



CONSENT

20-1230

Standing Committee: Public Infrastructure Committee

Document Name: Report of Board of Public Works of 12/9/20 of request for placement of balcony encroaching City right-of-way at 812/814 S 8th St.,

Action:

- Place on File - No Council action needed
- Refer to:
- Refer to Council Consent Non-Consent

Committee Recommendation:

Recommending to approve the request with the property owner to work with the City Attorney to enter into a Sidewalk Privilege Agreement.

Attest:

Chair – Alderperson Jeremiah Novak

Date

Vice-Chair – Alderperson Courtney Hansen

Alderperson Jim Brey

Alderperson Brett Vanderkin

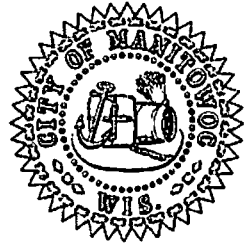
Alderperson John Brunner

Approved:

Justin M. Nickels
Mayor

Date

CITY OF MANITOWOC
 WISCONSIN, USA
 www.manitowoc.org



December 10, 2020

TO: Mayor and Common Council
FROM: Board of Public Works
SUBJECT: Request for placement of balcony encroaching City right-of-way at 812/814 S. 8th St.

Dear Mayor and Common Council:

At the December 9, 2020 Board of Public Works meeting, the Board met to review request for placement of balcony encroaching in City Right-of-way at 812/814 S. 8th St.

"Director of Public Infrastructure Dan Koski indicated that City staff has no issue with the proposed balcony so long as it is on the north side of the building, and indicated that the property owner should work with the City Attorney's office for a Sidewalk Privilege Agreement. The property owner was also informed they would need to provide a legal description from a land surveyor for this property."

"Moved by Alderperson John Brunner, seconded by Director of Public Infrastructure Dan Koski, and unanimously carried to approve the request with the property owner to work with the City Attorney to enter into a Sidewalk Privilege Agreement. Ayes, 7 . Nays, none."

Very Truly Yours,

DEBORAH NEUSER
 Secretary Board of Public Works

December 10, 2020

Deborah Neuser, CMC, City Clerk
CITY HALL · 900 Quay Street · Manitowoc, WI 54220-4543
Phone (920) 686-6950 · Fax (920) 686-6959 · dneuser@manitowoc.org

Deborah Neuser

From: Sonja Birr
Sent: Thursday, December 3, 2020 4:33 PM
To: Deborah Neuser; Mackenzie Reed-Kadow
Subject: FW: Balcony at 812/814 S 8th street
Attachments: Balcony S1-2 - SECOND FLOOR FRAMING PLAN.pdf; Balcony S0-1 - DESIGN CRITERIA.pdf

Deborah,

Please put this on the BPW's agenda for the meeting on December 9th.

Thank you!

From: Scott Retzak [mailto:sretzak@yahoo.com]
Sent: Thursday, December 3, 2020 4:32 PM
To: Sonja Birr
Subject: Balcony at 812/814 S 8th street

Sonja

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Note: Upper floor address is 812. main floor address is 814

The balcony would sit as a "table" on grade below. The size of the balcony is 5' x 17'.

We request permission from the city to build the balcony as per the attached plan.

Very respectfully,
Scott Retzak

Municipality: 251 - CITY OF MANITOWOC

Active

Parcel No: 000218060

Created: 1/23/2019 8:18:11 AM

Created By: Parcel Split

School: 3290 - SCHOOL DISTRICT OF MANITOWOC

Special Districts

Owners

Name	Interest
▶ COFFEY ENTERPRISES LLC	

Type	District
▶ Special District	019 - TIF 019

Addresses

Owner... COFFEY ENTERPRISES LLC
916 JACKSON ST
MANITOWOC WI 54220

Physical Location

Sect	Town/Range	Name	Verified
▶ 29	T19N, R24E	SW-NW	<input checked="" type="checkbox"/>

Site... 812 SOUTH 8TH ST
MANITOWOC, WI 54220

Tax Parcel Description

PARK RIVER CONDOMINIUM UNIT U (20% BASEMENT-40% LAND) & ATTACHED GARAGE & ELEVATOR, BEING PARTS OF LOT 6 & THE SOUTH 0.2' OF LOT 7 OF SUBD OF LOTS 1 & 2 BLK 218 AS DESCRIBED IN V711 P547 DOC#588963

Government Owned

Total Acres: 0.0230

MFL/PFC Acres: 0.000

Notes Status Addresses Other Districts Assessments Taxes MFL/PFC History Documents Survey History Attachments Farmland Preservation

