

## Report to the Manitowoc Plan Commission

**Meeting Date:** April 26, 2017

**Report Print Date:** April 21, 2017; 10:43 AM

**Request:** PC 13-2017: Rosethorn Community Church, Inc., Request for a Conditional Use Permit (CUP) for the Operation of a Church located at 1015 S. 11th Street pursuant to Section 15.210(3)a.

**Reason for Request:** In the R-7 Central Residence District churches are required to have a CUP issued pursuant to 15.370(27).

**Existing Land Use for Subject Property:** Currently the Rosethorn Church is operating in the building on the first floor. The building was formerly used as a music conservatory for Silver Lake College.

**Existing Zoning for Subject Property:** R-7 Central Residence District

### Surrounding Property Land Uses and Zoning

Direction	Existing Land Use	Existing Zoning
West	Washington Park	P-1 Conservancy
North & East	Commercial, retail, business	C-1 Commercial
South	Residential	R-7 Central Residence

**Comprehensive Plan:** The Future Land Use Map classifies the area as "Central Business District".

### Consistency Analysis

Although § 66.1001, Wis. Stats. does not specifically require Conditional Use Permits to meet the "Consistency Requirement," it is sound planning practice to consider the policies and recommendations of the Comprehensive Plan when reviewing such requests. A church use would fit into the "Central Business District" classification.

**Report:** It was recently discovered that Rosethorn Church required a Conditional Use Permit for the operation of their church at 1015 S. 11<sup>th</sup> Street. The building was purchased by Rosethorn on November 18, 2013 (V. 2850, Page 687) from "The Holy Family Convent of the Franciscan Sisters of Christian Charity, a/k/a Holy Family Convent of Franciscan Sisters of Charity, Inc.," Shortly after acquiring the property Rosethorn began to offer church services and related activities such as Bible study, prayer and limited counseling at the location.

The building was historically used by Silver Lake College as a music conservatory and living quarters for nuns on the second floor. Rosethorn will only be using the first floor of the building for their assembly. The Fire Department and Building Inspection have inspected the building and have determined that the church (assembly) function on the first floor meets all the appropriate building codes. The current request is only for the operation of a church on the first

floor, any other future requests for other uses will have to follow all other Zoning Ordinances and procedures.

As described in Rosethorn's request the only church service offered currently is on Sunday 10:15am – 12:00pm, there is Bible study on the first and third Wednesday of the month from 9:30am – 10:30am, and prayer on Tuesday from 5:00 – 6:30pm. On a typical Sunday there are 12 to 40 people in attendance. Rosethorn does have an understanding with the auto parts store to the north for use of their parking lot which can park 9 vehicles. There are 16 on street parking stalls available on the east side of S. 11<sup>th</sup> Street with the following restriction "No Parking in this Block Dec 1 – March 31 1:00am to 6:00pm"; in addition there are 38 on street spaces on the west side of 11<sup>th</sup> Street adjacent to Washington Park with a restriction of "No Parking 10pm – 6am".

Under a Conditional Use Permit pursuant to Section 15.370(27), the Commission and Council must determine if the proposed 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.

The Police, Fire and Building Inspection Departments have stated that there are no complaints or issues on file regarding the Rosethorn Church.

Public Comments Notices were mailed out to property owners within 200 feet of the subject parcel on April 19<sup>th</sup> and as of the date of this writing no comments were received.

