



# City of Manitowoc

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

## Meeting Minutes

### Plan Commission

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Wednesday, January 25, 2023

6:00 PM

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

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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:** 7 - Greg Jagemann, Curtis Hall, Dave Diedrich, Daniel Hornung, Dan Koski, Dennis  
Steinbrenner and Jim Brey

**Absent:** 1 - Mayor Nickels

Staff Present: Paul Braun, Jen Bartz

Others Present: Barry Schardt, Jeremy Anderson, Mike Howe, Kyle Root

#### III. APPROVAL OF MINUTES

[23-0061](#) Approval of Minutes of the December 21, 2022 Plan Commission meeting.

**Moved by Diedrich, seconded by Hornung, that the Minutes of the December 21,  
2022 meeting be approved. The motion carried by the following vote:**

**Aye:** 7 - Member Jagemann, Member Hall, Member Diedrich, Member Hornung, Member  
Koski, Member Steinbrenner and Alderperson Brey

#### IV. PUBLIC HEARINGS

[23-0062](#) PC 4-2023: East Point Land Development/Howe; Request for a  
Conditional Use Permit for the Creation of a Planned Unit Development  
(PUD) pursuant to 15.750; recommending to approve the Conditional Use  
Permit creating the Planned Unit Development for The Preserve at Lincoln  
Park

P. Braun detailed the location of the proposed 34-lot subdivision - 33 of  
which will be buildable lots. He stated that the reason for Conditional Use  
Permit (CUP) and Planned Unit Development (PUD) is to allow for flexibility  
in the setbacks from typical residential setbacks, which will be reduced per  
the PUD. He stated that lots are larger than what are the minimum required  
in the R-4 Single and Two Family zoning district. He added that all drives

and utilities will be private and there will be no costs to City for installation or future maintenance.

P. Braun's report indicated that notices were sent to neighbors and no concerns were received.

Acting Chairman J. Brey asked the Commissioners for questions. D. Hornung stated that he is in support and added that the water main will be public and not private per Public Service Commission requirements. D. Diedrich added that this project is a good example of what we learned in the housing study about the need to be flexible with development. G. Jagemann added that he is in support of the infill development.

Acting Chairman J. Brey asked for public input. There was none.

Paul read recommendation to approve the CUP for the development of a PUD.

**Moved by Diedrich, seconded by Jagemann, that the Request for a Conditional Use Permit for the Creation of a Planned Unit Development (PUD) pursuant to 15.750 be approved and referred to Council. The motion carried by the following vote:**

**Aye:** 7 - Member Jagemann, Member Hall, Member Diedrich, Member Hornung, Member Koski, Member Steinbrenner and Alderperson Brey

[23-0063](#)

PC 5-2023: Empire Estates, LLC / Kyle Root; Rezone from B-3 General Business District to R-7 Central Resident District for property located at 1210 South 9th Street

P. Braun reviewed the request and noted that the applicant was converting a residential property from two-family to three-family. During remodeling Mr. Root found that it was zoned B-3 General Business, which meant his residential use was a legal non-conforming use. P. Braun stated that the original request was for the 1210 S. 9th Street property only, but it was a staff recommendation to rezone a larger area removing other similar properties from the non-conforming status. Residential properties along S. 10th Street were not included because they had characters similar to properties along a commercial or business corridor.

P. Braun's report indicated that notices were sent to neighbors and no comments were received.

Acting Chairman J. Brey asked the Commissioners for questions. There were none.

Acting Chairman J. Brey asked for public input. There was none.

P. Braun read the recommendation to approve the rezone of the larger

area located in Block 317 of the original plat, generally located along the west of S. 9th Street, the south side of Hamilton Street and the north side of Madison Street.

