

Report to the Manitowoc Plan Commission

Meeting Date: May 24, 2017

Report Print Date: REVISED May 24, 2017; 3:00 PM

Request: PC 7 – 2017: Trans-Link Services, LLC; 1311 & 1615 Spring Street. Request for a second amendment to a Conditional Use Permit.

Reason for Request: Section 15.350(3)w of the Zoning Code (the I-2 Heavy Industrial District) permits “storage in bulk, or transloading activities” only after issuance of a Conditional Use Permit (CUP). The applicants would like to ask for an additional amendment to their February CUP to allow for conveyor assisted transloading and some limited crane assisted transloading 24 hours a day including bottom ash, clay, wood chips, aggregates and other “light” products.

Existing Land Use for Subject Property: Industrial – current transloading and storage operations.

Existing Zoning for Subject Property: I-2 Heavy Industrial

Surrounding Property Land Uses and Zoning

Direction	Existing Land Use	Existing Zoning
West	Industrial, Transloading, Cement Plant	I-2 Heavy Industrial
South	Industrial, Manufacturing	I-2 Heavy Industrial
East	Industrial and Residential	I-2 heavy Industrial & R-4 Single and Two Family
North	Residential Single and Two Family	R-4 Single and Two Family

Comprehensive Plan: The future Land Use Map indicates the area as Office/Industrial. The Comprehensive Plan states that the City’s B-3, I-1 and I-2 zoning districts are most appropriate in the Office/Industrial Land Use category.

The Downtown & River Corridor Master Plan identifies the area as “Peninsula Harbor” and states that this area is “Manitowoc’s working river harbor providing active commerce and employment in the heart of the community. With a diverse mix of thriving industrial uses, the district should focus on the maintenance and advancement of the working riverfront.” The master plan also specifically references the former Rockwell Lime property promoting the redevelopment and reuse of the property for an active working harbor business use.

In addition the “Manitowoc Riverwalk Master Plan and Design Guidelines” categorizes the area upriver from the 10th Street bridge as the Industrial District working harbor area.

Report: The request is for a second amendment and was submitted by Troy and Bobbie Flentje and Peter and Alex Allie, all doing business as Trans-Link Services, LLC (Trans-Link). Trans-Link operates its transloading and storage business on property owned by 1615 Spring LLC and 1311 Spring LLC. The CUP area is depicted on the accompanying map.

The amended CUP area includes all of the 1615 Spring LLC (tax # 819-402-052, 6.68 acres), 1311 Spring LLC (tax # 000-039-020, 3.311 acres) and an easement over the St Barbara Cement, Inc property (819-402-050, 0.92 acres); the total acreage for the CUP area is 10.91 acres.

In February 2017 the Council approved an amendment to a 2014 CUP allowing additional working hours for Trans-Links' transloading operation; in addition stone products were removed from the prohibited list of products.

Trans-Link is requesting permission to perform conveyor assisted transloading of vessels 24 hours a day, seven days a week and some limited crane / lift assisted transloading 24 hours a day seven days a week. Transloading of materials by conveyor and crane assisted methods of limited "light" materials is being requested to be allowed 24 hours a day, seven days a week except holidays. The February 2017 CUP limited transloading Monday thru Friday 7:00 AM – 7:00 PM, and Saturday and Sundays 8:00 AM to 5:00 PM, with no loading on holidays. The light materials would be bottom ash, clay, wood chips, aggregates and other similar "light" products. Items other ash, clay, wood chips, and aggregates would have to follow the Monday thru Friday 7:00 AM – 7:00 PM, and Saturday and Sundays 8:00 AM to 5:00 PM hours.

Conveyor transloading operations are or were occurring at St. Mary's Cement, Anheuser Busch, and the MPU coal site in the port of Manitowoc.

Trans-Link has stated that the costs for a barge or ship can range from \$1,000 - \$6,000 per hour and if they are unable to trans-load the business will go to a different port which can affect the cost of local materials.

Under a CUP, the Commission and Council must determine if the proposed use:

- A. Is reasonably necessary for the convenience and welfare of the public.
- B. Is in harmony with the character of the surrounding area.
- C. And will have a minimal effect or no effect on the surrounding property values.

The Commission and Council can affix conditions to the CUP to provide assurances that the proposed use will not have a negative impact on the surrounding area.

