

*****ATTACHMENTS*****



CITY OF SHEBOYGAN

REQUEST FOR PLANNING COMMISSION CONSIDERATION

ITEM DESCRIPTION: Conditional Use and variance application by PJR Properties, LLC to create two (2) parcels of property at the north side Piggly Wiggly property located at 2905 N. 15th Street. UC Zone

REPORT PREPARED BY: Steve Sokolowski, Manager of Planning and Zoning

REPORT DATE: November 9, 2018

MEETING DATE: November 13, 2018

FISCAL SUMMARY:

Budget Line Item: N/A
Budget Summary: N/A
Budgeted Expenditure: N/A
Budgeted Revenue: N/A

STATUTORY REFERENCE:

Wisconsin Statutes: N/A
Municipal Code: N/A

BACKGROUND / ANALYSIS:

PJR Properties, LLC is proposing to create two (2) parcels of property at the north side Piggly Wiggly property located at 2905 N. 15th Street. The applicant states the following:

- The applicant is proposing to create two (2) parcels – one for the Piggly Wiggly Mall and one for the Pig Stop Convenience Store/Service Station.
- Lot 1 – is proposed to 6.4 acres and will include a majority of the property that includes the main Piggly Wiggly multi-tenant mall facility, parking lot, etc.
- Lot 2 – is 1.1 acres and will include the Pig Stop Convenience Store/Service Station.
- From a use perspective everything will remain as is and nothing is changing.

STAFF COMMENTS:

Presently, the proposed Certified Survey Map (CSM) does not show the parking lot, access drives, signage, etc. Staff understands that everything is to remain as is and there are no changes proposed to the parking lot, access drives, signage, etc. However, it appears that the new lots will be sharing parking, access, etc. In addition, it appears that the main pylon sign will now be located on the Pig Stop property and not on the Piggly Wiggly property – creating a nonconforming off-premise pylon sign.

In order to permit shared parking, access, signage, etc., the property owners will be required to come up with a shared parking/access/signage agreement. Staff would recommend that these shared agreements be included on the proposed CSM. The applicant should be aware, that the City will not sign the CSM until such times as these easement agreements are shown on the CSM.

Other issues that will need to be addressed prior to the City signing the CSM include:

- The Pig Stop owner has a number of different temporary sign located throughout the property that will need to be removed (hiring taxi drivers).
- The Pig Stop also has a dumpster that is located outside of its enclosure that needs to be located inside the enclosure.

The applicant is requesting the following variances:

- Requesting a variance to have a zero (0) foot sideyard paving setback along the new common property lines - The minimum side yard paving setback is five (5) feet.

A shared parking and access agreement will need to be shown on the proposed CSM.

- Requesting to locate the existing pylon sign on Lot 2 (the Pig Stop property) – Do not permit off-premise signage.

It appears that the main Piggly Wiggly and tenant pylon sign will now be on the Pig Stop lot. Again, an easement will be required to be shown permitting this sign to be located off-premise onto Lot 2.

- Requesting a variance to exceed the .5 footcandles at the common property lines – Maximum permitted .5 footcandles at the property line.

Based on the existing layout and lighting configuration it is likely that lighting at the common property lines may now exceed .5 footcandles..

ACTION REQUESTED:

Staff recommends approval of the conditional use permit, variances and certified survey map requests subject to the following conditions:

1. Applicant shall submit a Certified Survey Map (CSM) that meets the City of Sheboygan Subdivision Ordinance.
2. The proposed Certified Survey Map (CSM) shall show all shared agreements between proposed Lots 1 and 2 (parking, access, etc.).

3. Prior to the City signing the proposed CSM, the applicant will provide all shared agreements between proposed Lot 1 and Lot 2 (parking, access, signage, storm drainage, landscaping, utilities, etc.).
4. Prior to the City signing the proposed CSM, the applicant shall remove all temporary advertising signs from the properties.
5. Prior to the City signing the proposed CSM, the applicant shall place all dumpsters in the required dumpster enclosure.
6. If there are any amendments to the approved CSM, the applicant will be required to submit a new conditional use application reflecting those amendments.

ATTACHMENTS:

Conditional Use Permit Application and required attachments.

PARCEL NO. 59281719340

MAP NO. _____

ZONING CLASSIFICATION: UC

Office Use Only

APPLICATION/FILE NO. _____

REVIEW DATE: 11/13/18

FILING FEE: \$250.00 (Payable to City of Sheboygan)

**CITY OF SHEBOYGAN
APPLICATION FOR
CONDITIONAL USE PERMIT**

Requirements Per Section 15.905
Revised May 2012

Completed application is to be filed with the Department of City Development, 828 Center Avenue, Suite 104. To be placed on the agenda of the City Plan Commission, application must be filed two weeks prior to date of meeting. Applications will not be processed if all required attachments and filing fee of \$150 (payable to the City of Sheboygan) is not submitted along with a complete and legible application. Application filing fee is non-refundable.

1. APPLICANT INFORMATION

APPLICANT: PJR Properties, LLC - Mike Isken

ADDRESS: 2215 Union Ave, Sheboygan WI 53081 E-MAIL: misken@shopthepig.com

PHONE: (920) 980-1654 FAX NO. ()

2. DESCRIPTION OF THE SUBJECT SITE/PROPOSED PROJECT

NAME OF PROPOSED/EXISTING BUSINESS: Existing - Pig Stop and Piggly Wiggly

Pig Stop - 2917 N 15th St

ADDRESS OF PROPERTY AFFECTED: Piggly Wiggly - 2905 N 15th St

LEGAL DESCRIPTION: See attached proposed Certified Survey Map

BRIEF DESCRIPTION OF **EXISTING** OPERATION OR USE: _____

Gas Station & Multi-tenant Retail Building

DETAILED DESCRIPTION OF **PROPOSED** OPERATION OR USE INCLUDING ANY CHANGES TO THE EXISTING USE: No change

BRIEF DESCRIPTION OF ALL REQUESTED VARIANCES FROM PROVISIONS OF THE ZONING ORDINANCE, WHICH ARE RELATED TO THE PROPOSED OPERATION OR USE: To create a new lot line between proposed Lot 1 & Lot 2 of attached CSM

with 0' paving setback.

October 22, 2018

Project Narrative

Project: PJR Properties, LLC – Certified Survey Map
2905 & 2917 N 15th St
Sheboygan, WI



PJR Properties, LLC is requesting review of a two-lot Certified Survey Map, along with consideration of a variance to the paving setback as required by the zoning ordinance. The property Parcel No. is 59281719340 and the existing parcel is 7.517 acres. The parcel contains 2 existing buildings: gas station - Pig Stop at 2917 N 15th St and a multi-tenant retail building with Piggly Wiggly as the anchor at 2905 N 15th St. The parcel is zoned UC-Urban Commercial. The purpose of the Certified Survey Map is to create individual lots for the gas station and for the multi-tenant retail building. No new improvements are planned for the subject property at this time.

As a part of this submittal, PJR Properties, LLC is requesting a variance to Zoning Ordinance Section 15.105 (3) (e) 4b, for the minimum paved surface setback of 5'. The request is for a 0' paving setback to accommodate the existing pavement conditions. The existing asphalt paving located along the new lot line between the proposed Lot 1 and Lot 2 has a 0' setback. There will be no change to the existing use and all pavement is existing. No new paving or improvements are planned on the property. If necessary, cross access and cross parking easements will be provided by the property owners.

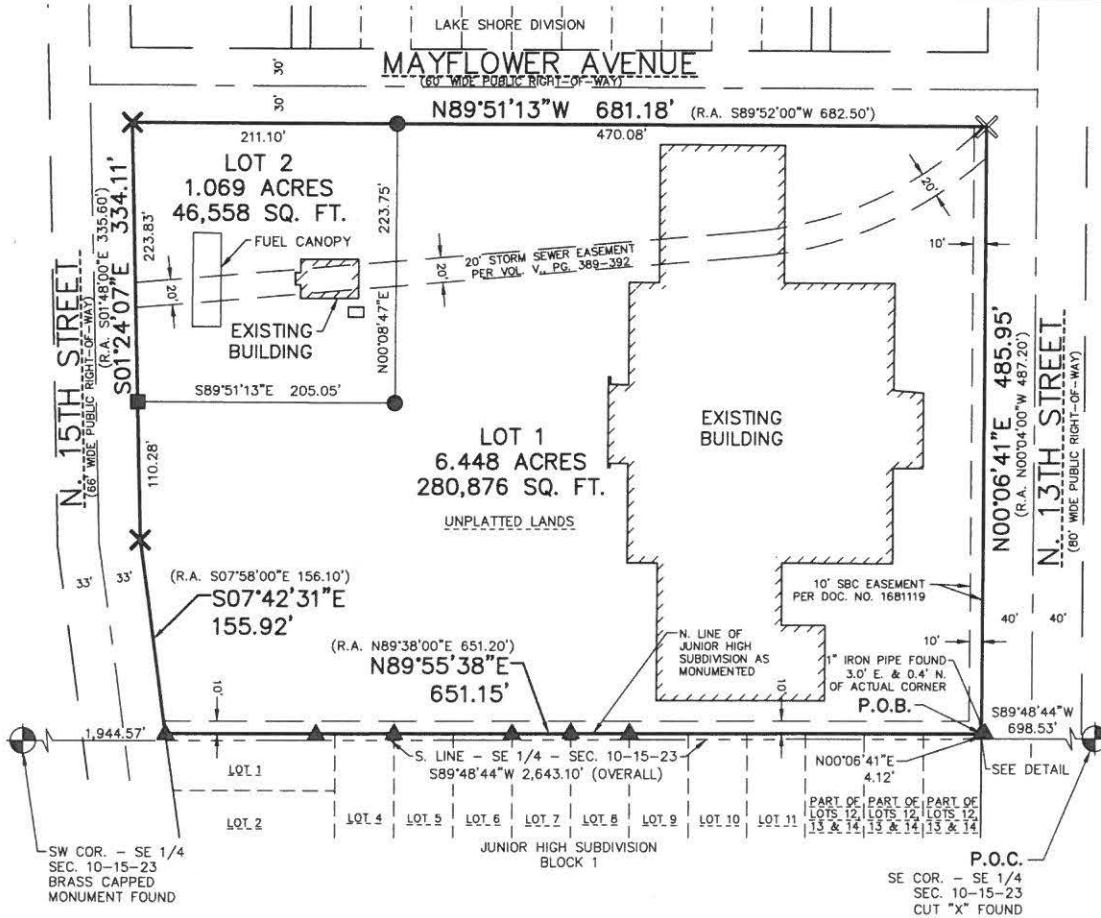
As previously stated, there are no new changes to the existing use proposed at this time. Therefore, the proposed conditional use will be in harmony with the City's Master Plan and there will be no adverse impact on nearby properties or the character of the neighborhood.

Please reference the proposed lot exhibit and proposed Certified Survey Map included with this submittal.

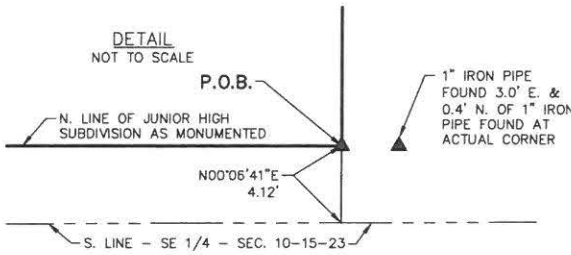
CERTIFIED SURVEY MAP

FOR
PJR PROPERTIES, LLC

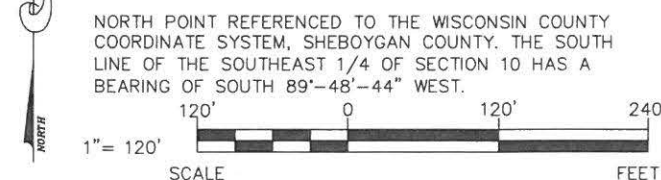
PART OF THE SOUTHWEST 1/4 & SOUTHEAST 1/4
OF THE SOUTHEAST 1/4, SECTION 10, TOWNSHIP 15
NORTH, RANGE 23 EAST, CITY OF SHEBOYGAN,
SHEBOYGAN COUNTY, WISCONSIN.



TOTAL AREA
7.517 ACRES
327,434 SQ. FT.



- LEGEND**
- - 3/4" x 18" REBAR SET WEIGHING 1.50 LBS/FT.
 - - MAG NAIL SET
 - X - CUT "X" SET
 - ▲ - 1" IRON PIPE FOUND
 - ⊗ - CUT "X" FOUND
 - ⊕ - SECTION CORNER MONUMENT FOUND



OWNER:
PJR PROPERTIES, LLC
2215 UNION AVENUE
SHEBOYGAN, WI 53081

SHEET 1 OF 3 SHEETS

EXCEL
ENGINEERING, Inc.
SURVEYING GROUP

Always a Better Plan

100 CAMELOT DRIVE
FOND DU LAC, WI 54935
PHONE: (920) 926-9800
FAX: (920) 926-9801

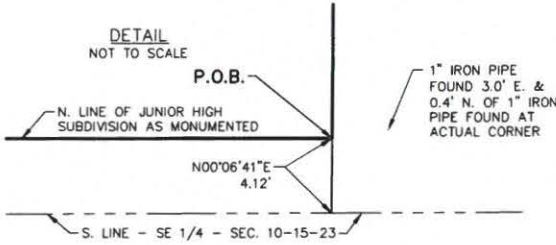
PROJECT NO. 1851140

CERTIFIED SURVEY MAP

FOR
PJR PROPERTIES, LLC
 PART OF THE SOUTHWEST 1/4 & SOUTHEAST 1/4
 OF THE SOUTHEAST 1/4, SECTION 10, TOWNSHIP 15
 NORTH, RANGE 23 EAST, CITY OF SHEBOYGAN,
 SHEBOYGAN COUNTY, WISCONSIN.

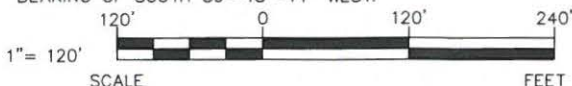


TOTAL AREA
 7.517 ACRES
 327,434 SQ. FT.



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- 3/4" x 18" REBAR SET WEIGHING 1.50 LBS/FT.
 - MAG NAIL SET
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 - CUT "X" FOUND
 - SECTION CORNER MONUMENT FOUND

NORTH POINT REFERENCED TO THE WISCONSIN COUNTY COORDINATE SYSTEM, SHEBOYGAN COUNTY. THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SECTION 10 HAS A BEARING OF SOUTH 89°-48'-44" WEST.

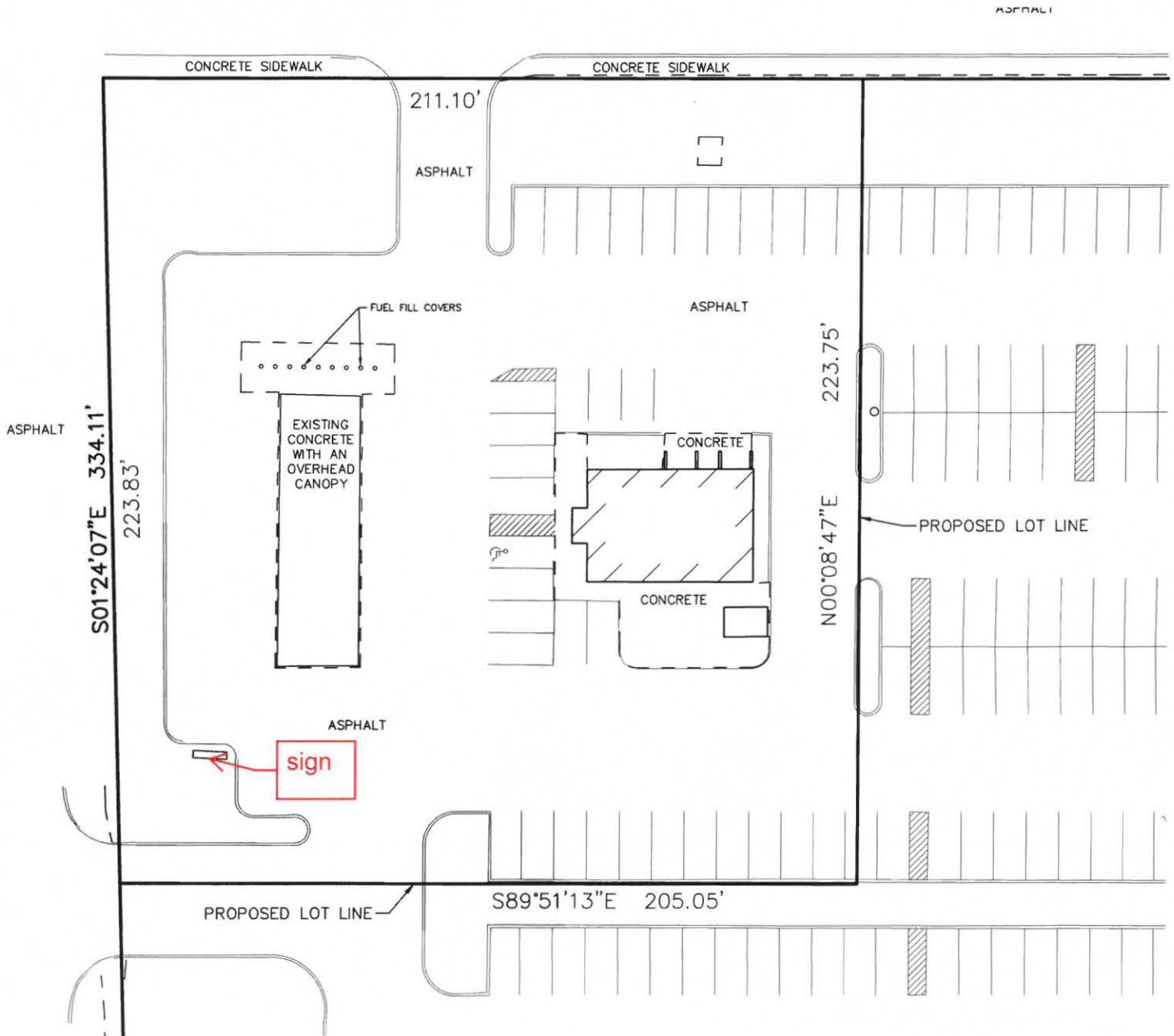


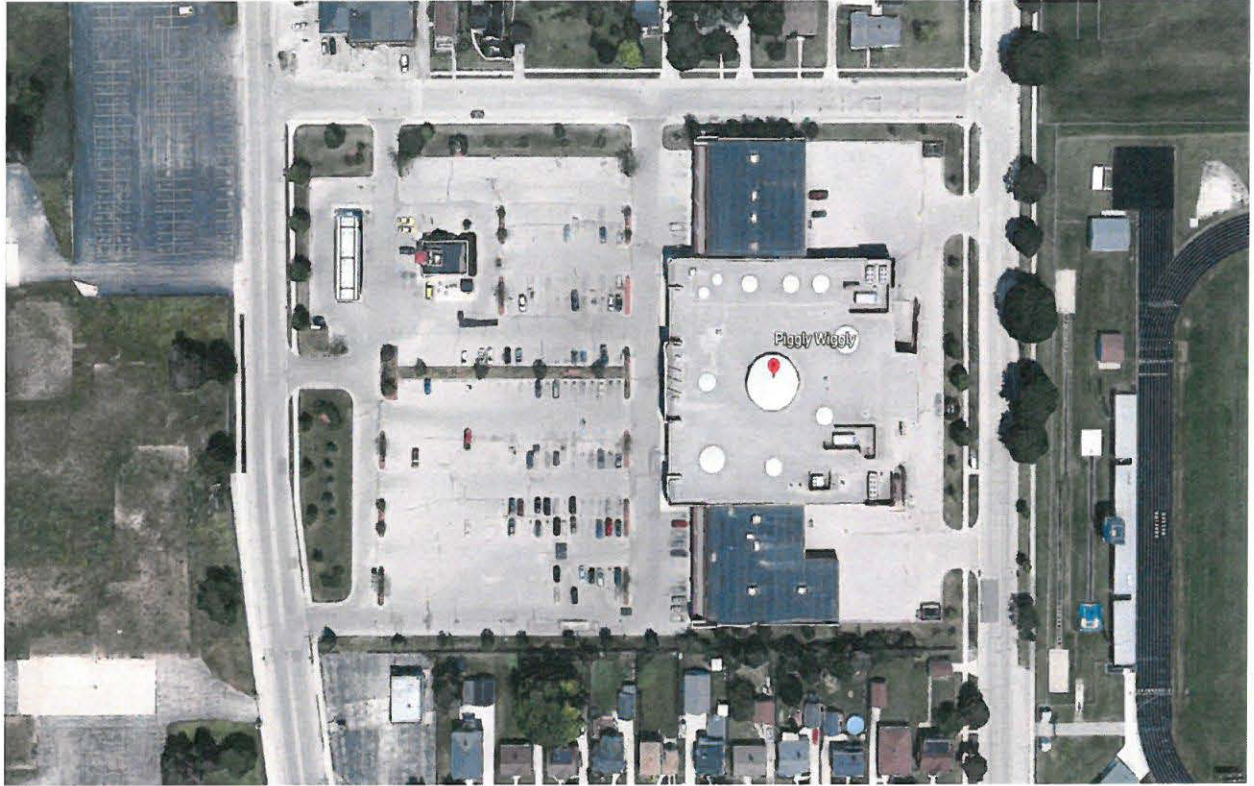
OWNER:
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 SHEBOYGAN, WI 53081

