

Report to the Manitowoc Plan Commission

Meeting Date: November 20, 2019

Request: PC 36-2019: 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.

Reason for Request: A Conditional Use Permit is required for any Adaptive Reuse request.

Existing Land Use for Subject Property: Community Center, Former St. John's UCC Church and School

Existing Zoning for Subject Property: R-4 Single and Two Family Residential

Surrounding Property Land Uses and Zoning

Direction	Existing Land Use	Existing Zoning
North	Single & Two Family Residential	R-7 Central Residence
West, South	Single & Two Family Residential	R-4 Single and Two Family
East	Industrial, Commercial	C-1 Commercial

Consistency Analysis: Conditional Use Permits do not have to be consistent with the future land use map but the proposed project would be in scale with the surrounding properties and it would be consistent with the Future Land Use Map and Comprehensive Plan and it would encourage the reuse of legacy structures with challenges of redeveloping due to their unique size, shape, construction type and location.

NOTE: Wisconsin ACT 67 (2017) now requires that a local municipality must hold a public hearing on a conditional use permit application, following a class 2 notice. Conditional Use Permits will now have a public hearing in front of the Common Council similar to a change in the zoning map or zoning text.

Report: Amber Daus, from Grow it Forward, Inc is requesting a conditional use permit for an adaptive reuse for the former St John's United Church of Christ and school located at 1501 Marshall Street. Buildings which were originally designed and constructed as churches or schools are eligible for an Adaptive Reuse Conditional Use Permit.

In August 2019, St. John's donated the church and school to Grow it Forward, Inc for their use as a Community Center which provides space for activities such as: commercial kitchen, winter farmers market, classes, lessons, and hall rentals. A full list of activities is detailed in the letter from Grow it Forward. Grow it Forward is a 501(c)3 nonprofit organization on a charitable mission to grow, teach, feed, and connect to the local food community. To maintain the nonprofit status Grow it Forward must keep the building in a mission related use and can't rent out space to for profit businesses that may jeopardize their nonprofit status.

The property is located at the southwest corner of Marshall and S. 15th Streets and is zoned R-4 Single and Two Family Residential. The CUP area consists of two individual parcels (000-292-010 & 000-292-090), combined they are 0.68 acres. The frontage along S. 15th Street is 198.5' and 150' along Marshall Street. There are approximately 42 off street parking spaces available.

The Police and Building Inspection Department's reported no issues or complaints over the past few years.

The Chapter 15 Zoning Ordinance does not have a land use defined that is similar to the proposed use. The proposed use does not completely fall under any of the existing definitions in the Zoning Code such as: church, farmers market, fraternal organization, lodge, private lodge, or school. For the purposes of only this Adaptive Reuse Conditional Use Permit the term "Community Center" will be created and defined. The Community Center term will better represent Grow it Forward's actual uses of the property.

"Community Center" will be defined for this 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. The Community Center's main mission is to grow, teach, feed, and connect local food to the community.

Criteria for the Issuance of a Conditional Use Permit:

15.370(27)c of the Municipal Code provides the criteria for the issuance of a Conditional Use Permit. *"In acting upon any application for a conditional use, the Plan Commission and Council shall consider whether the requested use:*

- (1) is reasonably necessary for the convenience and welfare of the public;*
- (2) is in harmony with the character of the surrounding area;*
- and (3) will have a minimal or no effect on surrounding property values."*

Definition, Purpose and Criteria for An Adaptive Reuse Conditional Use Permit. 15.370(29)

Definition: "Adaptive reuse means the development of a new use for an older building or for a building originally designed for a special or specific use."

Purpose: "The purpose of this section is to facilitate the conversion of older, economically distressed, or historically significant buildings to a new use while keeping the building's historic features intact."

Criteria. "In addition to the criteria under subsection (27)(c) of this section, a conditional use permit issued under this section shall require a finding by the Common Council that:

(1) the reuse of a building is made more difficult to the extent that the marketable value of such properties may be substantially diminished; and

(2) the adaptive reuse of a building furthers the promotion and conservation of the economic value of such buildings and thereby protects and improves the City's tax base."

Any conditional use permit can be terminated by the Council if the conditions of the permit are not followed by the applicant.

