

## Report to the Manitowoc Plan Commission

**Meeting Date:** May 26, 2021

**Request:** PC 16-2021: Manitowoc Public Utilities (MPU); Petition for Direct Annexation, 5624 Custer Street

**Existing Land Use for Subject Property:** Undeveloped

**Existing Zoning for Subject Property:** County Zoning "RR" Rural Residential

### Surrounding Property Land Uses and Zoning

Direction	Existing Land Use	Existing Zoning
North	Interstate 43 and Agricultural	NA, Natural Agricultural – County
East & South	Residential	RR, Rural Residential - County
West	Utility	I-2, Heavy Industrial

**Comprehensive Plan:** The subject property is shown as "Single Family Residential Exurban". This land use category is intended to facilitate single-family detached residences not served by City services.

#### Consistency Analysis

The land use category shown on the Plan is likely tied to the property being located outside of the City versus being intended for a future use as residential. The property has been owned by the applicant since 1999 and likely should have been shown consistent with the adjacent property also owned by the applicant. The adjacent property is shown as "Institutional and Community Facilities". This land use category is intended to facilitate large-scale public buildings, schools, religious institutions, power plants and substations, hospitals, airports, and special care facilities.

**Report:** On April 27, 2021, MPU, submitted a petition to the City for direct annexation (Unanimous Consent Annexation) for their property at 5624 Custer Street from the Town of Manitowoc Rapids (Tax Parcel # 010-027-013-005.00). The Property is 1.86 acres with 302' of frontage along West Custer Street.

Since the subject property is currently owned by MPU the property is tax exempt. Pursuant to Statute the City must pay the Town the lost taxes for the next 5 years unless there is a boundary agreement between the Town and the City. With the tax exempt status the total payment to the Town for the 5 years is \$0.

Unanimous or Direct annexations are governed by § 66.0217(2) which require that 100% of all land owners sign an annexation petition. The petition submitted is signed by all the property owners in the annexation area.

The subject area has a population of zero and there are zero residents at the property.

Currently, the property is zoned "RR" Rural Residential under the County zoning ordinance; the proposed City zoning designation is I-2, Heavy Industrial. The I-2 zoning is consistent with the abutting property owned by the applicant that is in the City.

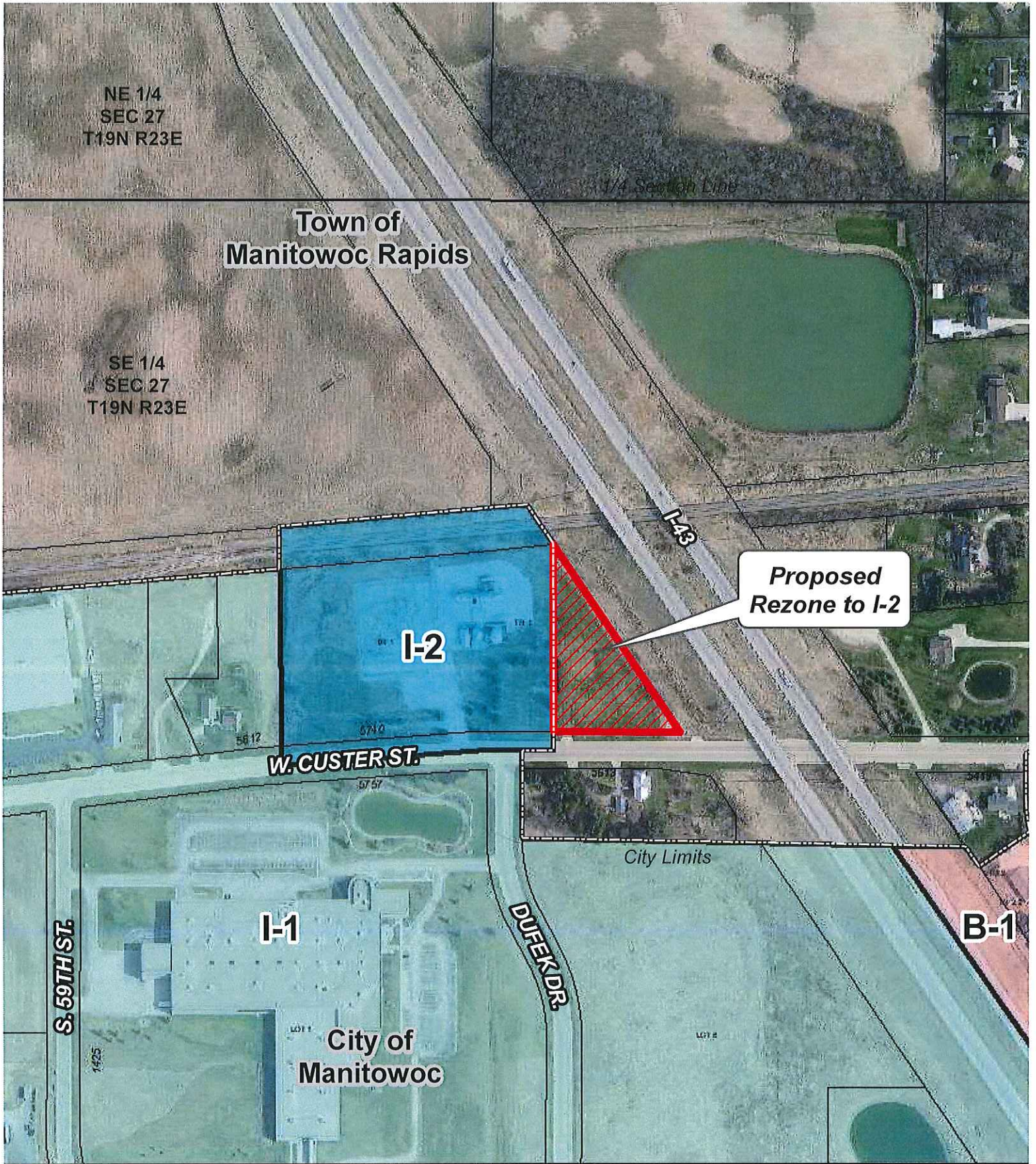
Prior to Common Council adoption of the ordinance the Department of Administration – Municipal Boundary Review shall have 20 days to review the annexation petition to determine if the annexation is in the public's best interest. The Boundary Review letter was received on November 22nd and the State has determined the annexation is in the public interest.