**Moved by Koski, seconded by Diedrich, that the Rezone from B-3 General Business District to R-7 Central Resident District be approved and referred to council. The motion carried by the following vote:**

**Aye:** 7 - Member Jagemann, Member Hall, Member Diedrich, Member Hornung, Member Koski, Member Steinbrenner and Alderperson Brey

[23-0064](#)

PC 6-2023: McMullen & Pitz Construction Co.; Request for a Conditional Use Permit for the Establishment of a Contractor's Storage Yard pursuant to 15.330(4). Recommending to approve the issuance of a Conditional Use Permit to McMullen & Pitz Construction Company for the establishment of a Contractor's Equipment Storage Yard in a I-1 Light Industrial zoning district pursuant to the conditions

P. Braun reviewed the project location and stated that the applicant, McMullen & Pitz, has an agreement to purchase the property if a Conditional Use Permit is approved. He added that the applicant will move product from the current contractor lay down location on River Point to the proposed CUP site. He added that McMullen & Pitz has indicated that the site will not be used on a daily basis. He reviewed the conditions with the Commission.

P. Braun stated that notices were sent to neighbors and no concerns were received.

Acting Chairman J. Brey asked the Commissioners for questions. There were none.

Acting Chairman J. Brey asked for public input.

Barry Schardt, 801 S Rapids Road, stated that he owns the adjoining property on Custer Street and expressed concerns with storm water and drainage. He stated that it is a tree-filled lot, which will require a lot of excavation. He added that while letters were mailed on 1/18, did not receive until 1/23. He stated he was opposed to the project.

Jeremy Anderson, 816 S 24th Street, stated that he represents McMullen & Pitz and noted that they are working with a storm water engineer to address any drainage issues. He added that the property has been inspected and they are working through Wisconsin DNR permits regarding any grading at the site. He stated that McMullen & Pitz anticipates growing slowly into the full area of the site and added it should not affect the neighboring property in the near term.

D. Diedrich asked why a CUP is required if property is zoned I-1 Light

Industrial. P. Braun stated that there are permitted uses and those that require a CUP. He added that the conditions allow for development of the site that is not a disruption to the neighborhood.

Acting Chairman J. Brey asked about "screening" term. P. Braun said that the condition was written open ended to address site screening dependent on how the site develops. D. Hornung asked if a condition should be added to review the CUP in two years to stay in compliance. All agreed to add two-year review condition. The CUP will be reviewed at the January 2025 Plan Commission meeting.

P. Braun read the recommendation to approve with the amendment to review in two years to stay in compliance.

**Moved by Hornung, seconded by Jagemann, that Request for a Conditional Use Permit for the Establishment of a Contractor's Storage Yard pursuant to 15.330(4) be approved as amended with the additional two-year review condition and referred to Council. The motion carried by the following vote:**

**Aye:** 7 - Member Jagemann, Member Hall, Member Diedrich, Member Hornung, Member Koski, Member Steinbrenner and Alderperson Brey

## V. OLD BUSINESS

### [23-0065](#)

PC 5-2022: Update on the Comprehensive Plan Project. Discuss Comprehensive Plan Policy questions.

P. Braun shared discussion topics regarding the update to the Comprehensive Plan. He stated that there were some over-arching policy statements that Vandewalle and Associates needed clarity on. He added, knowing that Mayor Nickels would be excused from the Plan Commission meeting, that he met with the Mayor to get his opinion on the policy questions in the Comprehensive Plan.

D. Diedrck stated that the plan created in 2009 had substance, whereas he felt this one had more fluff and less action. Acting Chairman J. Brey agreed.

Discussion ensued among the Commissioners regarding creation of a Stormwater Utility, use of Equity Diversity & Inclusion (EDI) language, possible development of a Climate Action Plan, and a focus on the Calumet Avenue corridor in anticipation of the impending reconstruction.

The following was agreed upon:

- Creation of a Stormwater Utility. Remove the language from plan and the Council could pursue the utility outside of the Comprehensive Plan, if needed.

- EDI Language: Keep language as currently used as diversity is a community asset.
- Climate Action Plan / Resiliency / Sustainability. Retain in the plan, but soften language from must or will to shall or consider.
- Calumet Avenue Corridor: Retain and strengthen the language in the plan to focus on improving pedestrian and bike accessibility and safety; also investigate "road diet" strategies seeing if redesigns to the vehicle lanes are practical in addition to improving aesthetics along the corridor.

