



City of Manitowoc

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

Meeting Minutes

Plan Commission

Wednesday, November 20, 2019

6:00 PM

Council Chambers

I. CALL TO ORDER

The Meeting of the City Plan Commission was called to order by Acting Chairperson Dan Hornung at 6:00 PM.

ROLL CALL

Present: 6 - Dave Diedrich, Daniel Hornung, Dan Koski, Dennis Steinbrenner, Greg Jagemann and Curtis Hall

Absent: 2 - Jim Brey and Mayor Nickels

Staff Present: Adam Tegen, Paul Braun, Lisa Mueller

Others Present: Kevin Sonnenburg, Kay Sonnenburg, Amber Daug, Dennis Brunner, Lana Brunner, Kate Budzisz, Ann DeMark, Carrie Dunphy

III. APPROVAL OF MINUTES

[19-1245](#) Approval of the Minutes of the August 28, 2019 Plan Commission Meeting

Moved by Diedrich, seconded by Steinbrenner, that the Minutes be approved as amended. The motion carried by the following vote:

Aye: 6 - Diedrich, Member Hornung, Member Koski, Steinbrenner, Member Jagemann and Member Hall

IV. PUBLIC HEARINGS

[19-1246](#) PC 35-2019: Dennis & Lana Brunner; Brunner Court - Proposed Street Vacation under §66.1003(2) and Official Map Amendment under §62.23(6)

P. Braun stated that the request is from Dennis and Lana Brunner who are requesting to vacate a portion of dedicated but unimproved Brunner Court and an amendment to the Official Map. The Brunner's dedicated portions of Brunner Court in 2001 and 2003 as part of 2 separate certified survey approvals. At that time, their concept plan showed a cul-de-sac with intentions of creating smaller residential lots along Brunner Court; their plans have changed and they would like to create 3 larger lots. Their existing house would be remain on one of the future lots.

P. Braun stated that the dedicated street and official map street would provide only access to the Brunner's property and that no other adjacent

property owners are affected by the vacation or amendment.

P. Braun commented that the public informational hearing was related to the official map amendment. He continued to explain that the street vacation process was initiated by a signed petition by all the abutting property owners along the dedicated portion of Brunner Court so a public hearing is not required for the vacation. The two processes are related so they are being processed through the Plan Commission and Council simultaneously. P. Braun concluded his comments by stating that notices for the official map amendment hearing were mailed to abutting property owners and no comments were received.

Acting Chairman D. Hornung asked the Commissioners if there were any questions.

G. Jagemann asked about the property lines that are directly north of Brunner Court. P. Braun stated that those are the historic lot lines from the former railroad line. D. Diedrich asked if the property will be landlocked after the vacation. P. Braun stated that the Brunners will still have access off of Menasha Avenue after the vacation occurs.

D. Hornung opened the public informational portion of the meeting. There were no comments. D. Hornung closed the public input portion of the meeting and asked for the recommendation.

Moved by Diedrich, seconded by Koski, to Recommend Approval of 1) the Street Vacation Petition and subsequent resolution and 2) the request to Amend the Official Map and the subsequent ordinance. The motion carried by the following vote:

Aye: 6 - Diedrich, Member Hornung, Member Koski, Steinbrenner, Member Jagemann and Member Hall

[19-1247](#)

Grow it Forward Inc Request for a Conditional Use Permit for an Adaptive Reuse pursuant to Chapter 15.370(29) located at 1501 Marshall Street

P. Braun commented that the request for the Adaptive Reuse Conditional Use Permit is from Amber Daug on behalf of Grow it Forward, Inc for the former St. John's United Church of Christ property located at 1501 Marshall Street. P. Braun stated that the church donated the property to Grow it Forward in 2019, and prior to that Grow it Forward rented the building from St. John's since 2016. Grow it Forward intends to use the property as a Community Center, with uses such as a farmers market, commercial kitchen, classes, lessons and hall rentals to occur at the site. Grow it Forward is a 501(c)3 non-profit that is limited by their by-laws in the amount of the property that can be used by for-profit entities. The uses must be in-line with the mission statement of Grow it Forward or otherwise their non-profit status may be in jeopardy.

P. Braun stated that two properties would be covered by the conditional use permit which combined, cover 0.68 acres. The frontage along S. 15th Street is 198.5' and the frontage is 150' along Marshall Street. P. Braun stated that Grow it Forward had leased the property since 2016; he continued to state that the Police and Building Inspection Department's commented that they have no complaints or issues on file regarding Grow it Forward.

