



City of Manitowoc

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

Meeting Minutes

Plan Commission

Wednesday, August 22, 2018

6:00 PM

Council Chambers

I. CALL TO ORDER

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

II. ROLL CALL

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

Staff Present: Paul Braun, Lisa Mueller

Others Present: Bob Ziegelbauer, Todd Reckelberg, Mark Enter, Paul Laurent, David Charwel, Dawn M. Giraldo, Dan Lindstrom, Bob Popp, James Overly, Eric Sitkiewitz, Scott McMeans

III. APPROVAL OF MINUTES

[18-0863](#) Approval of the Minutes of the July 25, 2018 Plan Commission Meeting.

Moved by Diedrich, seconded by Muenzenmeyer, to Approve the Minutes of the July 25, 2018 with a correction. The motion carried by the following vote:

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

IV. PUBLIC INFORMATIONAL HEARINGS

[18-0864](#) PC 12-2017: Discussion and action on the Amendment to Tax Increment District No. 15

D. Lindstrom, from Vierbicher presented the background detail for the TID 15 Amendment; Vierbicher is working on behalf of the City for the TID projects. In a Powerpoint presentation D. Lindstrom explained the history of TID 15 which has had 4 previous amendments to date. TID 15 is generally know as the Harbor Town, Festival, Kwik Trip area and the TID has been a very successful district since its creation. The previous amendments occurred in 2008, 2012, 2015 and 2017 with the 2012 and 2015 amendments a direct due to the recession. The 2017 amendment was for a building expansion proposed by Dowco but never materialized because the company changed their plans. The 2018 amendment is being requested to allocate increment from TID 15 to TID 14, TID 14 is in a negative balance due to the State changing a formula. TID 14 also had

some property owners change their assessed values resulting in lower taxes. The TID 15 boundary is not changing and impact to the taxing jurisdictions will remain the same. D. Lindstrom concluded his comments stating that the summary of findings test does meet State requirements.

Mayor Nickels asked if the Commission members had any questions. There were no questions.

Mayor Nickels opened the public hearing portion of the meeting.

B. Ziegelbauer, Manitowoc County Executive, 1010 S. 8th Street, provided the Commissioners with written comments, a copy of which is available from the Community Development Department. B. Ziegelbauer read the cover letter of his handout. B. Ziegelbauer stated that funds from TID 15 are being transferred to cover costs in TID 14 and instead of transferring the funds TID 15 should be closed. He stated that assurances were made in the 2012 that TID 15 would be amended at that time but no other amendments would occur. B. Ziegelbauer concluded his comments.

No other public input was received, Mayor Nickels closed the public hearing.

Mayor Nickels asked if there are any questions or comments from the Commission. J. Brey asked when TID 15 is scheduled to close. D. Lindstrom stated that TID 15 is scheduled to close in 2019 even if there is an allocation amendment. Mayor Nickels questioned the amount of the proposed Dowco project. D. Lindstrom stated that about \$700,000 and was approved (Amendment # 4) for Dowco's project which eventually never occurred. D. Koski asked if TID 14 was performing well before the State changed some of its assessing formulas. D. Lindstrom stated yes it was meeting its obligations until the formula was changed by the State. Additional discussion was held regarding the different tax rates for each jurisdiction and if tax payers pay more in taxes if they are in a TIF district. D. Lindstrom explained that TID 14 is not designated a distressed TID it is in a deficit and City taxpayers would be required to cover any remaining costs. Mayor Nickels asked for the recommendation. P. Braun read the recommendation. The Commission revised the recommendation adding language recommending that TID 15 be closed in 2019.

Moved by Diedrich, seconded by Hornung, to recommend authorizing i) city staff proceed with TID 15 project plan amendment, ii) approve the related Plan Commission adoption resolution, iii) recommend that TID 15 be terminated no later than December 31, 2019, and iv) forward to Council the related adoption resolution with a recommendation for approval. The motion carried by the following vote:

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

[18-0865](#)

PC 22-2017: Discussion and action on the Amendment to Tax Increment District No. 19

D. Lindstrom, from Vierbicher presented to the Commission the details of the TID 19 amendment; TID 19 includes the downtown area of Manitowoc. TID 19 was created earlier in 2018 but could not overlap TID 11 because it was distressed. TID 11 was closed later in 2018 allowing TID 19's boundary to be amended to include some key redevelopment properties in the downtown such as the Schuette Building. D. Lindstrom continued to state that the project costs in TID 19 are not changing only the boundary is being amended. D. Lindstrom concluded his comments.

