

Report to the Manitowoc Plan Commission

Meeting Date: September 27, 2023

Request: PC 18-2023: Lotus Recovery Homes, Inc; Request for a Conditional Use Permit for the Operation of Transitional Housing at 419 Park Street pursuant to 15.150(3)l.

Existing Land Use for Subject Property: Transitional Housing for The Crossing Home

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, West, East, South	Residential	R-4 Single & Two Family

Report:

The Crossing currently operates a transitional housing use at 419 Park Street for up to 12 mothers and their children. The Crossing will turn this support service over to Lotus Recovery Homes, Inc. because Lotus is better equipped to serve the residents on their path of getting back to living independently. The Crossing will still be a partner with Lotus.

Lotus is a non-profit organization that works with Manitowoc County Drug Court and Human Services providing safe and secure housing and support services for individuals in drug and/or alcohol recovery programs. Lotus is not a treatment center, but provides transitional housing while residents continue their recovery process. The residents will have gone through extensive addiction treatment before going to the 419 Park St residence. Residents are monitored and are required to follow strict house rules. Lotus will focus on providing housing for mothers with children but if the need decreases or another agency provides this service the lease allows them to convert to a men's home but at no time will both men and women reside in the home at the same time.

The structure is 4,103 s.f., and consists of at least 12 rooms, 5 of which are bedrooms and there are 3.5 baths. The lot is located the southeast corner of Park Street and N. 5th Street and is 0.331 acres measuring 120' along Park and 120' along N. 5th Street.

The property is zoned R-4 Single and Two Family Residential and transitional housing is permitted after issuance of a conditional use permit.

Transitional housing is defined as: *“housing intended to provide the support needed for temporary occupants who lack a fixed, regular and adequate nighttime residence to move into long-term housing, and which is usually offered as part of a transitional program that helps homeless individuals and families become independent through counseling, job training, child care, skills training, and health care assistance.”*

Conditional Use Permits are controlled by section 15.370(27) of the municipal code. 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.

Municipal Code:

Pursuant to Section 15.370(27)(c) of the Municipal Code, “the Plan Commission and Council shall consider whether the requested use:

- A. is reasonably necessary for the convenience and welfare of the public.
- B. Is in harmony with the character of the surrounding area.
- C. Will 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 remain in conformity with the criteria under subsection (27)(c) as well as compliance with regulations of the particular zoning district which the conditional use would be located.”

State Statute:

“ §62.23(7)(de) *Conditional use permits.*

1. *In this paragraph:*

a. *“Conditional use” means a use allowed under a conditional use permit, special exception, or other special zoning permission issued by a city, but does not include a variance.*

b. *“Substantial evidence” means facts and information, other than merely personal preferences or speculation, directly pertaining to the requirements and conditions an applicant must meet to obtain a conditional use permit and that reasonable persons would accept in support of a conclusion.*

2. a. *If an applicant for a conditional use permit meets or agrees to meet all of the requirements and conditions specified in the city ordinance or those imposed by the city zoning board, the city shall grant the conditional use permit. Any condition imposed must be related to the purpose of the ordinance and be based on substantial evidence.*

b. *The requirements and conditions described under subd. 2. a. must be reasonable and, to the extent practicable, measurable and may include conditions such as the permit's duration, transfer, or renewal. The applicant must demonstrate that the application and all requirements and conditions established by the city relating to the conditional use are or shall be satisfied, both of which must be supported by substantial evidence. The city's decision to approve or deny the permit must be supported by substantial evidence.*

3. *Upon receipt of a conditional use permit application, and following publication in the city of a class 2 notice under ch. 985, the city shall hold a public hearing on the application.*

4. *Once granted, a conditional use permit shall remain in effect as long as the conditions upon which the permit was issued are followed, but the city may impose conditions such as the permit's duration, transfer, or renewal, in addition to any other conditions specified in the zoning ordinance or by the city zoning board.*

5. *If a city denies a person's conditional use permit application, the person may appeal the decision to the circuit court under the procedures contained in par. (e) 10.”*

Public Comments: Notices were mailed out to property owners adjoining and abutting the property.