SHEET 1 OF 3 SHEETS

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CITY OF SHEBOYGAN

REQUEST FOR PLANNING COMMISSION CONSIDERATION

ITEM DESCRIPTION: Conditional Use application by Wild Leslie Real Estate Holdings, LLC to construct a new multi-tenant facility on the former Alliant property located at the northeast corner of S. 8th Street and Riverfront Drive (Parcel # 59281110032). CC Zone

REPORT PREPARED BY: Steve Sokolowski, Manager of Planning and Zoning

REPORT DATE: November 9, 2018

MEETING DATE: November 13, 2018

FISCAL SUMMARY:

Budget Line Item: N/A
Budget Summary: N/A
Budgeted Expenditure: N/A
Budgeted Revenue: N/A

STATUTORY REFERENCE:

Wisconsin Statutes: N/A
Municipal Code: N/A

BACKGROUND / ANALYSIS:

Wild Leslie Real Estate Holdings, LLC is proposing to construct a new multi-tenant facility on the former Alliant property located at the northwest corner of S. 8th Street and Riverfront Drive (Parcel # 59281110032). The applicant states the following about the project:

- The proposed project consists of approximately 10,300sf of office and conference space for Windway Capital and the Sheboygan Visitor Center on the now demolished Wisconsin Power and Light property located at the northwest corner of S. 8th Street and Riverfront Drive and along the Sheboygan River.
- Visit Sheboygan Inc. comprises of the tourism entity that provides tourism services to the Sheboygan Area Room Tax Commission. The Sheboygan Area Room Tax Commission is comprised of the City of Sheboygan, Town of Sheboygan and Town of Wilson. Visit Sheboygan, Inc. receives room tax contributions from the Sheboygan Area Room Tax Commission to complete tourism promotion and tourism development services for the tourism zone as defined by state statute.
- As Visit Sheboygan, Inc. continues to expand, the need to find dedicated space for the organization to foster its goals is important. Visit Sheboygan was previously housed in the Sheboygan County Chamber of Commerce. Visit Sheboygan will be leasing space in a multi-tenant facility owned by Leslie Kohler to provide offices for the staff, retail space and exhibits centered around shipwrecks and technology used in underwater exploration. Future plans also call for the docking of a Science Barge in the Sheboygan River, a floating urban farm and environmental education center.

- The new visitor center will also be a physical location to provide tourist information as well as to provide a location for group tours and events in the public to utilize. The expansion of Visit Sheboygan is partially due to the increase in the tourism budget - The Blue Harbor room tax was previously used to pay off the debt of the conference center. The conference center debt will be paid off in November 2018 so the Blue Harbor room tax will now be in the tourism budget.
- The visitor center will house a viewing area for a new Lake Michigan shipwreck documentary to be produced over the next year, and a NOAA-designed Science on a Sphere (SOS) exhibit. The sphere will be the focal point of the visitor center. Passersby will have a view of the six (6) foot suspended globe which will be visible through the main window on S. 8th Street. The SOS exhibit is a spherical screen that projects online data sets transforming it into an animated planet. SOS has the capability to visually display hundreds of data sets including seismic activity across the planet, platonic shift over time, the shrinking of the rainforest, population mass across the globe, wind and weather patterns that cover the earth, ocean currents, the asteroid belt and solar system, and hundreds of other informative and entertaining earth and space programs.
- The other tenant in the building will be Windway Capital Corp. Windway Capital Corp. is the holding company for a number of the multi-national companies including the Vollrath Company, North Sails, Southern Spars and Edgewater Power Boats. Windway Capital Corp. was incorporated in 1988 and is based in Sheboygan.
- The project brings development to a site that has been underutilized since the demolition of the previous structure (WP&L Building).
- The proposed development fits in aesthetically with downtown Sheboygan and the project supports the downtown Sheboygan plan to add a visitor center and a commercial tenant to support downtown job growth and businesses.

The applicant states the following about the proposed project and site improvements:

- The building is approximately 10,300sf.
- There will be 69 parking spaces.
- There will be an outdoor deck on the south side of the building facing the river.
- New asphalt drives, parking, concrete walks, etc.
- New landscaping and storm drainage throughout the site.
- Signage will consist of the primary building signage.

STAFF COMMENTS:

In addition to the existing parking lot on the north side of the property (56 spaces), there will be new parking added on the east side of the building along 8th Street. This 13 space parking lot (nine regular and 4 handicap) is being added in order to provide easy access for

people visiting the Visitor Center. This parking area can be accessed by both 8th Street and Riverfront Drive. A majority of the Ingress/egress to the site will be from S. 8th Street.

Applicant is proposing greenspace and an elevated wood deck on the south side of the building that will overlook the Sheboygan River. However, the area along Riverfront Drive and the river presently has a gate/fence with barbwire. The Plan Commission should have the applicant address if they are removing this fencing because the gate, fencing and barbwire are unattractive, weathered and not inviting.

There is a very large top soil pile located in the existing parking lot on the north side of the site. The top soil pile appears to be 20-35 feet tall with torn clear and blue plastic tarps that appear to be located on the pile to protect it from the weather. This pile has been located on the site for some time. This top soil pile needs to be removed immediately and staff will be placing a condition of approval for removal to occur.

No formal sign package has been presented. Applicant shall work with staff with regards to constructing a well-designed sign package for the site that utilizes colors and materials similar to the building. Staff may bring the proposed signage design back to the Plan Commission for review/approval.

The Plan Commission may want to have the applicant address:

- When the top soil pile is to be removed?
- What is the plan for the existing weathered and unattractive gate, fencing and barbwire?
- How does the applicant plan on addressing the riverfront – there is a real opportunity to convert this space into a very attractive space.
- Explain possible future expansions - site plan mentions future building addition to the west.

The applicant is requesting the following land use variances:

- To have a building height of 35 feet – Maximum building height in excess of 20 feet is permitted with a conditional use permit.
- Requesting a variance from the locational and bufferyard landscaping requirements - Applicant shall meet the four (4) locational landscaping requirements.

ACTION REQUESTED:

Staff recommends approval of the conditional use and variances subject to the following conditions:

1. Prior to building permit issuance, the applicant shall obtain all licenses and permits as well as meet all required codes including but not limited to building, plumbing, electrical, HVAC, fire, water, sewer, health, storm drainage, Sheboygan Floodplain Zoning Ordinance, DNR, Army Corp, contamination, etc. etc. (Applicant shall be in contact with building inspection, fire, police, etc.). An occupancy permit will be granted only at such time as the applicant has met all requirements.
2. Applicant is responsible to insure that the proposed buildings are meeting all Federal, State and Local codes pertaining to the Sheboygan River Floodplain.
3. Submittal/approval of a proposed storm drainage plan prior to building permit issuance.
4. Submittal and approval of a landscape plan prior to building permit issuance. Landscape plan shall provide a legend that shows how the four (4) landscape criteria are being met (create a legend along with the landscape plan site plan).
5. Dumpster(s) shall be screened/enclosed and constructed of like materials and colors of the facility. Dumpster enclosure shall be completed prior to issuance of an occupancy permit for the first apartment unit to be occupied.
6. Outdoor storage of materials, products or equipment shall be prohibited.
7. Existing chain link gate, fencing and barbwire shall be removed (located along the south side of the property).
8. If fencing is to be installed, fence shall be installed per Section 15.720(3)(c) of the City of Sheboygan Zoning Ordinance. Applicant is required to submit specific fence details to staff. If staff has any concerns with the fence design, the matter may be brought back to the Plan Commission for their consideration (fencing would need a decorative design).
9. All ground level and rooftop mechanicals shall be screened and/or enclosed and constructed of like materials and colors of the facility (HVAC equipment, etc.).
10. All new lighting shall be installed per Section 15.707 of the City of Sheboygan Zoning Ordinance (site lighting, building lighting, signage, etc.). There shall be no spillover light onto adjacent properties or the streets.
11. Applicant shall install signage meeting the 8th Street Design Guidelines and shall work with staff with regards to appropriate signage. Only at such time as the sign package has been reviewed and approved may the applicant obtain sign permits to install the proposed signage. If staff has any concerns with proposed signage design, the matter may be brought back to the Plan Commission for their consideration.
12. Applicant shall to install individual letter signs – no cabinet or flat panel signs.
13. Applicant shall be permitted a freestanding monument sign for the site. Minimum setback of a monument sign is 12 feet. Maximum height of the monument sign is 8 feet. Sign shall be located outside of the 15 foot vision triangle.
14. All areas used for parking/maneuvering of vehicles shall be paved.
15. All areas that are not required to be paved shall be landscaped with grass and/or approved landscaping.
16. Any new ingress/egress driveway openings and any drives to be closed or modified shall be improved to standard City specifications.
17. Applicant shall replace all street trees that are required to be removed for the project.
18. Applicant will provide adequate public access along all streets and sidewalks and will take all appropriate actions to minimize the time period that adjacent properties and streets/sidewalks are impacted by the development (utilities, streets, etc.).

19. Applicant shall immediately clean any and all sediments, materials, tracking, etc. that may be spilled off-site on private or public lands and streets.
20. Streets and infrastructure damaged and/or disturbed during construction of all private and/or public improvements shall be promptly repaired by the applicant.
21. Absolutely no portion of the new building and/or site improvements shall cross the property lines including but not limited to buildings, balconies, decks, foundations, walls, gutters, eaves, roof, parking, fencing/retaining walls, signs, landscaping, etc.).
22. Any work within City of Sheboygan Public rights-of-way shall be discussed with the City Engineering Department and constructed to standard City specifications (including, but not limited to, new and old ingress/egress driveway openings, curb, gutter, sidewalk, pavement, utilities, retaining walls, street trees, etc.).
23. Applicant is responsible for working with all private and public utilities in order to adequately service this apartment complex development proposal (applicant will need to provide the necessary easements and/or relocate utilities as necessary).
24. All vehicles, equipment, materials, products, etc. shall be located on the applicant's property (no storage on public rights-of-way).
25. City Development staff will issue a building permit only if the applicant has adequately satisfied all concerns related to the Sheboygan Water Utility.
26. City Development staff will issue a building permit only if the applicant has adequately satisfied all concerns related to the Sheboygan Fire Department, including but not limited to fire lane access at the site, sprinkler systems, hydrants, water pressures, etc.
27. If applicant leases space to additional tenants, the tenants shall obtain all necessary land use and building approvals/permits prior to occupancy.
28. Prior to building permit issuance, the City of Sheboygan Architectural Review Board shall review/approve the proposed building design.
29. Applicant is responsible for maintaining access for the property owner to the west per the ingress/egress easement between the properties.
30. If the City of Sheboygan ever proposes to construct a pedestrian river front trail in the 25 foot easement along the river, the applicant shall work with and cooperate with the City regarding such an improvement.
31. Applicant shall remove the large top soil pile located on the north side of the existing parking lot by December 28, 2018.
32. If there are any amendments to the approved conditional use permit (including but not limited to site plan, architectural design, use, etc.), the applicant will be required to submit a new conditional use application reflecting those amendments.

ATTACHMENTS:

Conditional Use Permit Application and required attachments.

PARCEL NO. 59281110032__

MAP NO. _____

ZONING CLASSIFICATION: CC- CENTRAL COMMERCIAL

Office Use Only

APPLICATION/FILE NO. _____

FILING FEE: \$250.00 (Payable to City of Sheboygan)

**CITY OF SHEBOYGAN
APPLICATION FOR
CONDITIONAL USE PERMIT**

Requirements Per Section 15.905
Revised May 2012

Completed application is to be filed with the Department of City Development, 828 Center Avenue, Suite 104. To be placed on the agenda of the City Plan Commission, application must be filed two weeks prior to date of meeting. Applications will not be processed if all required attachments and filing fee of \$250 (payable to the City of Sheboygan) is not submitted along with a complete and legible application. Application filing fee is non-refundable.

1. APPLICANT INFORMATION

APPLICANT: Wild Leisle Real Estate Holdings, LLC

ADDRESS: Sheboygan, WI P.O. Box 897

E-MAIL ADDRESS: lkohler@windway.com

PHONE: NA FAX NO.: NA

2. DESCRIPTION OF THE SUBJECT SITE/PROPOSED PROJECT

NAME OF PROPOSED/EXISTING BUSINESS: Visit Sheboygan

ADDRESS OF PROPERTY AFFECTED: 824 South 8th Street

LEGAL DESCRIPTION: See Attached Site Survey

BRIEF DESCRIPTION OF **EXISTING** OPERATION OR USE:

Parcel is currently vacant

DETAILED DESCRIPTION OF **PROPOSED** OPERATION OR USE INCLUDING ANY CHANGES TO THE EXISTING USE:

The proposed project consists of approximately 10,300 S.F. of office and conference space for Windway Capital Corp and the Sheboygan Visitors Center. It is to be located at the project site of the now-demolished WP&L building along South 8th Street. See attached Site Narrative for more detailed information.

SITE NARRATIVE - CONDITIONAL USE APPLICATION

October 22, 2018

PROJECT NAME AND ADDRESS:

Visit Sheboygan
824 South 8th Street Drive
Sheboygan, Wisconsin 53081

PARCEL INFORMATION/SITE DATA/LEGAL DESCRIPTION:

- The parcel is defined as tax parcel 59281110032.
- ORIGINAL PLAT - LOT 2 CSM V25 P55-56 # 1926888 BEING ALL OF BLKS 212, LOTS 1-8 OF BLK 213 & PRT LOT 4 BLK 233 & PORTIONS OF VAC N WATER ST, VAC MARYLAND AVE & THE VAC ALLEY IN BLK 212

ZONING CLASSIFICATION/ZONING REQUIREMENTS:

Central Commercial (CC) District – Section 15.105(3)(f)
Nonresidential Regulations
Building to Front or Street Side Lot Line: 0 feet
Maximum Building Height: 20 feet
Parking - 1 parking space per 300 square feet of gross floor area.
Parking Required = 10,300 square feet / 300 = 35 spaces
Parking Provided = 67 spaces

EXISTING SITE CONDITIONS/LAND USE:

Formerly the site of WP&L and a parking lot. The site is currently vacant. Most of the previous above grade components have been demolished and removed offsite.

PROPOSED LAND USE/LOT COVERAGE SITE DATA

- The proposed development consists of (1) building.
- The building will have a roof height maximum of 35'-0" above grade.
- The entire site will be graded such that developed storm water runoff will be directed away from the building and into the City storm sewer. Roof drainage will be collected and directed to the City storm sewer.
- The new water service will be connected to an existing water service which connects to the public water main in South 8th Street.
- The building sanitary will connect into the public sanitary sewer, which exists in both South 8th. Street and Riverfront Ave.
- Existing Site Impervious Area 88,858 square feet (87-percent of total lot)
- Existing Site Pervious Area 12,984 square feet (13-percent of total lot)
- Proposed Site Impervious Area 68,692 square feet (67-percent of total lot)
- Proposed Site Pervious Area 33,150 square feet (33-percent of total lot)

SITE SELECTION

The site was already selected to be the location of the Visitors Center as part of another project. A portion of that project - (SEAS) was constructed on another property within the City of Sheboygan.

The property is a major focal point for visitors entering downtown Sheboygan from the South – just North of Indiana Avenue. The Buildings visual proximity to this point of downtown will serve well for Visit Sheboygan.

The proposed development coincides with current zoning and addresses the need for a structure at the entry to the downtown district of Sheboygan.

LANDSCAPE REQUIREMENTS

Landscape plan to comply with the requirements of Section 15.6: Landscaping and Bufferyard Regulation and the subsequent point values defined for all four landscape point criteria (Building Foundation, Developed Lot, Lot Frontage and Pavement).

PERFORMANCE STANDARDS/POTENTIAL NUISANCES:

All performance standards to comply with City of Sheboygan Zoning Ordinance, Section 15-7 to ensure this development will not become a nuisance to neighboring property owners.

SITE LIGHTING:

The parking lot to the North currently has pole mounted lighting. These structures will be reused/ repurposed with LED lighting. The new parking lot to the East of the new building will use the lighting cast from the pole mounted lighting along 8th street.

Visit Sheboygan will have wall mounted light fixtures to enhance the entries and other architectural features of the building structure.

ARCHITECTURE:

Visit Sheboygan is located between the southern edge of downtown Sheboygan and the Sheboygan Riverfront – Shanty Redevelopment Area. The structure thus pulls from the Shanty vernacular in the sense that its design includes:

- Roof lines with random slopes ranging from 4:12 to 8:12 pitches
- Roof materials to include standing seam and asphalt single
- Pre-finished siding materials that mimic the natural beauty of weathered wood
- Double Hung and Fixed windows (Dark Brown) that are proportionate to a 2-1/2 wide x 5 high
- The building design creates multiple diversions (height and volume) similar to the Shanty style along Riverfront Drive just east of this site.
- The buildings location on the site is purposeful as to highlight the Sphere. The Sphere will be very visible on the Southeast corner of the building.

VARIANCE REQUEST/VARIANCE DESCRIPTION:

The project does not require variances.