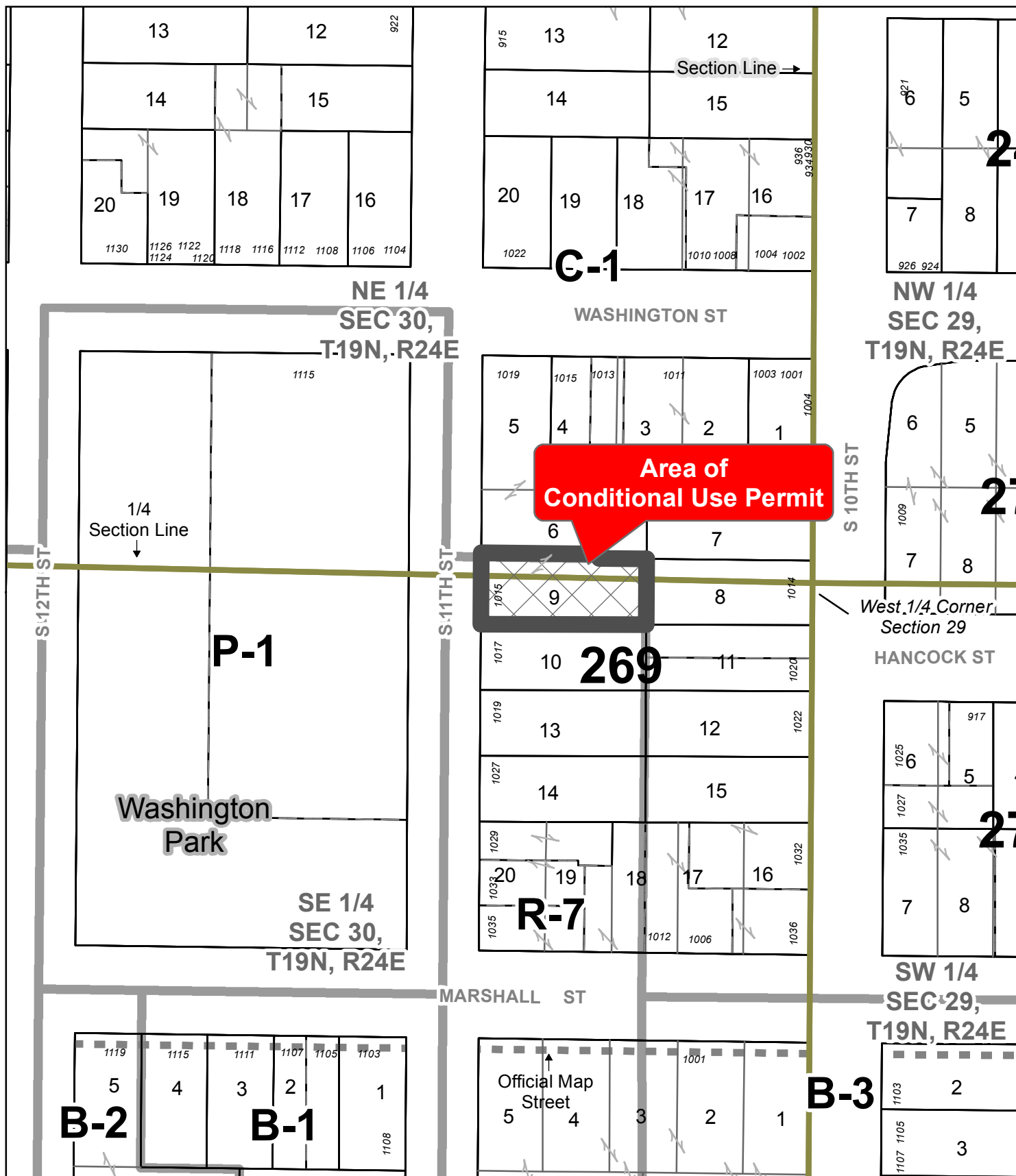
**Recommendation:** The Community Development Department recommends approval of the request for a Conditional Use Permit for the operation of a Church located at 1015 S. 11<sup>th</sup> Street pursuant to the following conditions.

**REQUIREMENTS FOR A  
CONDITIONAL USE PERMIT (CUP) FOR ROSETHORN COMMUNITY CHURCH, INC., A  
WISCONSIN CORPORATION, 1015 S. 11<sup>TH</sup> STREET  
4/26/2017**

Re: PC13-2017: The CUP is granted exclusively to Rosethorn Community Church, Inc, A Wisconsin Corporation, (Rosethorn) pursuant to Section 15.210(3)a for the Operation of a Church located at 1015 S. 11th Street (Property”), and shall hereinafter serve as authorization for the location and operation said Church at the address listed above, as may be amended from time to time. The area of the CUP is Tax Parcel # 052-000-269-090.00.

Rosethorn is required to comply with the following conditions:

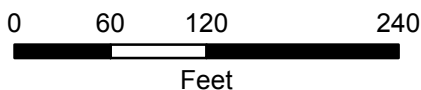
1. The issuance of this CUP shall be for the operation of church services and church related activities such as church administration functions, Bible Study, prayer, choir practice, counseling services and similar activities. The CUP does not allow any overnight lodging or transitional housing.
2. The ongoing validity of this CUP requires compliance with all applicable federal, state and local regulations, licensing and code requirements.
3. Compliance with the terms and conditions of the CUP shall be reviewed by the Plan Commission and Common Council in April, 2018. The Plan Commission and Council shall at that time determine if an annual review shall continue into subsequent years.



