



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



May 27, 2021

To: Mayor and Common Council

From: Paul Braun, City Planner

**Subject: PC 16-2021: Manitowoc Public Utilities; Petition for Direct Annexation, 5624 W. Custer Street.**

At the May 26, 2021 meeting of the Manitowoc City Plan Commission, the Commission recommended to the Common Council the following action:

***Accept the annexation petition as presented and recommend a zoning classification of I-2, Heavy Industrial.***

Note: Pursuant to Wis. Statute the Common Council must adopt the Annexation Ordinance by a 2/3 majority.

Granicus #: 21-0499  
Attachments: Ordinance  
Resolution  
Maps

## ORDINANCE

An Ordinance to annex certain territory from the Town of Manitowoc Rapids to the City of Manitowoc as part of the 9th Aldermanic District and the 34th Ward of the City.

**WHEREAS**, the petition to annex the territory (Interstate #16) described below has been filed with the City of Manitowoc; and

**WHEREAS**, the petition meets the requirements of Wisconsin Statute Section 66.0217(2) Unanimous Approval Annexation; and

**WHEREAS**, the Manitowoc Common Council has determined that the City has reasonable need for the property and it is in the best interest of the petitioners, the residents and owners of property in the area to be annexed and the City of Manitowoc to annex the property to the City; and

**WHEREAS**, the Common Council has reviewed the recommendations of the Wisconsin Department of Administration pursuant to Wisconsin Statute Section 66.0217(6)(a); and

**NOW, THEREFORE**, the Mayor and Common Council of the City of Manitowoc do ordain as follows:

**SECTION 1.** Territory Annexed. Pursuant to Wisconsin Statute Section 66.0217(8), the following described territory in the Town of Manitowoc Rapids, Manitowoc County, Wisconsin is hereby annexed to the City of Manitowoc:

### DESCRIPTION

A tract of land located in the NE 1/4 of the SE 1/4 of Section 27, T.19N., R.23E., Town of Manitowoc Rapids, Manitowoc County, Wisconsin described as follows:

Commencing at the Southeast corner of said Section 27, thence N89°49'45"W (recorded as N89°48'08"W) along the section line 1312.27 feet to the north-south 1/16th section line, thence N00°12'52"E (recorded as N00°14'31"E) along said 1/16th section line 1326.43 feet to the east-west 1/16th section line, also being the centerline of West Custer Street, thence S89°44'10"E (recorded as S89°42'31"E) along said 1/16th section line 150.08 feet to the point of real beginning, thence continue S89°44'10"E (recorded as S89°42'31"E) along said 1/16th section line 332.91 feet to the westerly right of way of I-43, thence N34°20'21"W (recorded as N35°56'58"W) along said right of way 591.08 feet to the south right of way of the Wisconsin Central Railroad, thence S85°05'42"W (recorded as S83°23'45"W) along said right of way 0.20 feet, thence S00°04'48"E (recorded as S01°34'38"E) 486.51 feet to the point of real beginning.

Said tract contains 1.86 acres (81,041 Square feet).  
(County parcel # 010-027-013-005.00)

**SECTION 2.** Aldermanic District, Ward and Population. The territory herein described has a population of zero (0), is made part of the 9th Aldermanic District and 35<sup>th</sup> Ward of the City of Manitowoc:

**SECTION 3.** Zone District Classification. The temporary zoning classification is R-1 Residential – Agricultural the territory's proposed permanent zoning classification will be "I-2" Heavy Industrial, all according to the attached map.

**SECTION 4.** Two Thirds Vote. Passage of this Ordinance requires a two-thirds vote of the elected members of the Common Council.

**SECTION 5.** Effective Date. This Ordinance shall take effect on the day after its publication.

**SECTION 6.** The Wisconsin Department of Administration Municipal Boundary Review Number is 14391.

**INTRODUCED** \_\_\_\_\_

**ADOPTED** \_\_\_\_\_

\_\_\_\_\_  
**Justin M. Nickels, Mayor**

**APPROVED** \_\_\_\_\_

Fiscal Impact: Minimal  
Funding Source: N.A.  
Finance Director Approval: /sa  
Approved as to form:

Drafted by: Paul Braun, City Planner  
O:\Planning\PC Plan Commission\PC\_Annexation\2021\PC 16-2021\_MPU Request - 5624 Custer Street\Ordinance Resolution Interstate # 16 MPU.doc

NE 1/4  
SEC 27  
T19N R23E

TR 3 832  
TR 4 914

1/4 Section Line

### Town of Manitowoc Rapids

SE 1/4  
SEC 27  
T19N R23E

TR 3  
TR 2 1124

**Proposed  
Rezone to I-2**

TR 1  
**I-2**

5812 5740  
**W. CUSTER ST.**

City Limits

**I-1**

**DUFENBERG DR.**

**B-1**

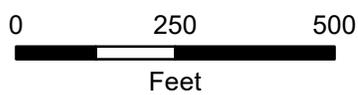
LOT 1  
**City of  
Manitowoc**

**S. 59TH ST.**



## Proposed Rezone Property from R-1 Residential-Agricultural to I-2 Heavy Industrial District

PC 16-2021  
5624 Custer St.



