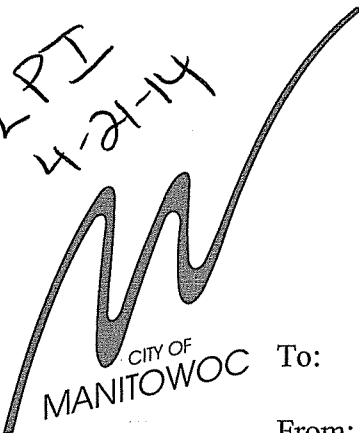


LPT  
4-21-14

14-876

April 21, 2014



CITY OF  
MANITOWOC

David Less  
City Planner

To: Mayor and Common Council

From: Manitowoc City Plan Commission

Subject: **PC14-2014/PC3-2014: WLC, LLC and Manitowoc Lake Breeze Apartments LLC; Proposed Vacation Under Wis. Stat. § 66.1003(2) and Official Map Amendment Under Wis. Stat. § 62.23(6) at Johnston Drive, North of E. Charles Lane**

Dear Mayor and Common Council:

At the regular April 16, 2014 meeting of the Manitowoc City Plan Commission, the Commission held a public informational hearing regarding a request from SMI, Inc. on behalf of WLC, LLC, as the record owner, and Manitowoc Lake Breeze Apartments LLC, as the contract purchaser of property east of Johnston Drive, west of Zimmer Drive, and to the north of E. Charles Lane. These parties have together submitted requests for: (i) vacating 2 dedicated rights-of-way (R/W) on the east side of Johnston Drive; and (ii) amending the Official Map to remove the areas proposed for vacation, plus a non-dedicated extension of the southermost R/W extending east to future Zimmer Drive. The request to discontinue or vacate the publicly owned R/W's east of Johnston Drive occurs pursuant to Wis. Stat. § 66.1003(2). The Official Map amendment proceedings occur pursuant to Wis. Stat. § 62.23(6)(c). The areas proposed for vacation and removal from the Official Map are identified on the attached map. The proposed concept development plan for the approximately 25-acres of WLC property is also attached.



OFFICE OF CITY PLANNING,  
CITY PLAN COMMISSION

The Commission notes that this "petition by abutting owners" procedure under Wis. Stat. § 66.1003(2), is initiated by the filing of a petition signed by 100 per cent of the property owners abutting the area to be vacated, plus the owners of at least one-third of the frontage of the lots and lands abutting on that portion of the remainder of the public way which lies within 2,650 feet of the ends of the portion to be discontinued. The petition that was filed with the City Clerk's office on April 7, 2014 (Granicus Document #14-564) has been reviewed, and is valid and complies with the statute as it was signed by 100% of the owners abutting the areas to be vacated. The R/W's do not exist to the east or west of the areas proposed for vacation.

Continuing, the Commission notes that with this protocol, there is no public hearing required for the proposed vacation. There is, however, a public hearing required for the amendment to the Official Map. The vacation requires publishing a Class 3 notice stating when and where the vacation resolution will be acted upon. Notice of the



Official Map public hearing can be combined with the 2<sup>nd</sup> and 3<sup>rd</sup> publications of the Class 3 notice. In this matter, the required Council public hearing regarding the Official Map amendment should be scheduled for June 2<sup>nd</sup>, preceded by publication of the Class 3 notice to be published pursuant to Wis. Stat. § 66.1003(8)(b) on May 12th, 19th and 26th. The Official Map amendment requires a Class 2 notice to be published, and will be combined with the notices published on May 19<sup>th</sup> and 26th. Notice of the hearing is to be served upon the landowners abutting the areas proposed for vacation no later than May 2<sup>nd</sup>. Final Council action on the vacation and Official Map amendment can occur on or after June 16<sup>th</sup>.

Regarding the proposed development, the plan details the ultimate development of 188 units of apartments developed in at least 2 phases. Phase I would include the construction of 5 buildings representing 60 units along Johnston Drive. These market rate units would feature a blend of 1 and 2 bedroom units, along with 5, 12-stall garages for each building. Each unit would have a private entry, and the plan currently is for the contract purchaser to construct all 5 buildings at the same time. A new CSM tract of approximately 5-acres (201' x 1088') would be created to house Phase I, and which would be approved and recorded post-transfer of ownership to the contract purchaser, and post vacation of the R/W.

Subsequent phases would involve the construction of the remaining 8-9 buildings, being likely driven by market demand. Beyond Phase I, the development will need to be sensitive to the location of wetlands in the area. A July, 2013 wetland delineation report was completed by NES Ecological Services, a division of Robert E. Lee & Associates, which identified approximately 4.4-acres of wetland on the WLC property, primarily to the south and east of the area where the first 5 buildings would be constructed.

