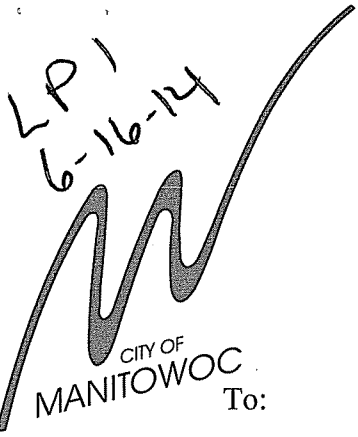


LP 1
6-16-14



CITY OF
MANITOWOC

David Less
City Planner

14-1335

June 16, 2014

To: Mayor and Common Council

From: Manitowoc City Plan Commission

Subject: **PC11-2014: SMI/Abbey Ridge LLC; Proposed Vacation Under Wis. Stat. § 66.1003(2) and Official Map Amendment Under Wis. Stat. § 62.23(6) at Ravenswood Lane, West of N. 18th Street and West of Future Ebony Avenue**

Dear Mayor and Common Council:

At the regular June 11, 2014 meeting of the Manitowoc City Plan Commission, the Commission held a public informational hearing regarding a request from SMI on behalf of Abbey Ridge, LLC, as the record owner, and John Lukas in his individual capacity and a member of the LLC. The request is to vacate and remove from the Official Map a dedicated R/W being an extension to the west of Ravenswood Lane at future Ebony Avenue, and secondly, for an amendment to the Official Map to remove the area to be vacated, plus to add a curve into the R/W alignment at Ravenswood Lane and Ebony Avenue. The request to discontinue or vacate the R/W occurs pursuant to Wis. Stat. § 66.1003(2). The Official Map amendment proceeding occurs pursuant to Wis. Stat. § 62.23(6)(c).



OFFICE OF CITY PLANNING
CITY PLAN COMMISSION

The street vacation process is governed under Wis. Stat. § 66.1003 and specifically subdivision 66.1003(2) which provides that a portion of a public R/W may be vacated upon submittal of a written petition to the Common Council, signed by the owners of all of the frontage abutting the portion of the street sought to be vacated, plus the owners of more than one-third of the frontage of the remaining portion of the street which lies within 2,650 feet of the ends of the portion of the street to be vacated. A valid vacation petition was filed with the Clerk's office on May 15, 2014, and was signed by 100% of the property owners abutting the area to be vacated. Signatures on the petition represented 48.5% of the frontage on Ravenswood Lane extended from the east end of the proposed vacation area.

The proposed vacation covers a .27-acre area of dedicated R/W on the west side of Ravenswood Lane where it turns north at Ebony Avenue (see attached maps). The net result of the vacation would be the elimination of this future east-west street which runs through property improvements and dead ends at the City limits. This R/W was dedicated in its entirety to the City by Abbey Ridge, LLC in December, 2001 (v. 1616, p. 261). Upon completion of the vacation proceeding, ownership of the vacated R/W would revert back to the same parcel from which it originated (Wis. Stat. § 66.1005(1)).



The Commission notes that regarding the vacation under Wis. Stat. § 66.1003(2), the Council can act on a vacation Resolution without conducting a public hearing on the request, but a Class 3 notice is required to be published prior to the Council acting on the vacation Resolution. Statute requires that at least 40 days lapse between the date the vacation Resolution has been introduced, and the date Council can officially act to approve the vacation. The Official Map amendment does, however, require a public hearing, and these are concurrently run processes, with the notices being combined to address both matters.

Contemporaneous with the proposed street vacation, is an amendment to remove from the City's Official Map the identical area to be vacated, and to add to the Official Map a right triangle shaped area on the east side of Ravenswood Lane where it meets future Ebony Lane, to complete an interior radius curve.

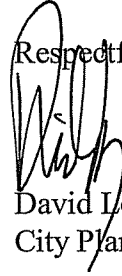
The Commission notes that it held a public informational hearing on June 11th, preceding by a mailing of notices on June 5th, to property owners that would be directly effected by the proposal. There were no responses to this mailing received, and no opposition was present at the informational hearing.

For this project, the Commission notes the following next steps and timetable going forward:

- A. "Notice of Lis Pendens" regarding the vacation proceedings will be filed at the Register of Deeds office and recorded on or before **June 16th**.
- B. A Resolution for vacation and an Ordinance for amending the Official Map will be introduced at the **June 16th** Council meeting.
- C. The Class 3 notice to be published pursuant to Wis. Stats. § 66.1003(8)(b) would publish on **July 28th**, **August 4th** and **August 11th**. The Official Map amendment requires a Class 2 notice to be published, and in this case, the Official Map notification will be combined with all 3 notice publications.
- D. Serving notice on the abutting property owners has to occur at least 30 days prior to the date of the Council hearing, which means that service has to occur on or before **July 18th**.
- E. The public hearing on the Official Map amendment will be held on **August 18th**.
- F. Final Council action on the Official Map amendment and the vacation could occur on or after **September 15th**.