**Legend**

 **Proposed Rezone**

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: 6/8/2021  
O:\Planning\PC Plan Commission\PC\_Annexation\2021\PC 16-2021\_MPU Request - 5624 Custer Street\Maps\PC 16-2021 Rezone B&W.mxd

# Aldermanic District 9

## Ward 35

NE 1/4  
SEC 27,  
T19N, R23E

1/4 Section Line

**Town of  
Manitowoc Rapids**

SE 1/4  
SEC 27,  
T19N, R23E

TR 1

TR 1 **I-2**

TR 1

**Annexation  
Area**

**W. CUSTER ST.**

City Limits

1  
1

TR 1.1

**I-1**

LOT 1

LOT 8

TR 1.1

**B-1**

TR 2.1  
LOT 1

**City of  
Manitowoc**

**DUFEK DR.**

TR 1.2

LOT 9

**Interstate #16**

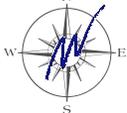
City of Manitowoc, WI

**Aldermanic District #9**

**Ward 35**

**Population: 0**

PC 16-2021 Annexation  
5624 Custer 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: 6/8/2021

0 200 400  
Feet

### Legend

-  Annexation Area
-  Official Map Street
-  Corporate Limits

Manitowoc City Plan Commission

Document Path: O:\Planning\PC Plan Commission\PC\_Annexation\2021\PC 16-2021\_MPU Request - 5624 Custer Street\Maps\PC 16-2021 Annexation B&W.mxd

**RESOLUTION**

**WHEREAS** Section 5.15 of the Wisconsin State Statutes (as amended by Chapter 4 of the Laws of 1981) requires cities to create Wards, and

**WHEREAS** the Manitowoc Common Council did annex territory (Interstate #16 Area), and

**WHEREAS** a recent Attorney General's opinion has indicated that districts set by reapportionment are not changed by annexation in regards to voting,

**NOW, THEREFORE**, be it resolved that the City of Manitowoc creates Ward Number 35, population zero (0), for the Interstate # 16 Annexation Area and provides the following boundary description:

**DESCRIPTION**

A tract of land located in the NE 1/4 of the SE 1/4 of Section 27, T.19N., R.23E., Town of Manitowoc Rapids, Manitowoc County, Wisconsin described as follows:

Commencing at the Southeast corner of said Section 27, thence N89°49'45"W (recorded as N89°48'08"W) along the section line 1312.27 feet to the north-south 1/16th section line, thence N00°12'52"E (recorded as N00°14'31"E) along said 1/16th section line 1326.43 feet to the east-west 1/16th section line, also being the centerline of West Custer Street, thence S89°44'10"E (recorded as S89°42'31"E) along said 1/16th section line 150.08 feet to the point of real beginning, thence continue S89°44'10"E (recorded as S89°42'31"E) along said 1/16th section line 332.91 feet to the westerly right of way of I-43, thence N34°20'21"W (recorded as N35°56'58"W) along said right of way 591.08 feet to the south right of way of the Wisconsin Central Railroad, thence S85°05'42"W (recorded as S83°23'45"W) along said right of way 0.20 feet, thence S00°04'48"E (recorded as S01°34'38"E) 486.51 feet to the point of real beginning.

Said tract contains 1.86 acres (81,041 Square feet).  
(County parcel # 010-027-013-005.00)

**NOW, THEREFORE, BE IT RESOLVED** that Ward Number 35 is combined with the 17<sup>th</sup>, 18<sup>th</sup>, 21<sup>st</sup>, 23<sup>rd</sup>, 24<sup>th</sup>, 25<sup>th</sup>, 26<sup>th</sup>, 28<sup>th</sup>, 32<sup>nd</sup> and 33<sup>rd</sup> Wards for voting purposes and use a common polling place as established for the 9th Aldermanic District, however, separate returns shall be maintained as necessary for the applicable elected offices that require separate returns.

**INTRODUCED** \_\_\_\_\_

**ADOPTED** \_\_\_\_\_

\_\_\_\_\_  
**Justin M. Nickels, Mayor**

**APPROVED** \_\_\_\_\_

Fiscal Impact: Minimal  
Funding Source: N.A.  
Finance Director Approval: /sa  
Approved as to form: /

# Aldermanic District 9

## Ward 35

NE 1/4  
SEC 27,  
T19N, R23E

1/4 Section Line

Town of  
Manitowoc Rapids

SE 1/4  
SEC 27,  
T19N, R23E

TR 1

TR 1

**I-2**

TR 1

I-43

**Annexation  
Area**

**W. CUSTER ST.**

City Limits

TR 1.1

**B-1**

TR 2.1  
LOT 1

1  
1

TR 1.1

**I-1**

LOT 1

LOT 8

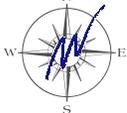
City of  
Manitowoc

**DUFEK DR.**

LOT 9

LOT 3  
2-2

TR 1.2



**Interstate #16**

City of Manitowoc, WI

**Aldermanic District #9**

**Ward 35**

**Population: 0**

PC 16-2021 Annexation  
5624 Custer St.

**Legend**

-  Annexation Area
-  Official Map Street
-  Corporate Limits

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: 6/8/2021

0 200 400  
Feet

Document Path: O:\Planning\PC Plan Commission\PC\_Annexation\2021\PC 16-2021\_MPU Request - 5624 Custer Street\Maps\PC 16-2021 Annexation.mxd

Manitowoc City Plan Commission