Mayor Nickels asked if the Commission if they had any questions. There were none.

Mayor Nickels opened the public hearing.

M. Enter, Lakeside Foods, 808 Hamilton Street, had some general questions regarding how Lakeside Foods would be affected by being in TID 19. He questioned if Lakeside Foods is considered blighted and if there are any expectations of the property owners in the TID. He also asked if there is any advantage for a property owner to be in a TID. Mayor Nickels responded that there are no additional taxes on property owners in a TID and that there is a potential that property owners could take advantage of TID dollars if they have a project that expands the tax base.

There were no other comments from the public. Mayor Nickels closed the public hearing.

Moved by Brey, seconded by Diedrich, to i) Authorize City staff to proceed with the TID 19 boundary amendment, ii) Approve the related Plan Commission adoption resolution, and iii) Forward to Council the related adoption resolution with a recommendation for approval. The motion carried by the following vote:

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

[18-0866](#)

PC 22-2018: Discussion and action on the Creation of Tax Increment District No. 22

D. Lindstrom, from Vierbicher presented the background detail for the TID 22 creation stating that TID 22 continues on the success of TID 15. TID 22 is adjacent to TID 15 and is approximately 62 acres and lies east I-43 and west of S. Rapids Road. TID 22 is a Rehabilitation and Conservation TID with some of the major costs associated with utility, road, sidewalks, intersection and other infrastructure improvements. D. Lindstrom reviewed

the major components of the TID project plan such as zoning, public works projects, site development costs, development incentives, professional services, financing costs and other elements of the plan. D. Lindstrom concluded his comments by stating that the percent of the City's equalized value in existing TIDs is 6.47% which is below the 12% maximum established by the State.

Mayor Nickels asked the Commission if there were any questions. Mayor stated that he appreciates how all the taxing entities worked together on the success of TID 15. He also stated that TID 22 will help with the infrastructure and utility costs for development in the area. There were no other questions or comments from the Commission.

Mayor Nickels opened the public hearing.

B. Ziegelbauer, Manitowoc County Executive, 1010 S. 8th Street provided a handout for the Commissioners a copy of which is on file in the Community Development Department. B. Ziegelbauer read the cover sheet of his handout; he stated that the proposed TID 22 includes the Meijer property and that he is asking to have the Meijer property removed from the proposed district.

Mayor Nickels closed the public hearing.

Mayor Nickels asked if the Commissioners if there was any further discussion. The Commission discussed what methods there are to pay for infrastructure costs if TIF wasn't an option. Methods included; infrastructure costs would be either not done, paid for by the developer or assessed back to the abutting property owners. The Commission discussed that at the time of the Meijer sale they did not ask for any TID dollars but there was also no discussion stating that the City would not include Meijer in a future TID. Mayor Nickels stated that Meijer did not request to be located in the TID but the City is looking at the big picture of the area and wanted to have a funding source to cover other infrastructure and utility costs to help spur other development in the area.

J. Muenzenmeyer stated that he is supportive of the proposal and that this proposal is a perfect example of the but for test. Discussion was held regarding the ability of the TID to pay for infrastructure extension and also if developer incentives are part of the project plan. The developer incentives are a small part of the project plan. There was no further discussion by the Commission.

Moved by Steinbrenner, seconded by Koski, to i) Authorize City staff to proceed with the TID 22 creation, ii) Approve the related Plan Commission adoption resolution, and iii) Forward to Council the related adoption resolution with a

recommendation for approval. The motion carried by the following vote:

Aye: 7 - Brey, Member Hornung, Mayor Nickels, Member Koski, Member Muenzenmeyer, Member Steinbrenner and Member Jagemann

Abstain: 1 - Diedrich

[18-0867](#)

PC 29-2018: Popp Enterprises, LLC: Request to Rezone Property from R-6 Multiple Family to I-1 Light Industrial for an area east of S. 35th Street and north of Dewey Street

P. Braun explained that the request is from Robert Popp on behalf of Popp Enterprises LLC. Popp is requesting to rezone their property from Multiple Family to Light Industrial to allow them the ability to construct some mini-warehouse structures. P. Braun detailed the surrounding zoning and land uses. He stated the Popp's purchased the 2.8 acre parcel from Loren Laviolette on November 13, 2017. Access to the property is off of S. 35th Street over a dedicated but unimproved street. The same access is used for the adjacent property Popp owns which was also recently rezoned to Light Industrial to allow for mini-warehouse structures.

