommended conditions and General Development Plan. The motion carried by the following vote:**

**Aye:** 5 - Member Hornung, Mayor Nickels, Member Koski, Member Muenzenmeyer and Member Steinbrenner

[16-0688](#)

PC 24-2014: Update Revision to Municipal Code Chapter 15.450 Sign Ordinance.

Mayor Nickels explained that this agenda item is being reviewed because Superior Discount Liquor on Calumet Frontage Road is interested in

requesting a larger electronic sign. The limitations of the existing sign code would not allow for this, so the item has been brought to the Plan Commission for general discussion and direction. N. Sparacio stated that the current sign code limits electronic signs to a maximum of 30 square feet and no more than 30% of the associated static (non-digital) sign area. N. Sparacio also explained that the sign code revision process overall is on hold due to a recent Supreme Court decision that has left municipalities with many questions about how signs can be regulated. However, the sign code stakeholder committee did significant work and reached much consensus on the direction they wanted to go.

S. Timm of Colortech explained the details of the desired signage for Superior Discount Liquor. Discussion ensued regarding the need to continue the sign code update process and possible ways to meet the needs of this business and others in the interim. There was a consensus that the best alternative is to amend the Zoning Code to allow the Plan Commission to specifically consider increased size of electronic signs as part of the Special Use Permit review. This would allow the consideration of the surrounding context, any needed review standards, and any mitigating factors to account for the increased sign area. A Zoning Code amendment to this affect should be prepared for future review and action.

**This Item was discussed.**

[16-0685](#)

PC 25-2014: Ramirez Auto and Towing 1545 S. 41st Street. Annual Review of a Conditional Use Permit for the Operation of a Wrecker Service in the C-1 Commercial Zoning District.

T. Caulum reviewed the Conditional Use Permit (CUP) for a wrecker service in a C-1 Commercial District issued in 2014. Staff visited the site and worked with Mr. Ramirez on a violation of a condition on the CUP. The Manitowoc Police Department reported no violations from the wrecker service; however inquiries with the Building Inspection and Fire Department raised some potential issues concerning the outdoor storage of materials and potential fire hazards on the site.

T. Caulum stated that on account of a violation of condition D of the CUP, particularly the improper storage of used tires and hazardous fluids, the staff recommendation is to table the renewal of the Conditional Use Permit to allow staff to communicate with Mr. Ramirez regarding the conditions of the CUP.

**Moved by Koski, seconded by Muenzenmeyer, that this Item be tabled until the August Plan Commission meeting. The motion carried by the following vote:**

**Aye:** 5 - Member Hornung, Mayor Nickels, Member Koski, Member Muenzenmeyer and Member Steinbrenner

## VII. NEW BUSINESS

[16-0686](#)

PC 23-2016 Manitowoc County Tax Foreclosure Properties.

The Commission reviewed the list of foreclosure properties and discussed potential uses for two parcels located directly south of the Mirro Building on Washington Street. Discussion continued as to whether this could be a location for a future park or a gateway structure for entering the downtown. There was a consensus that staff should explore the process and cost for possible acquisition of these two parcels.

**Moved by Nickels, seconded by Hornung, to approve a recommendation for staff to look into acquiring parcel 000-265-020 and parcel 000-265-021 from Manitowoc County with final Council approval. The motion carried by the following vote:**

**Aye:** 5 - Member Hornung, Mayor Nickels, Member Koski, Member Muenzenmeyer and Member Steinbrenner

[16-0687](#)

PC 1-2016: Willow Spruce Irrevocable Trust, Quit Claim Deed for N. 8th Street purposes.

N. Sparacio introduced the quit claim deed and referenced the CSM. Mayor Nickels called for a vote.

**Moved by Hornung, seconded by Koski, to recommend that (i) the Council approve and accept the Quit Claim Deed; and that (ii) the Clerk to subsequently record the document at the Register of Deeds Office. The motion carried by the following vote:**

**Aye:** 5 - Member Hornung, Mayor Nickels, Member Koski, Member Muenzenmeyer and Member Steinbrenner

## VIII. MISCELLANEOUS

A. Manitowoc County Activities: None

B. Certified Survey Maps (CSM):

1. Orion Energy / Tramontina SE 1/4 Section 9, Township 19 North, Range 24 East, City of Manitowoc
2. Magic Car Wash, SW 1/4, Section 25, Township 19 North, Range 23 East, City of Manitowoc
3. Branch River LLC / Wenzel, NE 1/4, Section 8, Township 19 North, Range 23 East, Town of Manitowoc Rapids
4. Willow Spruce Irrevocable Trust, SW 1/4 Section 8, Township 19 North, Range 24 East, City of Manitowoc.
5. Hochkammer, NW 1/4, SW 1/4 Section 15, Township 18 North, Range 23 East Town of Newton

- C. Summary of Site Plans From June 16, 2016 – To July 15, 2016:
  - 1. SP 9 – 2016: R2H, 6260 Vits Drive, 50,625 sf new construction.
  - 2. SP 10-2016: Shady Lane Inc, 1231 S. 24th Street 36 bed assisted living facility.
- D. Director's Report

The Commission discussed the status of various development projects around the community.

**This item was discussed.**

## IX. ADJOURNMENT

**Moved by Steinbrenner, seconded by Koski, to adjourn at 7:05 PM. The motion carried by the following vote:**

**Aye:** 5 - Member Hornung, Mayor Nickels, Member Koski, Member Muenzenmeyer and Member Steinbrenner

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.