The Common Council must adopt the annexation ordinance by 2/3 majority vote.

#### Timeline

- Application Received: April 27, 2021
- Planning Commission Recommendation: May 26, 2021
- Council Review of the Recommendation: June 21, 2021

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



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

PC 16-2021  
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: 5/17/2021

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**Legend**

 **Proposed Rezone**



## MANITOWOC PUBLIC UTILITIES

1303 South 8<sup>th</sup> Street P.O. Box 1090 Manitowoc, WI 54221-1090 920-683-4600 FAX 920-686-4348 [www.mpu.org](http://www.mpu.org)

April 27, 2021

City of Manitowoc  
Community Development Department  
900 Quay St.  
Manitowoc, WI 54220

**RE: PETITION FOR DIRECT ANNEXATION – 5624 CUSTER ST.:**

Manitowoc Public Utilities (MPU) is requesting the annexation of an MPU owned parcel to the City of Manitowoc. The parcel is located at 5624 Custer Street and the current parcel number of the property is 01002701300500. The parcel was purchased by MPU in 1999 and has remained part of the Town of Manitowoc Rapids since then. It abuts another parcel that is owned by MPU that currently has an electrical substation and a combustion turbine on the property. The abutting MPU parcel has already been annexed to the City of Manitowoc. The \$350 Request for Annexation fee is enclosed as well as a copy of the Petition for Direct Annexation and drawings of the property.

Sincerely,

A handwritten signature in black ink that reads "Becky Olson". The signature is written in a cursive, flowing style.

Becky Olson  
Engineering Technician

Enclosure

## PETITION FOR DIRECT ANNEXATION

1. The purpose of this petition is to request, pursuant to Wisconsin Statute Section 66.0217(2), direct annexation to the City of Manitowoc and detachment from the Town of Manitowoc Rapids of the following described real estate:

### 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)

2. A scaled map of the above described property showing its boundaries and its current relationship to the City of Manitowoc and the Town of Manitowoc Rapids is attached hereto.

3. The current population of the above described property in accordance with the definition given in Wisconsin Statute Section 66.0217(5)(a) is 0.

4. The undersigned, representing all of the electors residing in the above described property and the owners of all the real property located therein, hereby petition for the direct annexation to the City of Manitowoc of the above described property.

Dated this 20<sup>th</sup> day of May, 2021.