P. Braun stated that Popp would construct 8 - 90' x 44' structures on the west end of the property and that a wetland delineation would need to be completed on the east half before any other construction could occur. P. Braun concluded his comments by explaining how the Zoning Code defines what is allowed in a mini-warehouse development.

Mayor Nickels opened the public hearing portion of the meeting.

R. Popp stated that the access driveway and existing mini-warehouse buildings on the adjacent lot will be black-topped this fall.

No other comments from the public were provided. J. Nickels closed the public hearing.

Moved by Diedrich, seconded by Muenzenmeyer, to approve a change in zoning from the "R-6" Multiple Family District to the "I-1" Light Industrial District and instruct the City Clerk to call for a public hearing for the September 17, 2018 Common Council meeting. The motion carried by the following vote:

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

V. REFERRALS FROM COMMON COUNCIL: None

VI. OLD BUSINESS: None

VII. NEW BUSINESS

[18-0868](#)

PC 31-2018: RLO Signs / 735-11 Manitowoc, LLC (Cyberworks) Special Permit for an Animated Sign located at 735 N 11th Street

P. Braun explained that RLO Signs on behalf of 735-11 Manitowoc, LLC d.b.a. as Cyberworks is requesting to erect a new single face, animated sign at 735 N. 11 Street. The new 24.82 s.f. sign would replace an old 58.83 s.f. sign; 9.69 s.f. of the new sign would be animated and the non-animated portion of the sign would be 15.13 s.f. The animated sign would face the north not the south as the graphic in the application had shown.

P. Braun stated that the sign ordinance grants the Plan Commission authority to reduce or waive sign height, size, and sign proportions based on its evaluation of the proposed location and sign characteristics. P. Braun stated that the animated portion of the new sign is 64% the total sign area and the code allows up to 30%. He continued to state that the 150' separation distance to the residence at 1015 Huron Street is approximately 50' but due to the orientation of the animated sign related to the residence there should be no conflict.

P. Braun concluded his comments by stating that the owner is working with the Department of Public Infrastructure to obtain a right-of-way use permit because the proposed sign is located in the Huron Street right-of-way.

The Commission commented that this request is a great example of utilizing the ability to waive sign requirements based on the site characteristics. The goal of the sign code is to not encourage more signage but to allow signs that are in scale with the area.

Moved by Diedrich, seconded by Jagemann, to approve the issuance of the Special Permit for the animated sign pursuant to the submitted application waiving the sign separation distance and maximum animated sign percentage. The motion carried by the following vote:

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

[18-0869](#)

PC 1-2018: Woodland Shadows LLC: Quit Claim Deed for Virginia Drive purposes

P. Braun explained that the quit claim deed for 0.12 acres is related to a recently approved certified survey. The quit claim deed is for Virginia Drive street purposes, and in addition to the quit claim deed a public works petition was also provided to the City from the property owners.

Moved by Hornung, seconded by Diedrich, to approve the quit claim deed for Virginia Drive street purposes. The motion carried by the following vote:

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

[18-0870](#)

PC 30-2018: Review of Tax Foreclosure Properties from Manitowoc

County

The Commission reviewed the list of tax foreclosure properties and stated that there were no properties that the City would be interested in. Historically the types of properties the City was interested in were either for park, storm water, conservancy or right-of-way reasons.

Moved by Koski, seconded by Steinbrenner, to take no further action and place the list of tax foreclosure properties on file. The motion carried by the following vote:

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

VIII. MISCELLANEOUS

A. Manitowoc County Activities: None

B. Certified Survey Maps (CSM):

1. Engelbrecht Survivors Trust: NE ¼, SW ¼ Section 29, Township 19 North, Range 23 East Town of Manitowoc Rapids.

C. Summary of Site Plans: None

IX. ADJOURNMENT

Moved by Brey, seconded by Diedrich, to adjourn the Meeting at 7:06 PM. The motion carried by the following vote:

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

Respectfully Submitted,

Paul Braun
Secretary