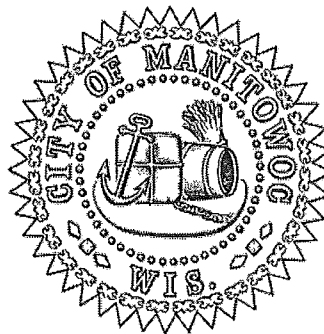


15-432

CONSENT



Standing Committee: Public Infrastructure Committee

Document Name: PC10-2015: Artist Lofts: Request for Reduction of Off-Street Parking Space pursuant to Section 15.430(5) of the Manitowoc Municipal Code

Consent

Non-Consent

Chairman Recommend

Recommendation: The Plan Commission advises the Council that pursuant to the authority granted to the Commission in Section 15.430(5) of the Municipal Code, and by unanimous vote, it has approved the Reduction of Parking Spaces from 66 spaces to a minimum of 50 spaces; said 50 spaces can be provided in any off-street location.

Attest:

Chairperson – Alderperson Dave Soeldner Date

Vice-Chairperson – Alderperson Jim Brey

Alderperson Jason Sladky

Alderperson Jill Hennessey

Alderperson Al Schema

Approved:

Justin M. Nickels Date
Mayor



CITY OF MANITOWOC
WISCONSIN, USA
www.manitowoc.org



April 9, 2015

To: Mayor and Common Council

From: Manitowoc City Plan Commission

Subject: **PC10-2015: Artist Lofts: Request for Reduction of Off-Street Parking Space pursuant to Section 15.430(5) of the Manitowoc Municipal Code**

Dear Mayor and Common Council:

At the regular April 8, 2015 meeting of the Manitowoc City Plan Commission, the Commission reviewed and considered a request for the Reduction of Off-Street Parking Spaces pursuant to 15.430(5). The Plan Commission may approve less off-street parking "if the owner demonstrates that, because of special circumstances involved with a particular use, it is evident that the off-street parking required by this section exceeds any reasonable likely need."

The Artist Lofts project, which is a redevelopment project converting a 5 story former Mirro facility into a 40 unit affordable housing development with an estimated cost between \$8 and \$9 million dollars. The original Mirro facility provide no off-street parking spaces and the redevelopment project will provide 41 indoor parking stalls on the first floor of the building and 9 additional spaces on a surface parking lot across S. 25th Street. The current off-street parking code requires 66 spaces and the Artist Loft project will be able to provide 50 spaces. The current off-street parking formula is "*A minimum of two parking spaces for each dwelling unit with two or less bedrooms and one-half additional parking space for each bedroom greater than two per dwelling unit, plus one space for each four units or fraction thereof for visitor parking.*"

The Plan Commission acknowledges that there are approximately 40 on street spaces available with restrictions (No Parking Dec 31 – March 31, 1am – 6am) and approximately 20 on street spaces (south of the railroad tracks to Franklin Street on S. 24th and 25th Streets) with unrestricted parking available.

The Plan Commission felt that the developers have used all of the available areas under their control to provide as many off-street parking spaces as possible. The Commission also used the Manitowoc Hotel project, which is a similar redevelopment project completed by the same developers with similar tenant demographics, as a model.

The Manitowoc Hotel project provided 1 parking space for each dwelling unit and there have been no complaints of lack of parking.

The Commission is advising the Council that pursuant to the authority granted to the Commission in Section 15.430(5) of the Municipal Code, and by unanimous vote, it has approved the Reduction of Parking Spaces from 66 spaces to a minimum of 50 spaces; said 50 spaces can be provided in any off-street location.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Paul Braun".

Paul Braun, City Planner

space shall be maintained and shall not be encroached upon so long as said principal building or structure remains, unless an equivalent number of such spaces are provided elsewhere in conformance with this section. Also, if an existing building or structure is occupied by a new use which would require greater parking and/or loading space than is provided with the building, the Director of Building Inspection may waive the additional parking requirements provided the Director finds that the existing development renders compliance with the requirements impractical;

(c) The parking spaces required for dwelling units shall be located on the same parcel as the dwelling units and the parking spaces required for other uses shall be located on the same parcel as the use or within 400 feet of the permitted use, such distance to be measured along lines of public access to the property. If not located on the same parcel, then a cross easement or shared use agreement pursuant to subsection (8) of this section suitable to the City Planner or Deputy City Planner shall be executed and recorded at the sole expense of the parties to said agreement, in the Manitowoc County Register of Deeds, against the title of all properties affected by said agreement, and shall run with the title to these properties.

