

## Report to the Manitowoc Plan Commission

**Meeting Date:** July 25, 2018

**Report Print Date:** 7/20/2018 3:04 PM

**Request:** PC 25-2018: Gerald Runnoe Request to Purchase City Owned Property Located between Michigan Avenue and Spring Street. Parcel # 181-001-041

**Existing Land Use for Subject Property:** Vacant City-owned property

**Existing Zoning for Subject Property:** R-4 Single and Two Family

### Surrounding Property Land Uses and Zoning

Direction	Existing Land Use	Existing Zoning
North, West & East	Residential	R-4 Single and Two Family
South	Transloading / industrial	I-2 Heavy Industrial

**Report:** Gerald Runnoe, 844 N. 14<sup>th</sup> Street, is interested in acquiring some property owned by the City of Manitowoc (parcel # 181-001-041) which lies between Michigan Avenue and Spring Street. Mr. Runnoe would like to construct a private garage to store his personal belongings. He would like to purchase the lower 2/3's of the property because he has no way of maintaining the sidewalk shoveling and grass cutting along Michigan Avenue. Currently the City maintains the sidewalk and grass along Michigan Avenue. Chad Scheinoha from the Department of Public Infrastructure stated that his crew maintains the sidewalk and grass and has no objections to getting rid of the property.

Case History See attachments regarding prior Plan Commission actions from 2006.

In 2006 the Plan Commission recommended selling the land to Mr. Runnoe but due to the reconstruction of Spring Street and potential Street Assessments Mr. Runnoe did not purchase the property at that time.

Site Assessment : The parcel is 0.7 acres, with 266.75' of frontage along Michigan Ave. and 166.1' of frontage along Spring Street. The property is also located in an Erosional Hazard Area or steep slope area which means that if any soil disturbance occurs the Plan Commission would have to approve it. The elevation of the lot at Michigan Avenue is 650' and 606' at Spring Street.

The area is zoned R-4 Single and Two Family and if Mr. Runnoe would acquire the property he or the City would have to rezone it to a district that would allow for a garage to be constructed. The R-4 District does not allow garages to be built unless it is an accessory building to a residence. He would like to place his garage on a relatively level area off of Spring Street and has no need for the Michigan Avenue frontage.

If there is a request to rezone the property it could be zoned I-2 Heavy Industrial so it is consistent with the adjacent zoning to the south. To prevent any uses that would be allowed in the I-2 district prior to selling the property the City could place covenants on the land that would prevent any land uses that would be in conflict with the neighbors. The covenant could be structured to only a personal garage limited to a specific square footage prohibiting any business or other use not in harmony with the residences in the area.

**Recommendation:** The Community Development Department recommends selling the entirety of the property following the recommendations of the 2006 action of the Plan Commission. (see attachments for previous Plan Commission recommendation)

July 13, 2018



To: Manitowoc City Council / Planning Committee

From: Gerald Runnoe

Subject: City owned property – parcel 181-001-041

Due to the planned reconstruction of Spring Street in 2006 I decided not to pursue the purchase of city lot 181-001-041. I now have a renewed interest in a portion of that lot. I would like to purchase approximately the lower 2/3 of the lot adjacent to Spring Street. I have no way of maintaining the area adjacent to Michigan Ave so would not want to include that in the purchase. With this purchase I would like to build a garage for winter storage which would also create revenue for the city. I realize I would be responsible for the surveying of this project.

Thank you for your consideration in this matter.