Note	Date	By	Visibility	Alert	Locked
▶ Created 1/23/2019; TO CORRECT LEGAL OF CONDO DECLARATION...	1/23/2019	EDP/ericks...	Public	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Flag
 Flag
 Flag
Last Upd
... 9/2
ED

Deborah Neuser

From: Deborah Neuser
Sent: Tuesday, December 8, 2020 12:46 PM
To: Greg Minikel; Dan Koski; Deborah Neuser; James Brey - D4; Kathleen McDaniel; Steve Corbeille; Shawn Alfred; Justin Nickels (jnickels@manitowoc.org); John Brunner; Brett Vanderkin
Subject: FW: Balcony at 812/814 S 8th street

Greg's recommendation
Deborah

From: Greg Minikel <gminikel@manitowoc.org>
Sent: Monday, December 7, 2020 9:22 AM
To: Nicholas Mueller <nmueller@manitowoc.org>; Rick Schwarz <rschwarz@manitowoc.org>; Todd Blaser <tblaser@manitowoc.org>; Dan Koski <dkoski@manitowoc.org>
Cc: Adam Tegen <ategen@manitowoc.org>; Sonja Birr <sbirr@manitowoc.org>; Deborah Neuser <dneuser@manitowoc.org>; Mackenzie Reed-Kadow <mreedkadow@manitowoc.org>; Mike Zimmer <mzimmer@manitowoc.org>
Subject: RE: Balcony at 812/814 S 8th street

We were not clear on the location of the balcony.

If the balcony is on the north side of the building along the river, then I do not think that we have an issue.

However, this area is actually Mariners Landing Park, so it is not ROW, but is City owned land.

I guess we could still ask the BPW's to approve a Sidewalk Privilege Agreement (SPA). There should be some type of an agreement.

The SPA will require Scott Retzak to hire a registered land surveyor (RLS) to provide a legal description and map showing the exact location of the encroachment.

If approved, the BPW's will refer this to the Attorney's Office for drafting the SPA document and then the Council will have to act on the SPA. Not sure if this would be fully executed in December.

From: Nicholas Mueller
Sent: Monday, December 7, 2020 7:02 AM
To: Greg Minikel; Rick Schwarz; Todd Blaser; Dan Koski
Cc: Adam Tegen; Sonja Birr; Deborah Neuser; Mackenzie Reed-Kadow
Subject: RE: Balcony at 812/814 S 8th street

All:

Back in the saddle and Covidless...

When I spoke with Scott Retzak about this, it was an idea that he had and it was focused on the north elevation, not at the east elevation. The north elevation is largely without obstruction, as it is an open paved area and a grass hill that goes down to the river sidewalk elevation.

I told Scott that he should put something together and send it over for us to look at. I highly doubt he is intending to put a balcony on the east elevation, as these elevations were just through the façade grant program.

Should you have any questions, please do not hesitate to contact me.

Have a great day,
Nick

Nicholas J. Mueller LEED AP BD+C
City of Manitowoc Planner – Business & Housing Development
900 Quay Street, Manitowoc, WI 54220
(920) 686-6935 | nmueller@manitowoc.org



From: Greg Minikel
Sent: Friday, December 4, 2020 10:37 AM
To: Rick Schwarz; Todd Blaser; Dan Koski
Cc: Adam Tegen; Nicholas Mueller; Sonja Birr; Deborah Neuser; Mackenzie Reed-Kadow
Subject: FW: Balcony at 812/814 S 8th street

Have you guys seen this or approved this??

They would need a sidewalk privilege agreement for the ROW Encroachment and that is what Deborah is writing me about.

Mike and I just went to look at this and there is no way that I am going to recommend this for approval.

The sidewalk total width is only 10.5 feet from the face of building to the back of the curb.

There is a planter that will be in the way and also a tree and tree grate in the way to prevent going out and around the new columns. Are we going to remove one of the brand new planters and trees??

I believe that the only way this could be approved is if the new tree and planter are removed.

The columns are shown to be at 4 ft. on centers and are 1'-4" wide. That means the clearance between the 2 columns will only be 32 inches wide which is not an ADA complaint width. I thought that 40 inches was the bare minimum width with 48 inches preferred.

I do not know of any other locations on 8th St. or Washington St. that have columns like this in the heart of the sidewalk. The column that is to be located at 5 ft. from the face of building would be directly in the center of the mainline sidewalk.

There may be some 2-4" diameter steel posts supporting a canopy (such as the old Tony's on Washington St.). In this case the posts are very close to the back of curb. I think Harborside has a canopy with steel posts near the curb as well.