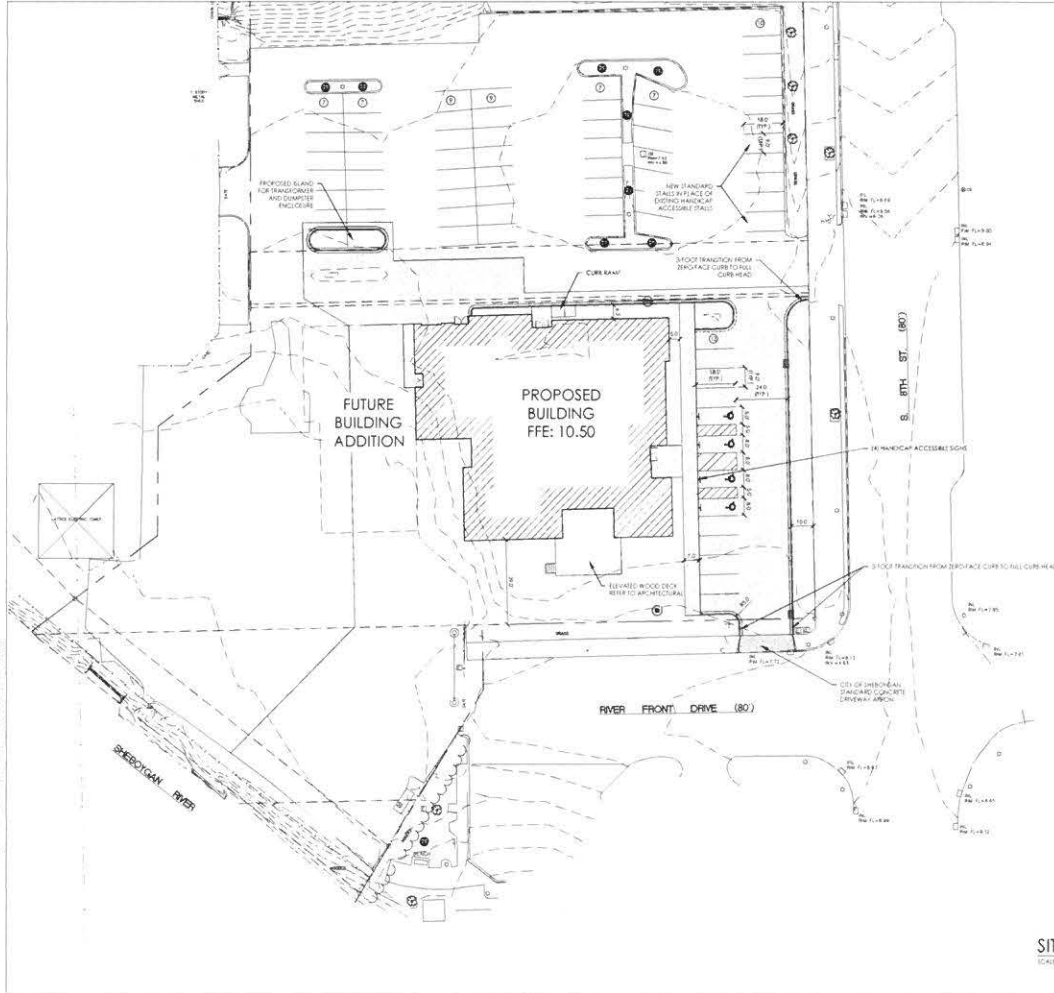
Per City of Sheboygan Zoning Ordinance

Project is permitted by Right (per Section 15.202(2))

Office (per Section 15.206(4)(a))

Per 15.105(3)(f)(4)(k) Maximum Building Height: 20 feet (Can Exceed 20 feet with Conditional use Permit)

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SITE LEGEND	
	EVENTS OF PROPOSED BUILDING - REFER TO ARCHITECTURAL DRAWINGS
	PROPOSED LIGHT DUTY PAVEMENT MATCH - SEE DETAIL
	PROPOSED HEAVY DUTY PAVEMENT MATCH - SEE DETAIL
	PROPOSED LIGHT DUTY CONCRETE MATCH - SEE DETAIL
	PROPOSED HEAVY DUTY CONCRETE MATCH - SEE DETAIL
	PROPOSED 10' COLLECTOR CURB & OUTLET - SEE DETAIL
	PROPOSED 10' RECEPTOR CURB & OUTLET - SEE DETAIL

SITE PLAN
SCALE: 1"=20'



SHEBOYGAN DEVELOPMENT, INC.
 1175A WISCONSIN AVENUE, SHEBOYGAN, WISCONSIN 53081
 TEL: 920.454.4444 FAX: 920.454.5196

DRAWN BY: MDW
 CHECKED BY: JBY

A
 202

PROJ. NO. 2018-76

OCTOBER 22, 2018
 NEW CONSTRUCTION
 VISIT SHEBOYGAN
 SHEBOYGAN, WI, 53081
 PROJECT ARCHITECT: SHEBOYGAN DEVELOPMENT, INC.



HATCH LEGEND

	EXTENTS OF PROPOSED BUILDING - REFER TO ARCHITECTURAL DRAWINGS
	ASPHALT HATCH
	CONCRETE HATCH
	GREEN SPACE HATCH

SITE INFORMATION

EXISTING SITE	
IMPERVIOUS	88,858 SQ. FT.
PERVIOUS	12,984 SQ. FT.
TOTAL	101,842 SQ. FT.
DISTURBED AREA	43,273 SQ. FT.
PROPOSED SITE	
BUILDING FOOTPRINT	10,264 SQ. FT.
NEW PAVEMENT	11,763 SQ. FT.
EXISTING PAVEMENT	46,663 SQ. FT.
TOTAL PROPOSED IMPERVIOUS	68,692 SQ. FT.
TOTAL PROPOSED PERVIOUS	33,150 SQ. FT.
PROPOSED LANDSCAPE RATIO: 33%	
REQUIRED LANDSCAPE RATIO: 0%	
LAND USE PERMITTED BY RIGHT: OFFICE	
BUILDING SETBACKS REQUIREMENTS	
STREET YARD	0 FEET
SIDE YARD	0 FEET
REAR YARD	20 FEET
PAVING SETBACK REQUIREMENTS	
STREET YARD	0 FEET
SIDE/REAR YARD	0 FEET
BUILDING HEIGHT	
CITY OF SHEBOYGAN REQUIREMENT	20 FEET
PROPOSED	35 FEET



DATE: 02/02/2018

PROJECT: NEW CONSTRUCTION VISIT SHEBOYGAN

PROJECT LOCATION: 1155A WISCONSIN ST. SHEBOYGAN, WI 53081

ARCHITECT: ARCHITECTURE INC. 1155A WISCONSIN ST. SHEBOYGAN, WI 53081 TEL: 920-442-4444 FAX: 920-442-9799

DRAWN BY: MFW

CHECKED BY: RW

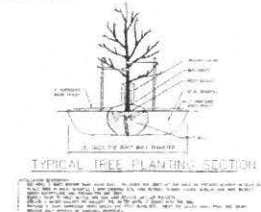
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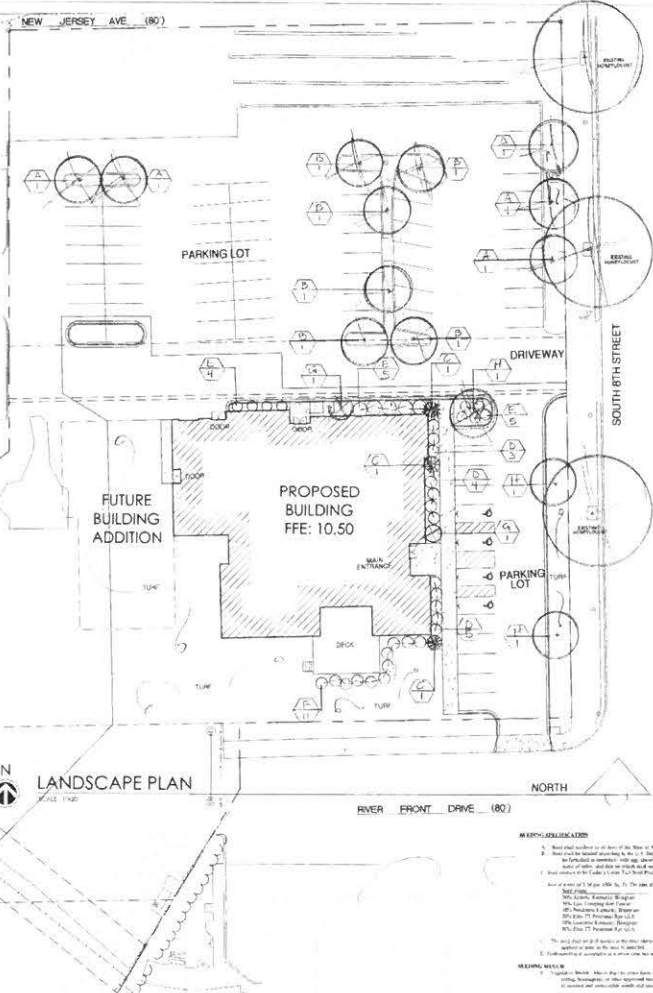
PROJ. NO. 2018-76

CALL DIGGLERS' HOTLINE
1-800-242-8511

CALL TREE TO OBTAIN LISTING OF LANDSCAPING SUPPLIERS
FOR YOUR PROJECT. VISIT OUR WEBSITE WWW.DIGGLERS.COM
FOR MORE INFORMATION.



- Landscape Plan Notes**
1. Field verify all dimensions, elevations, and grades in the field.
 2. All work shall be completed in accordance with the approved plans.
 3. All trees to be installed with a minimum of 18" of soil.
 4. All trees to be installed with a minimum of 18" of soil.
 5. All trees to be installed with a minimum of 18" of soil.
 6. All trees to be installed with a minimum of 18" of soil.
 7. All trees to be installed with a minimum of 18" of soil.
 8. All trees to be installed with a minimum of 18" of soil.
 9. All trees to be installed with a minimum of 18" of soil.



- Washburn Office and Visitors Center**
South 8th Street
- Minimum Requirements for Building Landscaping**
1. Landscaping Requirements for Building Landscaping
 2. Landscaping Requirements for Developed Lots
 3. Street Frontages
 4. Landscaping Requirements for Existing Lots

PROJECT #: 3026-18
SCALE: 1" = 20'-0"
DATE: 4 OCTOBER 2018
REV. 18 OCTOBER 2018

PAGE #S: 1 OF 1
DRAWN BY:
K. BAHRIS #336-14



LANDSCAPE ARCHITECT
Kelly's
Landscape
Design

100 West 2nd Street
Wausau, Wisconsin 54981
Phone: 715.839.1234
www.kellyslandscape.com

LANDSCAPE PLANT SCHEDULE

KEY	BOTANICAL NAME	COMMON NAME	QTY	SIZE	HGT	MATURE	FRUIT	COLOR	TYPE	POINTS	TOTALS					
											1	2	3	4		
A	Flowering 5	Existing on site								10	10					
B	Flowering 5	Existing on site								10	10					
C	Flora Blue Tamarix	Blue Tamarix	3	4	12'	4	Brown	cone		10	30					
D	Buxus Green	Green Boxwood	12	12"	3'	3'	Brown	capsule		1	12					
E	Spiraea	Spirea	12	12"	3'	3'	White	flowers		1	12					
F	Berberis 'Zelkova'	Berberis	12	12"	3'	3'	Red	fruit		1	12					
G	Hydrangea	Hydrangea	12	12"	3'	3'	White	flowers		1	12					
H	Malus 'Spectabilis'	Malus	12	12"	3'	3'	Red	fruit		1	12					
											TOTAL NUMBER POINTS IN EACH CATEGORY					
											75	0	0	18		
											TOTAL POINTS REQUIRED					
											213					

GLAZIER INFORMATION

GLAZIER NOTES

1. The glazier shall provide a minimum of 1/8" of air space between the glazing and the substrate.
2. The glazier shall provide a minimum of 1/8" of air space between the glazing and the substrate.
3. The glazier shall provide a minimum of 1/8" of air space between the glazing and the substrate.
4. The glazier shall provide a minimum of 1/8" of air space between the glazing and the substrate.
5. The glazier shall provide a minimum of 1/8" of air space between the glazing and the substrate.
6. The glazier shall provide a minimum of 1/8" of air space between the glazing and the substrate.
7. The glazier shall provide a minimum of 1/8" of air space between the glazing and the substrate.
8. The glazier shall provide a minimum of 1/8" of air space between the glazing and the substrate.
9. The glazier shall provide a minimum of 1/8" of air space between the glazing and the substrate.
10. The glazier shall provide a minimum of 1/8" of air space between the glazing and the substrate.

LANDSCAPE PLAN FOR:
 VISIT SHEBOYGAN
 PROJECT # 3026-18
 DRAWN BY: KBA
 CHECKED BY: JBA
 PROJ. NO. 2018 76

NEW CONSTRUCTION

VISIT SHEBOYGAN

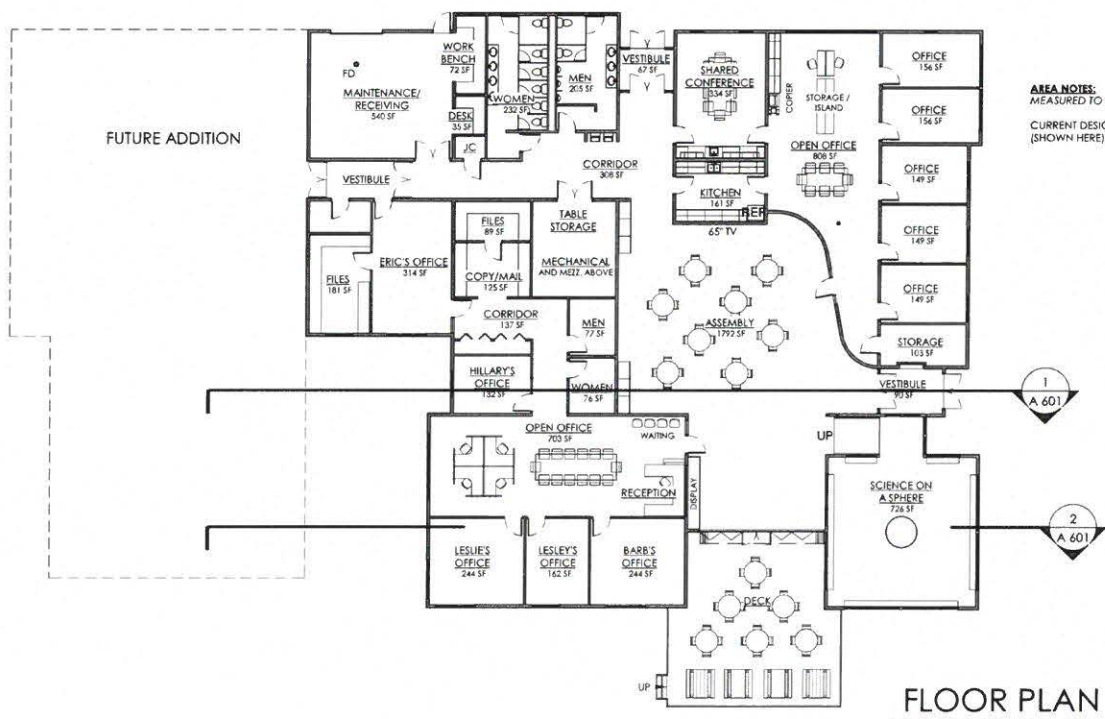
Sheboygan, WI, 53081



ARCHITECTURE:

ABACUS ARCHITECTS, INC.
1135A MICHIGAN AVENUE
SHEBOYGAN, WISCONSIN 53081
P: 920-452-4444

- 1 COVER PAGE
- 2 ARCHITECTURAL SITE PLAN
- 3 FLOOR PLAN
- 4 NORTH ELEVATION
- 5 EAST ELEVATION
- 6 WEST ELEVATION
- 7 SOUTH ELEVATION
- 8 RENDERING
- 9 RENDERING
- 10 RENDERING
- 11 RENDERING



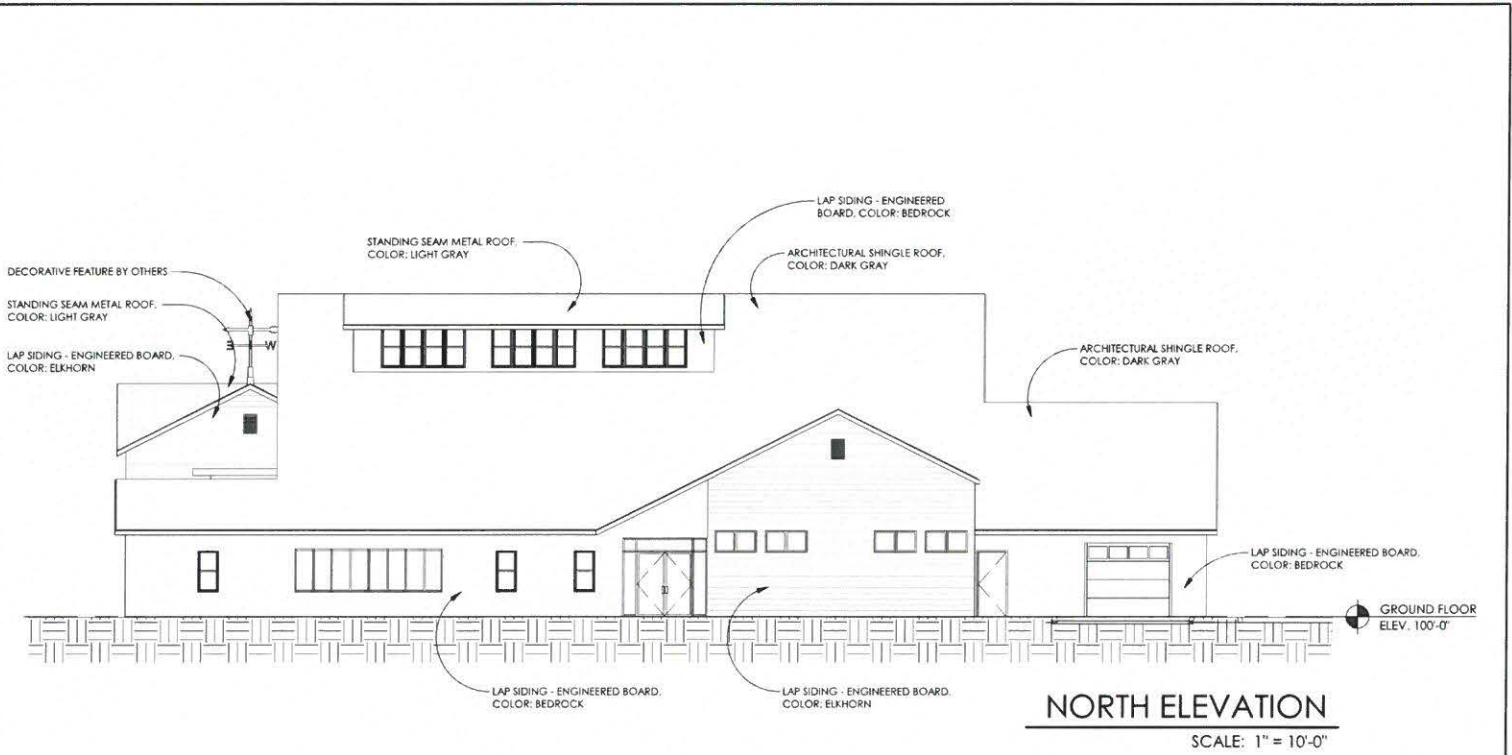
AREA NOTES:
 MEASURED TO OUTSIDE OF EXTERIOR WALLS
 CURRENT DESIGN (SHOWN HERE): 10,281 S.F.