Prepared by City of Manitowoc  
 Planning Department  
[www.manitowoc.org](http://www.manitowoc.org)  
 Map Plotted: 04/17/2017  
 Y:\Planning\PC Plan Commission\Actions 2017\PC 13-2017  
 Rosethorn Church CUP for Operation as a church\PC 13  
 2017 Rosethorn Church CUP


**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.

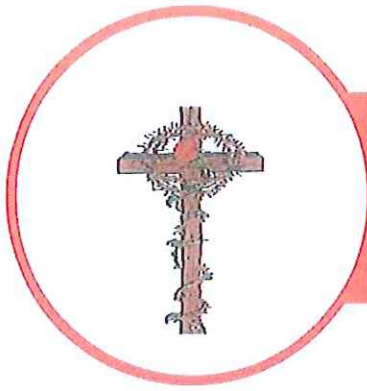
Request for a Conditional Use Permit  
 to Operate as a Church  
 in a R-7 Central Residence District



PC 13-2017  
 Rosethorn Church CUP

**Legend**

 Area of Request for Conditional Use Permit



## ROSETHORN COMMUNITY CHURCH

WWW.ROSETHORNCURCH.NET

### CONTACT

Pastor Rose Vukovich  
1015 S. 11<sup>th</sup> St.  
Manitowoc, WI. 53223  
blessed@rosethornchurch  
(920)334-6964

### MAYOR JUSTIN NICKELS & COMMON COUNCIL

COMMUNITY DEVELOPMENT OFFICE • 900 QUAL ST. • MANITOWOC, 54220

April 12, 2017

Dear Mayor Justin Nickels & Common Council,

This letter is requesting an issuance conditional use permit for operation as a Church. It has come to our attention that RoseThorn Church is zoned as residential. This facility was used previously as the Holy Family Music Conservatory.

We purchased the building in hopes of utilizing it as a Non-denominational church. The area and building is perfect for helping people in the surrounding community, who are struggling with bondages and major life crisis.

Many have come from The Haven House, for physical and spiritual food, and counseling. There are some who have come that have no permanent home, but they come for fellowship, food, and clothes. However, we do have regular members who have a heart for the poor and disadvantaged in the community.

We offer a free hot meal after service to anyone who is hungry. We have a clothing pantry and distribute free clothes to those who are in need. We have also given out food, bus tickets, and paid utility bills on occasions.

Our congregation is small but growing. We have anywhere on a Sunday, 12-40 people. Some have no vehicle and get rides from others or simply walk to church.

As of now we only have church services on Sunday 10:15-12:00, and Bible Study the first and third Wednesday of every month from 9:30-10:30AM. We also have prayer on Tuesday from 5:00-6:30PM, where only a few attend (2-4).

I do counsel people on Tuesday afternoon and Wednesday morning if needed. Once a year we have a church conference in August and invite other Christians in the community to come and join us. We have worship/praise, and listen to anointed guest speakers. This is held on a Friday night and Saturday morning. We have been allowed to use the Auto Parts parking lot for that occasion, with their permission of course.

Although we are directly across from Washington Park, we have not had any parking issues, since there are no major activities on Sunday mornings. On the days I am working or counseling, I prefer to use our drive way, and sometimes others from our church do too, especially unloading or inclement weather.

We look forward from hearing from you about the issuance of permit for operation as a Church, and complying with any ordinances and regulation that pertain to RoseThorn Community Church.

Sincerely,

Pastor Rose Vukovich  
RoseThorn Community Church





04.19.2017 09:20





04.19.2017 09:21





**CITY OF MANITOWOC**  
WISCONSIN, USA  
[www.manitowoc.org](http://www.manitowoc.org)



April 19, 2017

**NOTICE**

As a property owner within 200 feet of a proposed Conditional Use Permit (CUP) for the operation of a Church located at 1015 S. 11th Street, Manitowoc WI; you are being notified that the Manitowoc City Plan Commission will meet on **April 26, 2017 at 6:00 o'clock P.M.** in the Common Council Chambers, Main Floor, City Hall, 900 Quay Street, and hold a public informational hearing to consider the request for the CUP. The request is pursuant to Section 15.210(3)a of the Manitowoc Municipal Code. The CUP area is identified on the attached map.

**Petitioner is: PC13-2017 Rosethorn Community Church, Inc., Request for the Operation of a Church in the R-7 Central Residence District pursuant to 15.210(3)a.**

It would be advisable to attend this informational session in order to voice your opinion on the request.

If you wish, you can call or visit the office of the City Plan Commission, City Hall, and we will be glad to discuss the request with you.

Respectfully Submitted,

Paul Braun  
City Planner

Attachments