The Commission notes in closing that notices of its April 16<sup>th</sup> informational hearing were mailed to property owners effected by the proposed vacation and Official Map amendment, and that there was no opposition voiced at this informational hearing. The Commission then unanimously recommended that the Council: (i) approve proceeding with the vacation and Official Map amendment; and (ii) instruct the Clerk to publish the vacation and Official Map public hearing notices, and to publish the required notices with those costs to be charged to the petitioner. In closing, the Commission further unanimously recommended that Council approve the vacation and Official Map amendment upon completion of the required public hearing, and to do so on or after June 16th.

Finally, in terms of the conformance of this development and the proposed vacation and Official Map amendment, the Commission notes that this development area is identified on the City's 20-year land use map (that is part of its 2009 comprehensive plan) as "Planned Neighborhood", which is intended to provide for a variety of housing types and a mix of non-residential uses such as parks, schools, and small scale shopping. As such, the comprehensive plan map in this area is not currently consistent with the

proposed land use, and should be amended to reflect this planned development. The map should be adjusted to show this area as "Multi-Family Residential", which is a better suited land use category in the comprehensive plan for this location, and is more directly aligned with the City's "R-5" and "R-6" zoning districts.

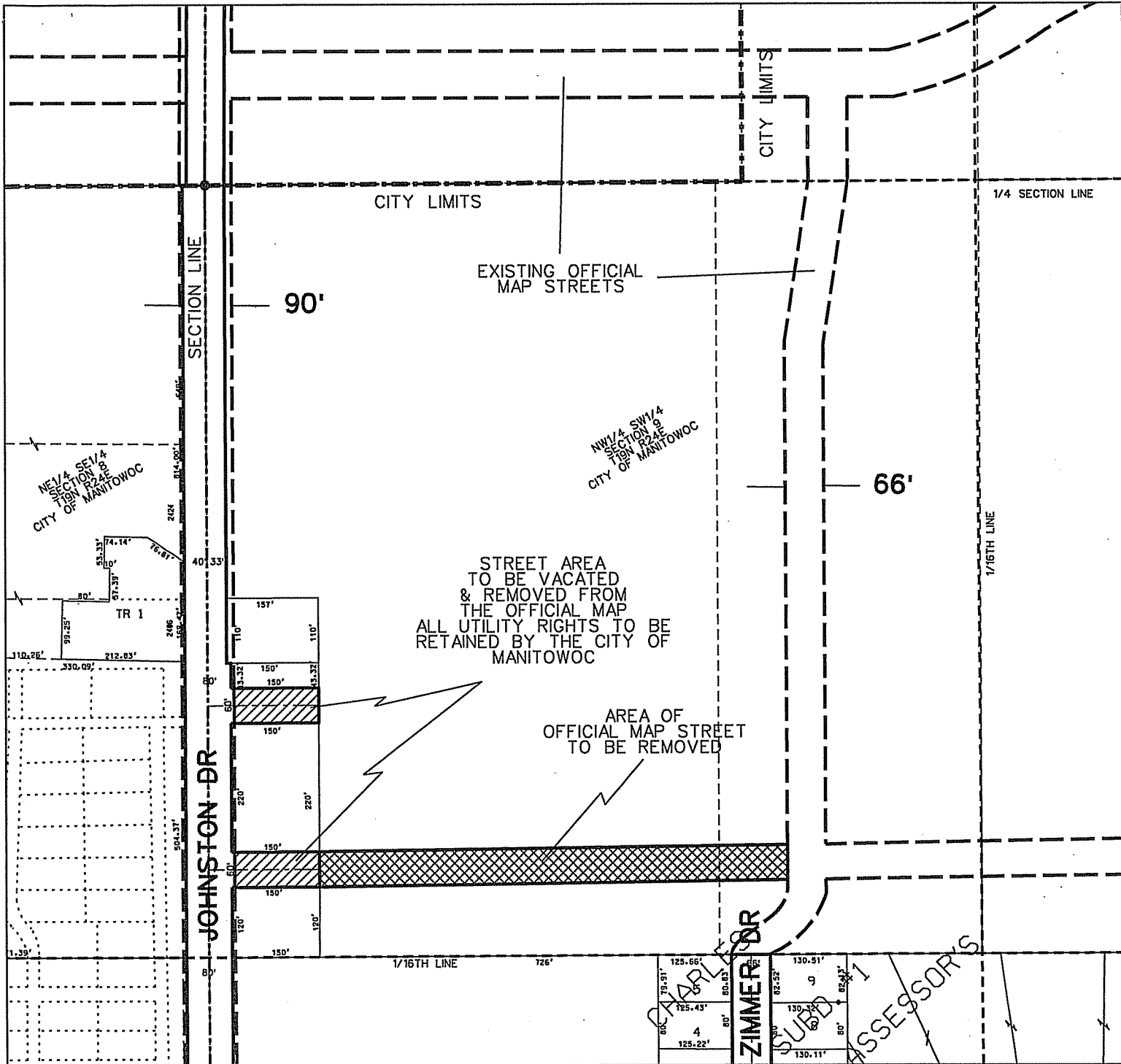
Respectfully Submitted,

A handwritten signature in black ink, appearing to read "DL", is written over the printed name "David Less".




David Less  
City Planner

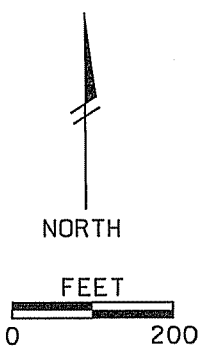
Attachments

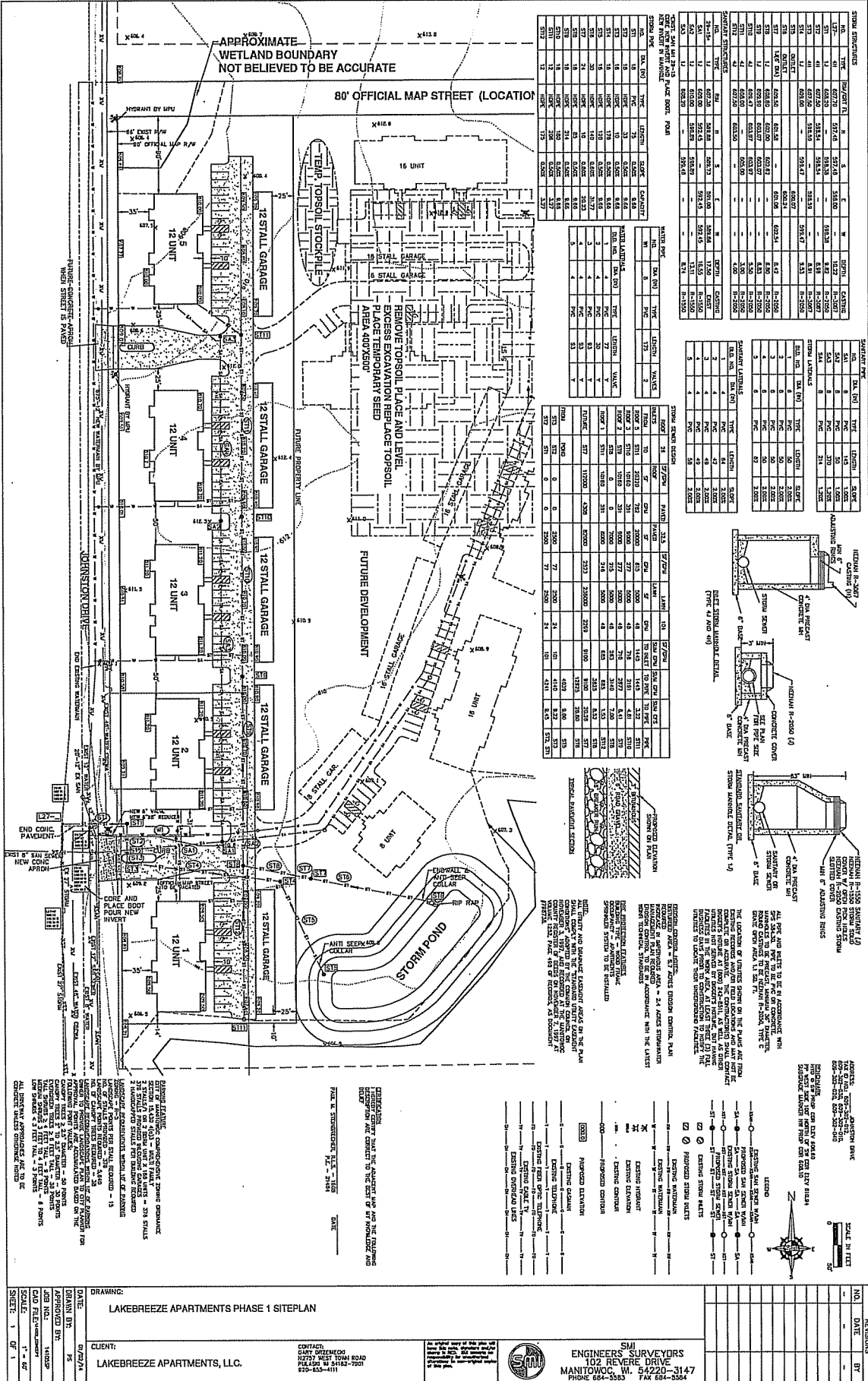
Re: Granicus Documents #14-483, #14-484 and #14-564