This Comprehensive Plan Update was discussed.

## VI. NEW BUSINESS

[23-0066](#)

PC 2-2023: Annual Review of Community Living Arrangements pursuant to MMC 15.370(19)b. Pursuant to section 15.370(19) the Plan Commission has reviewed the Community Living Arrangements and is recommending to the Council to approve the associated licenses for the Community Living Arrangements for 2023

P. Braun stated that there were no issues reported from the Police, Building Inspection, Fire or Clerk Departments.

**Moved by Hornung, seconded by Koski, that Annual Review of Community Living Arrangements pursuant to MMC 15.370(19)b be approved for consent agenda. The motion carried by the following vote:**

**Aye:** 7 - Member Jagemann, Member Hall, Member Diedrich, Member Hornung, Member Koski, Member Steinbrenner and Alderperson Brey

[23-0067](#)

PC 3-2023: East Point Land Development/Howe; Review of Subdivision Preliminary Plat for The Preserves at Lincoln Park; Parcel# 817-304-010

**Moved by Hornung, seconded by Jagemann, that the Review of Subdivision Preliminary Plat for The Preserves at Lincoln Park be approved for consent agenda. The motion carried by the following vote:**

**Aye:** 7 - Member Jagemann, Member Hall, Member Diedrich, Member Hornung, Member Koski, Member Steinbrenner and Alderperson Brey

## VII. MISCELLANEOUS

A. Manitowoc County Activities:

[23-0068](#)

Acting Chairman J. Brey shared that at the Manitowoc County Park & Planning Commission meeting a large crowd opposed the

development. He added that the item was tabled and referred back to the Town of Manitowoc Rapids. He said that if the Town agrees to rezone the property again, the item will go back to Manitowoc County Planning and Park Commission for their recommendation.

P. Braun shared information about the rezone from EA-Exclusive Agriculture to RR-Rural Residential and the overall project. He added that in the RR zoning district, residential uses are a permitted use and mini warehouses are allowed only after issuance of a Conditional Use Permit. He said that if the Town of Manitowoc Rapids approves the rezone, the Manitowoc County Board of Adjustment would act on the Conditional Use Permit. P. Braun stated that the Community Development Department is not opposed to the rezoning to RR because that district allows residential uses which are consistent with the Future Land Use Map but the RR district also allows mini-warehouses as a conditional use.

P. Braun added that the City's Future Land Use Map indicates the area as residential. He said that the City's B-2 zoning district would be the recommended zoning if the property was in the City and that district would not allow mini-warehouse units. P. Braun, stated that an aggressive option the City could pursue would be to create a moratorium which freezes the zoning. He added that the City could write a letter in opposition to the project. He added that Manitowoc County would prefer to receive written communication from City to understand the City's position on the proposed development.

Conversation ensued among members that the rezone does not seem to be highest and best use of the area. Members asked if property could be used as residential. P. Braun indicated yes it could.

Members agreed a letter of opposition should be written and sent to Manitowoc County Planning and Park Commission and Town of Manitowoc Rapids, with a copy to neighbors and other key stakeholders.

**Moved by Hornung, seconded by Steinbrenner, that a letter of opposition be written by staff, reviewed by D. Diedrich and sent to key stakeholders and neighbors. The Item was placed on file. The motion carried by the following vote:**

**Aye:** 7 - Member Jagemann, Member Hall, Member Diedrich, Member Hornung, Member Koski, Member Steinbrenner and Alderperson Brey

B. Certified Survey Maps (CSM): None

C. Summary of Site Plans:

1. SP 1-2023: Rent in Manitowoc LLC/Lighthall, Self-Storage Facility Expansion, 2625 Hamilton Street

**VIII. ADJOURNMENT**

**Moved by Hornung, seconded by Jagemann, that the meeting be adjourned at 7:20PM. The motion carried by the following vote:**

**Aye:** 7 - Member Jagemann, Member Hall, Member Diedrich, Member Hornung, Member Koski, Member Steinbrenner and Alderperson Brey