



16-0798

Standing Committee: Plan Commission

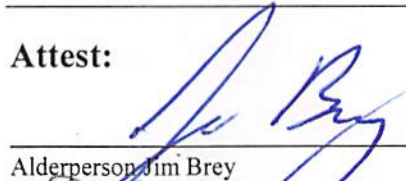
Document Name: Resolution Regarding a Comprehensive Plan Amendment to Modify the Map of Future Land Use in the Area of 200 East Waldo Blvd; also known as the Former Elks Club and Golf Course Property. The proposed amendment is from Public Parks and Open Space, General Business, and Environmental Corridor to Planned Mixed Use and Environmental Corridor. PC 25-2016.


Consent


Non-Consent

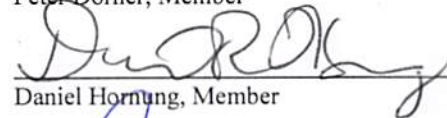
Recommendation: Recommend approval of the amendment to the Comprehensive Plan Map of Future Land Use in the area of 200 East Waldo Blvd (also known as the Former Elks Club and Golf Course Property) from Public Parks and Open Space, General Business, and Environmental Corridor to Planned Mixed Use and Environmental Corridor as shown on the attached map, and further recommend approval of the related resolution.

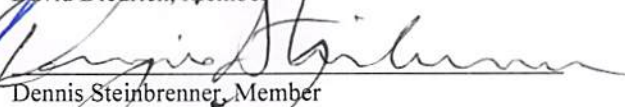
Attest:



Aldersperson Jim Brey

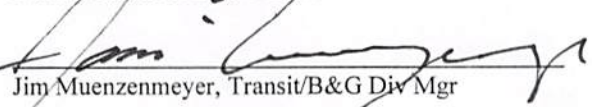

Peter Dorner, Member

~~~~ ABSTAIN
David Diedrich, Member


Daniel Hornung, Member


Dennis Steinbrenner, Member


Dan Koski, Director of Public Infrastructure


Jim Muenzenmeyer, Transit/B&G Div Mgr

Rick Schwarz, Building Inspector (Alternate)

Approved:

Justin M. Nickels
Mayor

Date

file closed.

Report to the Manitowoc Plan Commission

Meeting Date: September 28, 2016

Report Print Date: September 21, 2016; 3:44 PM

Request: (PC 25-2016) Resolution Regarding a Comprehensive Plan Amendment to Modify the Map of Future Land Use in the Area of 200 East Waldo Blvd; also known as the Former Elks Club and Golf Course Property. The proposed amendment is from Public Parks and Open Space, General Business, and Environmental Corridor to Planned Mixed Use and Environmental Corridor.

Reason for Request: The subject property is primarily zoned P-1 Conservancy and also includes an area of C-1 Commercial zoning. The subject area is categorized as Public Parks and Open Space on the map of Future Land Use in the City's Comprehensive Plan. The City's adopted plan for Tax Incremental Financing District (TID) 18 contemplates some development in this location, but neither the zoning nor the Future Land Use Category are currently conducive. Since zoning map amendments must be consistent with the Comprehensive Plan, the Plan must first be amended before other zoning districts could be considered.

Updated Report: Based on the results of the July Plan Commission meeting, the Community Development Department is submitting a revised amendment to the Map of Future Land Use. As a generalized map, these smaller areas of potential mixed use development provide approximate locations for the two projects that have been brought to the City's attention. If any further development of the site is proposed in the future that is not consistent with these areas of Planned Mixed Use, additional amendments to the Map of Future Land Use would be required at that time.

Recommendation: The Community Development Department finds that the proposed amendment is warranted due to community change and consistent with the Comprehensive Plan. We recommend approval of the amendment to the Comprehensive Plan Map of Future Land Use in the area of 200 East Waldo Blvd (also known as the Former Elks Club and Golf Course Property) from Public Parks and Open Space, General Business, and Environmental Corridor to Planned Mixed Use and Environmental Corridor as shown on the attached map, and further recommend approval of the related resolution.