FLOOR PLAN
 SCALE: 1/16" = 1'-0"

10/22/2018
 NEW CONSTRUCTION
VISIT SHEBOYGAN
 Sheboygan, WI, 53081
 PROJ. NO. 2018-76

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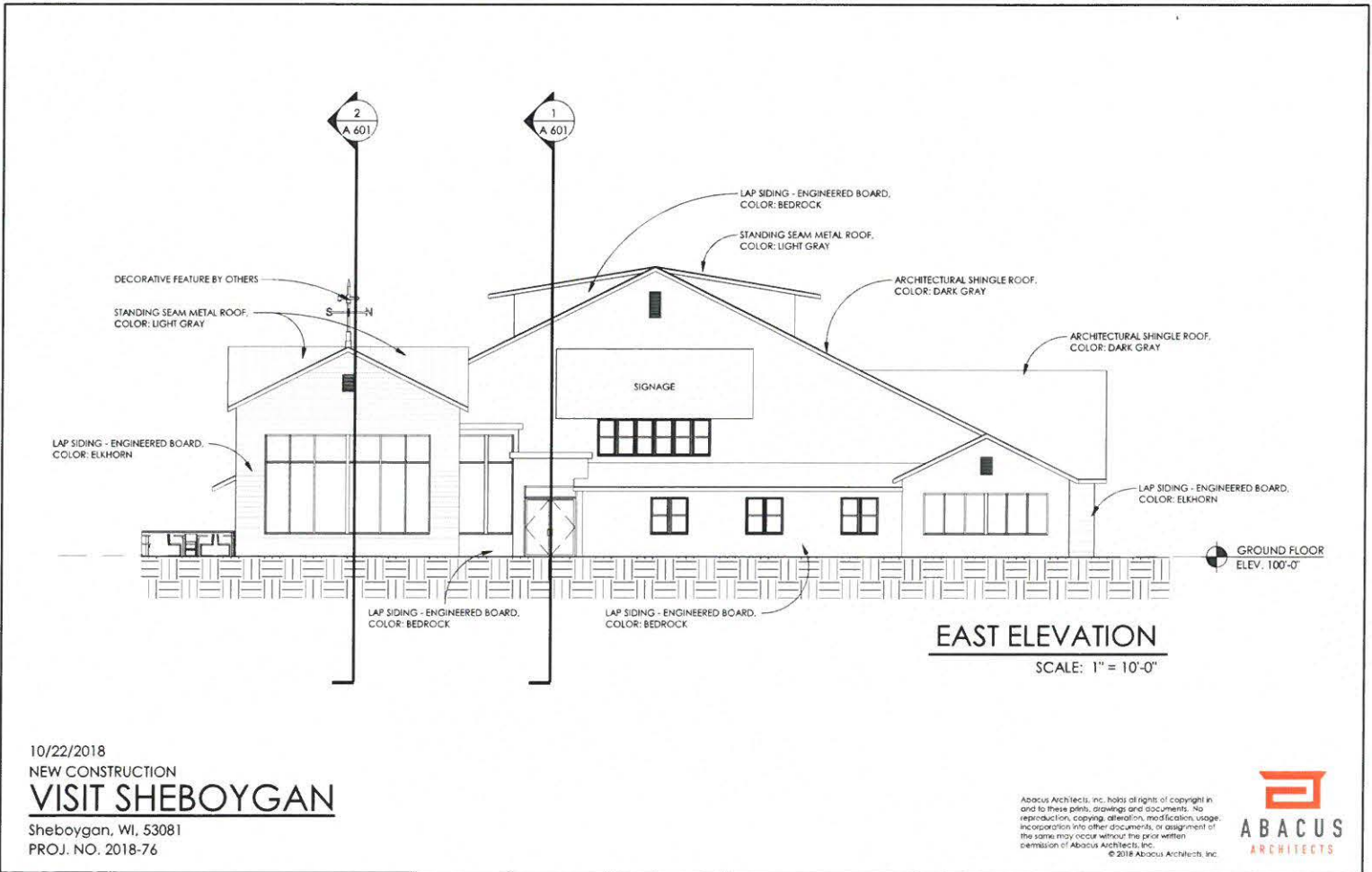




10/22/2018
 NEW CONSTRUCTION
VISIT SHEBOYGAN
 Sheboygan, WI, 53081
 PROJ. NO. 2018-76

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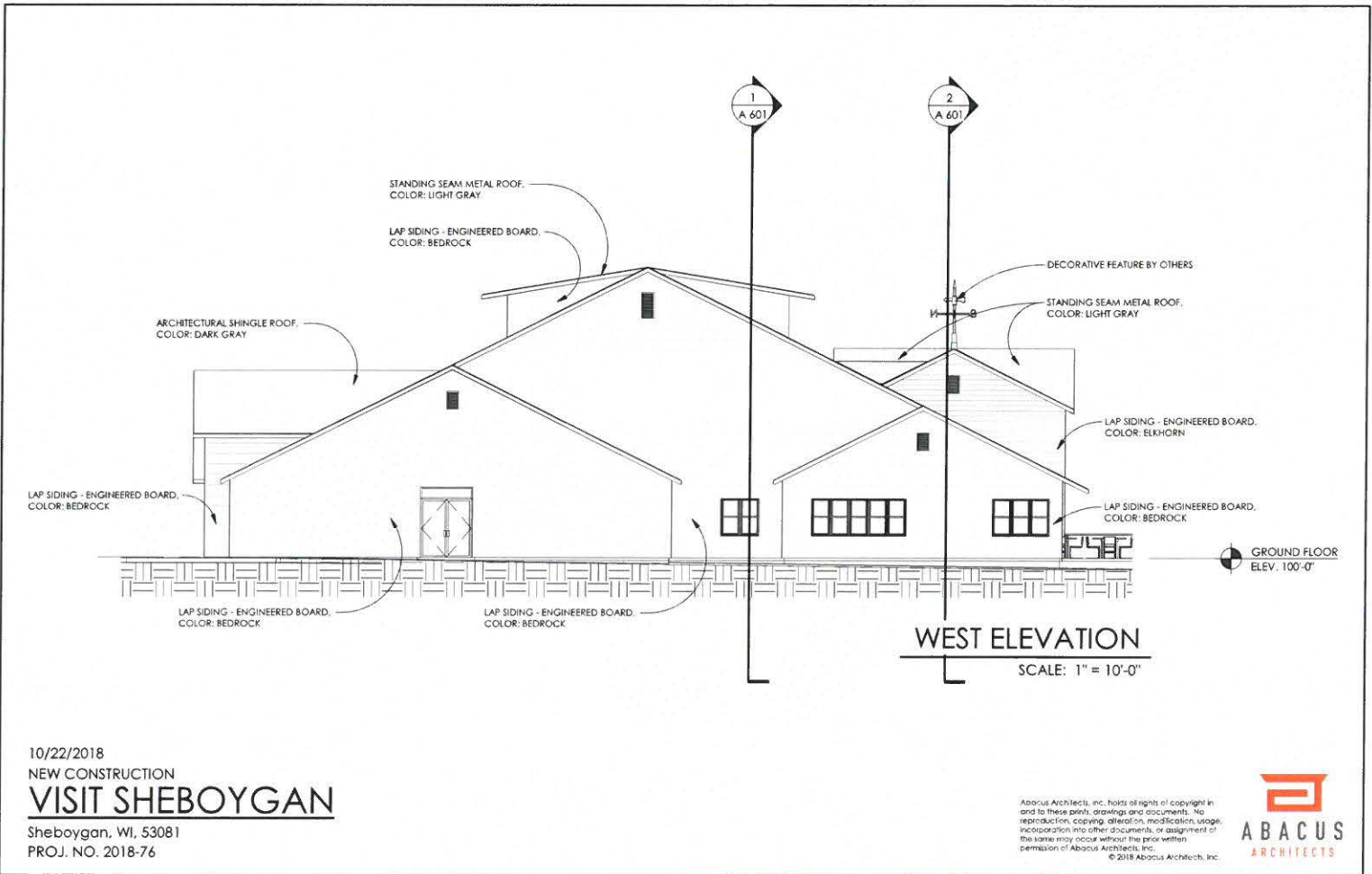


10/22/2018
 NEW CONSTRUCTION
VISIT SHEBOYGAN
 Sheboygan, WI, 53081
 PROJ. NO. 2018-76

EAST ELEVATION
 SCALE: 1" = 10'-0"

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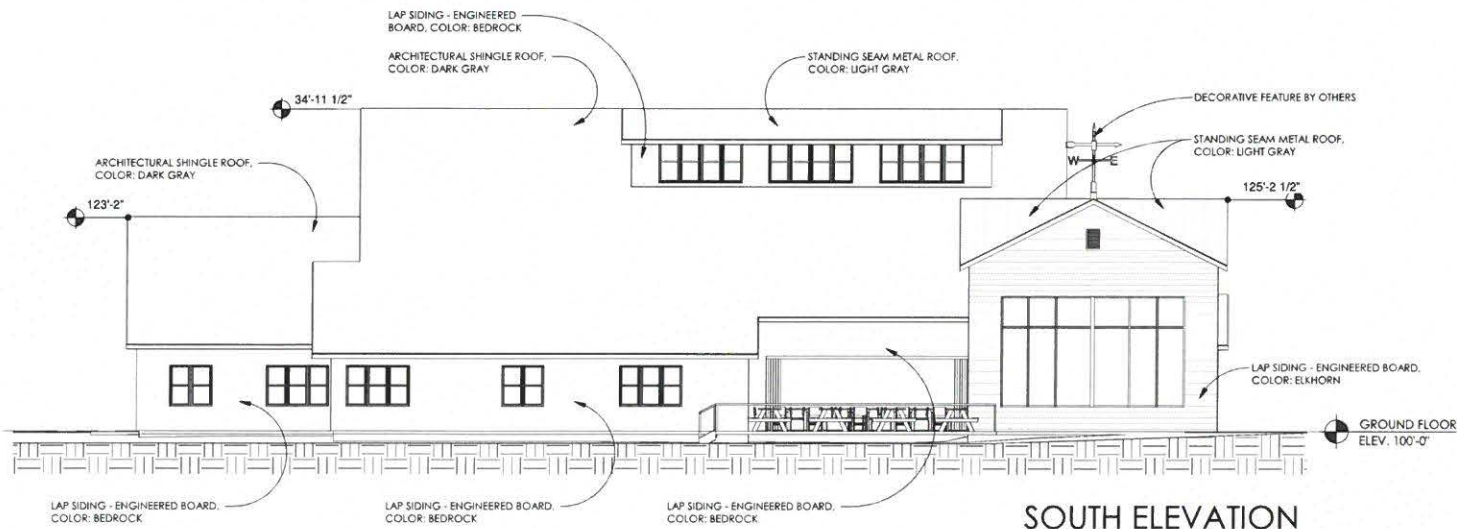




10/22/2018
 NEW CONSTRUCTION
VISIT SHEBOYGAN
 Sheboygan, WI, 53081
 PROJ. NO. 2018-76

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SOUTH ELEVATION

SCALE: 1" = 10'-0"

10/22/2018
 NEW CONSTRUCTION
VISIT SHEBOYGAN
 Sheboygan, WI, 53081
 PROJ. NO. 2018-76

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EAST VIEW



S.E. CORNER VIEW

10/22/2018
NEW CONSTRUCTION
VISIT SHEBOYGAN
Sheboygan, WI, 53081
PROJ. NO. 2018-76

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NORTH VIEW



N.E. CORNER VIEW

10/22/2018
NEW CONSTRUCTION
VISIT SHEBOYGAN
Sheboygan, WI, 53081
PROJ. NO. 2018-76

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N.W. CORNER VIEW



WEST VIEW

10/22/2018
NEW CONSTRUCTION
VISIT SHEBOYGAN
Sheboygan, WI, 53081
PROJ. NO. 2018-76

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S.W. CORNER VIEW

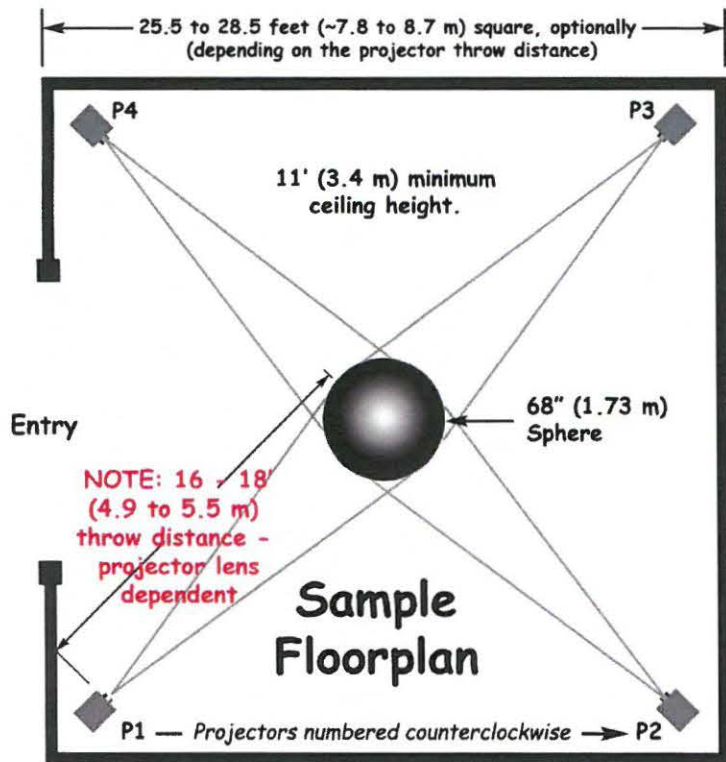


SOUTH VIEW

10/22/2018
NEW CONSTRUCTION
VISIT SHEBOYGAN
Sheboygan, WI, 53081
PROJ. NO. 2018-76

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Computers at a typical installation: One primary computer and one "hot" back-up.

The computers can be located as much as 200' (~60 m) from the sphere without additional video cable boosters.

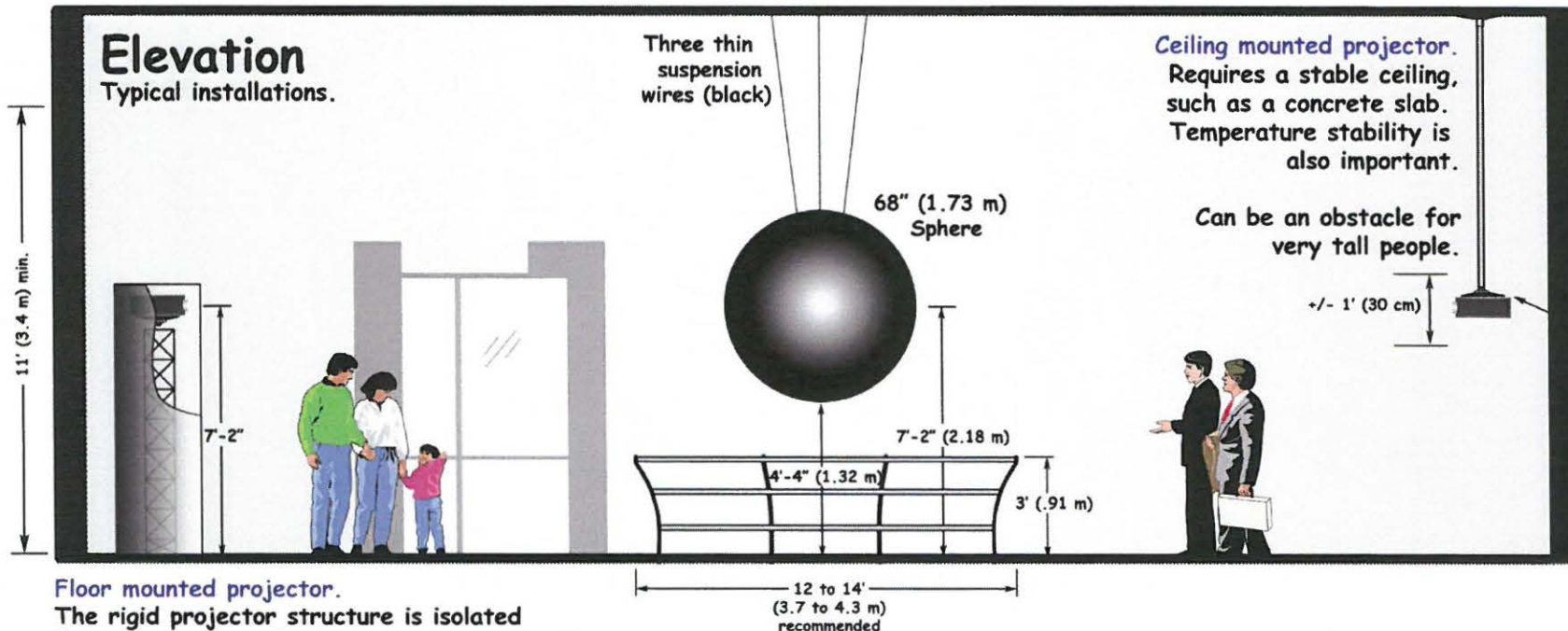
The computers must be in a clean, well ventilated area.



Science on a Sphere® in the David Himes Planet Theater®, Boulder, Colorado, USA

Science On a Sphere® Geometry

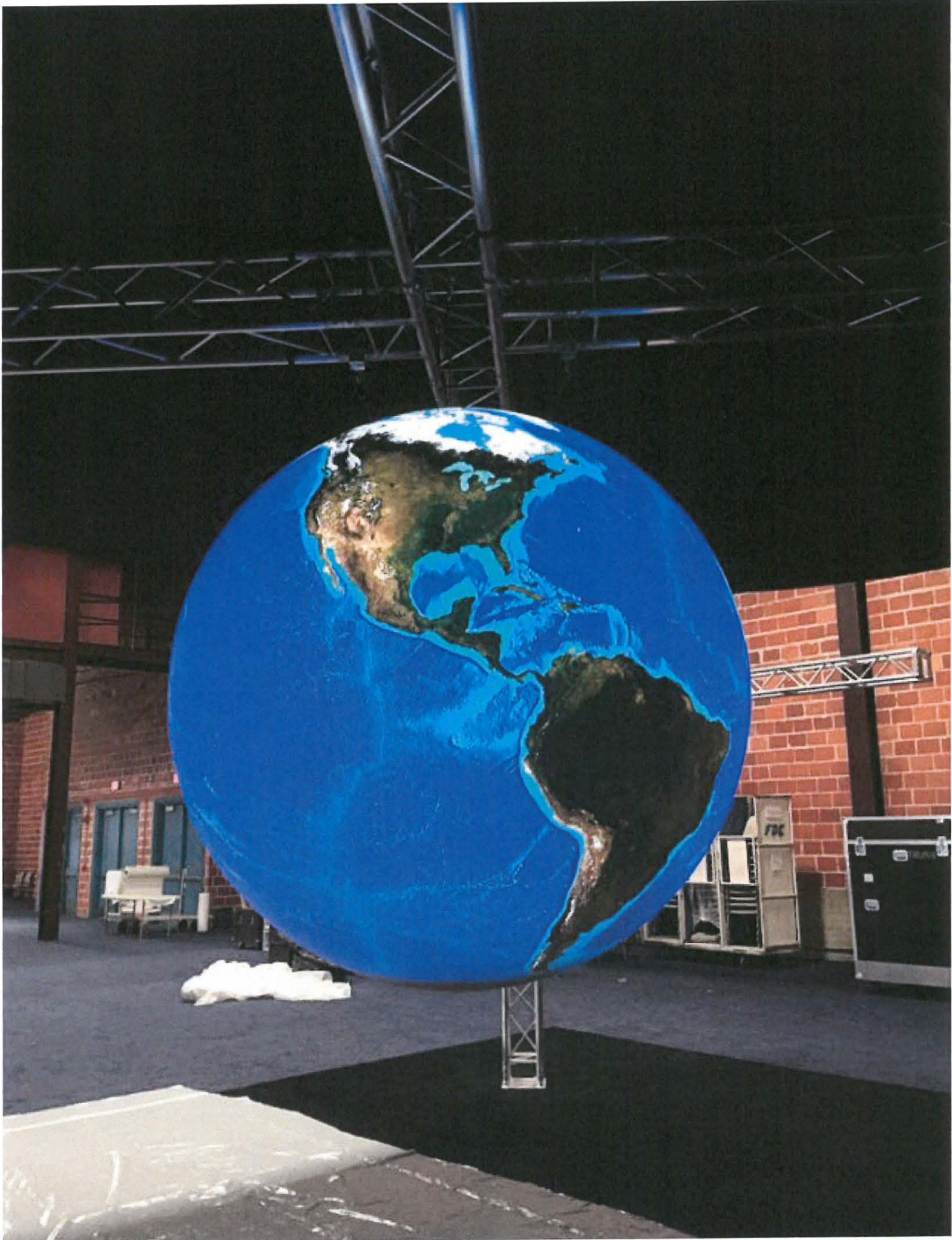
For a 68" (1.73m) Sphere





CS2-1 Wob 2007-01-11 01:00











CITY OF SHEBOYGAN

REQUEST FOR PLANNING COMMISSION CONSIDERATION

ITEM DESCRIPTION: G.O. 23-18-19 by Alderperson Bohren and R. O. No. 157-18-19 by City Clerk submitting a communication from David Gass requesting an encroachment into the Wisconsin Avenue Street right-of-way.

REPORT PREPARED BY: Steve Sokolowski, Manager of Planning and Zoning

REPORT DATE: November 9, 2018

MEETING DATE: November 13, 2018

FISCAL SUMMARY:

Budget Line Item: N/A
Budget Summary: N/A
Budgeted Expenditure: N/A
Budgeted Revenue: N/A

STATUTORY REFERENCE:

Wisconsin Statutes: N/A
Municipal Code: N/A

BACKGROUND / ANALYSIS:

Water's Edge Condominiums will be a 32 unit townhouse condominium development on approximately two (2) acres of land located on N. 15th Street between Niagara Avenue and Wisconsin Avenue along the Sheboygan River. There will be a total of six (6) townhouse buildings consisting of 3-8 units per building. Each building will be two (2) stories and include either a two-car or one-car garage (depending on the unit floor plan).

There will be a single paved private drive through the site which will link N. 15th Street and Wisconsin Avenue. Wisconsin Avenue west of N. 15th Street is an unimproved right-of-way (presently just gravel and grass).