Gerald Runnoe

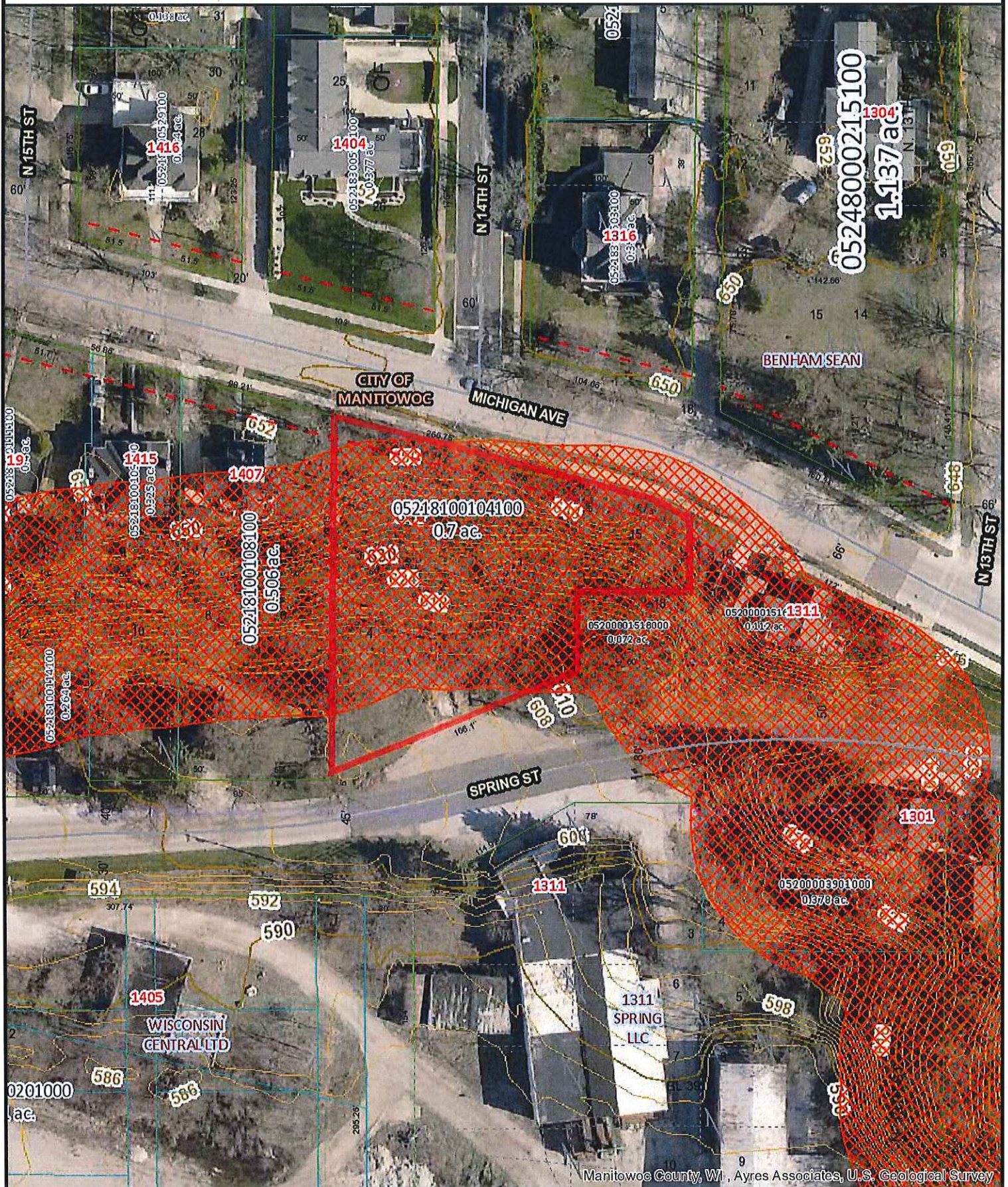
844 North 14<sup>th</sup> Steet

Manitowoc,Wi

920-684-1695



# Ruunoe



Author:  
Date Printed: 6/18/2018



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775

December 18, 2006

To: Mayor and Common Council

From: David Less, City Planner

Subject: PC41-2006: Runnoe; Expression of Interest in City-Owned Property (181-001-041) Between Michigan Avenue and Spring Street

Dear Mayor and Common Council:



OFFICE OF CITY PLANNING,  
CITY PLAN COMMISSION

At the regular December 13, 2006 meeting of the Manitowoc City Plan Commission, the Commission reviewed a request from Gerald Runnoe, to purchase a parcel of City-owned property (181-001-041). The City-owned property is located near the juncture of Spring Street and Michigan Avenue and is identified on the attached map.

After due consideration, the Commission recommended: (1) that the City-owned property be sold to Mr. Runnoe pursuant to §62.23(5) Wis. Stats.; (2) that the terms of sale and closing be based upon execution of a Vacant Land Offer to Purchase agreement, with consideration to be provided in the form of money or other benefits based upon a fair market valuation of the property and negotiation as determined by the City Assessor and City Attorney; (3) that the City Attorney prepare the applicable documents transferring title to the property; and (4) that the appropriate City officials be authorized to complete the transaction including execution of all required document.

The Commission further recommended that the property be sold on an "as is with all faults" basis, and that the transfer documents specify that the purchaser is not relying on any representations or warranties of any kind whatsoever, express or implied, from the City, its officers or agents, as to any matter concerning the property, including without limitation: (1) the quality, nature, adequacy and physical condition of the property; (2) the quality nature, adequacy, and physical condition of soils, geology and any groundwater; (3) the existence, quality, nature, adequacy and physical condition of utilities serving the property; (4) the development potential of the property for any particular purpose; (5) the zoning or other legal status of the property or any other public or private restrictions on use of the property; (6) the compliance of the property or its operation with any applicable codes, laws, regulations or statutes; and (7) the presence or removal of hazardous or toxic materials, substances or waste on, under or about the property or the adjoining or neighboring property.


