

PLAN COMMISSION MINUTES - 9/17/2012

Plan Commission Offices  
Manitowoc City Hall

Special Meeting  
Manitowoc City Plan Commission  
Monday  
September 17, 2012  
6:30 P.M.

I. CALL TO ORDER

The special meeting of the City Plan Commission was called to order by Mayor Nickels at 6:30 P.M.

II. ROLL CALL

Members Present

Justin Nickels  
David Diedrich  
Maureen Stokes  
Jim Brey  
Val Mellon  
Dan Hornung  
Steve Alpert

Members Excused

Jim Muenzenmeyer

Staff Present

Paul Braun

Others Present

See Attached Sign In Sheet

III. APPROVAL OF MINUTES of the Regular August 15, 2012 Meeting.

Motion by: Mr. Diedrich

Moved that: the minutes be approved as presented.

Seconded by: Ms. Stokes

Upon Vote: the motion was approved unanimously.

IV. PUBLIC INFORMATIONAL HEARINGS

- A. PC34-2012: TBL Real Estate LLC / Mainly Manitowoc. Request for a Conditional Use Signs & Graphics Permit to Place a Mural at 822 Franklin Street Pursuant to Section 15.450(5)(j) of Manitowoc Municipal Code

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Mr. Braun explained that tonight's public informational hearing was in regard to a request from Mainly Manitowoc, Inc. They are looking for approval from the City to issue a Conditional Use Permit (CUP) pursuant to Section 15.450(5)(j) of the Manitowoc municipal code to authorize the painting of a mural on the north wall of the building at 822 Franklin Street. The CUP will allow the painting and placement of a mural under the "B-4" central business zoning district regulations under Section 15.450(14)(g)8.

Mr. Braun noted that under a CUP, the Commission and Council must determine if the proposed use is reasonably necessary for the convenience and welfare of the public, is in harmony with the character of the surrounding area, and would 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.

Mr. Braun also noted that in addition to the above criteria, Section 15.450(5)(j) requires a finding that the "mural or graphic constitutes special architectural or historic significance in the community."

Mr. Braun explained that the location of the proposed mural is described as the north wall of Lots Numbered Eight (8) and Nine (9) of Block Numbered 227 in the Original Plat. The long side of this property abuts Franklin Street, east of So. 9<sup>th</sup> Street, and is part of Tax Parcel No. 000-227-120. This subject parcel is owned by TBL Real Estate, LLC by virtue of a Warranty Deed from Manitowoc City Center Development, LLC dated April, 2011. The current owner began utilizing this property in 2007 under a "Commercial Lease Agreement" with Manitowoc City Center Development, LLC.

Mr. Braun stated that the proposed mural will face to the north towards the City Hall parking lot and Manitowoc River. The area for the proposed mural is a portion of the exposed north wall of the building at 822 Franklin Street. The wall currently features spalling paint and holes where the wall connected to the south wall of the building that had been located immediately north, and was demolished a few years ago. The 3 murals, which will be comprised of panels detailing an old schooner built in Manitowoc, men working on a ship, and the launching of a submarine, will be painted to the west of the existing truck dock. The remainder of the exposed wall will be painted a solid gray color. The length of the mural is approximately 75' and the proposed mural would be painted directly on to the exposed brick surface.

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Mr. Braun described the surrounding land uses; which include the Fat Seagull to the east, a tanning salon to the west, and City Hall to the northwest.

Mr. Braun stated that the notices for the hearing were mailed to property owners within 200' of the subject property that would have direct views of the proposed murals on September 10<sup>th</sup> and no comments received.

In closing, Mr. Braun noted the following issues related to the painting of the mural:

- A. The mural is to be painted by a qualified artist/muralist who has expertise in the application and treatment of the medium selected for such projects.
- B. An explanation is needed as to how the existing exterior wall surface will be cleaned and treated prior to the painting of the mural, and so as to not further damage the exterior wall.
- C. As the mural is being painted on a private structure, once it has been applied to the building surface, it becomes the physical property of TBL Real Estate, LLC, and as such, the building owner is responsible for the care and maintenance of the mural, and any costs associated with maintenance, repair, and or removal of the mural.

In regards to item C. above Mr. Braun noted that he received a letter signed by Jamie Zastrow, Executive Director of Mainly Manitowoc and John Hemken, Owner / CEO of TBL Real Estate, LLC. The letter addresses TBL's authorization of the mural, preparation of the painting surface, and long term maintenance.

Mayor Nickels opened the informational hearing to public input.

Jason Prigge, 858 S. Rapids Road, commented that he is the artist that is commissioned to paint the murals and is appreciative of everyone for scheduling the special meeting to discuss the project.

Ms. Stokes commented that the "welder" seems to get more abstract as the size of the mural is enlarged.

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Mr. Prigge stated that the renderings in the packet were conceptual and the final mural will be painted in more detail and Ms. Stokes' concern should be addressed.

Mr. Braun stated that the wall surface will not be sand blasted but it will be blasted with crushed walnut shells which is softer and easier on the building surface. The wall will also be washed using a mild ecologically safe detergent and rinsed with a low-pressure spray to remove all dirt and dust and the surface will be primed with a low-gloss 100% acrylic primer.

Mr. Prigge stated that the mural should be completed in 5 to 7 days with the help of volunteers. Mr. Prigge will trace the mural on the wall in chalk and volunteers will paint the mural with Mr. Prigge refining the mural at the end.

Mayor Nickels closed the public informational hearing and asked asked Mr. Braun for his recommendation.

Mr. Braun read the following recommendation: (i) approve the CUP to Mainly Manitowoc, Inc. and TBL Real Estate, LLC, joint and severally, pursuant to Sections 15.450(5)(j) and 15.450(14)(g)8. of the Municipal Code (Code) to authorize the erection, placement, establishment and painting of a mural as outlined above on the north wall of the building at 822 Franklin; (ii) specify that the mural is not considered a "sign" as that term is defined in the Code and the prohibition against a sign painted directly upon a building wall under Section 15.450(8)(a) of the Code is deemed not applicable in this situation; and (iii) that the CUP is subject to the following supplementary conditions which were provided to the Commission and Owners prior to tonight's meeting.

Motion by: Mr. Diedrich

Seconded by: Ms. Stokes

Moved that: the Commission approve the Deputy Planner's recommendation above.

Upon Vote: the motion was approved unanimously.

IX. ADJOURNMENT

The meeting was adjourned at 6:45 P.M.

Respectfully Submitted,

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Paul Braun  
Deputy City Planner