Proposed Amendment to the City of Manitowoc Comprehensive Plan (PC 25-2016)



Future Land Use Categories—Existing

- Right of Way
- General Business
- Surface Water
- Single-Family Residential - Exurban
- Single & Two-Family Residential - Urban
- Planned Mixed Use
- Environmental Corridor
- Public Parks & Open Space

Future Land Use Categories—Proposed

- Environmental Corridor (No Change)
- Planned Mixed Use
- Remaining Public Open Space (No Change)

Report to the Manitowoc Plan Commission

Meeting Date: August 24, 2016

Report Print Date: August 24, 2016; 8:27 AM

Request: Resolution Regarding a Comprehensive Plan Amendment to Modify the Map of Future Land Use in the Area of 200 East Waldo Blvd; also known as the Former Elks Club and Golf Course Property. The proposed amendment is from Public Parks and Open Space, General Business, and Environmental Corridor to Planned Mixed Use and Environmental Corridor.

Reason for Request: The subject property is currently zoned P-1 Conservancy and is categorized as Public Parks and Open Space on the map of Future Land Use in the City's Comprehensive Plan. The City's adopted plan for Tax Incremental Financing District (TID) 18 contemplates some development in this location, but neither the zoning nor the Future Land Use Category are currently conducive. Since zoning map amendments must be consistent with the Comprehensive Plan, the Plan must first be amended before other zoning districts could be considered.

Existing Land Use and Zoning for Subject Property: Vacant land and building – former Elks Club clubhouse and golf course. Zoned P-1 Conservancy and C-1 Commercial.

Future Land Use Categories for Subject Property: Public Parks and Open Space, General Business, Environmental Corridor

Surrounding Property Land Uses and Future Land Use Categories

Direction	Existing Land Use	Future Land Use Category
North	Single-family residential, Lincoln Park Conservancy	Single and Two-Family Residential - Urban
South	Office park, Lake MI	Planned Mixed Use, Environmental Corridor, Surface Water
East	Lake MI	Surface Water
West	Lincoln Park Conservancy, Little Manitowoc River, Single-family residential	Public Parks and Open Space, Environmental Corridor

Comprehensive Plan: Various components of the City of Manitowoc Comprehensive Plan are relevant to the proposed amendment to map of Future Land Use. In addition to the Future Land Use category of Public Parks and Open Space, the map of Community Facilities indicates the subject area is an active golf course. That designation is no longer accurate and is the primary driving force behind the need to consider an alternative future.

The following goals, objectives, and policies should be weighed in considering the consistency of the proposed amendment.

- Natural Resources element goal: Protect natural resource features in the City and the surrounding area.
- Natural Resources element objective: Direct development away from steep slopes, natural areas, drainageways, critical infiltration areas, and floodplains to prevent future conflicts.
- Land Use element goal: Continue to transform the City's economic landscape to promote a future development pattern that contains a sustainable mix of lower carbon emission-based land uses to serve the needs of a diverse City population and business community.
- Land Use element objective: Provide sufficient improved business and industrial sites for the City to be competitive in attracting, retaining, and helping to grow high quality businesses and industries.
- Land Use element policy: Prohibit new development in mapped "Environmental Corridor" areas.
- Land use element policy: Where development is proposed in or near mapped "Environmental Corridors," the developer should determine the exact boundaries of the "Environmental Corridor" based on the features that define those areas. These lands may be considered for more intensive uses if: (1) more detailed information or studies reveal that the characteristic(s) that resulted in their designation as an "Environmental Corridor" is not actually present; (2) approvals from appropriate agencies are granted to alter a property so that the characteristic that resulted in its designation will no longer exist; or (3) a mapping error has been identified and confirmed.

Consistency Analysis

Given the context of the goals, objectives, policies, and maps noted above, a carefully planned development in the subject location can be compatible with, and not contrary to, the City's Comprehensive Plan. The Planned Mixed Use future land use category recommends PUD zoning, which is ideal for balancing complex site limitations like the natural features that should be preserved along the Little Maniwoc River and related wetlands and floodplains. In particular, the policies related to Environmental Corridors provide the opportunity for confirmation and refinement of their actual boundaries based on approved environmental data. If these policies are followed, then the City's goals for economic growth and competitiveness can be simultaneously met along with its goals for natural resource preservation.