(3) **Units of Measurement.** For the purpose of this section, the following units of measurement shall apply:

(a) **Gross floor area** in the case of offices, merchandising or service types of uses shall mean the sum of the floor areas within a building, including basements, mezzanines and intermediate floored tiers, used or intended to be used for service to the public as customers, patrons, clients, or patients, including areas occupied by fixtures and equipment used for display or sale of merchandise. It shall not include areas used principally for non-public purposes such as basements, boiler/mechanical rooms, interior vehicular parking or loading areas, storage rooms, stairways, incidental repair, processing or packaging of merchandise, show windows, offices incidental to the management or maintenance of stores or buildings, toilets or rest rooms, utility rooms, or dressing, fitting or alteration rooms;

(b) In hospitals, intensive care unit (ICU) beds and bassinets shall not be counted as beds;

(c) In stadiums, sports arenas, churches or other places of assembly in which patrons or spectators occupy benches, pews, or similar seating facilities, each 18 inches of such seating facilities shall be counted as one seat for the purpose of determining requirements for off-street parking facilities under this section; and

(d) When units of measurement for determining required parking spaces result in a requirement of a fractional space, any fraction shall require one parking space.

(4) Minimum Off-Street Parking Space Requirements. The minimum number of off-street parking spaces accessory to designated uses in other districts shall be provided as follows: In the Central Business District, accessory off-street parking spaces shall not be required, except for buildings containing dwelling units or lodging rooms hereafter erected, enlarged or structurally altered or converted. For planned unit developments (PUD) under MMC 15.750, off-street parking facilities shall be provided as prescribed in the recorded PUD agreement under MMC 15.750(17) and shall control over this chapter.

(a) **Living Quarters.**

1. **One-Family Dwelling (Including Condominium Units).** A minimum of two parking spaces for each dwelling which are directly accessible from a driveway. The required spaces may be a paved driveway in the required front or street side yard provided no vehicles are stored for a period exceeding 72 continuous hours; and provided, that said driveway runs parallel to the side lot line or towards the home's garage. Parking directly between the home and street shall not be allowed except in the case of a semi-circular driveway.

2. **Two-Family Dwelling (Including Condominium Units).** A minimum of two parking spaces for each dwelling unit which are directly accessible from a driveway. The required spaces may be a paved driveway in the required front or street side yard provided no vehicles are stored for a period exceeding 72 continuous hours; and provided, that said driveway runs parallel to the side lot line or towards the home's garage. Parking directly between the home and street shall not be allowed except in the case of a semi-circular driveway.

3. **Multiple-Family Dwelling (Including Condominium Units).** A minimum of two parking

spaces for each dwelling unit with two or less bedrooms and one-half additional parking space for each bedroom greater than two per dwelling unit, plus one space for each four units or fraction thereof for visitor parking.

4. Elderly, Disabled or Handicapped Multiple-Family Dwellings. One parking space for each two units.

5. Rooming House. A minimum of one parking space for each two guest rooms, plus one parking space for each staff member working the same hours.

6. Hotels, Motels, and Extended Stay Lodging Facilities. A minimum of one parking space for each guest room or suite, plus one space per 20 rooms for staff, plus one space per each five seats in banquet rooms and supplemental uses such as meeting rooms, ballrooms, bars, or nightclub facilities.

7. Bed and Breakfast Establishments. A minimum of one parking space for each guest room, plus two spaces per dwelling unit.

8. Hospitals. A minimum of one parking space for each two beds, plus one space for each two doctors, plus one space for each staff member working the same hours.

9. Nursing Homes, Sanitariums, Convalescent Homes or Homes for the Aged, Assisted Living Facilities, Adult Day Care, Respite Care, Hospice Care, and Similar Establishments. A minimum of one parking space for each four beds, plus one space for each two staff members working the same hours.

10. Community Based Residential Facilities, Adult Family Homes, and Residential Care Apartment Complexes. A minimum of one space for each four beds, plus one space for each staff member working the same hours.

(b) Public Assembly.

1. Auditoriums, Theaters, and Other Places of Public Assembly. A minimum of one space for each five seats based upon maximum seating capacity.

2. Stadiums, Ball Parks, and Sports Facilities. A minimum of one space for each four seats or seating spaces, or one space for each 200 square feet of gross floor area.

3. Auditoriums or Assembly Halls Incidental to Public and Parochial Schools, Vocational Schools, Private Colleges, and Universities. A

minimum of one space for each five seats provided in the main assembly room.

4. Bowling Alley. A minimum of five spaces for each alley, plus one space for each four customer seats if connected with the sale and on-site consumption of alcohol.

5. Churches and Other Places of Worship. A minimum of one space for each six seats, based upon maximum seating capacity in the main place of assembly.