Timeline

- Application Received: September 9, 2023
- Notifications Sent: Sept 20, 2023
- Plan Commission Public Informational Hearing: September 27, 2023
- Common Council Public Hearing scheduled for: October 16, 2023

Recommendation: Approve the issuance of a Conditional Use Permit to Lotus Recovery Homes Inc for the establishment of a transitional housing use located at 419 Park Street pursuant to the conditions.

REQUIREMENTS FOR
CONDITIONAL USE PERMIT (CUP)
TO LOTUS RECOVERY HOMES INC.
10/16/2023

Re: PC18-2023: Grant to Lotus Recovery Homes Inc (Lotus) a CUP under Section 15.150(3)l of the Manitowoc Municipal Code ("Code") for the operation of a transitional housing Residence for not more than 12 residents (males or females of any age) at 419 Park Street, Manitowoc WI. This CUP shall hereinafter serve as authorization for the location and operation of a transitional housing Residence, and all appurtenant and related functions. The area included in the CUP ("CUP Area") is described on the attached map. Lotus is required to comply with the following conditions:

- A. Lotus shall not allow the Residence to exceed 12 residents at any one time. A resident advocate shall be present in the Residence at all times when residents are present. The resident advocate does not count towards the total Residence count.
- B. Lotus shall expressly prohibit the use, consumption or possession of alcohol and illegal drugs in the residence or anywhere on the 419 Park Street Property.
- C. All over-night vehicles shall be parked off-street on hard surfaced areas on the 419 Park Street property.
- D. Administration and office support services shall not be located at the 419 Park Street location.
- E. Lotus shall file a report with the Community Development Department by January 31st of each calendar year detailing the status of the Residence. This report shall be filed by January 31st in each year the CUP is effective, and each report shall detail the activities at the Residence from the prior calendar year. This report shall include, but not be limited to: (i) a summary of the financing in place to operate the Residence including a summary of foundation grants, donations, lender financing and State and/or Federal grants in hand, and volunteer hours worked ; (ii) residence summary identifying the number of residents in the Residence; (iii) a description of the services being provided at the Residence and the number of residents accessing various services; (iv) the number of residents that were at the Residence, but left without notice; (v) a summary of agreements with third party providers for support services for residents at the Residence; and (vi) any other information that may be requested by the Community Development Department to address identification of common characteristics or experiences of residents at the Residence.
- F. Lotus shall, at the written request of the Manitowoc Police Chief, install any required security enhancements into the Residence, on terms and conditions acceptable to Lotus and Chief.
- G. Compliance with all federal, state and local regulations, licensing and code requirements.
- H. No party shall assign or transfer its interest in the CUP to any party without the prior written approval of the Manitowoc Common Council.

- I. The CUP shall automatically terminate effective the same date Lotus ceases to operate at the Residence. Lotus shall provide the Community Development Department with written notice of its intent to discontinue operation of the Residence not less than 30 consecutive calendar days prior to the date operations are planned to cease.
- J. Compliance with the terms and conditions of the CUP shall be reviewed by the Plan Commission and Common Council in October 2024, and during the month of October in each subsequent year of the CUP. The annual review may result in the disclosure of non-compliance issues or the identification of terms and conditions that are no longer necessary or required to maintain the intent or compliance with the CUP, and 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.
- K. At any date and time, 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.



LAND USE APPLICATION

APPLICANT Lotus Recovery Homes Inc. PHONE 920-629-4351

MAILING ADDRESS 1111 Marshall St. Manitowoc EMAIL tbosch@lotusrecoveryhomesinc.com

PROPERTY OWNER The Park Bench Inc. PHONE 920-242-0779

MAILING ADDRESS PO Box 2065 Manitowoc EMAIL gunder52wood@gmail.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 419 Park St. Manitowoc

PARCEL ID# 052-000-110-050 CURRENT ZONING R4

CURRENT USE OF PROPERTY Housing for women with children

PROPOSED USE OF PROPERTY Housing for parents in recovery with children

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.

See attached

The undersigned hereby represents and warrants that it has the authority to enter into this Contract. If the party entering into this Contract is not an individual, the person(s) signing on behalf of the entity represents and warrants that they have been duly authorized to bind the entity and sign this Contract on the entity's behalf.