From: Deborah Neuser
Sent: Friday, December 4, 2020 7:47 AM
To: Sonja Birr; Greg Minikel
Cc: Mackenzie Reed-Kadow
Subject: RE: Balcony at 812/814 S 8th street

Greg – Will you be providing a Memo to BPW as to this matter as well as your recommendation? It's my understanding the reason for this matter going to BPW is the balcony would be encroaching on City right of way.

Sonja – the attachments are too small to read.

Deborah

From: Sonja Birr <sbirr@manitowoc.org>
Sent: Thursday, December 3, 2020 4:33 PM
To: Deborah Neuser <dneuser@manitowoc.org>; Mackenzie Reed-Kadow <mreedkadow@manitowoc.org>
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Deborah,

Please put this on the BPW's agenda for the meeting on December 9th.

Thank you!

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From: Deborah Neuser
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To: Greg Minikel; Dan Koski; Deborah Neuser; James Brey - D4; Kathleen McDaniel; Steve Corbeille; Shawn Alfred; Justin Nickels (jnickels@manitowoc.org); John Brunner; Brett Vanderkin
Subject: FW: Balcony at 812 S 8th Street
Attachments: Balcony S0.1.pdf; Balcony S1-1 - IDENTIFICATION OF WORK.pdf; Balcony S1-2 - SECOND FLOOR FRAMING PLAN.pdf

Attached is updated information regarding the balcony at 812 S. 8th Street for Board of Public Works meeting tomorrow.
Deborah

From: Sonja Birr <sbirr@manitowoc.org>
Sent: Tuesday, December 8, 2020 12:08 PM
To: Deborah Neuser <dneuser@manitowoc.org>; Mackenzie Reed-Kadow <mreedkadow@manitowoc.org>
Cc: Greg Minikel <gminikel@manitowoc.org>; Dan Koski <dkoski@manitowoc.org>
Subject: FW: Balcony at 812 S 8th Street

To All,

I received an attachment regarding the balcony request. I responded back to Scott and informed him of the time and location of the meeting tomorrow.

Thank you!

From: Scott Retzak [<mailto:sretzak@yahoo.com>]
Sent: Tuesday, December 8, 2020 6:34 AM
To: Sonja Birr
Subject: Balcony at 812 S 8th Street

Sonja

Thank you, BTW, for your help on this project. There is one new blueprint sheet I had made up. It shows the overall project overview. See sheet S1.1 below. It will help visualize the finished product.

When is the meeting being held tomorrow? Should I, May I attend? Is this the CDA??

Again, thank you for your help.

Scott Retzak
619-954-9452

Deborah Neuser

From: Greg Minikel
Sent: Friday, December 4, 2020 10:37 AM
To: Rick Schwarz; Todd Blaser; Dan Koski
Cc: Adam Tegen; Nicholas Mueller; Sonja Birr; Deborah Neuser; Mackenzie Reed-Kadow
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Attachments: Blacony S0-1 - DESIGN CRITERIA.pdf; Balcony S1-2 - SECOND FLOOR FRAMING PLAN.pdf; IMG_2432.JPG; IMG_2428.JPG; IMG_2430.JPG

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To: Greg Minikel; Rick Schwarz; Todd Blaser; Dan Koski
Cc: Adam Tegen; Sonja Birr; Deborah Neuser; Mackenzie Reed-Kadow; Mike Zimmer; Justin Nickels; Bill Jindra; Curtis Hall
Subject: RE: Balcony at 812/814 S 8th street

All:

I'd like to add another small piece to this for future consideration. I did also mention the following to Scott Retzak when I spoke with him, and he seemed to be understanding / cooperative.

We have for a long time had inquiries for a public restroom downtown and have struggled to find a location that would have minimal cost and be at an appropriate location centrally. I met with Bill Jindra sometime ago and asked about the feasibility of taking plumbing / wastewater services from the bridge tender house and putting a single hole, ada accessible unisex public toilet at lower walk grade level at the location in question. It seemed that the services of the bridge house would work to tap into should a restroom be able to be constructed there. This is in the exact location Retzak is requesting to put his balcony.

I bring this up now so that if we have some alignment that this would be a good idea at far less cost than a stand-alone structure elsewhere downtown, that we make sure Retzak's plans accommodate for this. He will likely have to drive pile to get the balcony supported. What might be a good compromise is that we allow Retzak to place his supports for the balcony there, but design it in such a way that we may also utilize those structural supports for the restroom. We'd call it a win win potentially and even further minimize the cost for the restroom.

Please let me know your thoughts / if there's interest in this.

Have a wonderful day,
Nick

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A handwritten signature in black ink, appearing to be 'N. Mueller', with the word 'MANITOWOC' written in a smaller font below it.

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MANITOWOC

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