P. Braun explained that the term "Community Center" is not defined in the Chapter 15 Zoning Ordinance. He stated that there is no current land use category defined in the Zoning Ordinance that reflects the actual uses that Grow it Forward is proposing so "Community Center" has been defined as part of the conditions. P. Braun stated that Community Center will be defined for the conditional use permit as: A building to be used as a place of meeting, education or social activity; not operated for profit and in which alcoholic beverages or meals are an accessory use, not normally dispensed or consumed on a regular basis. The building is generally open to the public and designed to accommodate and serve significant segments of the community.

P. Braun detailed the criteria that the Plan Commission and Council must address for both a conditional use permit and an adaptive reuse. P. Braun concluded his comments stating that public informational hearing notices were mailed out to adjacent property owners and that no comments or questions were received.

D. Hornung asked the Commissioners if they had any comments or questions. The Commissioners discussed the last sentence of the definition for Community Center and removed the reference to Grow it Forward's mission statement that was originally in the definition.

D. Hornung opened the public input portion of the meeting.

Therese Horstketter, 1109 S. 16th Street asked about the hours of operation as a condition of the permit. P. Braun answered her question and provided her with a copy of the conditions. T. Horstketter was supportive of the reuse of the property.

There were no further comments from the public, D. Hornung closed the public input portion of the meeting.

P. Braun reviewed the following conditions with the Commission.

The CUP is granted exclusively to Grow it Forward, Inc. ("Grow it Forward") pursuant to Section 15.370(27) and 15.370(29) of the Manitowoc Municipal

Code (“Code”) for property located at 1501 Marshall Street (Property”), and shall hereinafter serve as authorization for the location and operation of the Community Center. The CUP Area is defined as Tax Parcel #'s “052-000-292-090.00 & 000-292-010”

For this and only this CUP “Community Center” will be defined as: A building to be used as a place of meeting, education or social activity; not operated for profit and in which alcoholic beverages or meals are an accessory use, not normally dispensed or consumed on a regular basis. The building is generally open to the public and designed to accommodate and serve significant segments of the community.

- A. The CUP shall not be assignable or transferable without the written approval of the City Plan Commission and Manitowoc Common Council.
- B. 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.
- C. The CUP shall require compliance with all applicable city, county and state licensing requirements.
- D. Hours of operation for activities, markets, or events held inside the structure shall be from 8:00am - 9:00pm Sunday through Thursday, and 8:00am - 10:00 pm Friday and Saturday. Hours of operation for activities, markets, or events held outside the structure may take place during daylight hours only. Setup and take down activities for any activities, markets or events; which are not open to the public may occur outside the hours stated.
- E. Garbage receptacles, when stored outside, shall be leak proof, secure against rodents and have permanent, tight fitting covers. Garbage receptacles shall be stored in an unobtrusive area and shall be screened from off-premises view.
- F. Grow it Forward shall take any reasonable measures to avoid causing a disruption, nuisance or disturbance regarding parking, noise or other activities for the neighborhood.
- G. The community commercial kitchen may be used by for-profit and not-for-profit individuals selling their product off-site or for special events which occur on site: such as markets, banquets, wedding receptions, funerals, anniversaries or similar activities only.

H. Compliance with the terms and conditions of the CUP shall be reviewed by the Plan Commission and Common Council in January, 2021.

Moved by Diedrich, seconded by Hall, to Grant the Adaptive Reuse – Conditional Use Permit to Grow it Forward, Inc. located at 1501 Marshall Street for the establishment of a Community Center as defined in the attached Conditional Use Permit. The motion carried by the following vote:

Aye: 5 - Diedrich, Member Hornung, Member Koski, Steinbrenner and Member Hall

Abstain: 1 - Member Jagemann

[19-1248](#)

Kevin and Kay Sonnenburg; Request for a Conditional Use Permit for the establishment of a Bed and Breakfast at 2004 Menasha Avenue pursuant to Chapter 15.130(3)h

P. Braun stated that the request for the Bed and Breakfast is from Kevin and Kay Sonnenburg who live at 2004 Menasha Avenue. The property is zoned R-3 Single Family and is 0.716 acres with a 136' of frontage along Menasha Avenue. The residence has 4 bedrooms, 2 full baths and 1 half bath. There is room for two vehicles to park in the garage and enough space for 3 vehicles to park off-street; the off-street parking provided meets the minimum parking requirements in the Zoning Code for bed and breakfast uses.

P. Braun explained that Bed and Breakfast's are licensed by the State of Wisconsin Department of Agriculture, Trade and Consumer Protection. They define a Bed and Breakfast as any place of lodging that provides eight or fewer rooms for rent to no more than a total of 20 tourists for more than 10 nights in a 12-month period, is the owner's personal residence, is occupied by the owner at the time of rental, and in which the only meal served to guests is breakfast." The Manitowoc County Health Department acts as an agent for the State and does all the inspections and licensing for the State.

