

Report to the Manitowoc Plan Commission

Meeting Date: October 28, 2020

Request: PC 30-2020: Johnston Drive – City Initiated Street Vacation under §66.1003(2) and Official Map Amendment under §62.23(6)

Surrounding Property Land Uses and Zoning

Direction	Existing Land Use	Existing Zoning
North, East	Residential, Business, Office	R-3 Single Family, B-3 General Business
South	Undeveloped	B-2 Neighborhood Business
West	Residential, Undeveloped	R-5 Low Density Multiple Family Residential, B-3 General Business

Comprehensive Plan: The proposed Street Vacation and Official Map Amendment are consistent with the Comprehensive Plan and the concept plans submitted by the developer.

Report: The Street Vacation and Official Map Amendment are being initiated by the City of Manitowoc as part of the redevelopment project on the former Elks Golf Course property. The portion of Johnston Drive being vacated is no longer needed due to the construction of Bay Shore Drive and Bay Pointe Drive. The area being vacated and removed the official map are in-line with the overall concept plan for the redevelopment of the former golf course.

The area to be vacated is approximately 520’ in length and runs from the new Bayshore Drive to the new Bay Pointe Drive right of ways. All utilities have been relocated out of the area to be vacated with the exception of Central Brown County Water Authority’s water line and a NSight fiber optic line; separate easement documents have been executed for the two utilities that will remain in the former right-of-way. In the future the area could be used for off-street parking to support the redevelopment of the adjacent property.

Pursuant to §66.1005 *“Reversion of Title (1) When any highway or public ground acquired or held for highway purposes is discontinued, the land where the highway or public ground is located shall belong to the owner or owners of the adjoining lands. If the highway or public ground is located between the lands of different owners, it shall be annexed to the lots to which it originally belonged if that can be ascertained. If the lots to which the land originally belonged cannot be ascertained, the land shall be equally divided between the owners of the lands on each side of the highway or public ground.”* In this case the area of Johnston Drive being vacated will revert back to Bay Pointe Developers LLC and Bay Pointe Developers II LLC.

Public Comments For the Official Map Amendment, notices were mailed out to property owners directly affected by the amendment on October 21st and no comments were received at the time this report written. Only 3 property owners would need to be notified Bay Pointe Developers LLC, Bay Pointe Developers II LLC and Baycare health Systems LLC.

Timeline

- September 21 Council Meeting the vacation resolution was introduced at Council per statute.
- Notice of Lis Pendens was recorded at the Register of Deeds on September 22

Recommendation: The Plan Commission recommends i) approval of the Street Vacation and Amendment to the Official Map and ii) instruct the City Clerk to schedule the necessary public hearings for the November 16th Council meeting.



SMI

CIVIL AND STRUCTURAL ENGINEERS
102 REVERE DRIVE
MANITOWOC WI 54220-3147
PHONE 920-684-5583 • FAX 920-684-5584
WEB SITE: www.smimanitowoc.com

September 8, 2020

JOHNSTON DRIVE VACATION

A tract of land located in Lots D and E of the Subdivision of the SE $\frac{1}{4}$ of Section 17, T.19N., R.24E., and in Government Lot 4, Section 16, T.19N., R.24E., City of Manitowoc, Manitowoc County, Wisconsin described as follows:

Commencing at the Southeast corner of said Section 17, thence N00°04'40"W along the section line 429.73 feet (300.13 feet from the meander corner) to the northerly right of way of Bay Pointe Road, the point of real beginning, thence N52°21'03"W along said right of way 42.48 feet, to the existing west right of way of Johnston Drive, thence N00°04'05"W along said right of way 431.63 feet to the easterly right of way of Bayshore Drive, thence N37°42'12"E along said right of way 37.07 feet to the point of curvature of a 240 foot radius right of way curve to the left, thence northeasterly along the arc of said right of way curve 100.14 feet (chord N25°44'59"E 99.42 feet) to the easterly right of way of Johnston Drive, thence S00°04'05"E along said right of way 601.48 feet to said northerly right of way of Bay Pointe Road, thence N52°21'03"W along said right of way 40.96 feet to the point of real beginning.

