

Report to the Manitowoc Plan Commission

Meeting Date: May 25, 2022

Request: PC 15-2022: Cream Community Development, LLC Request for a Conditional Use Permit for an Adaptive Reuse pursuant to 15.370(29) located at 1127 & 1133 S. 16th Street

Existing Land Use for Subject Property: Industrial (former location of National Tinsel Factory/ Santa's Best)

Existing Zoning for Subject Property: I-1 Light Industrial

Surrounding Property Land Uses and Zoning

Direction	Existing Land Use	Existing Zoning
North, South, East, West	Residential	R-4 Single and Two Family Residential

Comprehensive Plan: Conditional Use Permits do not need to be consistent with the comprehensive plan. However, a main goal of the Comprehensive Plan is to “Encourage the redevelopment and adaptive reuse of older, underutilized and vacant industrial and commercial structures”. The proposed project achieves one of the main goals of the Comprehensive Plan.

Report:

See the attached project description provided by Cream Community Development, LLC.

Canam Trust is the current owner of the property located at 1133 S. 16th Street which is the former National Tinsel Factory/Santa’s Best building. Glastonbury Holdings LLC is the current owner of 1127 S. 16th Street which is currently a residential house. Cream Community Development will be purchasing both properties for their redevelopment project.

Cream Community’s proposal is very similar to the redevelopment project proposed by Evergreen Real Estate Group in 2021. Plan Commission previously approved the conditional use permit to Evergreen but Evergreen withdrew their request prior to Common Council action because a source of funding was not awarded.

Cream Community is proposing to convert the former industrial building at 1133 S. 16th Street (National Tinsel Factory / Santa’s Best) into an 80-unit senior independent living residential development. They would also like to develop a business center, fitness room, on-site laundry and community room to serve the residents. They would also acquire the structure at 1127 S. 16th Street and use it for management purposes.

The subject property is currently zoned I-1 Light Industrial which doesn’t allow residential uses but an Adaptive Reuse can allow uses that may not be permitted in the underlying zoning district. The Adaptive Reuse can also allow a mix of different uses. An Adaptive Reuse Conditional Use also allows the City to place conditions on the property that a permitted use in a zoning district

may not allow. The reduction of off-street parking and residential uses in an industrial zoned district are the two main reasons for the adaptive reuse conditional use permit request. The conditional use permit gives the City some control over items that may not be compatible with the neighborhood such as signage and lighting.

Cream Community is proposing a total of 27 off-street parking spaces; 18 on the east side of the building and 9 behind the residence at 1127 S. 16th Street. Cream Community would prefer to use the 1127 S. 16th Street for their management offices but they are open to razing the structure to add an additional 6 to 7 off-street parking spaces based on need. They are anticipating that a majority of their senior residents will not have a vehicle and that they will use public transit.

The Police and Engineering Departments were contacted and they voiced some concerns over the increased parking on the streets and that there may be a need to place a 4 way stop at the intersection of S. 16th and Hamilton Streets. Both departments felt that monitoring the parking situation with Cream Community in the future will be needed.

Italicized text below is from the Zoning Ordinance in regards to Adaptive Reuses.

Per the municipal code an Adaptive Reuse is defined as *“the development of a new use for an older building or for a building originally designed for a special or specific use.”*

“The purpose of an Adaptive Reuse 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.”

“ The Common Council may issue a conditional use permit for the preservation, maintenance and adaptive reuse of any building which meets at least one of the following criteria:

- 1. Buildings originally designed and constructed as a school building as defined under MMC 15.030, and which are or once were owned by a school district;*
- 2. Buildings originally designed and constructed as a church building as defined under MMC 15.030, and which are or once were owned by a church;*
- 3. Buildings individually listed in the National Register of Historic Places, or “contributing” structures identified in the “Manitowoc Intensive Resource Survey Final Report” dated June 1988, and as may be amended from time to time;*
- 4. Buildings larger than 100,000 square feet in building area; or*
- 5. Buildings originally designed and constructed as governmental buildings, and which are or once were owned by a governmental agency.”*

Currently the building meets criteria #3 because it is identified in the “Manitowoc Intensive Resource Survey Final report.

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.

Below, italics are other elements from the Zoning Code related to Adaptive Reuses.

“ (d) Compliance with Development Regulations. A land use authorized under this section is subject to all development regulations applicable to permitted or conditionally permitted

uses in the zoning district in which it is located, excepting reductions or waivers under subsection (29)(e) or (f) of this section, and all building improvements related to the adaptive reuse shall be in compliance with any applicable Federal, State or local laws.