Public Comments: Notices of the Plan Commission informational hearing were mailed out to adjacent and abutting property owners on November 13 and no comments have been received at the time of this writing.

Timeline

- November 20 Plan Commission Informational Hearing
- December 16 Common Council Public Hearing

Recommendation: The Community Development Department recommends approval of the Adaptive Reuse -Conditional Use Permit to Grow it Forward, Inc for the establishment of a Community Center.

**GROW IT FORWARD, INC.
REQUIREMENTS FOR AN
ADAPTIVE REUSE - CONDITIONAL USE PERMIT (CUP) FOR
A COMMUNITY CENTER
LOCATED AT 1501 MARSHALL STREET
DECEMBER 16, 2019**

Re: PC36-2019: 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. The Community Center's main mission is to grow, teach, feed, and connect local food to the community.

- A. The CUP shall not be assignable or transferrable 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. All activities, markets and events are to be held inside the structure. The hours of operation for activities, markets, or events shall be from 8:00am – 10:00 pm Friday and Saturday, 8:00am – 8:00pm Monday thru Thursday and 8:00am – 5:00pm on Sunday. 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 for for-profit individuals that only sell or distribute their product off-site.
- H. The community commercial kitchen may be used by not for-profit individuals selling their product off-site or for special events which are occurring on site: such as wedding receptions, funerals, anniversaries or similar activities.

R-4, Adaptive Reuse Conditional Use Permit for 1501 Marshall Street

1923-July 21st, 2019: St. John's UCC owned 1501 Marshall Street. The following activities took place on any given day/time of the week:

- | | | |
|------------------------|-----------------------|-------------------------------|
| • Classes | • Church Services | • AA, AlAnon, and NA meetings |
| • Hall Rental | • Farmers Market | • Piano Lessons |
| • Funerals/Weddings | • Sewing Clubs | • Consulting |
| • Craft/Bake Sales | • Choir Practices | • Dances |
| • Theater/Plays | • Baptisms | • Gardening |
| • Rummage Sales | • Meals/Dinners | • Commercial Kitchen |
| • Office Space Rental | • Picnics | • Meetings |
| • Community Gatherings | • Fundraising/Socials | |

2016-July 21st, 2019: Grow It Forward was tenant of St. John's UCC paying all utility bills and upkeep of the facility while the church began to merge with First Reformed UCC. In order to partake in several of the activities listed, Grow It Forward holds a restaurant and liquor license. In addition, several of tenants hold varying licenses to operate their businesses within the facility. Grow It Forward has managed the following while as a tenant of St. John's UCC:

- | | | |
|-----------------------|-------------------------------|----------------------|
| • Classes | • Community Gatherings | • Piano Lessons |
| • Hall Rental | • Farmers Market | • Consulting |
| • Funerals/Weddings | • Meals/Dinners | • Dances |
| • Craft/Bake Sales | • Picnics | • Gardening |
| • Theater/Plays | • Fundraising/Socials | • Commercial Kitchen |
| • Rummage Sales | • AA, AlAnon, and NA meetings | • Meetings |
| • Office Space Rental | | |

