

*****ATTACHMENTS*****

III

Res. No. 50 - 21 - 22. By Alderpersons Felde and Mitchell.
September 7, 2021

A RESOLUTION approving an amendment to the project plan of Tax Incremental District No. 18, City of Sheboygan, Wisconsin.

WHEREAS, pursuant to § 66.1105, Wis. Stats., on January 1, 2018 the City of Sheboygan created Tax Incremental Financing District No. 18 under Res No. 110-17-18; and

WHEREAS, pursuant to § 66.1105(4)(h)(2), Wis. Stats., the City of Sheboygan Plan Commission may, by resolution, adopt an amendment to a project plan of a Tax Incremental District to modify the boundaries thereof in a way that does not remove contiguity from the district. Such a modification may be made not more than four times during the district's existence; and

WHEREAS, this is the first such Territory Amendment to the Project Plan of Tax Incremental Financing District No. 18, City of Sheboygan, Wisconsin; and

WHEREAS, the City of Sheboygan Plan Commission has reviewed and approved the aforementioned Territory Amendment (attached as Exhibit B), which outlined the following:

1. The subtraction of six parcels (Parcel numbers: 59281471133, 59281471125, 59281471122, 59281471111, 59281471110, 59281471109) from the District is reasonable and the subtraction of those six parcels does not affect the plan or projects. (The legal description for the revised TID 18 boundary is attached as Exhibit A).
2. The original reasons and justifications for creating the TIF District as outlined in Res No. 110-17-18 remain valid.
3. No additional costs or projects are being proposed as result of this amendment;

and

WHEREAS, in accordance with § 66.1105, Wis. Stats., the Joint Review Board will have met to review and approve the aforementioned Territory Amendment; and

City Plan

WHEREAS, in accordance with the procedures specified in the Tax Increment Law, on September 14, 2021, the City of Sheboygan Plan Commission will have held a public hearing concerning the proposed Territory Amendment #1 to the Project Plan, providing interested parties a reasonable opportunity to express their views thereon; and

WHEREAS, after said public hearing, the Plan Commission will have adopted and subsequently recommended approval to the Common Council an amended Project Plan for the District, having made the findings as provided in § 66.1105(4)(g), Wis. Stats.

NOW, THEREFORE, BE IT RESOLVED:

1. The Common Council finds and declares that:

(a) The subtraction of six parcels (Parcel numbers: 59281471133, 59281471125, 59281471122, 59281471111, 59281471110, 59281471109) from the District is reasonable and the subtraction of those six parcels does not affect the plan or projects. (The legal description for the revised TID 18 boundary is attached as Exhibit A);

(b) The original reasons and justifications for creating the TIF District as outlined in Res No. 110-17-18 remain valid;

(c) No additional costs or projects are being proposed as result of this amendment;

(d) There are no additional improvements as a result of this amendment; and

(e) The Project Plan is feasible and in conformity with the master plan of the City.


2. The boundaries of the District named "Tax Incremental District No. 18, City of Sheboygan" are hereby changed so as to subtract six parcels (Parcel numbers: 59281471133, 59281471125, 59281471122, 59281471111, 59281471110, 59281471109) from the District and to provide for the revised TID 18 boundary to be described as in Exhibit A.

3. The Project Plan for "Tax Incremental District No. 18, City of Sheboygan" (attached as Exhibit A), as amended, is approved.

4. This Amendment is effective as of the date of adoption of this resolution.

BE IT FURTHER RESOLVED: That the City Clerk is hereby authorized and directed to apply to the Wisconsin Department of Revenue in such form as may be prescribed, pursuant to the provisions of § 66.1105(5)(b), Wis. Stats.

BE IT FURTHER RESOLVED: That the City Assessor is hereby authorized and directed to identify upon the assessment roll returned and examined under § 70.45, Wis. Stats., those parcels of property which are within the District, specifying thereon the name of said District, and the City Clerk is hereby authorized and directed to make similar notations on the tax roll made under § 70.65, Wis. Stats., pursuant to § 66.1105(5)(f), Wis. Stats.