Signed  Date 9/8/23
(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.

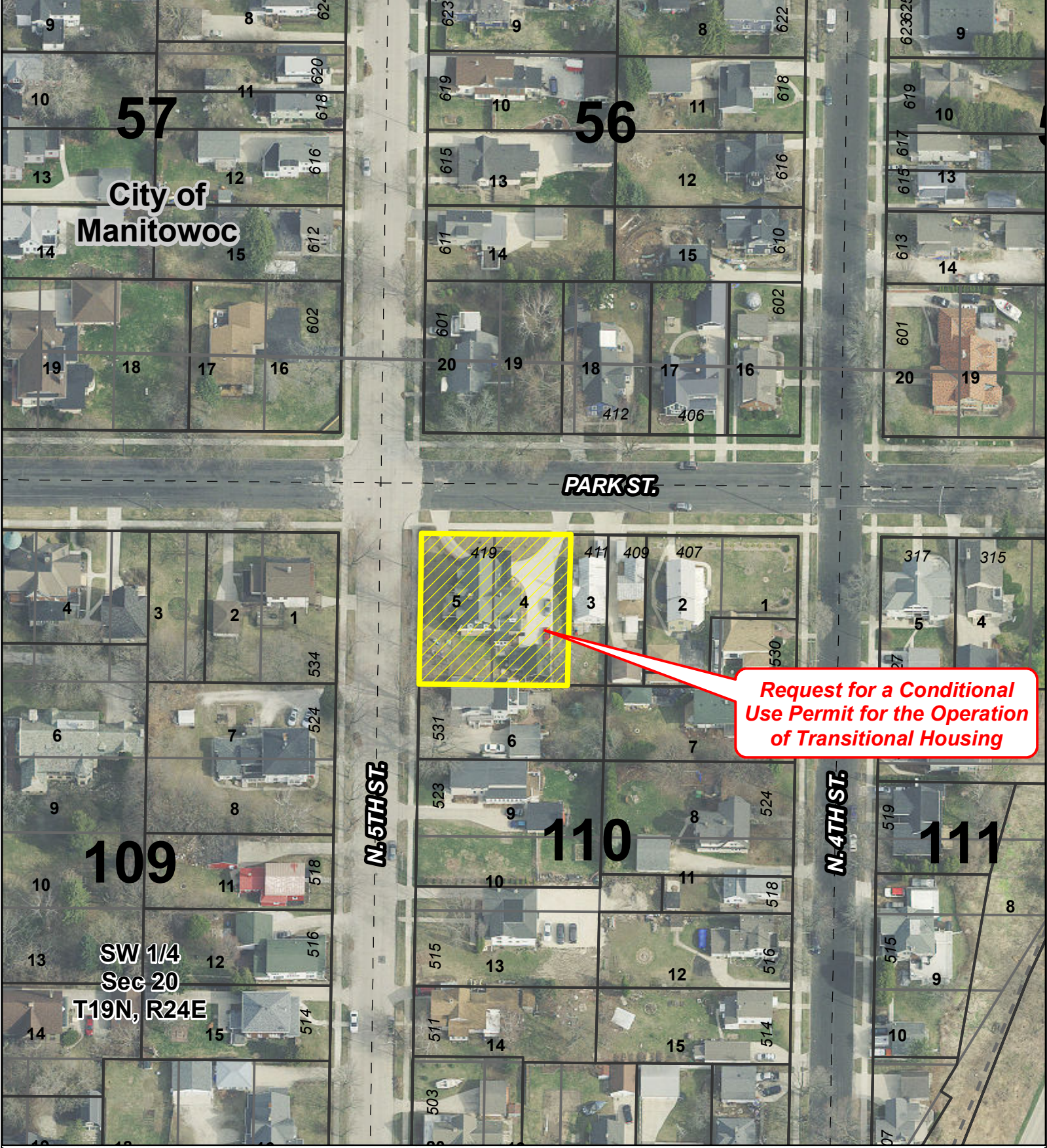
CONDITIONAL USE PERMIT APPLICATION
FOR 419 PARK STREET MANITOWOC, WI
BY LOTUS RECOVERY HOMES INC.