The adjacent map is an excerpt from the Map of Future Land Use. It appears that designating a portion of the subject site as Planned Mixed Use would be a logical extension of the Planned Mixed Use area that is already mapped from the Waldo East Office Park north to the Younkers mall site.



Report: The Community Development Department is proposing an amendment to the Map of Future Land Use as shown in the attached exhibit. No specific development proposals are being forwarded at this time, so the area proposed for Planned Mixed Use generally includes

those portions of the site that are likely to be found developable. The lands that are likely to be wetlands and floodplains are proposed to remain in the Public Parks and Open Space category, and the Environmental Corridor designation is proposed to remain unchanged.

Adoption of Comprehensive Plan Amendments follows the same basic process as the initial adoption of the original plan. If approved, the Plan Commission recommends the amendment via resolution, a draft of which is attached for your review and potential action. If likewise approved by the Common Council, their action is taken by ordinance, a draft of which is attached for your information. A "green light" from both bodies is required prior to an amendment taking effect.

Case History

A pending sale of the property and other development inquiries fielded by Department staff suggest that there is near-term potential for both office and residential development on the site. Because the Comprehensive Plan designates the entire site as Public Parks and Open Space, any change from the current P-1 zoning district would be found to not meet the consistency requirement. That means that an amendment to the Comprehensive Plan must precede any potential zoning change that would allow a balance of development on the property. The Comprehensive Plan amendment process is lengthy and complex, so the Department is taking a proactive approach to help encourage the current development interests on a reasonable timeline toward construction.

It is known that there is strong community sentiment for this site to remain as open green space. However, the City is not in a position to acquire the property at market rate, and neither the City's Comprehensive Plan nor its current Park and Recreation Plan identify the subject area as an acquisition target. Given community sentiment and the adjacent location of the Lincoln Park Conservancy area, the Department has discussed with the current owners the possibility of donating the lands along the Little Manitowoc River and other undevelopable portions of the site to the City. While the current owners have expressed openness to this in concept, the timing is too near the pending sale to take any action. These discussions will continue with the new owners after the sale is complete.

Site Assessment

The attached map of site features shows wetlands, floodplains, and floodways. The areas proposed to remain as Public Park and Open Space include the wetlands and 100 year floodplains. The areas included in the requested amendment to Planned Mixed Use do include areas mapped as 500 year floodplain, and this appears to coincide with the extent of the Environmental Corridor. The 500 year floodplain is non-regulatory (no development limitations of flood insurance requirements) and is defined as a location with a 0.2% percent chance of flooding in any given year. Based on existing DNR regulations, the burden of proof would be on the developer/owner to ensure that such features are not being impacted by development. This is further reinforced by keeping the Environmental Corridor designation in place as currently shown. Note also that the Environmental Corridor policies of the Comprehensive Plan allow for flexibility.

Compliance Analysis

Tax Incremental Financing District 18 (Lakeshore North), created in September of 2015, designates the subject area as Planned Mixed Use on its map of Proposed Land Use. This map is attached. The City's statement of policy and intent found in the adopted TID 18 plan represents another major force behind this requested amendment to the Comprehensive Plan.

The Plan Commission is not legally bound to the “consistency requirement” regarding the TID plan, but implementation of the TID plan is another important factor to consider in advancing the City’s economic development priorities. To further clarify, the “consistency requirement” found in Chapter 66 of the Wisconsin Statutes applies specifically to comprehensive plans.