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

EXHIBIT A

November 30, 2017

Revision September 1, 2021

Project No. 8000-10001

City of Sheboygan TID 18 Legal Description:

Being all of the Certified Survey Map recorded as document 2067130 in Volume 29 of Certified Survey Maps on Pages 49 to 53, all of the Certified Survey Map recorded as document 1579410 in Volume 17 of Certified Survey Maps on Pages 81 to 83, all of the Certified Survey Map recorded as document 2061657 in Volume 28 of Certified Survey Maps on Pages 318-321, all of the Certified Survey Map recorded as document 2061659 in Volume 28 of Certified Survey Maps on Pages 331 to 339, all of the Certified Survey Map recorded as document 2061658 in Volume 28 of Certified Survey Maps on Pages 322 to 330, all of the Certified Survey Map recorded as document 1848155 in Volume 23 of Certified Survey Maps on Pages 258 to 259, all of the Certified Survey Map recorded as document 1803595 in Volume 22 of Certified Survey Maps on Pages 173 to 174, all of the Certified Survey Map recorded as document 1503986 in Volume 15 of Certified Survey Maps on Pages 94 to 95, all of the Certified Survey Map recorded as document 1766560 in Volume 21 of Certified Survey Maps on Pages 204 to 205, all of the Certified Survey Map recorded as document 2052767 in Volume 28 of Certified Survey Maps on Pages 209 to 211, all of the Certified Survey Map recorded as document 1872069 in Volume 24 of Certified Survey Maps on Pages 81 to 82, all of the Certified Survey Map recorded as document 1982261 in Volume 26 of Certified Survey Maps on Pages 87 to 88, all of Lots 96 through 101 of Stonebrook Crossing Addition No. 2 recorded as document 2113927 in Volume 15 of Plats on Pages 303 to 304, all of Lots 95 through 103 of Fox Meadows Addition No. 6 recorded as document 1592452 in Volume 15 of Plats on Pages 97 to 98, all of Lots 94 and 83 to 85 of Fox Meadows Addition No. 5 recorded as document 1573791 in Volume 15 of Plats on Pages 67 to 68, part of Lots 9 and 10 of Sheboygan Business Center recorded as document 1190760 in Volume 13 of Plats on Pages 207 to 210, all the documents previously referred to are recorded in the Sheboygan County Register of Deeds Office, and also including various unplatted lands, all of the above are located in part of the Northeast 1/4 and Southeast 1/4 both of the Southwest 1/4 of Section 4, part of the Northwest 1/4, Southeast 1/4, and Southwest 1/4 all of the Southeast 1/4 of Section 4, part of the Northeast 1/4 of the Northwest 1/4 of Section 9, part of the Northwest 1/4, Northeast 1/4, Southeast 1/4, and Southwest 1/4 all of the Northeast 1/4 of Section 9, part of the Northwest 1/4, Northeast 1/4, Southeast 1/4, and Southwest 1/4 all of the Southwest 1/4 of Section 9, part of the Northwest 1/4, Northeast 1/4, and Southwest 1/4 all of the Southeast 1/4 of Section 9, and part of the Northwest 1/4, Northeast 1/4, Southeast 1/4, and Southwest 1/4 all of the Northwest 1/4 of Section 16 all located in Town 14 North, Range 23 East, City of Sheboygan, Sheboygan County, Wisconsin, and being more particularly described as follows:

Commencing at the Southwest corner of said Section 9, thence Easterly along the South line of said Southwest 1/4 of Section 9, a distance of 1,256 feet, more or less, to the Southerly extension of the West line of Outlot 3 of said Certified Survey Map recorded in Volume 29 on Pages 49 to 53 and the Point of Beginning for this description;

thence Northerly along said Southerly extension of the West line of Outlot 3, a distance of 33 feet, more or less, to the North Right of Way line of Stahl Road and the Southwest corner of said Outlot 3; thence Northerly along the West line of said Outlot 3, a distance of 661 feet, more or less, to the Northwest corner of said Outlot 3 and the South line of Outlot 2 of said Certified Survey Map recorded in Volume 29 on Pages 49 to 53;

thence Westerly along said South line of Outlot 2 and the South line of Lot 3 of said Certified Survey Map recorded in Volume 17 on Pages 81 to 83, a distance of 871 feet, more or less, to the Southwest

corner of said Lot 3 of a Certified Survey Map recorded in Volume 17 on Pages 81 to 83 and the Easterly Right of Way line of Racetrack Road;

thence Northerly along said Easterly Right of Way line of Racetrack Road, the West line of said Lot 3 of a Certified Survey Map recorded in Volume 17 on Pages 81 to 83, and the West lines of Lots 2 and 1 of said Certified Survey Map recorded in Volume 17 on Pages 81 to 83, a distance of 663 feet, more or less, to the Northwest corner of said Lot 1 of a Certified Survey Map recorded in Volume 17 on Pages 81 to 83;

thence Easterly along the North line of said Lot 1 of a Certified Survey Map recorded in Volume 17 on Pages 81 to 83, a distance of 653 feet, more or less, to the Northeast corner of said Lot 1 of a Certified Survey Map recorded in Volume 17 on Pages 81 to 83, the Northwest corner of said Outlot 2 of a Certified Survey Map recorded in Volume 29 on Pages 49 to 53, and the Southwest corner of Outlot 1 of said Certified Survey Map recorded in Volume 29 on Pages 49 to 53;

thence Northerly along the West line of said Outlot 1 of a Certified Survey Map recorded in Volume 29 on Pages 49 to 53, a distance of 592 feet, more or less, to the Northwest corner of said Outlot 1 of a Certified Survey Map recorded in Volume 29 on Pages 49 to 53;

thence Easterly along the North line of said Outlot 1 of a Certified Survey Map recorded in Volume 29 on Pages 49 to 53 and the North line of Lot 1 of said Certified Survey Map recorded in Volume 28 on Pages 322 to 330, a distance of 501 feet, more or less, to the West line of said Lot 1 of a Certified Survey Map recorded in Volume 28 on Pages 322 to 330;

thence Northerly along the West line of said Lot 1 of a Certified Survey Map recorded in Volume 28 on Pages 322 to 330, a distance of 390 feet, more or less, to the Northwest corner of said Lot 1 of a Certified Survey Map recorded in Volume 28 on Pages 322 to 330;

thence Easterly along the North line of said Lot 1 of a Certified Survey Map recorded in Volume 28 on Pages 322 to 330, a distance of 1,590 feet, more or less, to the Northeast corner of said Lot 1 of a Certified Survey Map recorded in Volume 28 on Pages 322 to 330 and the Westerly Right of Way line of South Business Drive;

thence Easterly along the Easterly extension of said North line of Lot 1 of a Certified Survey Map recorded in Volume 28 on Pages 322 to 330 across the Right of Way of said South Business Drive, a distance of 68 feet, more or less, to the Easterly Right of Way line of said South Business Drive and the West line of said Lot 99 of Stonebrook Crossing Addition No. 2;

thence Northerly along said Easterly Right of Way line of South Business Drive and said West line of Lot 99 of Stonebrook Crossing Addition No. 2, a distance of 106 feet, more or less, to the Northwest corner of said Lot 99 of Stonebrook Crossing Addition No. 2 and the Southwest corner of the lands owned by Thomas Opgenorth (parcel ID 59030454581);

thence Easterly along the South line of said lands owned by Opgenorth (parcel ID 59030454581) and the North line of said Lots 99 and 98 of Stonebrook Crossing Addition No.2, a distance of 361 feet, more or less, to the Southeast corner of said lands owned by Opgenorth (parcel ID 59030454581) and the Northeast corner of said Lot 98 of Stonebrook Crossing Addition No. 2;

thence Northerly along the East line of the said lands owned by Opgenorth (parcel ID 59030454581), a distance of 191 feet, more or less, to the Northeast corner of said lands owned by Opgenorth (parcel ID 59030454581);