# STREET VACATION & OFFICIAL MAP CHANGE CITY OF MANITOWOC

-  AREA TO BE VACATED & REMOVED FROM THE OFFICIAL MAP
-  AREA TO BE REMOVED FROM THE OFFICIAL MAP
-  EXISTING OFFICIAL MAP STREET





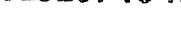
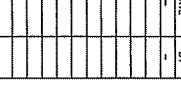
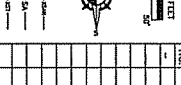
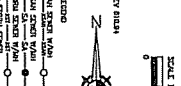
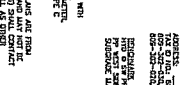
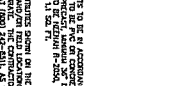
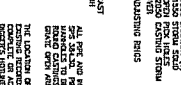
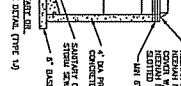
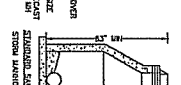
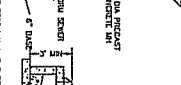
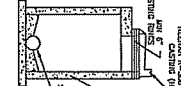
APPROXIMATE WETLAND BOUNDARY NOT BELIEVED TO BE ACCURATE

80' OFFICIAL MAP STREET (LOCATION)

STAIR DIMENSIONS	NO.	TYPE	HEIGHT	THICKNESS	FINISH	REMARKS
1	1	CONC	12	4	1/2" REBAR	STAIR 1
2	2	CONC	12	4	1/2" REBAR	STAIR 2
3	3	CONC	12	4	1/2" REBAR	STAIR 3
4	4	CONC	12	4	1/2" REBAR	STAIR 4
5	5	CONC	12	4	1/2" REBAR	STAIR 5
6	6	CONC	12	4	1/2" REBAR	STAIR 6
7	7	CONC	12	4	1/2" REBAR	STAIR 7
8	8	CONC	12	4	1/2" REBAR	STAIR 8
9	9	CONC	12	4	1/2" REBAR	STAIR 9
10	10	CONC	12	4	1/2" REBAR	STAIR 10
11	11	CONC	12	4	1/2" REBAR	STAIR 11
12	12	CONC	12	4	1/2" REBAR	STAIR 12

STAIR DIMENSIONS	NO.	TYPE	HEIGHT	THICKNESS	FINISH	REMARKS
13	13	CONC	12	4	1/2" REBAR	STAIR 13
14	14	CONC	12	4	1/2" REBAR	STAIR 14
15	15	CONC	12	4	1/2" REBAR	STAIR 15
16	16	CONC	12	4	1/2" REBAR	STAIR 16
17	17	CONC	12	4	1/2" REBAR	STAIR 17
18	18	CONC	12	4	1/2" REBAR	STAIR 18
19	19	CONC	12	4	1/2" REBAR	STAIR 19
20	20	CONC	12	4	1/2" REBAR	STAIR 20
21	21	CONC	12	4	1/2" REBAR	STAIR 21
22	22	CONC	12	4	1/2" REBAR	STAIR 22
23	23	CONC	12	4	1/2" REBAR	STAIR 23
24	24	CONC	12	4	1/2" REBAR	STAIR 24
25	25	CONC	12	4	1/2" REBAR	STAIR 25
26	26	CONC	12	4	1/2" REBAR	STAIR 26
27	27	CONC	12	4	1/2" REBAR	STAIR 27
28	28	CONC	12	4	1/2" REBAR	STAIR 28
29	29	CONC	12	4	1/2" REBAR	STAIR 29
30	30	CONC	12	4	1/2" REBAR	STAIR 30
31	31	CONC	12	4	1/2" REBAR	STAIR 31
32	32	CONC	12	4	1/2" REBAR	STAIR 32
33	33	CONC	12	4	1/2" REBAR	STAIR 33