The applicant states the following about the Wisconsin Avenue encroachment:

- There will be two main access drives that will provide access to the property. This shared access drive will serve a majority of the buildings and will access Wisconsin Avenue and N. 15th Street.
- In the Wisconsin Avenue Right of Way, west of N. 15th Street, there will be four (4) at grade visitor parking spaces provided (this will require the applicant to obtain an encroachment from the City of Sheboygan for use of the public right-of-way).
- The applicant will be starting construction of the Water's Edge Townhouse Condominium project in the near future.

STAFF COMMENTS:

The City Plan Commission approved the Water Edge Condominium development with several conditions of approval including conditions five (5) and 17 that state:

Applicant shall be required to obtain the necessary encroachment to utilize and improve Wisconsin Avenue public right-of-way (including, but not limited to parking, driveway openings, curb, gutter, sidewalk, pavement, utilities, landscaping, etc.). Applicant shall work with City Development and Engineering staff to determine the specifications that the proposed improvements shall meet. No building permits shall be issued for any of the structures that will utilize Wisconsin Avenue for access until such time as the encroachment has been obtained.

Landscape plan shall also incorporate the landscaping to be installed to minimize negative impacts on the single-family residence located at 730 N. 15th Street. This landscaping shall be incorporated into the encroachment required for use and improvement of Wisconsin Avenue.

Staff is acceptable to the proposed encroachment provided the applicant submits all of the documentation necessary to use and develop this section of Wisconsin Avenue street right-of-way for purposes that include but are not limited to parking, driveway openings, curb, gutter, sidewalk, pavement, utilities, landscaping, etc. Engineering and planning departments shall approve the plans prior to construction taking place in the Wisconsin Avenue street right-of-way.

ACTION REQUESTED:

Motion to recommend the Common Council approve the encroachment and G.O. No. 23-18-19.

ATTACHMENTS:

R.O. No. 157-18-19 and G.O. No. 23-18-19

October 26, 2018

David O. Gass
K. Allan Voss
Anthony J. Resimius
Ryan J. Zinkel
Kyle G. Borkenhagen
Stephanie E. Malis
Lili Clare Behm
William P. Te Winkle
R. T. Melzer
Eldon L. Bohrofen

HAND DELIVERED TO CITY CLERK

Mayor Michael J. Vandersteen
City of Sheboygan
828 Center Ave., Suite 301
Sheboygan, WI 53081

Common Council
City of Sheboygan
828 Center Ave., Suite 301
Sheboygan, WI 53081

*Re: Water's Edge Development of Sheboygan, LLC
Request for Encroachment
Water's Edge Condominium Development
Vacant Land on N. 15th St. across from 822 N. 14th St. (Parcel No.
59281500560)*

Dear Mayor Vandersteen and Members of the Common Council:

On behalf of Water's Edge Development of Sheboygan, LLC (the "Developer"), I submit this letter as the Developer's request for the granting of permission to encroach upon and into the Wisconsin Avenue right-of-way located just to the South of the parcel identified above, for purposes of driveway access, parking and landscaping for the Water's Edge Condominium development project. As you are aware, the Developer entered into a Development Agreement with the City of Sheboygan on September 6, 2018 and the City Plan Commission approved the Water's Edge Condominium development with a number of conditions, including the following (#17):

Applicant shall be required to obtain the necessary encroachment to utilize and improve Wisconsin Avenue public right-of-way (including, but not limited to parking, driveway openings, curb, gutter, sidewalk, pavement, utilities, landscaping, etc.). Applicant shall work with City Development and Engineering staff to determine the specifications that the proposed improvements shall meet. No building permits shall be issued for any of the structures that will utilize Wisconsin Avenue for access until such time as the encroachment has been obtained.

909 N. 8th St.
Ste. 100
Sheboygan, WI
53081

(920) 458-5501

(920) 458-5874 Fax

mail@rohdedales.com

www.rohdedales.com

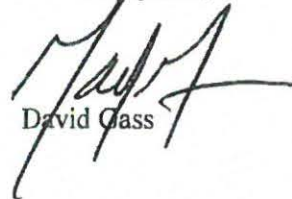
Mayor Michael J. Vandersteen
October 26, 2018
Page 2

Included with this correspondence are the following:

- a. Survey showing Encroachment Area
- b. Legal Description of Encroachment Area
- c. Approved Site Plan
- d. Landscape Plan.

We have given copies of the enclosed to City Development and the City Engineer. Please notify us of the date of the Plan Commission meeting to consider this request.

Sincerely yours,



David Gass

DG/sjb

Enclosure

Encroachment Easement Map - Exhibit A

for
Water's Edge Development of Sheboygan, LLC

All of Block 119 of Original Plat of Sheboygan, being part of the SE 1/4 and SW 1/4 of the NE 1/4 and part of the NE 1/4 and NW 1/4 of the SE 1/4 of Section 22, Township 15 North, Range 23 East, City of Sheboygan, Sheboygan County, Wisconsin.

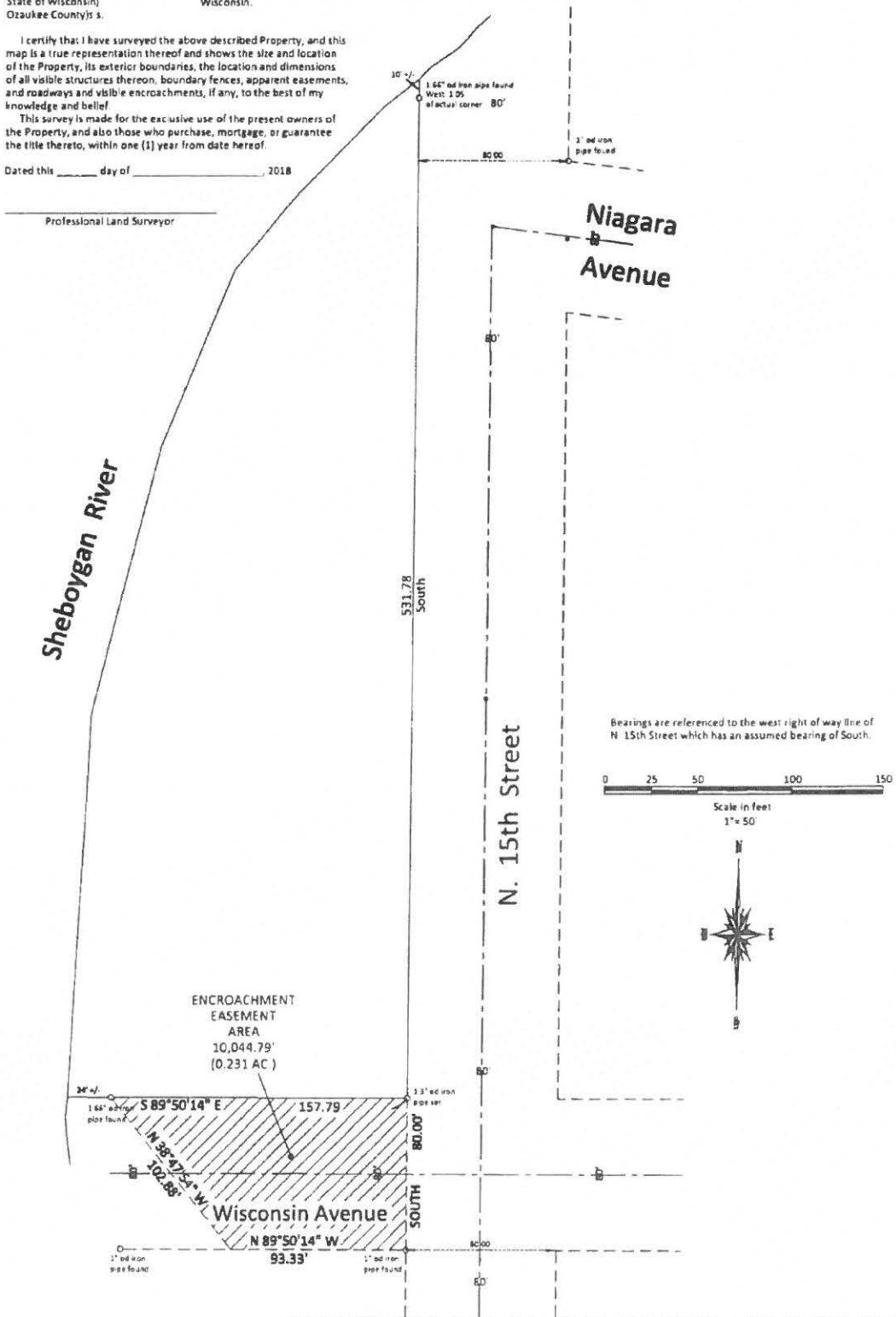
State of Wisconsin)
Ozaukee County's s.

I certify that I have surveyed the above described Property, and this map is a true representation thereof and shows the size and location of the Property, its exterior boundaries, the location and dimensions of all visible structures thereon, boundary fences, apparent easements, and roadways and visible encroachments, if any, to the best of my knowledge and belief.

This survey is made for the exclusive use of the present owners of the Property, and also those who purchase, mortgage, or guarantee the title thereto, within one (1) year from date hereof.

Dated this _____ day of _____, 2018

Professional Land Surveyor

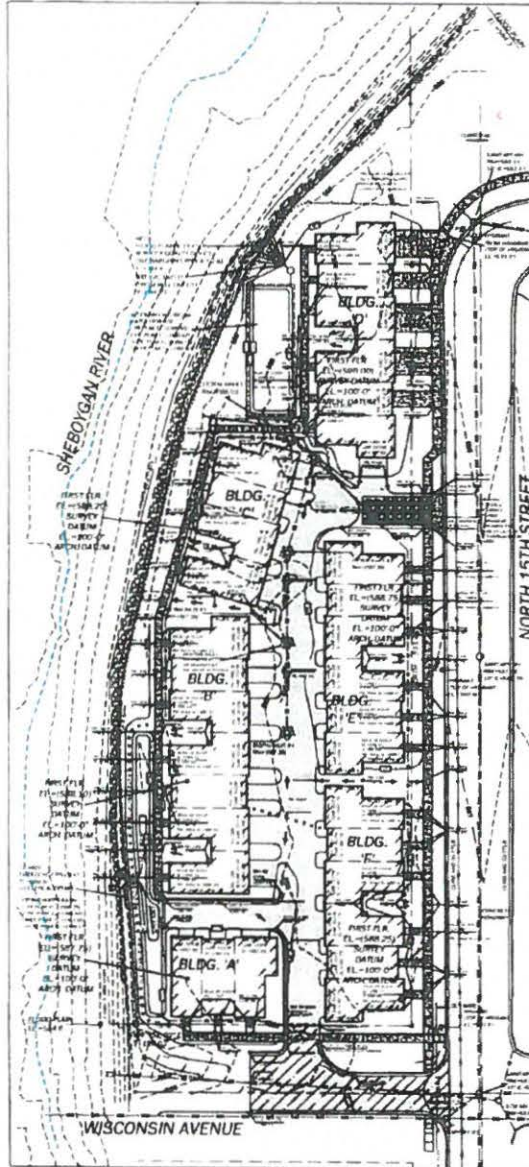


Encroachment Easement Description - Exhibit B
for
Water's Edge Development of Sheboygan, LLC
for Wisconsin Avenue Right of Way

All of Block 119 of Original Plat of Sheboygan, being part of the SE 1/4 and SW 1/4 of the NE 1/4 and part of the NE 1/4 and NW 1/4 of the SE 1/4 of Section 22, Township 15 North, Range 23 East, City of Sheboygan, Sheboygan County, Wisconsin.

COMMENCING at the SE corner of Block 119 in the SE $\frac{1}{4}$ of Section 22, defined as the point of beginning for this description; thence South 80.00 feet parallel with the West Right of Way line of North 15th Street to the NE corner of Block 137 in the SE $\frac{1}{4}$ of Section 22; thence N 89° 50' 14" W, 93.33 feet along the South Right of Way line of Wisconsin Avenue, thence N 38° 47' 54" W, 102.88 feet, thence S 89° 50' 14" E, 157.79 feet along North Right of Way of Wisconsin Avenue to the Point of Beginning.

The above description for the encroachment area described contains 0.231 acres (10,044.79 square feet) of land, more or less.



SITE DEVELOPMENT AND EROSION CONTROL NOTES:

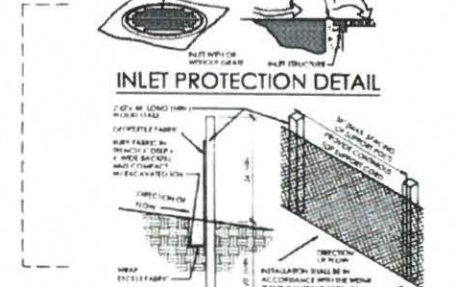
THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AND STATE AGENCIES. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AND STATE AGENCIES. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AND STATE AGENCIES.

THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AND STATE AGENCIES. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AND STATE AGENCIES. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AND STATE AGENCIES.

INLET PROTECTION DETAIL



SILT FENCE SECTION & DETAIL



SITE GRADING AND EROSION CONTROL PLAN

SITE DATA

TOTAL SITE AREA	= 79,242 SQ FT (1.45 AC)
EXISTING	= 0.00 AC (0.00 SQ FT)
PROPOSED BUILDING FOOTPRINT	= 4,930 SQ FT
BLDG. A	= 4,930 SQ FT
BLDG. B	= 2,730 SQ FT
BLDG. C	= 1,400 SQ FT
BLDG. D	= 5,000 SQ FT
BLDG. E	= 5,000 SQ FT
PROPOSED PAVEMENT	= 117,930 SQ FT
PROPOSED TOTAL IMPERVIOUS AREA (PAVED DEVELOPMENT)	= 122,860 SQ FT (2.81 AC)

PROPOSED TOTAL IMPERVIOUS AREA (PAVED DEVELOPMENT) = 122,860 SQ FT (2.81 AC)

OFF STREET PARKING: 1,000 SPACES

OFF STREET GARAGE SPACES PROVIDED: 100 SPACES

OFF STREET BIKE SPACES PROVIDED: 100 SPACES

OFF STREET BIKE REPAIR SPACES PROVIDED: 10 SPACES

OFF STREET BIKE STORAGE SPACES PROVIDED: 100 SPACES

OFF STREET BIKE REPAIR SPACES PROVIDED: 10 SPACES

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OFF STREET BIKE REPAIR SPACES PROVIDED: 10 SPACES

OFF STREET BIKE STORAGE SPACES PROVIDED: 100 SPACES

OFF STREET BIKE REPAIR SPACES PROVIDED: 10 SPACES



G&A ENGINEERING, INC.
1500 WEST WISCONSIN AVENUE
SHEBOYGAN, WISCONSIN 53081
TEL: 920.451.1779
WWW.GANDAE.COM



WATER'S EDGE
NORTH 15th STREET
SHEBOYGAN, WI 53081

SITE PLAN
SITE GRADING AND
EROSION CONTROL PLAN

C 1.1



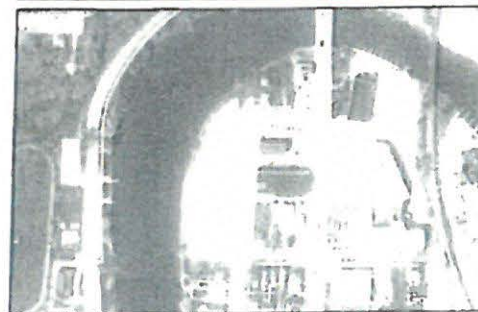
WATER'S EDGE - TOWNHOME DEVELOPMENT

The Water's Edge development was conceived of as an identifiable, cohesive neighborhood that respected the scale and design of the housing immediately surrounding it. The units were modeled after traditional Wisconsin housing forms found within the adjacent neighborhood. Simple, yet elegantly proportioned, the townhomes echo the houses located to the East along Wisconsin Avenue.

To help deftly insert the 32 townhomes into the existing context we broke them apart into six different buildings. While not functionally necessary, this helps to diminish the size of the overall development and allows for pedestrians to filter through the buildings between Fifteenth Street and the river's edge.

WATER'S EDGE Townhome Development

- **Location:** Sheboygan Wisconsin
- **Status:** In Design
- **Size:** 32 Townhomes



The site is the former location of Richardson Lumber



WATER'S EDGE • SHEBOYGAN, WI

GALBRAITH CARNAHAN ARCHITECTS

The development as viewed from the southeast



WATER'S EDGE - TOWNHOME DEVELOPMENT



The intimately scaled project as viewed from 15th Street (looking West)



The multi-purpose auto-court at the center of the site

On the southern and eastern edges of the site, the townhomes help to define the street edge. The townhomes along the river are pulled as far west as possible to create a small heavily landscaped auto-court at the heart of the development.

This pulls the auto traffic away from the 15th street sidewalks and creates a more pedestrian friendly environment. With the landscaping and intimately scaled townhouses, the inwardly focused auto court also provides a flexible shared space for the residents.



WATER'S EDGE

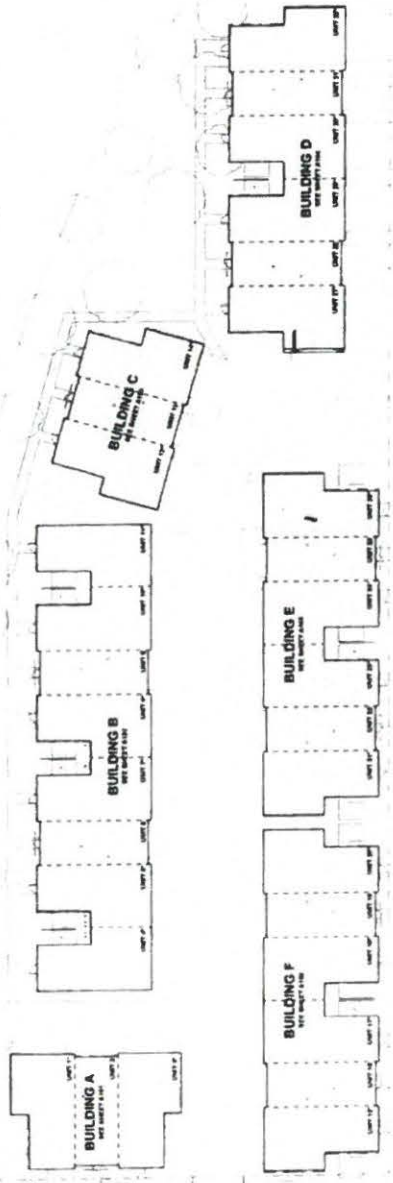
NORTH 15th STREET
SHEBOYGAN WI 53081

DATE	11/11/11
PROJECT	WATER'S EDGE
CLIENT	WATER'S EDGE
ARCHITECT	GEOGRAPHIC ARCHITECTURE
SCALE	AS SHOWN

SITE PLAN

A001

SHEBOYGAN RIVER



NORTH 15th STREET

WISCONSIN AVENUE

- SITE PLAN - GENERAL NOTES**
1. ALL DIMENSIONS ARE IN FEET AND INCHES.
 2. ALL DIMENSIONS ARE TO THE CENTERLINE UNLESS OTHERWISE NOTED.
 3. ALL DIMENSIONS ARE TO THE EXTERIOR FACE UNLESS OTHERWISE NOTED.
 4. ALL DIMENSIONS ARE TO THE CENTERLINE UNLESS OTHERWISE NOTED.
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 10. ALL DIMENSIONS ARE TO THE CENTERLINE UNLESS OTHERWISE NOTED.

NOT FOR CONSTRUCTION





WATER'S EDGE • SHEBOYGAN, WI



PRESS RELEASE

Water's Edge Condominium Project Breaks Ground

Sheboygan, Wis. (November 1, 2018) – Waters Edge Development of Sheboygan, LLC, is pleased to announce the unveiling of its 32 unit two-bedroom one and a half bath condominium project called Water's Edge located on the Sheboygan river at 15th Street between Wisconsin and Niagara Ave.

"The property had been used in its long history as a lumber staging and storage area. The property being adjacent to the beautiful Sheboygan river and across from Kiwanis park lead us to believe the best site re-development would be condominium living. Recent survey data and real estate broker reports illustrated a strong demand for condo products in a mid-market price point, that is what we intend to deliver with the Water's Edge project." Said Paul Weaver, Development Team Member.