In closing, the Commission unanimously recommended that the Council instruct the Clerk to call for public hearing and to publish notices on July 28th, August 4th and August 11th, and further recommended final approval of the vacation and amendment to the Official Map on September 15th.

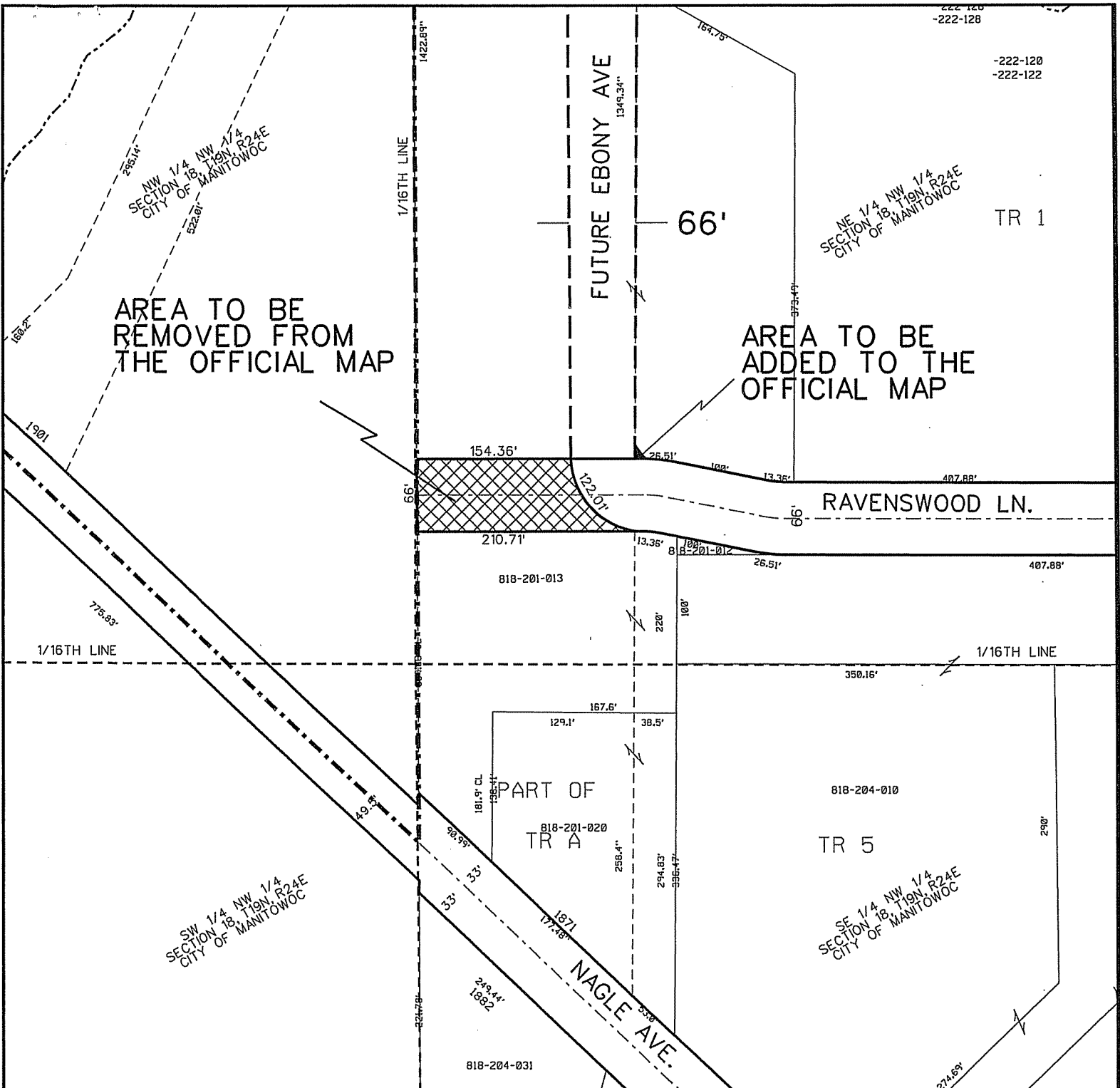
Respectfully Submitted,

A handwritten signature in black ink, appearing to read "David Less". The signature is stylized and somewhat cursive, with a large initial "D" and "L".