Public Comments

To date, the Community Development staff have received two phone calls on this item – one expressing concerns over impacts on scenic views, and one expressing support for development of the site. In addition, the Department has conducted a neighborhood informational meeting in accordance with our Public Participation Plan for Comprehensive Plan Amendments. Approximately 70 notices were mailed out, and the meeting was attended by 24 property owners and other interested parties. Representatives of the current property owners and one of the potential developers were present in support of the amendment. Questions and comments raised by attendees generally expressed concerns and opposition and can be summarized as follows:

- A preference for development of the former mall site, Mirro site, and other locations to occur first
- Questions regarding the reasons for the boundaries of the proposed amendment
- A desire to keep the site as green space, wildlife habitat, and unobstructed view of Lake Michigan
- A preference to see the specifics of a development proposal before amending the Comprehensive Plan
- Questions about the zoning process and further public notice
- A desire to allow only single-family residential development on the site
- A desire to limit the heights of buildings on the site
- A perception that homes in this area are “in the country”
- A desire to make the property a public park
- Concern that adjacent property values will go up
- Concern that adjacent property values will go down
- Concern that new development will have traffic impacts
- Concern that existing homes will be charged the cost of new sidewalks and other infrastructure improvements
- Kathleen Walsh, 1136 S. Lake Street, left Mayor Nickels a voice message stating that she is against the change in use and that the area should be kept as green space and some of the other vacant lots in the area should be developed instead.
- Rita Jansen, 304 E. Park View Lane sent a letter stating that the area should be kept as open space due to the wildlife and mature trees in the area.

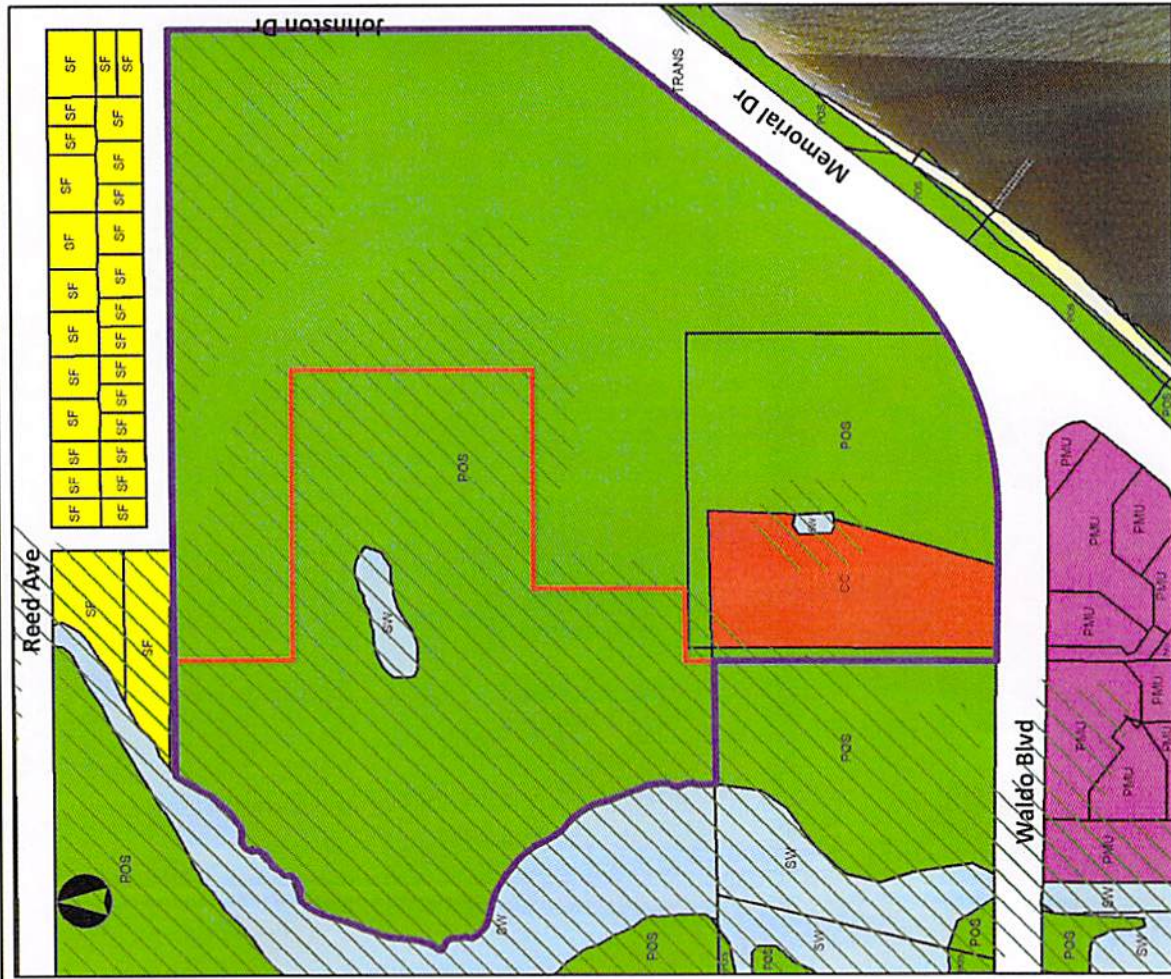
Timeline

- Staff Consultation: Ongoing since May 2016
- Application Received: July 2016
- Notification Sent for Neighborhood Meeting: August 1, 2016
- Details Posted on City Website: August 15, 2016
- Neighborhood Meeting Held: August 16, 2016
- Notification Sent for Plan Commission Meeting: August 18, 2016

Recommendation: The Community Development Department finds that the proposed amendment is warranted due to community change and consistent with the Comprehensive Plan. We recommend approval of the amendment to the Comprehensive Plan Map of Future