The two-story condos will feature beautiful finishes such as stainless-steel appliances, designer cabinets, 9 ft + ceiling heights, full-size washer and dryer, closets and stone counter tops. Water's Edge will boast many amenities, including either a one or two car garage, off street parking, walk out balconies off the master bedroom, river access, and many with personal views of the river.

Water's Edge Development group worked with Galbraith Carnahan Architects out of Wauwatosa on the unique design for this project. The development is estimated at \$7M, with a target selling range of \$250,000 or less. Construction on Water's Edge is scheduled for completion starting early Summer 2019.

"We're excited to see Waters Edge begin to take shape on the old Richardson Lumber site. Nick Carnahan, Partner of Galbraith Carnahan Architects said. "Projects that create a unique, special place in the world while breathing new life into the surrounding community are the prime motivating reason we come into the office each morning. It's great to see this new housing option taking root in Sheboygan."

Water's Edge is a development of Water's Edge Development of Sheboygan, LLC, comprised of three experienced developers from Southeast Wisconsin.

Media is invited to cover this event between 1:30 PM and 2:30 PM on Thursday, November 1st.

For more information contact:

Contact: Paul Weaver

414-731-0795, paulw@project4services.com



6.1

Gen. Ord. No. 23 - 18 - 19. By Alderperson Bohren. November 5, 2018.

AN ORDINANCE granting Water's Edge Development of Sheboygan, LLC, its successors and assigns, the privilege of encroaching upon described portions of Wisconsin Avenue right-of-way located on vacant land on North 15th Street across from 822 North 14th Street (Parcel No. 59281500560) in the City of Sheboygan for the purpose of driveway access, parking and landscaping for the Water's Edge Condominium development project.

THE COMMON COUNCIL OF THE CITY OF SHEBOYGAN DO ORDAIN AS FOLLOWS:

Section 1. Subject to the terms and conditions contained herein, Water's Edge Development of Sheboygan, LLC, their heirs and assigns, is hereby granted the privilege of encroaching upon described portions of Wisconsin Avenue right-of-way, located on vacant land on North 15th Street across from 822 North 14th Street (Parcel No. 59281500560) as follows:

ALL OF BLOCK 119 OF ORIGINAL PLAT OF SHEBOYGAN, BEING PART OF THE SE ¼ AND SW ¼ OF THE NE ¼ AND PART OF THE NE ¼ AND NW ¼ OF THE SE ¼ OF SECTION 22, TOWNSHIP 15 NORTH, RANGE 23 EAST, CITY OF SHEBOYGAN, SHEBOYGAN COUNTY, WISCONSIN.

COMMENCING AT THE SE CORNER OF BLOCK 119 IN THE SE ¼ OF SECTION 22, DEFINED AS THE POINT OF BEGINNING FOR THIS DESCRIPTION; THENCE SOUTH 80.00 FEET PARALLEL WITH THE WEST RIGHT OF WAY LINE OF NORTH 15TH STREET TO THE NE CORNER OF BLOCK 137 IN THE SE ¼ OF SECTION 22; THENCE N 89°50'14" W, 93.33 FEET ALONG THE SOUTH RIGHT OF WAY LINE OF WISCONSIN AVENUE, THENCE N 38°47'54" W, 102.88 FEET, THENCE S 89°50'14" E, 157.79 FEET ALONG NORTH RIGHT OF WAY OF WISCONSIN AVENUE TO THE POINT OF BEGINNING.

for the purposes of driveway access, parking and landscaping, in accordance with the sketch attached hereto and made a part hereof.

Section 2. The privilege as granted above is granted only on the condition that by the acceptance of the privilege, the said Water's Edge Development of Sheboygan, LLC, its successors and assigns:

a. Shall become primarily responsible and liable for all and any damage to persons or property caused by and arising from the grant and exercise of such privilege.

b. Shall remove the encroachment allowed herein within ten (10) days after notice so to remove given by the State of Wisconsin or the City of Sheboygan; in the event of the failure so to remove, the said Water's Edge Development of Sheboygan, LLC, its successors and assigns: shall pay the costs of removal by the State of Wisconsin or the City of Sheboygan, waiving

City Plan

all claim or claims for damages resulting from such removal, whether the removal is done by the said Water's Edge Development of Sheboygan, LLC, its successors and assigns, or by the State of Wisconsin or by the City of Sheboygan;

c. Shall pay such compensation to the City of Sheboygan for the grant of this privilege as may be determined by a board consisting of the Mayor, the Director of Public Works and the City Attorney; the compensation shall be paid into the General Fund.

d. Shall make such construction and/or alterations and maintain the same subject to the approval of the City Building Inspector and Director of Public Works, and shall waive the right to contest in any manner the validity of this ordinance or the amount of compensation charged.

Section 3. The provisions of §66.0425(1) thru (5) of the Wisconsin Statutes are incorporated herein by reference to all intents and purposes as if set out fully.

Section 4. The City Clerk is authorized and directed to record a certified copy of this ordinance in the office of the Register of Deeds for Sheboygan County, Wisconsin, the costs thereof to be charged to the General Fund.

Section 5. This ordinance shall take effect and be in full force from and after its passage and publication and upon payment of the consideration to be determined hereunder, provided, however, that in the event of failure to exercise the privilege herein granted and the payment of such consideration within six (6) months from the effective date hereof, then and in that event such privilege shall be rendered null and void.



I HEREBY CERTIFY that the foregoing Ordinance was duly passed by the Common Council of the City of Sheboygan, Wisconsin, on the _____ day of _____, 20____.

Dated _____ 20____. _____, City Clerk

Approved _____ 20____. _____, Mayor

Encroachment Easement Map - Exhibit A

for
Water's Edge Development of Sheboygan, LLC

All of Block 119 of Original Plat of Sheboygan, being part of the SE 1/4 and SW 1/4 of the NE 1/4 and part of the NE 1/4 and NW 1/4 of the SE 1/4 of Section 22, Township 15 North, Range 23 East, City of Sheboygan, Sheboygan County, Wisconsin.

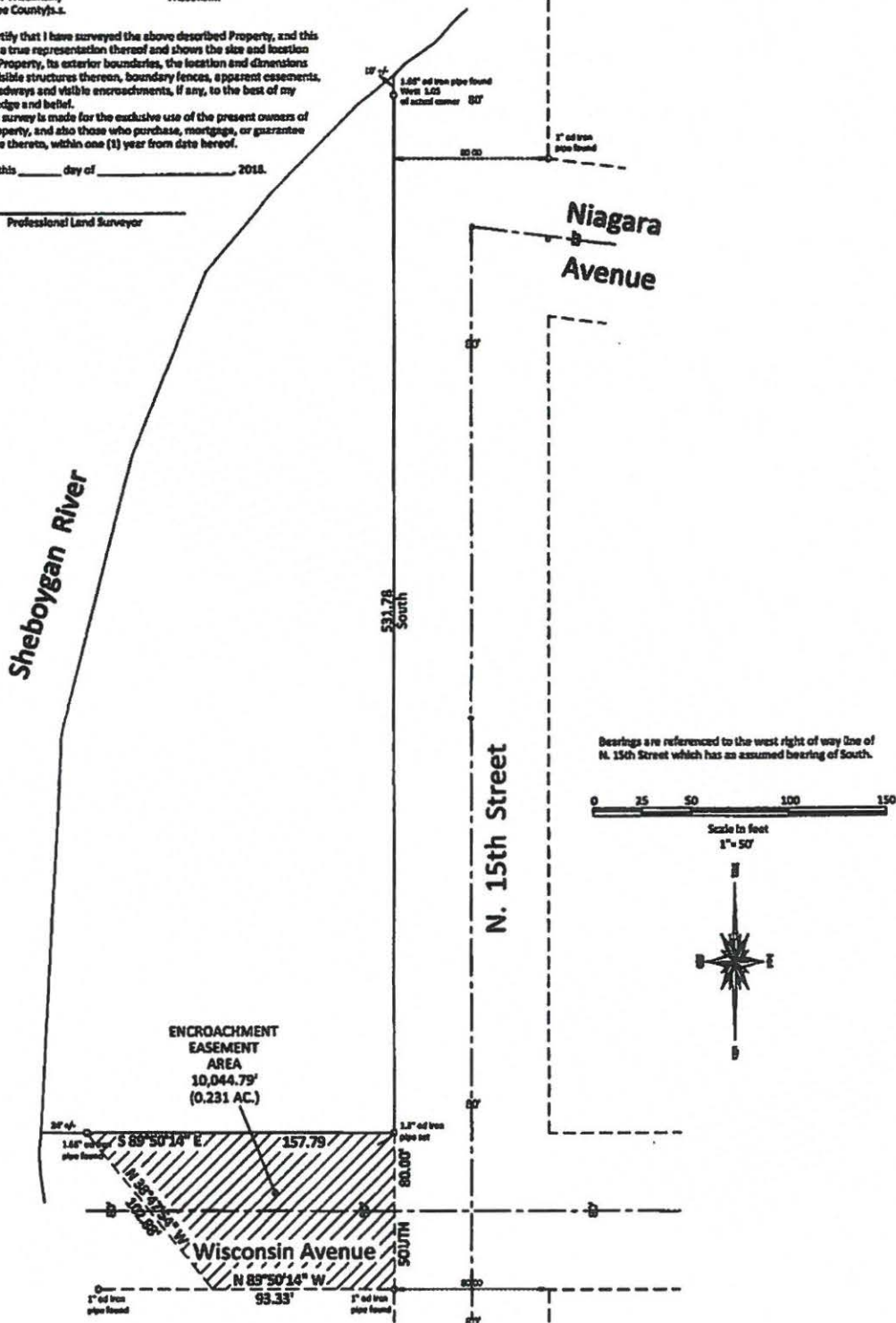
State of Wisconsin)
Ozaukee County)s.s.

I certify that I have surveyed the above described Property, and this map is a true representation thereof and shows the size and location of the Property, its exterior boundaries, the location and dimensions of all visible structures thereon, boundary fences, apparent easements, and roadways and visible encroachments, if any, to the best of my knowledge and belief.

This survey is made for the exclusive use of the present owners of the Property, and also those who purchase, mortgage, or guarantee the title thereto, within one (1) year from date hereof.

Dated this _____ day of _____ 2018.

Professional Land Surveyor



Bearings are referenced to the west right of way line of N. 15th Street which has an assumed bearing of South.

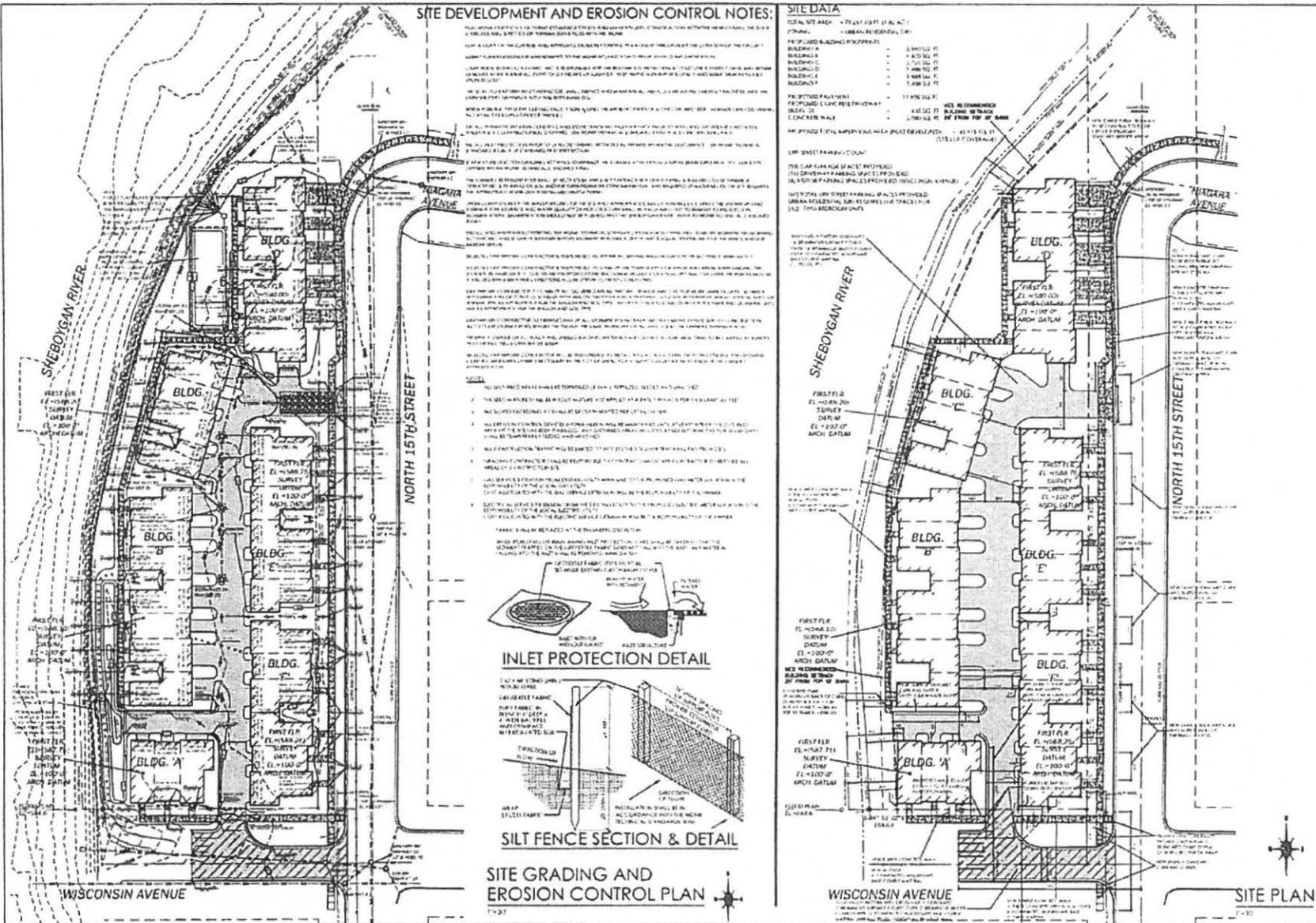


Encroachment Easement Description - Exhibit B
for
Water's Edge Development of Sheboygan, LLC
for Wisconsin Avenue Right of Way

All of Block 119 of Original Plat of Sheboygan, being part of the SE 1/4 and SW 1/4 of the NE 1/4 and part of the NE 1/4 and NW 1/4 of the SE 1/4 of Section 22, Township 15 North, Range 23 East, City of Sheboygan, Sheboygan County, Wisconsin.

COMMENCING at the SE corner of Block 119 in the SE $\frac{1}{4}$ of Section 22, defined as the point of beginning for this description; thence South 80.00 feet parallel with the West Right of Way line of North 15th Street to the NE corner of Block 137 in the SE $\frac{1}{4}$ of Section 22; thence N 89° 50' 14" W, 93.33 feet along the South Right of Way line of Wisconsin Avenue, thence N 38° 47' 54" W, 102.88 feet, thence S 89° 50' 14" E, 157.79 feet along North Right of Way of Wisconsin Avenue to the Point of Beginning.

The above description for the encroachment area described contains 0.231 acres (10,044.79 square feet) of land, more or less.



SITE DEVELOPMENT AND EROSION CONTROL NOTES:

1. ALL EXISTING AND PROPOSED CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE SHEBOYGAN COUNTY ZONING ORDINANCES AND THE SHEBOYGAN COUNTY SUBDIVISION MAP ACT. THE SHEBOYGAN COUNTY ZONING ORDINANCES SHALL BE APPLIED TO THIS PROJECT AS IF THEY WERE PART OF THE SUBDIVISION MAP ACT.

2. THE SHEBOYGAN COUNTY ZONING ORDINANCES REQUIRE THAT ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE SHEBOYGAN COUNTY SUBDIVISION MAP ACT. THE SHEBOYGAN COUNTY SUBDIVISION MAP ACT SHALL BE APPLIED TO THIS PROJECT AS IF IT WERE PART OF THE ZONING ORDINANCES.

3. THE SHEBOYGAN COUNTY ZONING ORDINANCES REQUIRE THAT ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE SHEBOYGAN COUNTY SUBDIVISION MAP ACT. THE SHEBOYGAN COUNTY SUBDIVISION MAP ACT SHALL BE APPLIED TO THIS PROJECT AS IF IT WERE PART OF THE ZONING ORDINANCES.

4. THE SHEBOYGAN COUNTY ZONING ORDINANCES REQUIRE THAT ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE SHEBOYGAN COUNTY SUBDIVISION MAP ACT. THE SHEBOYGAN COUNTY SUBDIVISION MAP ACT SHALL BE APPLIED TO THIS PROJECT AS IF IT WERE PART OF THE ZONING ORDINANCES.

5. THE SHEBOYGAN COUNTY ZONING ORDINANCES REQUIRE THAT ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE SHEBOYGAN COUNTY SUBDIVISION MAP ACT. THE SHEBOYGAN COUNTY SUBDIVISION MAP ACT SHALL BE APPLIED TO THIS PROJECT AS IF IT WERE PART OF THE ZONING ORDINANCES.

6. THE SHEBOYGAN COUNTY ZONING ORDINANCES REQUIRE THAT ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE SHEBOYGAN COUNTY SUBDIVISION MAP ACT. THE SHEBOYGAN COUNTY SUBDIVISION MAP ACT SHALL BE APPLIED TO THIS PROJECT AS IF IT WERE PART OF THE ZONING ORDINANCES.

7. THE SHEBOYGAN COUNTY ZONING ORDINANCES REQUIRE THAT ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE SHEBOYGAN COUNTY SUBDIVISION MAP ACT. THE SHEBOYGAN COUNTY SUBDIVISION MAP ACT SHALL BE APPLIED TO THIS PROJECT AS IF IT WERE PART OF THE ZONING ORDINANCES.

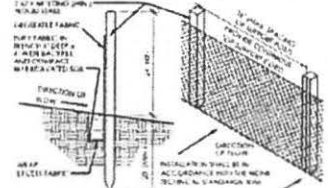
8. THE SHEBOYGAN COUNTY ZONING ORDINANCES REQUIRE THAT ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE SHEBOYGAN COUNTY SUBDIVISION MAP ACT. THE SHEBOYGAN COUNTY SUBDIVISION MAP ACT SHALL BE APPLIED TO THIS PROJECT AS IF IT WERE PART OF THE ZONING ORDINANCES.

9. THE SHEBOYGAN COUNTY ZONING ORDINANCES REQUIRE THAT ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE SHEBOYGAN COUNTY SUBDIVISION MAP ACT. THE SHEBOYGAN COUNTY SUBDIVISION MAP ACT SHALL BE APPLIED TO THIS PROJECT AS IF IT WERE PART OF THE ZONING ORDINANCES.

10. THE SHEBOYGAN COUNTY ZONING ORDINANCES REQUIRE THAT ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE SHEBOYGAN COUNTY SUBDIVISION MAP ACT. THE SHEBOYGAN COUNTY SUBDIVISION MAP ACT SHALL BE APPLIED TO THIS PROJECT AS IF IT WERE PART OF THE ZONING ORDINANCES.

SITE DATA

TOTAL SITE AREA - 75,247 SQ. FT. (1.72 AC.)	URBAN RECREATIONAL ZONE
BLDG. A	3,810 SQ. FT.
BLDG. B	4,750 SQ. FT.
BLDG. C	17,450 SQ. FT.
BLDG. D	1,980 SQ. FT.
BLDG. E	1,980 SQ. FT.
BLDG. F	1,980 SQ. FT.
BLDG. G	1,980 SQ. FT.
BLDG. H	1,980 SQ. FT.
BLDG. I	1,980 SQ. FT.
BLDG. J	1,980 SQ. FT.
BLDG. K	1,980 SQ. FT.
BLDG. L	1,980 SQ. FT.
BLDG. M	1,980 SQ. FT.
BLDG. N	1,980 SQ. FT.
BLDG. O	1,980 SQ. FT.
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BLDG. R	1,980 SQ. FT.
BLDG. S	1,980 SQ. FT.
BLDG. T	1,980 SQ. FT.
BLDG. U	1,980 SQ. FT.
BLDG. V	1,980 SQ. FT.
BLDG. W	1,980 SQ. FT.
BLDG. X	1,980 SQ. FT.
BLDG. Y	1,980 SQ. FT.
BLDG. Z	1,980 SQ. FT.