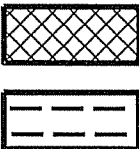
David Less
City Planner

Attachments

Re: Granicus #14-1064
Granicus #14-1065
Granicus #14-1173

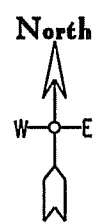


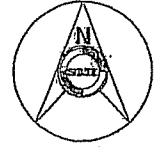
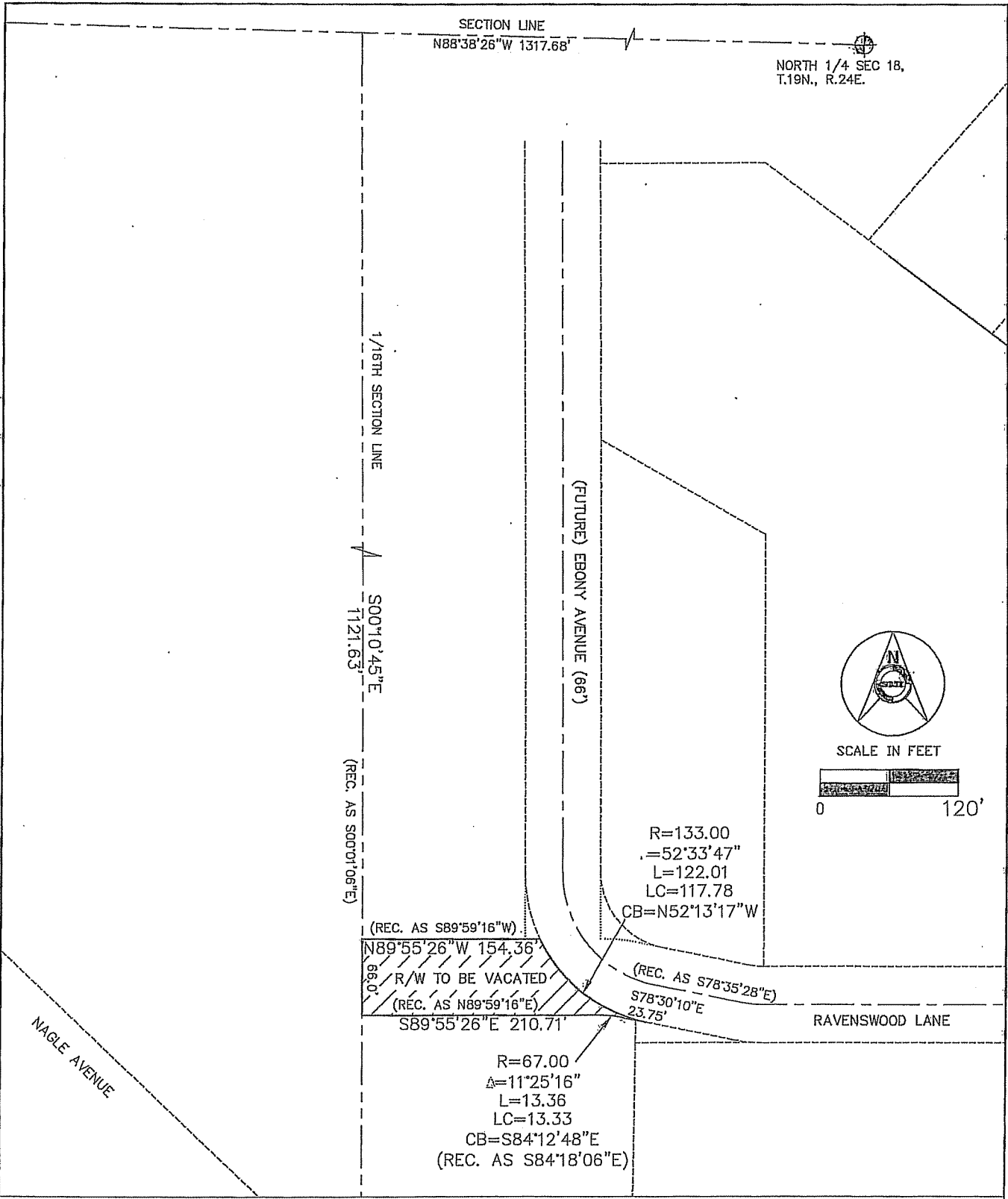
**PROPOSED STREET VACATION
& CHANGE TO THE OFFICIAL MAP
CITY OF MANITOWOC, WI**



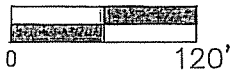
AREA TO BE VACATED AND
REMOVED FROM THE OFFICIAL MAP

EXISTING OFFICIAL MAP STREET





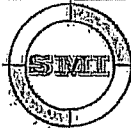
SCALE IN FEET



RAVENSWOOD LANE R/W VACATION

EXHIBIT A

CLIENT: ABBEY RIDGE, LLC
 ADDRESS: 1871 NAGLE AVENUE
 MANITOWOC WI 54220
 920-901-2451
 DATE: 5/12/14 JOB NO.: 13215CS



SMI
 CIVIL AND STRUCTURAL ENGINEERS
 102 REVERE DRIVE
 MANITOWOC, WISCONSIN 54220-3147
 PHONE 920-684-5583 FAX 920-684-5584