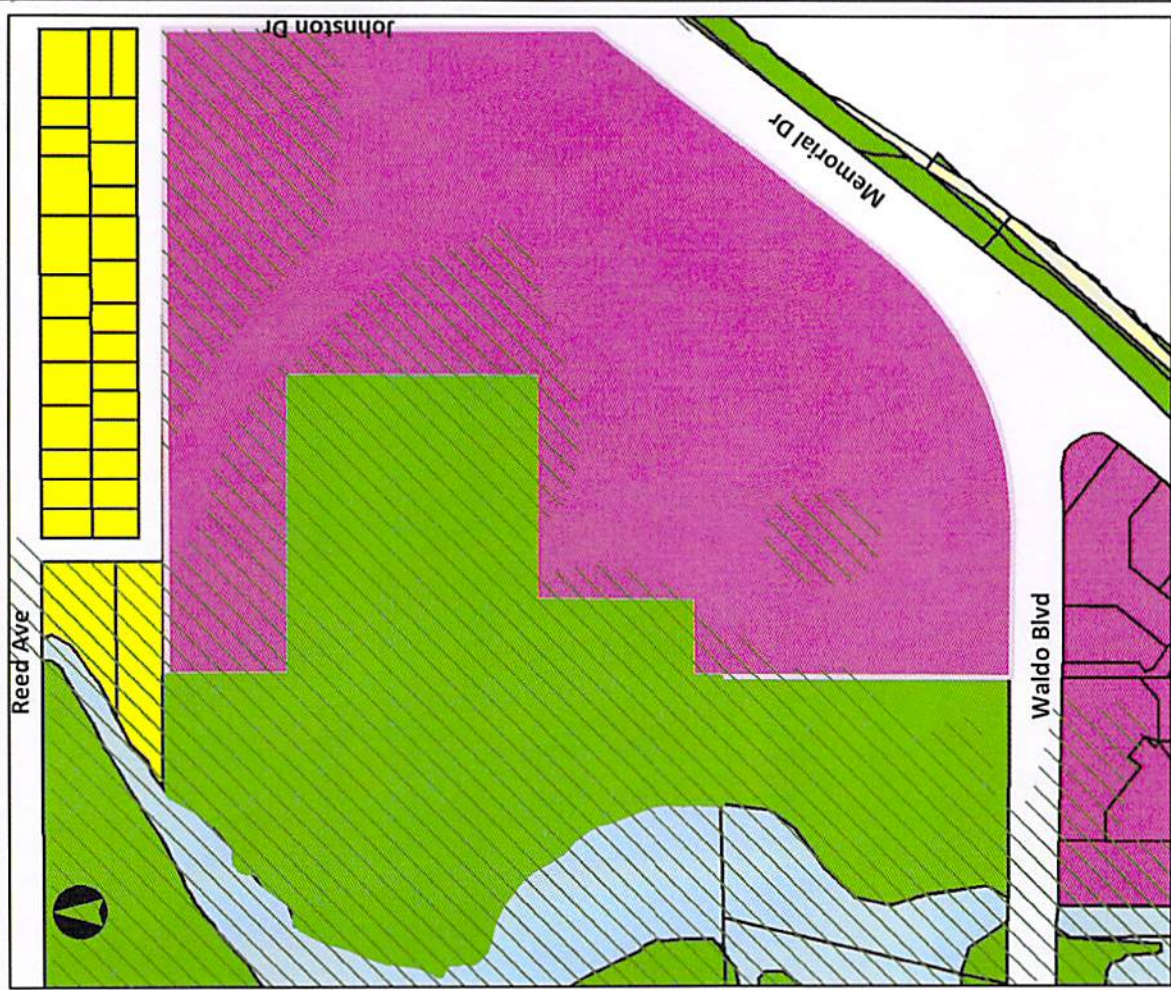
Land Use in the Area of 200 East Waldo Blvd (also known as the Former Elks Club and Golf Course Property) from Public Parks and Open Space, General Business, and Environmental Corridor to Planned Mixed Use and Environmental Corridor as shown on the attached map, and further recommend approval of the related resolution.

Proposed Amendment to the City of Manitowoc Comprehensive Plan (PC 25-2016)



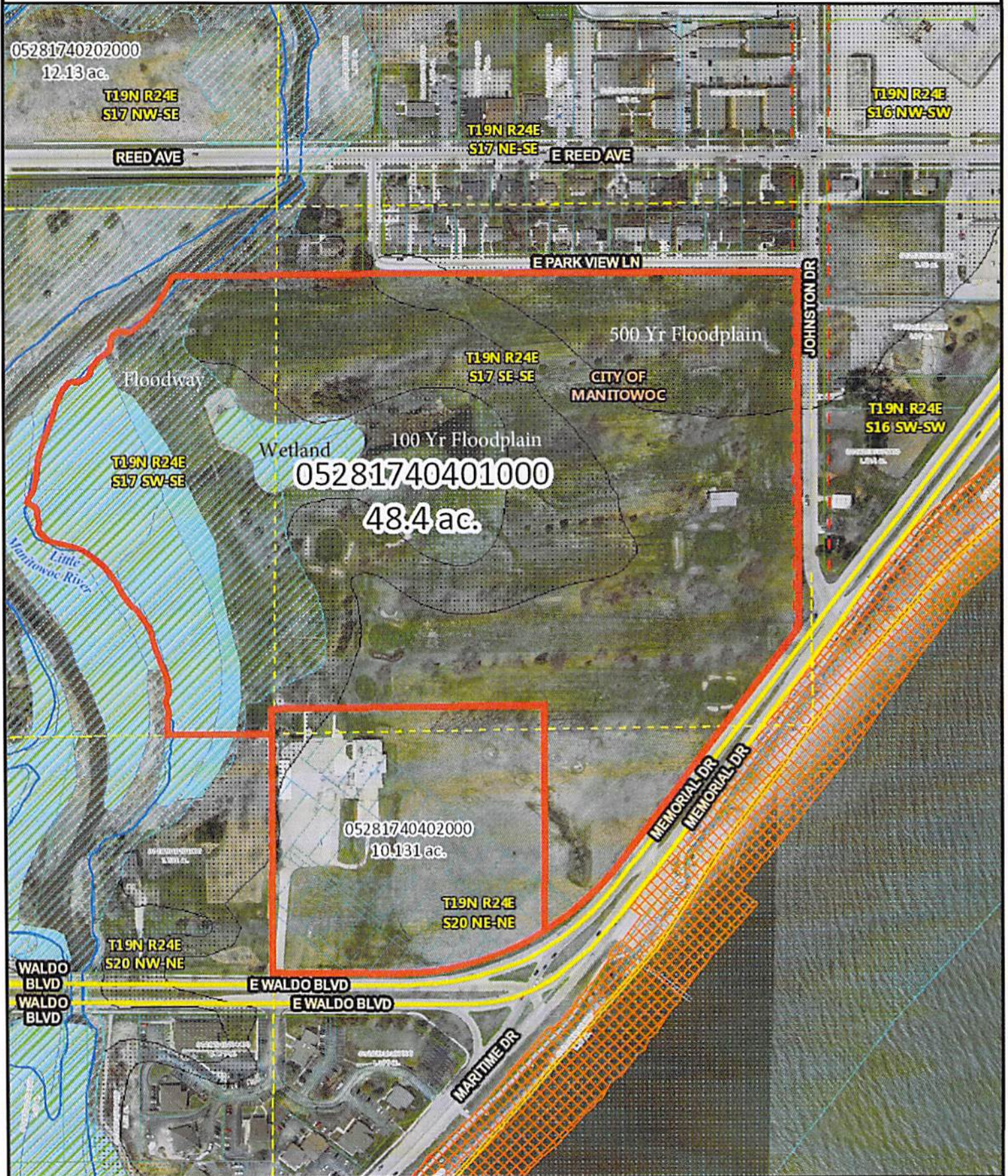
Future Land Use Categories—Existing

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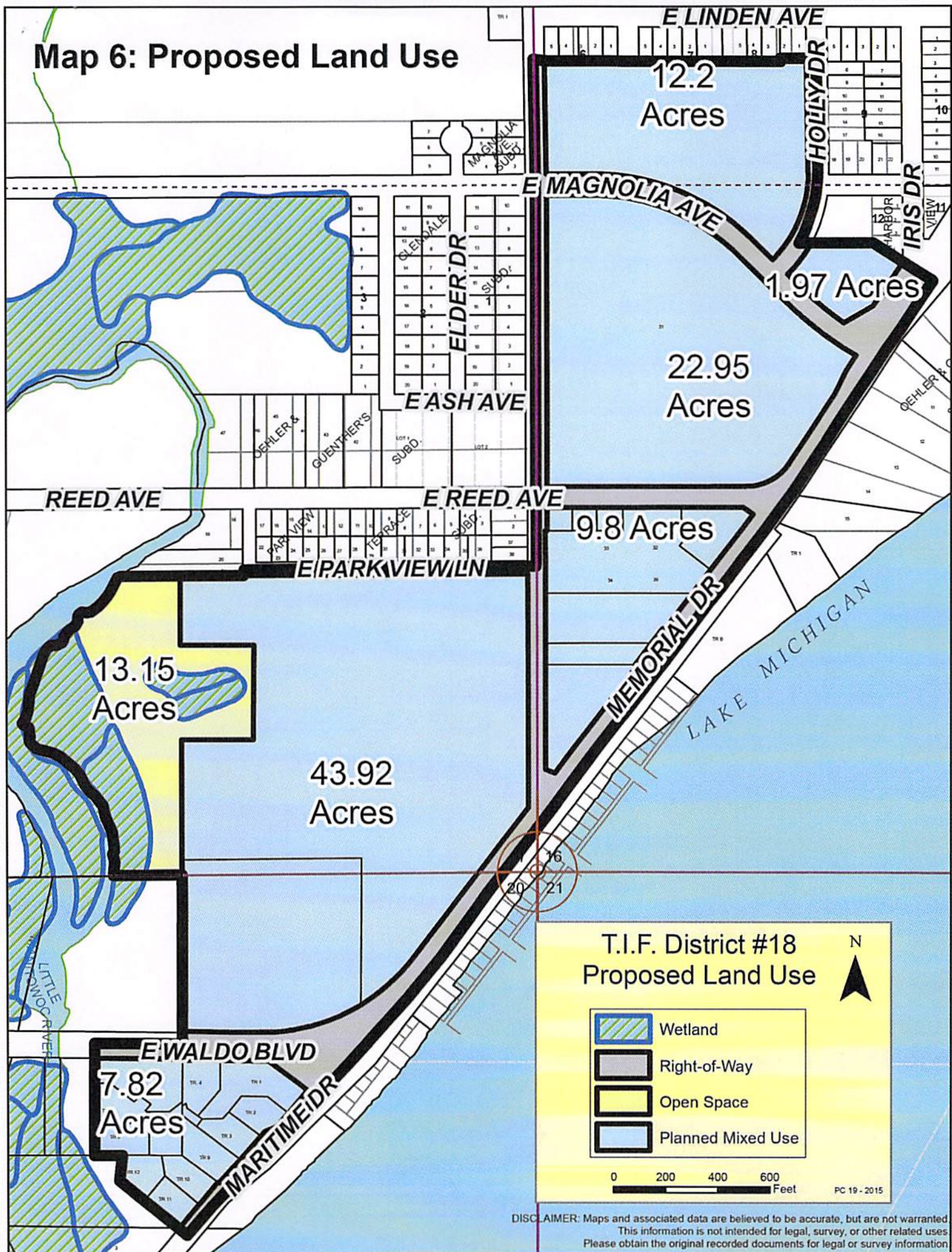


Future Land Use Categories—Proposed

- Environmental Corridor (No Change)
- Planned Mixed Use
- Remaining Public Open Space (No Change)



Map 6: Proposed Land Use



**T.I.F. District #18
Proposed Land Use**

N

- Wetland
- Right-of-Way
- Open Space
- Planned Mixed Use

0 200 400 600 Feet

PC 19 - 2015

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.

**PLAN COMMISSION OF THE CITY OF MANITOWOC
RESOLUTION RECOMMENDING ADOPTION OF AMENDMENTS
TO THE CITY OF MANITOWOC COMPREHENSIVE PLAN**

WHEREAS, community development and change necessitate amendments to the Comprehensive Plan from time to time; and