P. Braun provided an overview of the criteria that the Commission and Council shall address prior to issuing a conditional use permit. P. Braun concluded by stating that notices were mailed out to the adjacent property owners regarding the informational hearing and that no comments were received.

D. Hornung asked the Commission if they had any questions or comments. There were none.

D. Hornung opened the public hearing portion of the meeting. There were no comments from the public.

Moved by Koski, seconded by Jagemann, to Grant the Conditional Use Permit issued to Kevin and Kay Sonnenburg for the establishment of a Bed & Breakfast located at 2004 Menasha Avenue. The motion carried by the following vote:

Aye: 6 - Diedrich, Member Hornung, Member Koski, Steinbrenner, Member Jagemann and Member Hall

V. OLD BUSINESS

[19-1249](#)

PC 32-2015: The Crossing of Manitowoc County, 419 Park Street, Conditional Use Permit - Annual Review, recommending to approve 1) the 2019 Annual Review of the Conditional Use Permit and 2) the removal of condition "J" regarding the annual review requirement.

P. Braun explained that the Commission is conducting their annual review for the conditional use permit for The Park Bench d.b.a. The Crossing located at 419 Park Street.

P. Braun stated that the original conditional use permit was issued in 2015 and subsequently revised in 2018. The original CUP was amended removing the language that "a resident advocate shall be present in the residence at all times when residents are present." There have been no issues or complaints filed with the City since that amendment.

The Crossing provides "a housing option for women and their children that will create a sense of family and allow them to heal as they make changes in their life." The Crossing would provide a temporary but long-term housing option for women and their children providing basic daily needs and giving them time to stabilize their lives.

P. Braun concluded by saying that he would recommend approval of the annual review and remove condition "J", regarding the annual review.

Moved by Jagemann, seconded by Steinbrenner, to Grant 1) the 2019 review of the Conditional Use Permit and to Grant 2) the removal of condition "J" regarding the annual review requirement. The motion carried by the following vote:

Aye: 6 - Diedrich, Member Hornung, Member Koski, Steinbrenner, Member Jagemann and Member Hall

VI. NEW BUSINESS

[19-1250](#)

PC 38-2019: Dabbc LLC; Request for a Special Permit for an Animated Sign in an I-1 Light Industrial District located at 2035 S 30th Street

P. Braun presented the request for a special permit for the issuance of an animated sign located at 2035 S. 30th Street. P. Braun explained that the animated sign met all of the requirements regarding size and separation distances and that there were no issues with the request.

Moved by Diedrich, seconded by Koski, to Grant the Special Permit for the

animated sign as depicted in the sign permit application. The motion carried by the following vote:

Aye: 6 - Diedrich, Member Hornung, Member Koski, Steinbrenner, Member Jagemann and Member Hall

VII. MISCELLANEOUS

A. Manitowoc County Activities: None

B. Certified Survey Maps (CSM):

- 1. Bay Pointe Developers II, LLC; Section 17 & 20, Township 19 North, Range 24 East, City of Manitowoc.
 - 2. Bay Pointe Developers II, LLC; Section 17 & 20, Township 19 North, Range 24 East, City of Manitowoc.
 - 3. Froelich / Dahm; NE ¼ Section 36, Township 19 North, Range 23 East, Town of Kossuth.
 - 4. Eberhardt; NW ¼; SW ¼, Section 35, Township 19 North, Range 23 East, Town of Manitowoc Rapids.
 - 5. Luebke; SW ¼, SW ¼ Section 6, Township 18 North, Range 23 East, Town of Newton.
 - 6. Getter; SE ¼, NW ¼ & NE ¼ , SW ¼ Section 7, Township 18 North, Range 23 East, Town of Newton.
- C. Summary of Site Plans From August 22 to November 7, 2019:
- 1. SP 13-2019: Yauger Storage Building; 4109 Conroe Street
 - 2. SP 14-2019: Lincoln Park Zoo Storage Building; 1215 N. 8th Street
 - 3. SP 15-2019: Forest Creek Apartments Club House; 2300 S. 42nd Street
 - 4. SP 16-2019: RPM – Storage Building; 920 N. Rapids Road
 - 5. SP 17-2019: Dunkin / Baskin Robbins; 3506 Calumet Avenue

D. Director's Report

VIII. ADJOURNMENT

Moved by Diedrich, seconded by Steinbrenner, that the Meeting be adjourned at 6:45 PM. The motion carried by the following vote:

Aye: 6 - Diedrich, Member Hornung, Member Koski, Steinbrenner, Member Jagemann and Member Hall

Respectfully Submitted,

Paul Braun
Secretary