### ANNEXATION AREA

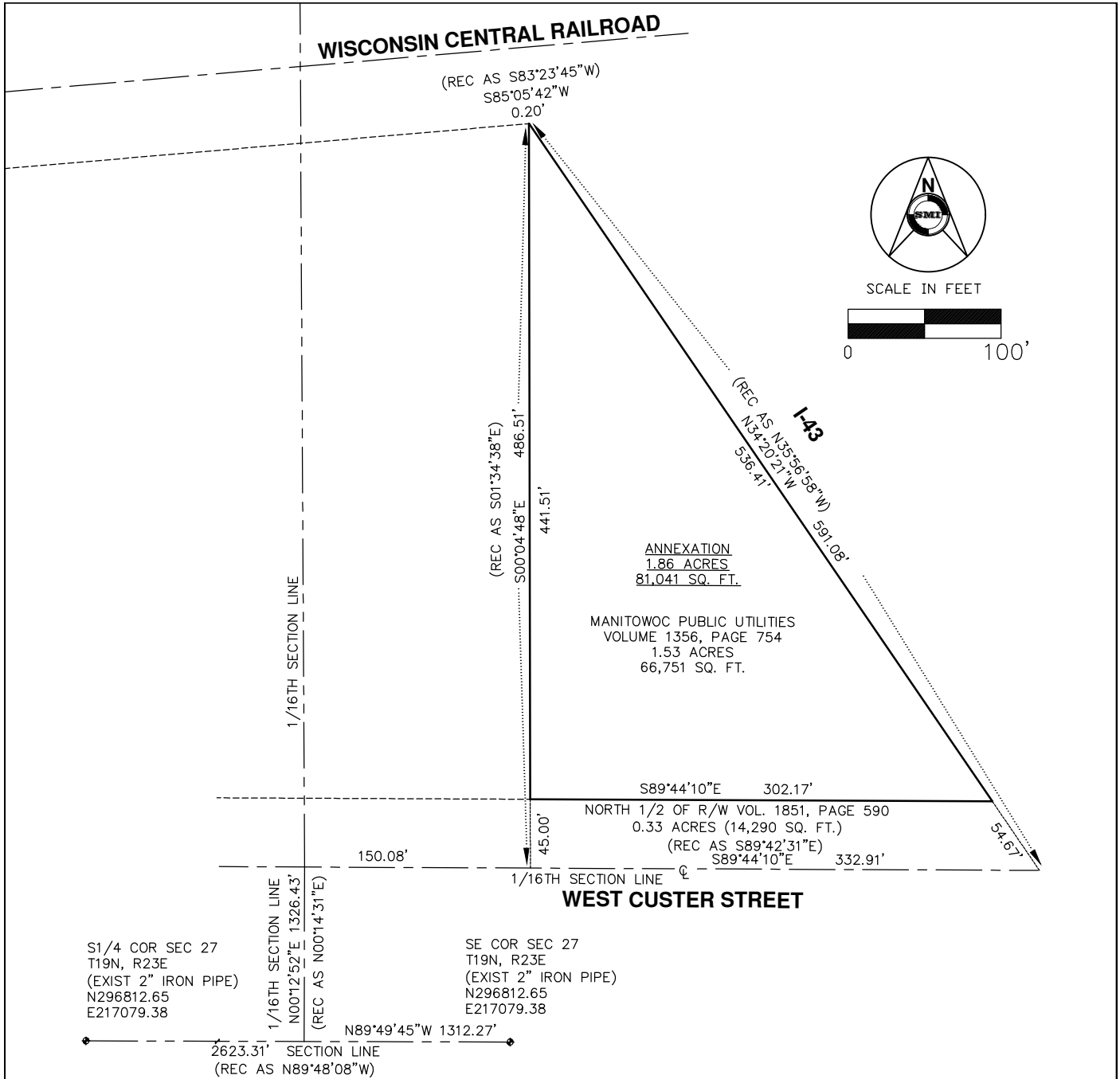
**NAME:**



Troy Adams, P.E. – General Manager  
Manitowoc Public Utilities

**ADDRESS:**

5624 Custer St. Manitowoc



SCALE IN FEET



**ANNEXATION DESCRIPTION**

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Said tract contains 1.86 acres (81,041 Square feet)

**ANNEXATION - MANITOWOC PUBLIC UTILITIES, CITY OF MANITOWOC**

CLIENT: MANITOWOC PUBLIC UTILITIES  
ADDRESS: PO BOX 1090  
MANITOWOC WI 54221-1090  
920-686-4900  
DATE: 4/7/21 JOB NO.: 21143AL  
REVISED 4/8/21, 5/20/21



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



NW 1/4  
SE 1/4  
SEC 27,  
T19N, R23E

NE 1/4  
SE 1/4  
SEC 27,  
T19N, R23E

ANNEXATION AREA

I-43

TOWN OF  
MANITOWOC RAPIDS

1/16 SECTION LINE

5812

5740

1/16 SECTION LINE

W. CUSTER ST.

5613

5757

MANITOWOC CITY LIMITS

DUFEEK  
DR.

CITY OF MANITOWOC

0 50 100 200  
Feet