David Less  
City Planner

CITY HALL  
900 Quay Street  
Manitowoc, WI 54220  
Phone: (920) 686-6930  
FAX: (920) 686-6939  
Email: dless@manitowoc.org



The Commission further notes that it has instructed the Director of Building Inspection to provide a cover letter to Mr. Runnoe with a copy of this report attached, advising the purchaser of zoning requirements necessary to construct a garage on the property, the estimated valuation of the property, and the potential reconstruction and assessments related to adjacent public rights-of-way. The City Attorney should not proceed with this matter until Mr. Runnoe's intention to purchase the property has been confirmed, with the above referenced Offer to Purchase to be accepted and executed by the parties on or before March 31, 2007, or this commitment to sell shall automatically expire effective April 1, 2007.

Respectfully Submitted,

  
David Less  
City Planner

Attachment

Re: Document #2006-589



Public Property  
Sept 10/2/06

589

RECEIVED  
SEP 18 2006  
CITY CLERK'S OFFICE

To: Manitowoc City Council

I may have a possible interest in part or all of some city owned property. The property is located between Michigan Ave. and Spring Street, across from Consumer Sted. There is an attached map of the area and location of the property.

If you would please send me a name and phone number of whom I could contact to get more information I would greatly appreciate it.

Thank You,

Harold Runnec

844 N 14th

Manitowoc, WI 54220

684-1695

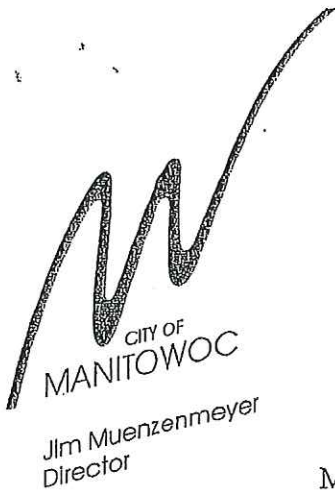
10/2/06 Committee recommends referral to Plan Commission

Paul R. Titt  
Just M. Hettel  
J. N. Brey

10.2.06

Copy: Planner  
9/18/06





RECEIVED

DEC 28 2006

CITY PLAN COMMISSION  
MANITOWOC, WI

December 26, 2006

Mr. Gerald Runnoe  
844 N. 14<sup>th</sup> Street  
Manitowoc, WI 54220

Re.: Purchasing City-owned property

Dear Mr. Runnoe,

Before you proceed any further on your plans to purchase the parcel of City-owned land between Michigan Avenue and Spring Street, (parcel 181-001-041), I need to inform you of the aspects of that piece of property. Because it is zoned R-4 Residential, a garage or other storage building can not be constructed by itself without a dwelling on that same piece of property.

The City is planning to reconstruct Spring Street in 2008 according to the current 5 Year Capital Improvement Plan. We have no official design or plans at this time, however, pursuant to standard policy, the abutting property owners will be assessed for the improvements. It is anticipated that the assessment rate will be in the vicinity of \$75 per lineal foot per side. The land in question has approximately 153 feet of abutting frontage. Therefore, the total assessment cost could be in the vicinity of \$11,475.

At some point in time, Michigan Avenue will also need to be reconstructed. However, it is not currently included in the City's 5 Year Capital Improvement Plan. The abutting property owner will also be responsible for the special assessment cost for that project as well.

The buyer will also be asked to sign a public works petition for Spring Street and Michigan Avenue.

If and when the City installs sidewalks on Spring Street, the abutting property will be responsible for snow removal from the public sidewalk pursuant to Section 7.21 of the Municipal Code. The property owner will also be responsible for the snow removal from the existing sidewalk on Michigan Avenue.



OFFICE OF DEPARTMENT  
OF BUILDING INSPECTION,  
FACILITIES MANAGEMENT



Since this property is within 200 feet of other residential property, the property owner will also be responsible for cutting grass/weeds on the entire property in compliance with Section 13.05 of the Municipal Code and State Statutes.

If you have any comments or questions please contact me at 920-686-6921.

Sincerely,

A handwritten signature in dark ink, appearing to read "Jim Muenzenmeyer".

Jim Muenzenmeyer  
Director of Building Inspection

Cc: David Less, City Planner ✓  
Jim Wyss, City Attorney  
Greg Minikel, Interim Director of Public Works