The property is currently zoned I-2 Heavy Industrial, and the Heavy Industrial zoning for this property dates back to 1930. Section 15.350(3)w (the I-2 Heavy Industrial district) permits "storage in bulk, or transloading activities of materials as listed in section 15.330(4)b," which is the I-1 Light Industrial Conditional Use Permit section of the code. This section lists 27 items that could be transloaded or stored on site and include the following: asphalt, brick, building materials, butane and propane, cement, clay products, coal, contractors equipment, feed, fertilizer, fuel, grain, gravel, hay, ice, lime, lumber, machinery, paper, pipe, roofing, sand, stone, tar and creosote products, wood, wool and other similar materials.

Historically the property was the location of the former Rockwell Lime transloading operation prior to being acquired by 1615 Spring, LLC. The current owners have cleaned up the site compared to its former use and have razed many of the former buildings. The current owners have recently done some environmental cleanup and are currently implementing a WisDOT

Harbor Assistance Grant to repair and install approximately 500 feet of sheetwall. WisDOT and the Trans-Link are investing \$3,600,000 towards the sheet wall project.

Manitowoc is one of a few ports on Lake Michigan that offers deep water access points. The river depths in this area are approximately 18 - 21 feet.

Historically, the neighbors along Revere Drive and Michigan Avenue voiced concerns with noise and dust issues when a previous business was operating a quarry stone transloading operation at the location. Since Trans-Link has been operating at the location there have not been any complaints reported.

Public Comments Notices were mailed to property owners in our standard 200' radius in addition the list was expanded to include the residences along Revere Drive and Michigan Avenue. As of the time of this writing no comments have been received.

- Dennis Wejrowski, 1301 Spring Street stopped in the office and had questions regarding the transloading 24 hours a day and what type of materials this involved. Mr Wejrowski also stated that there was a pile of brownish material and wondered what it was and if it would cause any health issues; there was a windy day and some of the dust was blowing around. Mr. Wejrowski stated he would be at the meeting.

Recommendation: The Community Development Department recommends approval of the amendments to the Conditional Use Permit (originally issued November 5, 2014 and amended on February 20, 2017) as noted on the attached list of conditions.

AMENDED CONDITIONAL USE PERMIT (CUP) TRANS-LINK SERVICES, LLC
JANUARY 25, 2017

CUP CONDITIONS PC7-2017

This CUP replaces a previously approved CUP which was dated November 5, 2014.

Recommend approval of the CUP, subject to the following conditions:

A. CUP shall be granted exclusively to Trans-Link Services, LLC (Trans-Link) for the storage in bulk, or transloading activities of materials pursuant to Section 15.350(3)w of the Municipal Code and being located at 1615 Spring Street (tax # 819-402-052); 1311 Spring Street (tax # 000-039-020) and an easement area over the St Barbara Cement, Inc property (tax # 819-402-050), 0.92 acres all shown on the accompanying map. The following materials or products will not be allowed to be transloaded or stored unless authorized by the Plan Commission and Common Council: brick, coal, and asphalt.

B. The CUP shall not become effective until after the date that the Common Council adopts the Plan Commission report containing the conditions.

C. This CUP shall not be assigned, transferred, sublet or conveyed in any manner without the written consent of the Common Council and Plan Commission.

D. Trans-Link shall make every effort to reduce noise levels at the site, and shall maintain noise levels no greater than allowed by law.

E. The transloading of materials shall be permitted Monday thru Friday, between the hours of 7:00 AM and 7:00 PM; with the exception of conveyor assisted transloading or transloading of bottom ash, clay, wood chips, aggregates and other "light" products, which can be loaded 24 hours a day. The intent behind identifying "light" products is that these are materials which create minimal noise.

F. The transloading of materials shall be permitted on Saturday and Sunday between the hours of 8:00 AM and 5:00 PM with the exception of conveyor assisted transloading or transloading of bottom ash, clay, wood chips, aggregates and other "light" products, which can be loaded 24 hours a day. The intent behind identifying "light" products is that these are materials which create minimal noise.

G. Transloading shall not be permitted on any U.S. holiday.

H. In the event dust problems occur as a result of the operation, the owner shall apply dust palliatives as requested by the City in accordance with the Municipal Code.

I. Non-compliance with any terms or conditions 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.