STAIR DIMENSIONS	NO.	TYPE	HEIGHT	THICKNESS	FINISH	REMARKS
34	34	CONC	12	4	1/2" REBAR	STAIR 34
35	35	CONC	12	4	1/2" REBAR	STAIR 35
36	36	CONC	12	4	1/2" REBAR	STAIR 36
37	37	CONC	12	4	1/2" REBAR	STAIR 37
38	38	CONC	12	4	1/2" REBAR	STAIR 38
39	39	CONC	12	4	1/2" REBAR	STAIR 39
40	40	CONC	12	4	1/2" REBAR	STAIR 40
41	41	CONC	12	4	1/2" REBAR	STAIR 41
42	42	CONC	12	4	1/2" REBAR	STAIR 42
43	43	CONC	12	4	1/2" REBAR	STAIR 43
44	44	CONC	12	4	1/2" REBAR	STAIR 44
45	45	CONC	12	4	1/2" REBAR	STAIR 45
46	46	CONC	12	4	1/2" REBAR	STAIR 46
47	47	CONC	12	4	1/2" REBAR	STAIR 47
48	48	CONC	12	4	1/2" REBAR	STAIR 48
49	49	CONC	12	4	1/2" REBAR	STAIR 49
50	50	CONC	12	4	1/2" REBAR	STAIR 50
51	51	CONC	12	4	1/2" REBAR	STAIR 51
52	52	CONC	12	4	1/2" REBAR	STAIR 52
53	53	CONC	12	4	1/2" REBAR	STAIR 53
54	54	CONC	12	4	1/2" REBAR	STAIR 54
55	55	CONC	12	4	1/2" REBAR	STAIR 55
56	56	CONC	12	4	1/2" REBAR	STAIR 56
57	57	CONC	12	4	1/2" REBAR	STAIR 57
58	58	CONC	12	4	1/2" REBAR	STAIR 58
59	59	CONC	12	4	1/2" REBAR	STAIR 59
60	60	CONC	12	4	1/2" REBAR	STAIR 60
61	61	CONC	12	4	1/2" REBAR	STAIR 61
62	62	CONC	12	4	1/2" REBAR	STAIR 62
63	63	CONC	12	4	1/2" REBAR	STAIR 63
64	64	CONC	12	4	1/2" REBAR	STAIR 64
65	65	CONC	12	4	1/2" REBAR	STAIR 65
66	66	CONC	12	4	1/2" REBAR	STAIR 66
67	67	CONC	12	4	1/2" REBAR	STAIR 67
68	68	CONC	12	4	1/2" REBAR	STAIR 68
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70	70	CONC	12	4	1/2" REBAR	STAIR 70
71	71	CONC	12	4	1/2" REBAR	STAIR 71
72	72	CONC	12	4	1/2" REBAR	STAIR 72
73	73	CONC	12	4	1/2" REBAR	STAIR 73
74	74	CONC	12	4	1/2" REBAR	STAIR 74
75	75	CONC	12	4	1/2" REBAR	STAIR 75
76	76	CONC	12	4	1/2" REBAR	STAIR 76
77	77	CONC	12	4	1/2" REBAR	STAIR 77
78	78	CONC	12	4	1/2" REBAR	STAIR 78
79	79	CONC	12	4	1/2" REBAR	STAIR 79
80	80	CONC	12	4	1/2" REBAR	STAIR 80
81	81	CONC	12	4	1/2" REBAR	STAIR 81
82	82	CONC	12	4	1/2" REBAR	STAIR 82
83	83	CONC	12	4	1/2" REBAR	STAIR 83
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85	85	CONC	12	4	1/2" REBAR	STAIR 85
86	86	CONC	12	4	1/2" REBAR	STAIR 86
87	87	CONC	12	4	1/2" REBAR	STAIR 87
88	88	CONC	12	4	1/2" REBAR	STAIR 88
89	89	CONC	12	4	1/2" REBAR	STAIR 89
90	90	CONC	12	4	1/2" REBAR	STAIR 90
91	91	CONC	12	4	1/2" REBAR	STAIR 91
92	92	CONC	12	4	1/2" REBAR	STAIR 92
93	93	CONC	12	4	1/2" REBAR	STAIR 93
94	94	CONC	12	4	1/2" REBAR	STAIR 94
95	95	CONC	12	4	1/2" REBAR	STAIR 95
96	96	CONC	12	4	1/2" REBAR	STAIR 96
97	97	CONC	12	4	1/2" REBAR	STAIR 97
98	98	CONC	12	4	1/2" REBAR	STAIR 98
99	99	CONC	12	4	1/2" REBAR	STAIR 99
100	100	CONC	12	4	1/2" REBAR	STAIR 100



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