(e) Off-Street Parking. Compliance with the parking requirements under MMC 15.430 may render the reuse of buildings under this section unfeasible. Therefore, the City Council may authorize a reduction or waiver to the number of off-street parking spaces normally required for a particular land use pursuant to MMC 15.430(5). Such reduction or waiver may only be authorized as part of a conditional use permit under this section.

(f) Reduction or Waiver of Other Zoning Requirements. The City Council may authorize any permitted or conditionally permitted land use to locate in an adaptive reuse building under this section, and may further reduce or waive area regulations, height regulations, and sign regulations normally required for a particular land use in the zoning district in which it is located. Such reduction or waiver may only be authorized as part of a conditional use permit under this section.

(g) Multiple Occupants. The City Council may authorize a mixture of uses in a single building in accordance with the requirements of this section.

(h) Termination. Unless otherwise authorized by the City Council, any conditional use permit granted under this section may be terminated pursuant to subsection (27)(f) of this section, and shall become invalid upon termination of the use(s) for which the conditional use permit was originally authorized.”

Cream Community informed staff that they will be hosting their own neighbor meeting via zoom to introduce their plans.

Public Comments: The City sent out notices to the neighbors on May 16th informing them of the public informational hearing, at the time of this writing no comments were received.

Timeline

- Notification Sent: City sent out notices on May 16th.
- Common Council hearing scheduled for June 20th.

Recommendation: The Community Development Department recommends approval of an Adaptive Reuse Conditional Use Permit to Cream Community Development, LLC for property located at 1127 & 1133 S. 16th Street for the establishment of an 80unit senior living facility under the following conditions:

**REQUIREMENTS FOR ADAPTIVE REUSE
CONDITIONAL USE PERMIT (CUP)
APPROVAL FOR CREAM COMMUNITY DEVELOPMENT, LLC
1133 AND 1127 S. 16TH STREET
6/20/2022**

Re: PC15-2022: The adaptive reuse CUP is granted exclusively to CREAM COMMUNITY DEVELOPMENT, LLC pursuant to Section 15.370(29) of the Manitowoc Municipal Code ("Code") for property located at 1133 & 1127 S. 16th Street (Property"), and shall hereinafter serve as authorization for the location and operation of a Senior Independent Living Residential development. The area of the CUP is identified on the attached map and shall hereinafter be referred to as the "CUP Area". The CUP Area is defined as Tax Parcels # 000-292-260 & 000-292-150.

CREAM COMMUNITY is required to comply with the following conditions:

1. The CUP authorizing the siting and operation of Cream Community Development in the CUP Area shall not become effective and binding until the Common Council approves the CUP as outlined herein and all applicable permits, licenses and authorizations are in place.
2. Cream Community Development shall not assign or transfer its interest in the CUP to any party without the written approval of the Manitowoc City Plan Commission and Manitowoc Common Council. In the event the CUP Area is sold or leased to a party other than an entity in which Cream Community Development has a controlling interest, the CUP shall then terminate effective the date of conveyance and the subsequent owner shall reapply for a new CUP.
3. Compliance with all federal, state and local regulations, licensing and Code requirements.
4. The maximum number of dwelling units in the building allowed is 80. Cream Community Development shall provide at least 27 off-street parking spaces for the residents.
5. All exterior lighting from the CUP area shall be contained to the site and shall not extend over the property lines onto adjoining properties. Light emitted from the site shall not exceed 0.1 foot candles at the adjoining or abutting residential property line.
6. Cream Community Development shall submit a site plan for any exterior parking lots, said parking lots shall have a site obscuring fence, hedge, barrier or similar structure in between the parking lot and any residential use. Cream Community Development shall work with the Community Development Department on the site plan.
7. Garbage receptacles / dumpsters, when stored outside, shall be leak proof, secure against rodents and have permanent, tight fitting covers. Garbage receptacles / dumpsters shall be stored in an unobtrusive area and shall be

screened from off-premises view with a site obscuring fence, wall or evergreen hedge and gate. The Community Development Department shall approve the dumpster/garbage locations and the site obscuring treatment.

8. A maximum of up to 1,000 s.f. of the first floor may be used for public retail or business uses, said uses shall be compatible to the neighborhood. Said uses shall be similar to a coffee shop, bakery, salon or other traditional neighborhood type uses. There shall be no exterior display of products or services other than signage.
9. 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.
10. Exterior signage for the building shall be up to a maximum of 100 square feet. The type and location of the signage shall be approved by the Community Development Department prior to installation. Animated or electronic message signs shall not be permitted. All building and sign lighting shall not create a nuisance for the neighboring properties.
11. The building uses shall be limited to residential uses or the limited retail uses as mentioned in #8 above. I-1, Light Industrial uses shall not be allowed unless approved by the Plan Commission and Common Council.