6. Dance Hall, Skating Rink, Private Club or Lodge, Outdoor Recreation Facilities, Amusement Establishments, Exhibition Halls, and Other Places of Assembly Without Fixed Seating. A minimum of one parking space for each 100 square feet of gross floor area. If fixed seating, then one space for each six seats, based upon maximum seating capacity.

7. Community Centers, Libraries, Museums, Art Galleries, and Similar Establishments. A minimum of one parking space for each 500 square feet of gross floor area, plus one space for each two staff members working the same hours.

8. Mortuaries and Funeral Homes. A minimum of one parking space for each five seats in the main assembly room or individual service rooms.

9. Group Child Care Centers and Nursery Schools. A minimum of one parking space for each seven children authorized, and one parking space for each staff member working the same hours. Such parking requirements for children authorized may be reduced to one parking space for each 10 children if a customer pick-up and drop-off zone is provided on a directional driveway within the site outside of the setback area requirements and not to interfere with the other parking requirements.

10. Family Child Care Centers and Group Foster Homes for Not More Than Eight Individuals Located in "R" Zoning Districts. A minimum of two parking spaces for each dwelling unit, plus one space for each staff member working the same hours.

11. Family Child Care Centers and Group Foster Homes in a Non-"R" Zoning District. A minimum of two parking spaces for each dwelling unit, plus one parking space for each staff member working the same hours.

12. Group Homes and Shelter Facilities. A minimum of one parking space for each two

plus one space for each 200 square feet of gross floor area over 800 square feet, plus one space for each two staff members working the same hours, plus such additional parking space as shall be required for customers or users, directly or indirectly, in the conduct of the enterprise.

10. Government Buildings. A minimum of five parking spaces, plus one space for each 100 square feet of gross floor area, plus one space for each two staff members working the same hours, plus one space for each official vehicle stored on the site.

(5) Reduction of Parking Space.

(a) Notwithstanding the amount of off-street parking required under this section and in response to increased flexibility with minimum parking requirements to reflect typical daily demand and allow innovative parking provisions, the City Plan Commission may approve less off-street parking than required under this section when:

1. The proponent of a use demonstrates that, because of special circumstances including bicycle and motorcycle parking arrangements under subsections (14) and (15) of this section involved with a particular use, it is evident that the off-street parking required by this section exceeds any reasonable likely need; or

2. The use of a building is changed in such a manner that the new use would require fewer spaces.

(b) The applicant shall bear the burden of proof to demonstrate to the City Plan Commission that each of the following conditions are satisfied:

1. The applicant shall demonstrate, using existing and projected (five years) employment, customer, or other relevant data, that the reduction in off-street parking spaces to be initially developed as required by this section is warranted.

A. The applicant shall submit plans of the parking lot which designate a layout for the total number of parking spaces needed to comply with the parking requirements contained herein;

B. The plans shall clearly designate which of these parking spaces are proposed to be conditionally reserved for potential future use;

C. The portion of the required parking spaces conditionally reserved for future use shall not be within areas for required buffer yards, setbacks, or areas which would otherwise be unsuitable for parking due to the physical characteristics

of the land or other requirements of this chapter; and

D. Areas conditionally reserved for potential future use shall be attractively landscaped, remain in open space, and shall not be used for any structure or building, or for material storage.

The City Plan Commission reserves the right to require property owners, developers, owners/operators, lessees and licensees of a specific building, structure or premises to maintain in open space the area where off-street parking has been reduced by the Commission, or is no longer required as a result of the Commission's action under this section. The City Plan Commission further reserves the right to require property owners, developers, owners/operators, lessees and licensees of a specific building, structure or premises to enter into written agreements with the City Planner or Deputy City Planner to formalize the implementation of a reduction of parking spaces from the level specified in this section, or joint use or shared parking arrangements under subsection (8) of this section, to maintain each conditionally reserved area as attractive, landscaped open space, and to convert some or all of the conditionally reserved area to additional off-street parking if at any time the Director of Building Inspection finds that additional parking spaces are needed.

(6) Unspecified Uses. In the case of a use not specifically listed in the land use charts contained in this chapter, requirements for off-street parking shall be determined by the Director of Building Inspection. The determination by the Director shall be based upon the specific needs of the development as determined by the Director including, but not limited to, the type of activity, intensity, number of employees and the most comparable land use listed. The applicant shall have the burden of proof for a reduction in the total number of required parking spaces, and shall provide any required documentation as requested by the Director.

(7) Collective Provision. In "B," "C" and "T" Zoning Districts, nothing in this section shall be construed to prevent the collective provision of off-street parking facilities for two or more buildings or uses; provided, that the total of such off-street parking spaces supplied collectively shall not be less than the sum of the requirements for each such