thence Westerly along the North line of said lands owned by Opgenorth (parcel ID 59030454581), a distance of 343 feet, more or less, to the Northwest corner of said lands owned by Opgenorth (parcel ID 59030454581) and said Easterly Right of Way line of South Business Drive;

thence Northerly along said Easterly Right of Way line of South Business Drive, a distance of 208 feet, more or less, to the Southwest corner of the lands owned by Irish Real Estate, LLC (parcel ID 59030454391);

thence Easterly along the South line of said lands owned by Irish Real Estate, LLC, a distance of 698 feet, more or less, to the Southwest corner of said Lot 103 of Fox Meadows Addition No. 6;

thence Northerly along the West line of said Lots 103 through 96 of Fox Meadows Addition No. 6, a distance of 783 feet, more or less, to the Northwest corner of said Lot 96 and the Southwest corner of said Lot 95 of Fox Meadows Addition No. 6;

thence Northerly along the West lines of said Lot 95 of Fox Meadows Addition No. 6 and said Lot 94 of Fox Meadows Addition No. 5, a distance of 166 feet, more or less, to the Northwest corner of said Lot 94 and the Southerly Right of Way line of Riverdale Avenue;

thence Northerly along the Northerly extension of said West line of Lot 94 across said Right of Way of Riverdale Avenue, a distance of 66 feet, more or less, to the Northerly Right of Way line of said

Riverdale Avenue and the South line of said Lot 83 of Fox Meadows Addition No. 5;
thence Westerly along said Northerly Right of Way line of Riverdale Avenue and said South line of Lot 83, a distance of 75 feet, more or less, to the point of compound curvature at the Northeast corner of said Riverdale Avenue and Victor Court;
thence Northwesterly along the West line of said Lot 83, said Northerly Right of Way line of Riverdale Avenue, the Easterly Right of Way line of said Victor Court, and the arc of a curve to the right, having a radius of 20.00 feet, a distance of 33 feet, more or less, to the point of tangency at the Northeast corner of said Riverdale Avenue and said Victor Court;
thence Northerly along said Easterly Right of Way line of Victor Court and the West line of said Lots 83 through 85 of Fox Meadows Addition No. 5, a distance of 289 feet, more or less, to the Southwest corner of said Lot 85 of Fox Meadows Addition No. 5;
thence Northerly along the West line of said Lot 85 of Fox Meadows Addition No. 5, a distance of 69 feet, more or less, to the Northwest corner of said Lot 85 of Fox Meadows Addition No. 5;
thence Southeasterly along the North line of said Lot 85 of Fox Meadows Addition No. 5, a distance of 39 feet, more or less, to an angle point in said North line of Lot 85 of Fox Meadows Addition No. 5;
thence Northeasterly along said North line of Lot 85 of Fox Meadows Addition No. 5, a distance of 31 feet, more or less, to the East line of said Northwest 1/4 of the Northeast 1/4 of Section 9 and a point 108 feet, more or less, Southwesterly of the Northeast corner of said Lot 85 of Fox Meadows Addition No. 5;
thence Northerly along said East line of the Northwest 1/4 of the Northeast 1/4 of Section 9, a distance of 395 feet, more or less, to the South line of lands owned by Thomas and Nancy A. Opgenorth (parcel ID 59030454389) and the South line of Lot 1 of a Certified Survey Map recorded as document 1335381 in Volume 10 of Certified Survey Maps on Pages 95 to 96 in said Register of Deeds Office;
thence Southeasterly along the South line of said lands owned by Thomas and Nancy A. Opgenorth and said South line of Lot 1 of a Certified Survey Map recorded in Volume 10 on Pages 95 to 96, a distance of 182 feet, more or less, to the Southeast corner of said lands owned by Thomas and Nancy A. Opgenorth and the Southeast corner of said Lot 1 of a Certified Survey Map recorded in Volume 10 on Pages 95 to 96;
thence Northeasterly along the East line of said lands owned by Thomas and Nancy A. Opgenorth and the East line of said Lot 1 of a Certified Survey Map recorded in Volume 10 on Pages 95 to 96, a distance of 248 feet, more or less, to the Northeast corner of said lands owned by Thomas and Nancy A. Opgenorth and the Northeast corner of said Lot 1 of a Certified Survey Map recorded in Volume 10 on Pages 95 to 96;
thence Northwesterly along the North line of said lands owned by Thomas and Nancy A. Opgenorth and the North line of said Lot 1 of a Certified Survey Map recorded in Volume 10 on Pages 95 to 96, a distance of 283 feet, more or less, to the Northwest corner of said lands owned by Thomas and Nancy A. Opgenorth and said Easterly Right of Way line of South Business Drive;
thence Southwesterly across said Right of Way of South Business Drive, a distance of 92 feet, more or less, to said Westerly Right of Way line of South Business Drive and the Northeast corner of lands owned by Robert D. Meyer (parcel ID 59030454387);
thence Westerly along the North line of said lands owned by Meyer, a distance of 255 feet, more or less, to the Northwest corner of said lands owned by Meyer;
thence Southwesterly along the West line of said lands owned by Meyer, a distance of 274 feet, more or less, to the Southwest corner of said lands owned by Meyer;
thence Easterly along the South line of said lands owned by Meyer, a distance of 235 feet, more or less to the Southeast corner of said lands owned by Meyer and said Westerly Right of Way line of South Business Drive;
thence Northeasterly across said Right of Way of South Business Drive, a distance of 107 feet, more or less, to said Easterly Right of Way line of South Business Drive and the Southwest corner of said lands owned by Thomas and Nancy A. Opgenorth and the South line of said Lot 1 of a Certified Survey Map recorded in Volume 10 on Pages 95 to 96;
thence Southeasterly along the South line of said lands owned by Thomas and Nancy A. Opgenorth and said South line of Lot 1 of a Certified Survey Map recorded in Volume 10 on Pages 95 to 96, a distance of 97 feet more or less, to a point on said South line of Lot 1 of a Certified Survey Map recorded in Volume 10 on Pages 95 to 96 and said South line of lands owned by Thomas and