NATIONAL TINSEL FACTORY DEVELOPMENT PROJECT

2906 MARKETPLACE DR.
MADISON, WI 53719
(608) 516-8430
DAN@SUPREMESTRUCTURES.COM

Dear City of Manitowoc,

We would like to introduce ourselves, Cream Community Development LLC, and share our proposed use for the properties located at 1127 & 1133 S. 16th St.

First, a little about us. We are an organization formed collectively by a former member of the community, Dan Bertler. Dan grew up in Manitowoc and shares roots within the community. It is there that his father, Eugene Bertler, established an optometry clinic and paved the way for his children's success. Over the years, Dan branched out and began his career in construction management and later found himself in real estate development. His roots brought him back home to Manitowoc to fill a community need within the housing sector for Senior individuals. Dan's partners also share the same passion in development to help bring value to the community and fill the housing need for community members.

As the community of Manitowoc expands, the demand for housing starts to grow. This demand gives us the opportunity to transform the historic National Tinsel Factory into Senior Affordable Living. Our steps include the removal of the garage at the property located at 1127 to make room for parking while keeping the house for management purposes. With 1133, our plan is to restore the building and add 80 senior residential units. The renovation project would include 75 one bedroom units, 5 two bedroom units, a business center, fitness room, on-site laundry and community room. We also plan to provide 26 parking spaces for residents. The project would ease the burden put on the real estate market and provide a desirable place to live for Seniors within the community. Our group recognizes the need to renovate and transform a piece of Manitowoc's history into something that can be used by the community.



LAND USE APPLICATION

APPLICANT Cream Community Development LLC PHONE 608-516-8430

MAILING ADDRESS 2906 Marketplace Drive Fitchburg Wi 53719 EMAIL dan@supremestructures.com

PROPERTY OWNER Canam Trust-Michael Nickles Trustee PHONE 920-629-2118

MAILING ADDRESS 1133 S 16th Street, Manitowoc WI 54220 EMAIL tim.martinezus@aol.com

REQUEST FOR:

- | | |
|---|--|
| <input checked="" type="checkbox"/> Conditional Use Permit (CUP) \$350* | <input type="checkbox"/> Zoning District Change/Map Amendment \$350* |
| <input type="checkbox"/> Site Plan Review \$350 | <input type="checkbox"/> Request for Annexation \$350* |
| <input type="checkbox"/> Certified Survey Map (CSM) \$100 | <input type="checkbox"/> Planned Unit Development (PUD) \$350* |
| <input type="checkbox"/> Official Map Review \$350* | <input type="checkbox"/> Street/Alley Vacation \$350* |

**Publication of legal notice fees additional.*

STATUS OF APPLICANT: Owner Agent Other

PROJECT LOCATION ADDRESS 1133 S 16th Street, Manitowoc WI 54220

PARCEL ID# 052-000-292-260 CURRENT ZONING I-1 Light industrial

CURRENT USE OF PROPERTY Operated as a Christmas store and warehouse

PROPOSED USE OF PROPERTY Senior independent living residential development

REQUIRED: Attach a detailed written description of your proposal or request.
Include as much information as possible including planned use, maps, project renderings or drawings, etc.

The undersigned hereby certifies that the information contained in this application is true and correct.

Signed  Date 5-12-2022
(Property Owner)

For Office Use Only	
Date Received: _____	PC #: _____
Fee Paid: _____	Check#: _____
Plan Commission Date: _____	

The City of Manitowoc Plan Commission meets the fourth Wednesday of each month at 6pm.
Deadline for submission is the Friday two weeks prior to the meeting.

Please contact the Community Development Department at 920-686-6930 if you have any questions.



LAND USE APPLICATION

APPLICANT Cream Community Development LLC PHONE 608-516-8430

MAILING ADDRESS 2906 Marketplace Dr Fitchburg WI 53719 EMAIL dan@supremestructures.com

PROPERTY OWNER Glastonbury Holdings LLC PHONE 920-629-2118

MAILING ADDRESS 1127 S 16th Street, Manitowoc WI 54220 EMAIL tim.martinezus@aol.com

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| <input type="checkbox"/> Official Map Review \$350* | <input type="checkbox"/> Street/Alley Vacation \$350* |

**Publication of legal notice fees additional.*

STATUS OF APPLICANT: Owner Agent Other

PROJECT LOCATION ADDRESS 1127 S 16th Street Manitowoc WI, 54220

PARCEL ID# 052-000-292-150 CURRENT ZONING R-4

CURRENT USE OF PROPERTY Private Residence

PROPOSED USE OF PROPERTY Senior independent living residential development

REQUIRED: Attach a detailed written description of your proposal or request.
Include as much information as possible including planned use, maps, project renderings or drawings, etc.