Lotus Recovery Homes is a non-profit organization that works with Manitowoc County Drug Court and Human Services to provide safe and secure housing and on-going support services for individuals in drug and/or alcohol recovery programs. The organization's offices are at 1111 Marshall Street in Manitowoc. Lotus currently houses up to nine men in their Marshall Street facility and up to 10 women in their Lake Street facility. Lotus is not a treatment center, but provides transitional housing while residents continue their recovery services. Our residents go through extensive addiction treatment before coming to us; we help them take their next steps. The possession and/or use of drugs or alcohol by residents is strictly forbidden by Lotus. Residents are monitored through regular and random UA's (Urine Analysis) and camera monitoring to help ensure a clean environment and sober residents. The use or possession of drugs or alcohol on the property, although very rare, means an automatic expulsion from our homes (for possession) and reporting of the incidents to the appropriate legal authorities. Discipline for use is on a case-by-case basis but results in expulsion for a second use.

One of the areas not being addressed by recovery housing is for individuals in recovery who have children. As they move through their recovery process, they are often able to be reunited with their children, but there are no facilities to accommodate them outside of prohibitively expensive private rental properties. We believe that meeting this need will help those in recovery be more successful in their recovery and in the restoration of the family unit.

The property at 419 Park Street is currently being used by The Crossing as transitional housing for women with children. The residents are required to have a job, pay rent, attend parenting classes, respect a 9 PM curfew and maintain a sober/clean lifestyle. Most of the residents in the home have successfully completed recovery programs. We envision no changes in rules and requirements. The only differences are that the facility and programs will be managed by Lotus rather than The Crossing, and that Lotus has the option to convert it to a men's home in the future if the need changes. However, men and women will not reside in the home concurrently under any circumstances.

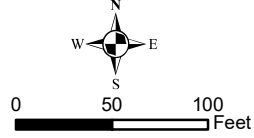
We have reviewed the current Conditional Use Permit that is in place with The Park Bench, The Crossing, and the City, and find these terms 100% acceptable to Lotus. The idea of Lotus using The Park Bench home for managed transitional recovery housing was initially proposed by The Crossing, who will continue to work in cooperation with Lotus in providing services to residents. The Park Bench Inc. Is also in support of this proposed transition to Lotus.