SITE GRADING AND EROSION CONTROL PLAN



WATER'S EDGE
 NORTH 15TH STREET,
 SHEBOYGAN, WI 53081

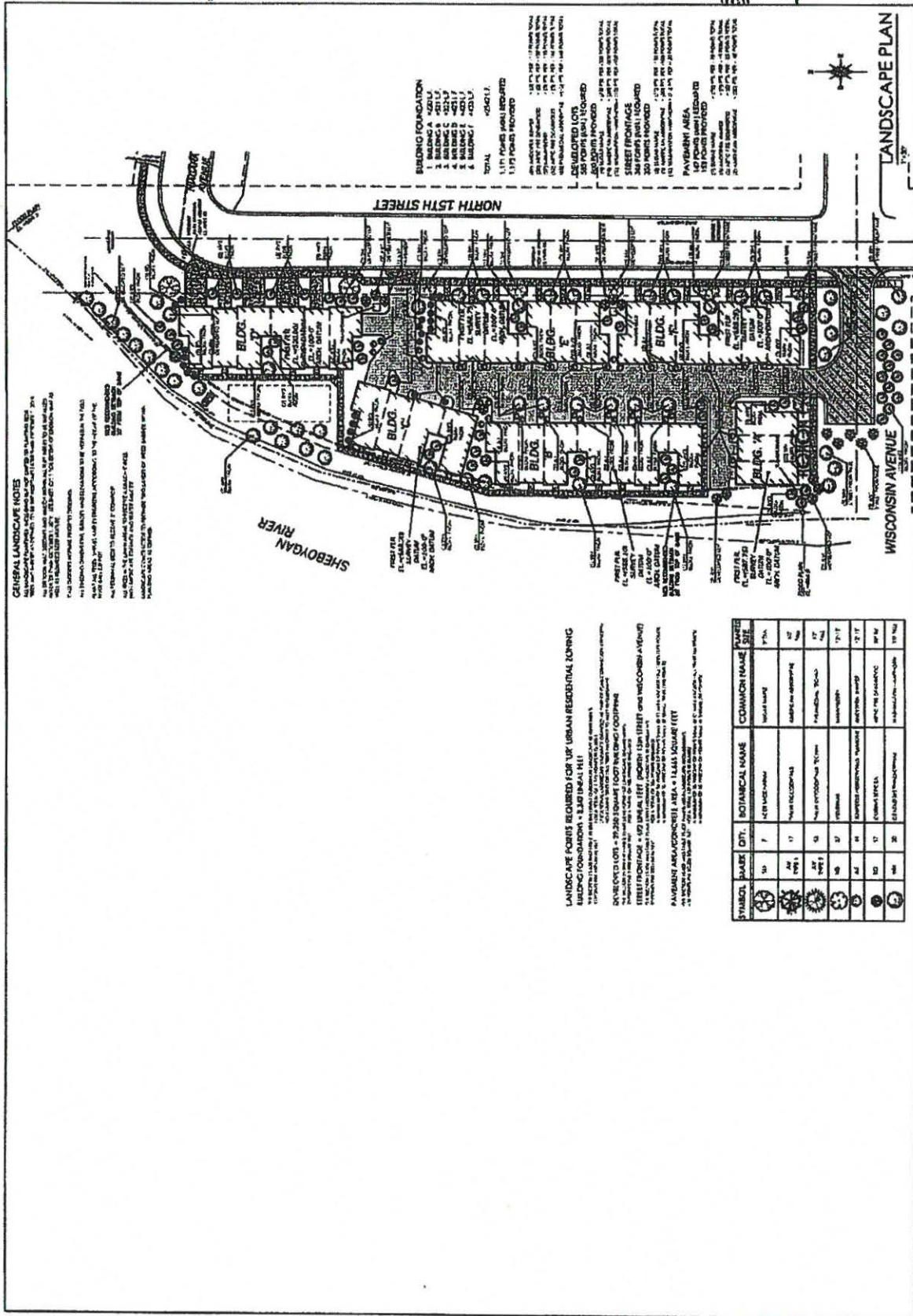
C 1.1



WATER'S EDGE
 NORTH 15TH STREET
 SHEBOYGAN, WI 53081

WATER'S EDGE

C 1.3



GENERAL LANDSCAPE NOTE
 ALL PLANTINGS SHALL BE INSTALLED AND MAINTAINED IN ACCORDANCE WITH THE SHEBOYGAN MUNICIPAL ORDINANCES AND THE SHEBOYGAN ZONING ORDINANCES. THE LANDSCAPE DESIGNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE SHEBOYGAN MUNICIPALITY AND THE SHEBOYGAN ZONING BOARD. THE LANDSCAPE DESIGNER SHALL ALSO BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE SHEBOYGAN MUNICIPALITY AND THE SHEBOYGAN ZONING BOARD. THE LANDSCAPE DESIGNER SHALL ALSO BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE SHEBOYGAN MUNICIPALITY AND THE SHEBOYGAN ZONING BOARD.

- BEARING FOUNDATION**
- 1. BEARING A - 400 LBS
 - 2. BEARING B - 400 LBS
 - 3. BEARING C - 400 LBS
 - 4. BEARING D - 400 LBS
 - 5. BEARING E - 400 LBS
 - 6. BEARING F - 400 LBS
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 - 22. BEARING V - 400 LBS
 - 23. BEARING W - 400 LBS
 - 24. BEARING X - 400 LBS
 - 25. BEARING Y - 400 LBS
 - 26. BEARING Z - 400 LBS
- DEVELOPED LOTS**
- 1. 1.17 ACRES (80,000 SQ FT)
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 - 100. 1.17 ACRES (80,000 SQ FT)

LANDSCAPE FORMS REQUIRED FOR URBAN RESIDENTIAL ZONING
 BEARING FOUNDATION - 400 LBS
 DEVELOPED LOTS - 1.17 ACRES (80,000 SQ FT)
 STREET FRONTAGE - 348 FEET (SEE PLAN)
 PAVEMENT AREA (CONCRETE) AREA - 1,144,000 SQ FT

SYMBOL	GRADE	QTY.	BOTANICAL NAME	COMMON NAME	PLANT SITE
(Symbol)	1A	7	PLANT NAME	PLANT NAME	PLANT NAME
(Symbol)	1B	17	PLANT NAME	PLANT NAME	PLANT NAME
(Symbol)	1C	17	PLANT NAME	PLANT NAME	PLANT NAME
(Symbol)	1D	17	PLANT NAME	PLANT NAME	PLANT NAME
(Symbol)	1E	17	PLANT NAME	PLANT NAME	PLANT NAME
(Symbol)	1F	17	PLANT NAME	PLANT NAME	PLANT NAME
(Symbol)	1G	17	PLANT NAME	PLANT NAME	PLANT NAME
(Symbol)	1H	17	PLANT NAME	PLANT NAME	PLANT NAME
(Symbol)	1I	17	PLANT NAME	PLANT NAME	PLANT NAME
(Symbol)	1J	17	PLANT NAME	PLANT NAME	PLANT NAME
(Symbol)	1K	17	PLANT NAME	PLANT NAME	PLANT NAME
(Symbol)	1L	17	PLANT NAME	PLANT NAME	PLANT NAME
(Symbol)	1M	17	PLANT NAME	PLANT NAME	PLANT NAME
(Symbol)	1N	17	PLANT NAME	PLANT NAME	PLANT NAME
(Symbol)	1O	17	PLANT NAME	PLANT NAME	PLANT NAME
(Symbol)	1P	17	PLANT NAME	PLANT NAME	PLANT NAME
(Symbol)	1Q	17	PLANT NAME	PLANT NAME	PLANT NAME
(Symbol)	1R	17	PLANT NAME	PLANT NAME	PLANT NAME
(Symbol)	1S	17	PLANT NAME	PLANT NAME	PLANT NAME
(Symbol)	1T	17	PLANT NAME	PLANT NAME	PLANT NAME
(Symbol)	1U	17	PLANT NAME	PLANT NAME	PLANT NAME
(Symbol)	1V	17	PLANT NAME	PLANT NAME	PLANT NAME
(Symbol)	1W	17	PLANT NAME	PLANT NAME	PLANT NAME
(Symbol)	1X	17	PLANT NAME	PLANT NAME	PLANT NAME
(Symbol)	1Y	17	PLANT NAME	PLANT NAME	PLANT NAME
(Symbol)	1Z	17	PLANT NAME	PLANT NAME	PLANT NAME

LANDSCAPE PLAN
 SHEBOYGAN, WI 53081

II

3.1

R. O. No. 157 - 18 - 19. By CITY CLERK. November 5, 2018.

Submitting a communication from David Gass, Rohde Dales LLP, on behalf of Water's Edge Development of Sheboygan, LLC, requesting an encroachment upon and into the Wisconsin Avenue right-of-way located just to the South of Parcel No. 59281500560 for purposes of driveway access, parking and landscaping.

City Plan

CITY CLERK

OCT 29 '18 AM 8:11



October 26, 2018

David O. Gass
K. Allan Voss
Anthony J. Resimius
Ryan J. Zinkel
Kyle G. Borkenhagen
Stephanie E. Malis
Lili Clare Behm
William P. Te Winkle
R. T. Meizer
Eldon L. Bohrofen

HAND DELIVERED TO CITY CLERK

Mayor Michael J. Vandersteen
City of Sheboygan
828 Center Ave., Suite 301
Sheboygan, WI 53081

Common Council
City of Sheboygan
828 Center Ave., Suite 301
Sheboygan, WI 53081

*Re: Water's Edge Development of Sheboygan, LLC
Request for Encroachment
Water's Edge Condominium Development
Vacant Land on N. 15th St. across from 822 N. 14th St. (Parcel No.
59281500560)*

Dear Mayor Vandersteen and Members of the Common Council:

On behalf of Water's Edge Development of Sheboygan, LLC (the "Developer"), I submit this letter as the Developer's request for the granting of permission to encroach upon and into the Wisconsin Avenue right-of-way located just to the South of the parcel identified above, for purposes of driveway access, parking and landscaping for the Water's Edge Condominium development project. As you are aware, the Developer entered into a Development Agreement with the City of Sheboygan on September 6, 2018 and the City Plan Commission approved the Water's Edge Condominium development with a number of conditions, including the following (#17):

Applicant shall be required to obtain the necessary encroachment to utilize and improve Wisconsin Avenue public right-of-way (including, but not limited to parking, driveway openings, curb, gutter, sidewalk, pavement, utilities, landscaping, etc.). Applicant shall work with City Development and Engineering staff to determine the specifications that the proposed improvements shall meet. No building permits shall be issued for any of the structures that will utilize Wisconsin Avenue for access until such time as the encroachment has been obtained.

909 N. 8th St.
Ste. 100
Sheboygan, WI
53081

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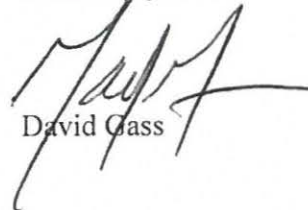
Mayor Michael J. Vandersteen
October 26, 2018
Page 2

Included with this correspondence are the following:

- a. Survey showing Encroachment Area
- b. Legal Description of Encroachment Area
- c. Approved Site Plan
- d. Landscape Plan.

We have given copies of the enclosed to City Development and the City Engineer. Please notify us of the date of the Plan Commission meeting to consider this request.

Sincerely yours,



David Gass

DG/sjb

Enclosure

Encroachment Easement Description - Exhibit B
for
Water's Edge Development of Sheboygan, LLC
for Wisconsin Avenue Right of Way

All of Block 119 of Original Plat of Sheboygan, being part of the SE 1/4 and SW 1/4 of the NE 1/4 and part of the NE 1/4 and NW 1/4 of the SE 1/4 of Section 22, Township 15 North, Range 23 East, City of Sheboygan, Sheboygan County, Wisconsin.

COMMENCING at the SE corner of Block 119 in the SE $\frac{1}{4}$ of Section 22, defined as the point of beginning for this description; thence South 80.00 feet parallel with the West Right of Way line of North 15th Street to the NE corner of Block 137 in the SE $\frac{1}{4}$ of Section 22; thence N 89° 50' 14" W, 93.33 feet along the South Right of Way line of Wisconsin Avenue, thence N 38° 47' 54" W, 102.88 feet, thence S 89° 50' 14" E, 157.79 feet along North Right of Way of Wisconsin Avenue to the Point of Beginning.

The above description for the encroachment area described contains 0.231 acres (10,044.79 square feet) of land, more or less.

III

4.3

Res. No. 115 - 18 - 19. By Alderperson Bohren. November 5, 2018.

A RESOLUTION approving the SouthPointe Enterprise Campus Protective Covenants and authorizing staff to record said covenants as deed restrictions against the property.

WHEREAS, having reviewed the protective covenants in the existing Sheboygan Business Center, city staff has incorporated additional covenants into SouthPointe Enterprise Campus to ensure that new development is consistent; and

WHEREAS, these protective covenants blend the use and protect the value of properties in the campus.

NOW, THEREFORE, BE IT RESOLVED: That the Common Council authorizes city staff to record these protective covenants against the properties included in the campus and understands that these requirements shall be followed for all new development occurring in this campus.

City Plan

James A. Bohren

I HEREBY CERTIFY that the foregoing Resolution was duly passed by the Common Council of the City of Sheboygan, Wisconsin, on the _____ day of _____, 20____.

Dated _____ 20____. _____, City Clerk

Approved _____ 20____. _____, Mayor



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PROTECTIVE COVENANTS

(Created 2018)

1. STRATEGIC LOCATION

The SouthPointe Enterprise Campus is located at the southernmost point of the City of Sheboygan and acts as a gateway to the community as viewed by motorists heading north on Interstate 43. The business campus is bordered by Interstate 43 and County Highway OK which provides great accessibility to the interstate. The campus includes approximately 400 additional acres that can be developed in phases over time. The plan indicates sites in a range of sizes, including larger sites up to 20+ acres. The plan is intended to be flexible and allow for development of sites varied in size based on need.

2. BACKGROUND AND PURPOSE

The SouthPointe Enterprise Campus is a planned development owned and managed by the City of Sheboygan, Wisconsin. These covenants are intended to be for the mutual benefit and protection of all present and future owners and lessees of land within the SouthPointe Enterprise Campus (hereinafter referred to as "SouthPointe"). It is the intention of the City of Sheboygan (hereafter referred to as the "City") that this be an environmentally and aesthetically superior development protected against depreciation in property values. These covenants are designed to ensure that SouthPointe will always provide an attractive setting for business and industry with high quality improvements, which will reflect well on both the owners and lessees within SouthPointe and the City of Sheboygan.

3. EASEMENTS

A. Title

Title of specific parcels will be transferred from the City to purchasers upon completion of appropriate sales transactions. The City will retain permanent easements for all drainage ways, retention ponds, landscaped areas, access routes, utilities, and other maintenance areas, which have been constructed or shown as planned to serve the campus as a whole.

B. Easement Area Maintenance

Each owner shall be responsible for required maintenance within identified easements on their properties. The City will retain ownership and provide maintenance for the retention ponds developed as part of the drainage system for the entire campus. (Retention ponds built by and for the use of individual owners will be responsibility of said owner.)

It shall be the responsibility of the individual property owners to ensure that the adequacy of maintenance is such that the premises are maintained properly, including the trimming and fertilization of ground cover, shrubbery, trees, and the replacement of landscaping when and where necessary.

4. LAND USE

The plan outlines zones for different land use/tenant types. The Office/Manufacturing zone is intended to accommodate smaller scale uses including corporate office, light industrial, and smaller scale manufacturing and warehousing. The Large Manufacturing zone is intended to accommodate uses with a need for larger sites to support their operations. The preferred concept plan is located in Appendix A.

A. Permitted Uses

The campus has been zoned Suburban Industrial (SI) under Section 15.105(3)(g) of the City of Sheboygan Zoning Ordinance. Under that section, any land use permitted under any of the City's other industrial classifications are a permitted use with the exception of those listed in subsection B, below.

The City may consider rezoning parcels with frontage on Interstate 43 to exclusively permit lodging. Interstate frontage lots may be considered for the development of mid-range and upscale hotels with at least sixty (60) units. The City may, via its zoning ordinance, permit certain ancillary uses in parcels rezoned exclusively for lodging.

B. Prohibited Operations and Uses

In addition to those uses prohibited in the City's other industrial classifications, the following uses are prohibited in the SI Zone.

1. The manufacture, processing or packaging of fish products.
2. The rendering of fats or oils.
3. Motor vehicle wrecking /repair and junk yards.
4. The manufacture of cement or concrete, plaster of paris and gypsum, crushing/recycling of concrete and gravel.
5. Fuel refineries and storage yards.
6. The manufacture of acids, explosives or dry fertilizers.
7. The operation of stockyards or slaughterhouses.
8. Waste Incineration.
9. Personal storage facilities (mini warehouses).
10. Adult Entertainment.
11. Ammunition, ordinance or explosives production or storage operations.
12. Asphalt plants.

C. Nuisance Restrictions

No operation, process, or other use or activity on said property shall produce noise, light, odors, smoke, vibrations, heat, industrial waste, or other external nuisances in violation of or in excess of the limits defined in city codes.

D. Special uses

Any activity causing or resulting in electromechanical or electromagnetic disturbance or radiation shall require a written application to and the approval by the City Plan Commission.

5. SETBACKS FROM PROPERTY LINES

A. Front Yard Setback

No part or portion of any building shall be erected, constructed, or extended nearer than fifty (50) feet to the front lot line of any parcel. Parking or storage of automobiles or other vehicles, materials, products or equipment shall be prohibited within this fifty (50) foot setback area. The fifty (50) foot setback shall be entirely graded and sodded or seeded between side lot lines and from the road shoulder to the building face in a manner that will produce an acceptable lawn, excepting only such areas as may be required for driveways or walks and planting beds for flowers, groundcover, shrubs, trees, or combinations thereof. All driveways, parking lots, and truck loading areas shall be surfaced with Portland cement concrete from the right-of-way line to the roadway. All walks shall be of Portland cement concrete. All such landscaping, drives, and walks shall be completed within one (1) year of the time construction of the principal building has been completed.

B. Interior Side Yard Setback

No part or portion of any building shall be erected, constructed, or extended nearer than twenty-five (25) feet to any interior side lot line of any parcel within SouthPointe Enterprise Campus. The use and treatment of all side yard areas shall be in accordance with the provisions of Paragraph 4(A) above. Parking, material storage, loading docks, and vehicular circulation shall be prohibited within said twenty-five (25) foot setback.

C. Street Side yard

No portion of any building shall be created, constructed, or extended nearer than fifty (50) feet to the street side lot line any parcel. Parking of automobiles or other vehicles shall be prohibited in the twenty-five (25) feet nearest the street right-of-way line. The setback shall be graded and seeded or sodded except for access drives, walkways, and planting beds.

D. Rear Yard Setback

No part or portion of any building shall be erected, constructed, or extended nearer than twenty-five (25) feet to any rear lot line. Those lots abutting a residential zoning district shall have a fifty (50) foot rear yard setback.

6. CONSTRUCTION MATERIALS

The overall approach of the SouthPointe Enterprise Campus encourages a variety of architectural styles on the campus. However, it is intended that a basic harmony of architecture prevail among the buildings so that no one structure detracts from the attractiveness of the overall development.

For all lots abutting I-43, one hundred (100) percent of the exterior of the building shall be faced with concrete, brick, masonry, or stone. For all lots abutting CTH OK, the facades facing the road shall be 100 percent faced with concrete, brick, masonry, or stone.

Facade: Colors, materials, finishes, and building forms shall be coordinated in a consistent manner on all facades. All exterior walls shall be finished with the following materials:

A. Brick or natural stone (exterior use of brick, masonry, and manmade or natural stone, which does not require a foundation, generally is not permitted). Masonry shall be required for at least fifty (50) percent of all exterior walls with street frontage and/or visibility.