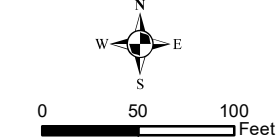
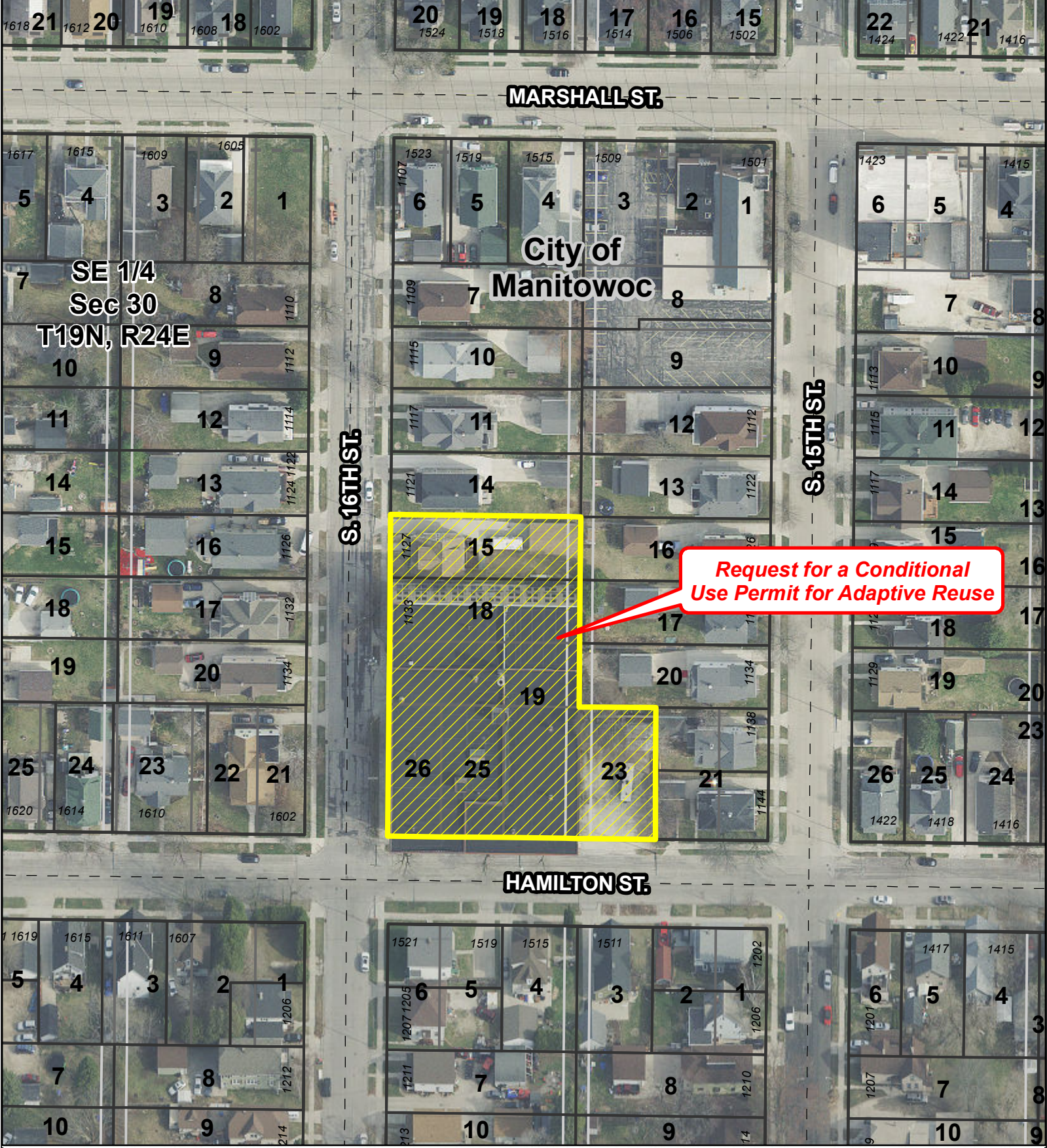
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CONDITIONAL USE PERMIT

City of Manitowoc, WI

Area of Conditional Use Permit for Adaptive Reuse

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: 5/18/2022

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PC 15-2022
1127 & 1133 S. 16th St.

Manitowoc City Plan Commission



10.19.2020 13:46



NO PARKING
BETWEEN
DRIVEWAYS

UNIVERSITY

WARNING

10.19.2020 13:46



FACTORY SHOWING
10/19/2020 10:00AM-12:00PM
FINAL DAYS

10.19.2020 13:47