Request for a Conditional Use Permit for the Operation of Transitional Housing

CONDITIONAL USE PERMIT

City of Manitowoc, WI



 Area of Conditional Use Permit for the Operation of Transitional Housing

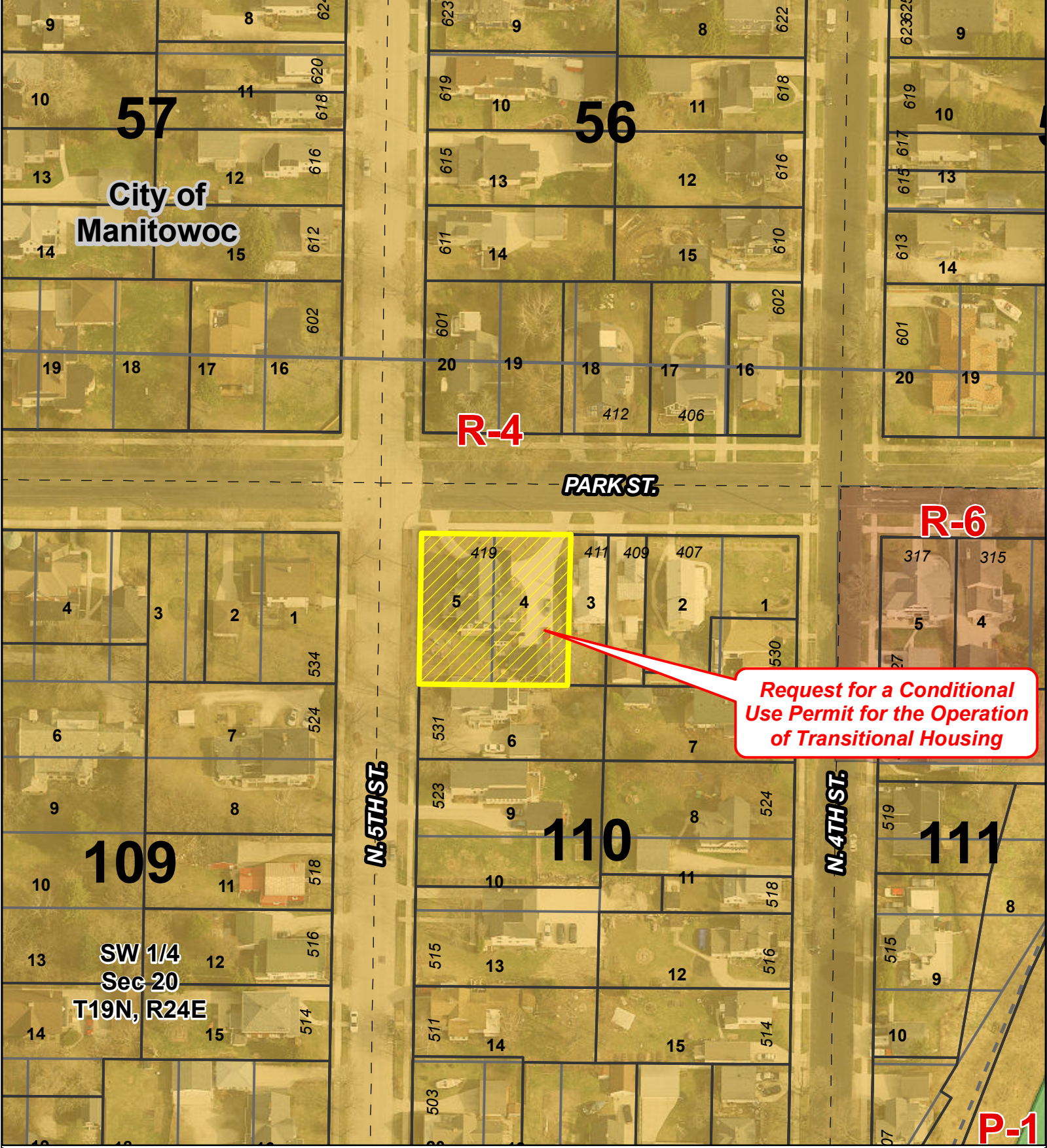
PC 18-2023
419 Park St.

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: 9/18/2023

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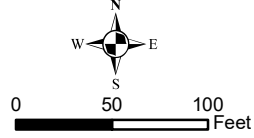
City of Manitowoc Plan Commission




Request for a Conditional Use Permit for the Operation of Transitional Housing

CONDITIONAL USE PERMIT

City of Manitowoc, WI



 Area of Conditional Use Permit for the Operation of Transitional Housing

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Prepared by City of Manitowoc
Community Development Department
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Map Plotted: 9/18/2023

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PC 18-2023
419 Park St.

City of Manitowoc Plan Commission



THE CROSSING
A HEALTHY FAMILY FOR EVERY CHILD

501 North 10th Street
P.O. Box 2065 Manitowoc, WI 54221-2065
office@crossingmanitowoc.org 920.973.4357
www.crossingmanitowoc.org #welove



September 11, 2023

To Whom It May Concern:

This letter is written on behalf of the Lotus Recovery Home and their proposed collaboration with The Crossing and The Crossing Home.

The Crossing Home has been part of The Crossing of Manitowoc County since 2017. Its intent has been to serve women who are expecting a baby or have small children who find themselves in need of physical and emotional support. Most recently those women are women in recovery who are working to be reunited with their children.

As we have served this population we have realized we are not able to offer all that these women need through our current structure. By partnering with Lotus Recovery Homes, we are able to do what we do best and Lotus can provide what we cannot so that the women and their children will get what is most needed.

This collaboration is in the best interest of Home clients and their children. We will continue to be part of the clients' "village" by providing the education, emotional, and physical support through the programming of The Crossing.

Please contact us with any questions by calling 920-973-4357.

Sincerely,

Belinda Esquinas

Executive Director

Dawn Matte

Client Services Director