B. Decorative faced concrete block.

C. Glass curtain walls.

D. Concrete panels.

E. Architectural metal – roof and accent only (minimum 20-year warranty on finish; at least 26-gauge metal; totally concealed fasteners, baseplates, and end trim required).

F. Other materials as approved by the Architectural Review Board.

Mechanical Equipment: All mechanical equipment, including roof-mounted equipment, shall be enclosed or screened as part of the overall architectural design.

All site plans must be submitted to the City for review and approval by the City Plan Commission. Building designs and materials shall be reviewed and approved by the Architectural Review Board.

7. OUTSIDE STORAGE

Open outdoor storage of materials, supplies, products, goods for sale, or equipment shall be prohibited.

All trash containers, including dumpsters, must be enclosed by a wall of solid materials that match the building facade and provide a suitable visual screen. Such wall shall be of sufficient height to cover the material stored and shall be maintained.

Storage of wood or combustible materials, including pallets or skids, must be on a hard surface screened and at least twenty (20) feet from any structure, building, or property line.

8. SITE STORM DRAINAGE

No land shall be developed nor shall any use be permitted that results in the flooding, erosion, or sedimentation of adjacent properties. All runoff shall be properly channeled into a storm drain, watercourse, storage area, or other storm water management facility in conformance with the approved drainage plan for SouthPointe.

All roof storm water must be collected internally and discharged less than two (2) feet above grade at the building face or be conducted underground directly to the drainage easement. Each owner shall take the necessary precautions to ensure that storm drainage from their site is not contaminated with motor vehicle fuels, lubricants, salt, or other chemical compounds detrimental to aquatic life or groundwater.

All on-site storm water measures shall use green storm water management practices, such as bio-swales, rain gardens, porous pavement, parking lot

infiltration ponds, green roofs, and rainwater harvesting through the development. All green storm water management practices shall be maintained privately.

The City will retain ownership of all public retention ponds developed as part of the drainage system for the entire campus.

9. FENCING

Fenced areas in the campus are permitted under the following terms and conditions:

A. Placement

Fences shall not be permitted in the front yard or easement areas if surface water drainage will be affected. Approval by City Engineer is required.

B. Type

Galvanized metal cyclone fencing is prohibited. Should fencing be required, all fencing shall be black or of a decorative style. Barbed wire in any form is specifically prohibited.

C. Height

Fences shall not exceed ten (10) feet in height.

D. Maintenance

All fences shall be maintained in good condition, including painting as required.

10. SIGNAGE

Except as otherwise provided in this section, signage shall be limited to corporate identity signs containing the company name and/or its logo. In addition, directional signs may be permitted on the property as described in this Section.

One corporate identity sign may be placed on each building facade. No roof mounted billboards or signs are permitted. No wall-mounted billboards are permitted. All lettering on the building must be smaller in height than twenty (20) percent of the wall height and all of the combined graphics shall be no longer than twenty-five (25) percent of the wall length.

One ground-mounted corporate identity sign per building may be placed on a panel with a solid base constructed of materials used on the visible elevations of the building (aluminum, glass, masonry, or steel). The size of the wall panel and base shall not exceed five (5) feet in height and fourteen (14) feet in length. The overall area of the sign face (excluding the base) shall not exceed fifty-six (56) square feet for all lot sizes exceeding six (6) acres and shall not exceed forty-two (42) square feet for all lot sizes of six (6) acres or less. Ground-mounted corporate identity signs must include a landscaped setting of ornamental shrubs, flowers, ground cover, or a combination of the three in an area equal to two times the area of the sign.

All lettering and logos on buildings or sign wall panels shall be made of individually cut or fabricated letters. No panel signs, painted wall signs or pylon signs are permitted.

Sign lighting, if desired, must be ground-mounted and hidden from view from the street. Individual letters may be internally illuminated.

All sign designs must be submitted to the Architectural Review Board for approval prior to construction.

Directional signage shall be a post and panel system and shall be limited in size to ten (10) square feet and in height to six (6) feet above the grade. No more than one sign shall be provided at each access drive.

Flashing, temporary, movable, or moving signs shall not be permitted.

11. BUILDING HEIGHT

The height of all structures shall be subject to the restrictions set forth in the City Zoning Ordinance.

12. PARKING AND LOADING

Owners shall be required to provide a sufficient number of off-street parking spaces to accommodate the maximum number of vehicles expected on each parcel during peak hours for all uses on the parcel including employees, customers, suppliers, or visitors, but in no event shall there be fewer than one parking space for each person employed during the major shift. All parking areas and driveways shall be paved in asphaltic cement or Portland cement concrete. Said parking areas and driveways shall be completed within one year of the time construction of the principal building has been completed.

All permitted uses shall provide off-street truck loading berths, preferably to the rear of the buildings. Truck loading berths shall be prohibited at the front of all buildings, unless no other options are feasible but shall be adequately screened.

No unlicensed or inoperable vehicle shall remain on site more than twenty-four (24) hours. Queuing of trucks on street and parking of trucks on public streets is prohibited.

13. BICYCLE RACK REQUIREMENTS

To encourage non-motorized transportation alternatives, each new business within in the development shall install a bicycle rack in a convenient and visible area as close as the closest non-accessible automobile parking and within one hundred (100) feet of the principal entrance. Bike racks shall be inverted U and/or post and ring type racks.

14. UTILITIES AND SITE LIGHTING

All utility lines within said property shall be installed underground in easements provided therefor. No overhead electric power, telephone or cable service will be permitted.

The campus permits exterior lighting that provides for basic safety and security needs. Pursuant to the provisions of this section, appropriate lighting may be provided in order to delineate roads, drives, parking areas, pedestrian ways, buildings, and other important organizational points. Because the campus attempts to achieve an architecturally consistent park-like setting, all lighting fixtures are required to be the same general type.

A. Primary parking lot illumination shall consist of cut-off LED luminaries as manufactured by Gardco or similar approved brand, in dark gray, bronze or black finish, and consistent with the city's zoning ordinance.

B. Walkway lighting should be from the same family of products as provided in subsection A, above. Bollard lighting may be used as low level walkway illumination on private property.

C. All building lighting shall be included as part of the overall design concept, and shall consist of recessed lighting in overhangs and at the entrance. Building lighting may not be mounted on the building except at a loading dock, in which case a hooded LED light fixture may be used to direct lighting downward rather than toward adjoining properties.

15. **LANDSCAPING AND GREEN AREAS**

All areas on any site not used for building, storage, parking, walks, access roads, and loading areas shall be suitably graded and drained, seeded, or sodded, and grass and landscaped areas shall be maintained with ground cover, flowers, trees, and shrubs. Landscape plans must be submitted for approval by the City Plan Commission prior to building construction. Natural or native planting including prairie and wetland plants will be permitted only upon specific approval of the City. Mulch shall be of natural materials only. Shade trees will have a minimum caliper of two (2) inches. Landscaping and planting shall be completed within one year of the time construction of the principal building has been completed.

Street Trees: It is the responsibility of the lot owner to care and prune street trees installed in easements adjacent to the street right-of-way and replace with the same type of tree when necessary.

The city will provide the enterprise campus entry features and multi-use recreational trail system in addition to the retention ponds.

The property owner is responsible for maintaining the ditches adjacent to their property.

16. RESUBDIVISION OF LOTS

Lots may be combined but subdivision of lots within the campus by any owner other than the City is not permitted. If an owner desires to sell an undeveloped portion of property, and if that undeveloped portion is at least two (2) acres in size and is large enough to support additional development under the minimum lot size requirements of the zoning for the site, the owner may only transfer said portion to the City, and shall do so for a sum equal to the purchase price per acre paid to the City by the owner.

17. UTILITY EASEMENTS

All owners and occupants of said lands shall cooperate with the City in the planning and granting, at no cost to the City, of all necessary and reasonable easements for gas, electric, telephone, fiber optics and other cables, sewer, water, and access roads, and shall grant such easements provided that such easements so not unduly restrict future development. No buildings may be constructed over a utility easement.

18. TOWERS AND ANTENNAS

Except as expressly provided in this section, all antennas shall be constructed on existing structures, including but not limited to, water towers, public buildings, existing utility towers, and other communication towers.

If the City determines that such antenna(s) cannot be co-located on existing structures, freestanding tower structures may be permitted, but such structures shall be designed to support the proposed antenna(s) and three (3) additional sets of communication antennas. The developer shall agree in writing to make the structure available for the co-location of communication equipment owned by other entities at a reasonable cost. No more than one (1) freestanding tower structure greater than thirty (30) feet shall be permitted on a property. Multiple freestanding tower structures may be permitted on a property if a tower structure is less than thirty (30) feet in total height and if the property owner obtains a conditional use permit. Any new tower shall be a monopole type.

The developer may be required to post a bond or cash deposit to assure maintenance of communication equipment and its supporting structures; and to assure that if such facilities are abandoned, sufficient resources are available to the city to remove such equipment and structures.

19. MAINTENANCE RESPONSIBILITIES

- A. Each lot owner shall keep their property, all contiguous street right-of-way to edge of pavement, and all easement areas in a well maintained, safe, clean, and attractive condition at all times. Such maintenance includes, but is not limited to, the following :
1. Removal of all litter, trash, refuse, and waste.
 2. Mowing all lawn areas to a height of less than five (5) inches unless otherwise approved in writing by the City Plan Commission. Designated and approved unused lot areas shall be cut a minimum of three (3) times per year or maintained as an agricultural crop.
 3. Maintaining lawn and landscape areas in a weed-free, healthy and attractive condition.
 4. Care and pruning of trees and shrubbery outside of easements.
 5. Maintaining exterior lighting, signs, and mechanical facilities in working order.
 6. Keeping all exterior building surfaces in a clean, well-maintained condition.
 7. Striping and sealing of all parking and driveway areas.
 8. Removal of unlicensed or inoperable vehicles.
 9. Snow and ice removal and storage.
 10. The property owner is responsible for maintaining the ditches adjacent to their property.
- B. During construction, it shall be the responsibility of each owner to insure that construction sites are kept free of unsightly accumulations of rubbish and scrap materials; and that construction material, trailers, and the like are kept in a neat and orderly manner. Burning of excess or scrap construction material is prohibited. Construction site erosion control practices shall be implemented to prevent erosion, sedimentation and pollution of air or water during construction.

- C. All excavated or hauled-in materials spilled or tracked onto street rights-of-way shall be cleaned up by the owner or the owner's contractor.
- D. Any damage to street pavement or curbing shall be repaired by the owner or the owner's contractor.
- E. The owner of any undeveloped lands agrees to maintain said lands free of rubbish, noxious weeds, and mosquito breeding pond conditions.
- F. Wastewater Sampling Manhole Requirement:

Owners of properties upon which any construction, whether new or to existing buildings, is to be monitored by a pre-treatment program shall install a sampling port on the building's sewer line that measures and samples in a manner representative of total flow prior to discharge into the public sewer. The owner of the property is responsible for the installation, expense, liability, and maintenance of the sampling port to ensure it is safe and accessible at all times to the Department of Public Works personnel.

The sampling manhole shall meet the following requirements:

- Shall have a minimum dimension of 24 inches in diameter and 3 feet in depth.
- Shall utilize a standard manhole frame and cover.
- Building sewer line shall be of sufficient length as to allow for representative wastewater sampling to occur with the use of sampling manhole.
- May serve as "clean out."
- Shall be constructed of concrete. Other materials such as PVC may be considered if they meet all specifications and are pre-approved by the City Engineer.

20. COVENANT CONTINUITY

The property shall be conveyed subject to the restrictions, covenants and conditions contained herein, all of which are to run with the land and shall be binding on all parties and all persons claiming said property in perpetuity, unless a resolution adopted by the City and the property owners has been recorded agreeing to change, modify, or amend said covenants in whole or in part.

21. CONSTRUCTION START

If a buyer of any lot does not commence construction of a building or buildings thereon within twelve (12) months after the date of purchase and complete the construction of a building or buildings thereon within two (2) years after the date of purchase, the City shall have the option to repurchase the property. Exercise of the option shall be effected by resolution adopted by the City of Sheboygan Common Council. Such option shall be exercisable upon delivery in writing of a notice to the buyer within six (6) months after the expiration of such twelve (12) month or two (2) year period. Closing shall take place within sixty (60) days following the exercise of such option on such date as shall be designated by the City. The purchase price to be paid by the City upon the exercise of such option shall be the sum of the following:

- A. The purchase price paid for the land by the buyer.
- B. All special assessments, which may have been paid by the buyer, which were levied against the premises during the period of such buyer's ownership.

Less the sum of the following:

- 1. Unpaid real estate taxes.
- 2. Proration of current year's real estate taxes to date of closing.
- 3. Title insurance policy premium.
- 4. Liens and encumbrances on the property of a definite or ascertainable amount.

Conveyance shall be by warranty deed, free and clear of all liens and encumbrances except those in existence prior to the buyer's ownership of the property, and subject to all City regulations, recorded easements for public utilities, and recorded protective covenants and amendments thereto. Seller shall furnish title insurance policy at seller's expense for full amount of purchase.

22. ENFORCEMENT

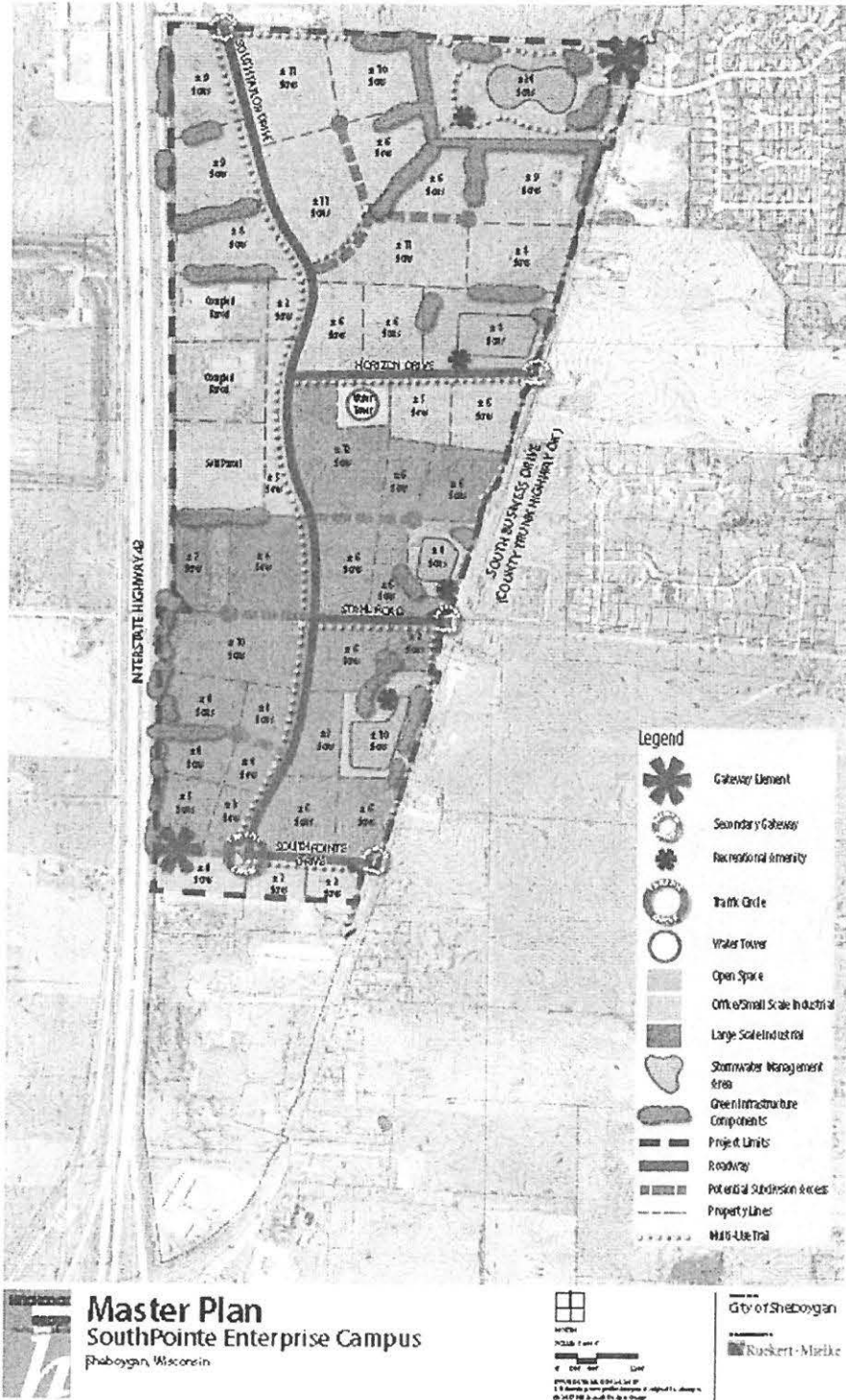
The enforcement of the restrictions and covenants contained herein shall be by proceeding at law or in equity against any person or persons violating or attempting to violate any covenants, either to restrain violation or recover damages.

Invalidation of any one of the covenants or restrictions contained herein shall in no way affect any of the other provisions hereof which shall remain in full force and effect.

If any Owner or Occupant has failed in any of the foregoing duties or responsibilities, then the City may give such owner written notice of such failure and such person must within ten (10) days after receiving such notice, rectify the problem.

Should any such owner or occupant fail to fulfill this duty and responsibility within such period, then the City, through its authorized agents, shall have the right and power to enter onto the premises and perform such care and maintenance without any liability for damages for wrongful entry or trespass. The owners and occupants for whom such work is performed shall promptly reimburse the City for such cost. If such owner or occupant shall fail to reimburse the City within thirty (30) days after receipt of a statement for such work then said indebtedness shall be assessed against the lot owners annual real estate tax bill.

APPENDIX A



CITY OF SHEBOYGAN

REQUEST FOR CITY PLAN COMMISSION CONSIDERATION

ITEM DESCRIPTION: Res. No. 115-18-19 by Alderperson Bohren, A RESOLUTION approving the SouthPointe Enterprise Campus Protective Covenants and authorizing staff to record said covenants as deed restrictions against the property.

REPORT PREPARED BY: Chad Pelishek, Director of Planning and Development

REPORT DATE: November 9, 2018

MEETING DATE: November 13, 2018

FISCAL SUMMARY:

Budget Line Item: N/A
Budget Summary: N/A
Budgeted Expenditure: N/A
Budgeted Revenue: N/A

STATUTORY REFERENCE:

Wisconsin Statutes: N/A
Municipal Code: N/A

BACKGROUND / ANALYSIS:

As city staff starts to work with interested parties to potentially development in the new SouthPointe Enterprise Campus, city staff has worked to develop Protective Covenants to be followed for new development. Similar to the protective covenants in the Sheboygan Business Center, these covenants will be recorded against the property and require new developments on the campus to follow them. The following are major differences from the ones from the Sheboygan Business Center:

- a.) Additional prohibited operations and uses were added including: personal storage facilities (mini warehouses), adult entertainment, asphalt plants, and ammunition operations.
- b.) Construction Materials: for all lots abutting I-43, 100 percent of the exterior of the building shall be faced with concrete, brick, masonry or stone. Lots abutting CTH OK, the facades facing the road shall be 100 percent faced with concrete, brick, masonry, or stone. Brick or natural stone which does not require a foundation is not permitted.
- c.) Promotes the on-site storm water measures using green storm water management practices, such as bio-swales, rain gardens, porous pavement, parking lot infiltration ponds, green roofs and rainwater harvesting techniques.
- d.) Bike Racks. Requires new developments to provide a bike rack to be placed near the front of the development to encourage employees to consider biking to work.

e.) City will provide street trees, but it up to the business to maintain the trees in the public right of way. Also requires the property owner to maintain drainage ditches on their street frontage areas.

f.) Requires new businesses to include a wastewater sampling manhole for the Wasterwater Utility to sample sewer discharges.

g.) Provides provision to allow the city to purchase vacant property back that does not get developed on within twelve months of the sale of the property.

STAFF COMMENTS:

None

ACTION REQUESTED:

Motion to recommend to the Common Council to approve Res. No. 115-18-19 approving the SouthPointe Enterprise Campus Protective Covenants and authorizing staff to record said covenants as deed restrictions against the property.

ATTACHMENTS:

- I. Res. No. 115-18-19