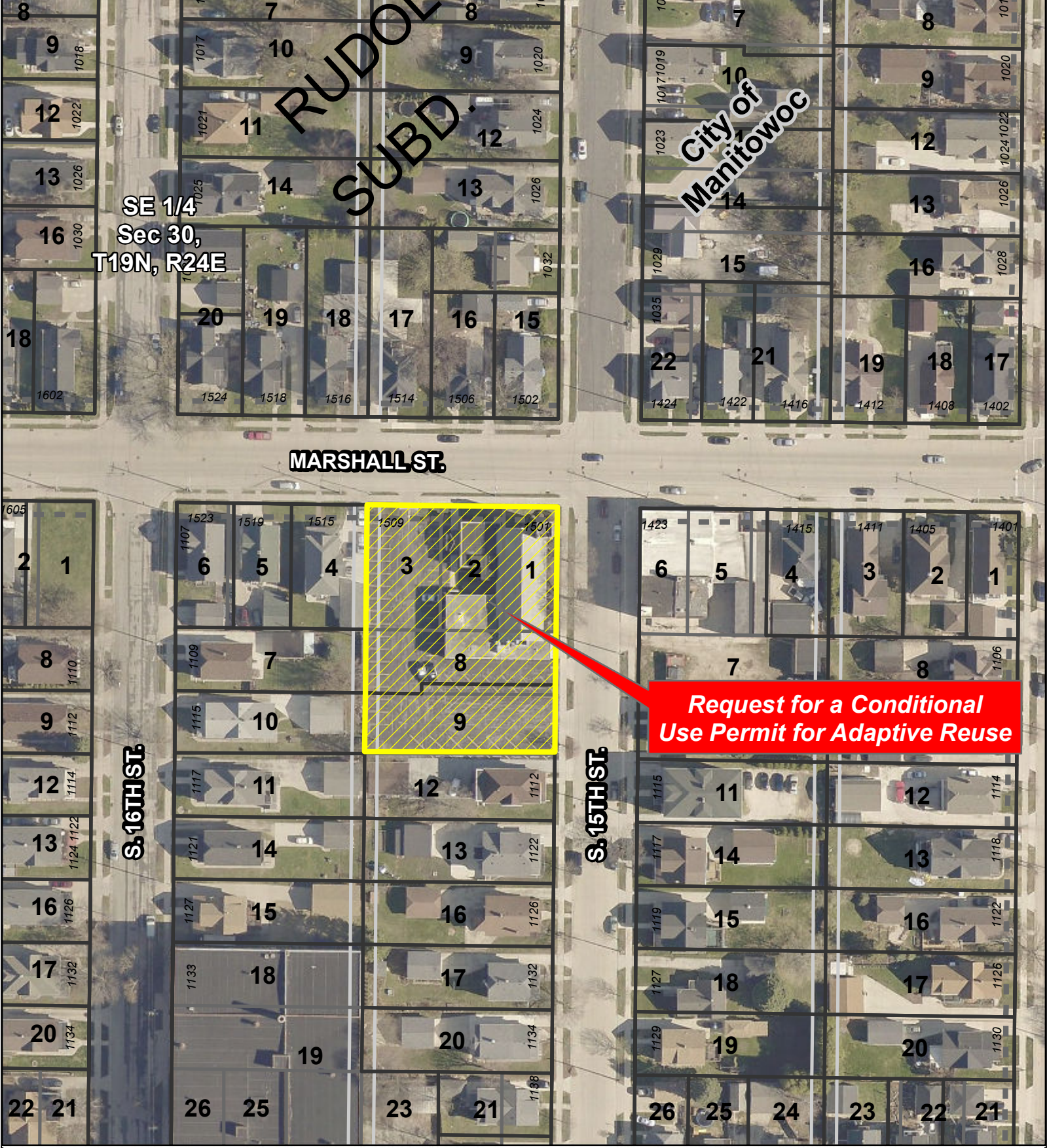
July 22nd, 2019: St. John's UCC donated the property to Grow It Forward to continue to operate the facility as a community center offering the above-mentioned items, and to ensure that the facility didn't become another blighted property within the community. An inspection and appraisal were conducted prior to transfer.

September 30th, 2019: Grow It Forward had been notified that the due to the transfer of deed, Grow It Forward must apply for an Adaptive Reuse Conditional permit to continue the activities mentioned above.

Like St. John's UCC, Grow It Forward is a designated 501(c)(3) nonprofit organization on a charitable mission to grow, teach, feed, and connect our local food community. We kindly ask the Plan Commission, as well as the Common Council, to approve the Adaptive Reuse Conditional Use Permit for 1501 Marshall Street to continue the activities mentioned for the purpose of supporting and expanding Grow It Forward's mission.

Thank you for your consideration,

Grow It Forward Inc. Board of Directors



CONDITIONAL USE PERMIT

City of Manitowoc, WI



Area of Conditional Use
Permit for Adaptive Reuse

PC 36-2019 Grow It Forward
1501 Marshall St

DISCLAIMER: Maps and associated data are believed to be accurate, but are not warranted. This information is not intended for legal, survey, or other related uses. Please obtain the original recorded documents for legal or survey information.

Prepared by City of Manitowoc
Community Development Department
www.manitowoc.org

Map Plotted: 11/12/2019

O:\Planning\PC Plan Commission\PC_CUP\PC36-2019 Grow it Forward 1501 Marshall St\Maps\PC 36-2019.mxd

Manitowoc City Plan Commission