WHEREAS, the City's Public Participation Plan for Periodic Comprehensive Plan Amendments is being followed in order to provide broad public notice, opportunities for public comment, and informed decision making by the Plan Commission and Common Council; and

WHEREAS, the Plan Commission finds that proposed Comprehensive Plan Amendment (PC 25-2016, attached) is consistent with the related components of the City of Manitowoc Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED that, pursuant to §66.1001(4), Wis. Stats., the City of Manitowoc Plan Commission recommends the adoption by the Common Council of Comprehensive Plan Amendment PC 25-2016 by enacting an appropriate adoption ordinance.

ADOPTED this 24th day of August, 2016.

~~Mayor Justin M. Nickels, Chair~~

Paul Braun, Secretary

Common Council President

Jim Brey, Acting Chair

The Mayor and Common Council of the City of Manitowoc do ordain as follows:

Section 1. The following ordinance is created to read as follows:

1. **Authority.** Pursuant to §§62.23(2) and (3), Wis. Stats., the City of Manitowoc is authorized to prepare, adopt, and amend a comprehensive plan as defined in §66.1001(4)(a), Wis. Stats.
2. **Public Participation.** The Common Council of the City of Manitowoc has adopted written procedures (known as the Public Participation Plan for Periodic Comprehensive Plan Amendments) designed to foster public participation in every stage of the preparation of periodic comprehensive plan amendments required by §66.1001(4)(a), Wis. Stats.
3. **Plan Commission Action.** The Plan Commission of the City of Manitowoc, by a majority vote of the entire Commission recorded in its official minutes, has adopted a resolution recommending the Common Council adopt Comprehensive Plan Amendment PC 25-2016.
4. **Need for Periodic Amendments.** The Common Council has adopted the City of Manitowoc Comprehensive Plan for the purpose of guiding future land use decision making, but recognizes that from time to time amendments may be necessary to reflect changes in the land use and planning needs of the community.
5. **Amendment Adopted.** The Common Council does hereby enact this ordinance to formally adopt Comprehensive Plan Amendment PC 25-2016 pursuant to §66.1001(4)(c), Wis. Stats. A copy of the comprehensive plan amendment is attached to this ordinance.

Section 2. This ordinance shall take effect the day after publication.

Introduced _____

Adopted _____

Approved _____

Justin M. Nickels, Mayor

Fiscal Impact:	\$0
Funding Source:	Not applicable
Finance Director Approval:	_____
Approved as to form:	_____

Drafted by Nicolas Sparacio, Community Development Director