Said tract contains 0.77 acres (33,367 square feet)

ESTABLISHED IN 1947

LOT 2
EXIST CSM
VOL 34, PG. 132

BAYSHORE DRIVE (80')

R=240.00'
Δ=23°54'26"
L=100.14'
LC=99.42'
CB=N25°44'59"E

N37°42'24"E
37.07'

JOHNSTON DRIVE (66')

BAY POINTE DEVELOPERS, LLC

LOT D

LOT 3
EXIST CSM
VOL 34, PG. 131

GOV'T LOT 4
SEC 16
T19N, R24E

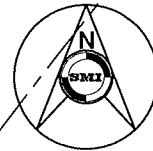
BAY POINTE DEVELOPERS II, LLC

LOT E

SECTION LINE AND
CENTERLINE ARE
NOT THE SAME

VACATED R/W
0.77 ACRES
33,367 SQ. FT.

BAY POINTE ROAD (66')



SCALE IN FEET



MEMORIAL DRIVE

EXHIBIT A - JOHNSTON DRIVE VACATION

LOT 1
EXIST CSM
VOL 34, PG. 131

MEANDER COR
N307554.63
E238285.23
2" IP W/ CAP

SE COR SEC 17
N307425.03
E238285.41

N52°21'03"W
42.48'

N52°21'03"W
40.96'

N00°04'50"W
431.63'

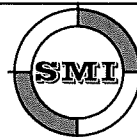
S00°04'05"E
601.48'

N00°04'40"W
300.13'

N00°04'40"W
129.60'

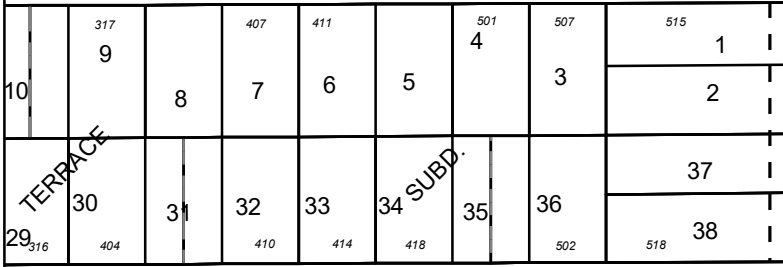
429.73'

CLIENT: BAY POINTE DEVELOPERS II, LLC
ADDRESS: 100 MARITIME DRIVE
MANITOWOC WI 54220
920-684-1545
DATE: 9/3/20 JOB NO.: 17349MS
CAD - 17349_JOHNSTON



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E. REED AVE.



E. PARK VIEW LN.

Area To Be Removed From The Official Map

Street Vacation and Area To Be Removed From The Official Map

Area To Be Removed From The Official Map

Area To Be Removed From The Official Map

Area To Be Removed From The Official Map

CITY OF MANITOWOC

JOHNSTON DR.

BAYSHORE DR.

BAY POINTE RD.

MEMORIAL DR.

SE 1/4 SEC 17, T19N, R24E

SW 1/4 SEC 16, T19N, R24E

Lake Michigan



Street Vacation of Johnston Drive
and Change to the Official Map
City of Manitowoc

0 75 150 300

Feet

Legend

- Area To Be Removed From The Official Map
- Street Vacation & Area To Be Removed From The Official Map

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: 01/16/2019

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PC 30-2020

E. REED AVE.

E. PARK VIEW LN.

Area To Be Removed From The Official Map

Proposed Street Vacation and Area To Be Removed From The Official Map

Area To Be Removed From The Official Map

Area To Be Removed From The Official Map

Area To Be Removed From The Official Map

SE 1/4 SEC 17, T19N, R24E

SW 1/4 SEC 16, T19N, R24E

CITY OF MANITOWOC

JOHNSTON DR.

BAYSHORE DR.

BAYPONTER DR.

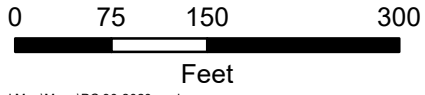
MEMORIAL DR.



Street Vacation of Johnston Drive and Change to the Official Map City of Manitowoc

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Community Development Department
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Map Plotted: 01/16/2019



Legend

- Area To Be Removed From The Official Map
- Street Vacation & Area To Be Removed From The Official Map