Nancy A. Opgenorth which is at the intersection with a line 10 feet West of and parallel to said East line of the Northwest 1/4 of the Northeast 1/4 of Section 9;
thence South along said line which is 10 feet West of and parallel to the East line of the Northwest 1/4 of the Northeast 1/4 of Section 9, a distance of 393 feet, more or less;
thence Southwesterly along a line which is 10 feet Northwesterly of and parallel to the North line of said Lot 85 of Fox Meadows Addition No. 5, a distance of 20 feet, more or less;
thence Northwesterly along a line which is 10 feet North and Northeasterly of and parallel to the North line of said Lot 85 of Fox Meadows Addition No. 5 and Lot 86 of said Fox Meadows Addition No. 5, a distance of 190 feet, more or less, to said Easterly Right of Way line of South Business Drive;
thence Southwesterly across said Right of Way of South Business Drive, a distance of 154 feet, more or less, to the Southeast corner of Lot 1 of said Certified Survey Map recorded in Volume 23 on Pages 258 to 259 and said Westerly Right of Way line of South Business Drive;
thence Westerly along the South lines of said Lot 1 of a Certified Survey Map recorded in Volume 23 on Pages 258 to 259 and said Outlot 1 and Lot 1 of a Certified Survey Map recorded in Volume 28 on Pages 209 to 211, a distance of 2,155 feet, more or less, to the Southwest corner of said Lot 1 of a Certified Survey Map recorded in Volume 28 on Pages 209 to 211;
thence Northerly along the West line of said Lot 1 of a Certified Survey Map recorded in Volume 28 on Pages 209 to 211, a distance of 531 feet, more or less, to the Northwest corner of said Lot 1 of a Certified Survey Map recorded in Volume 28 on Pages 209 to 211 and the Southerly Right of Way line of Concord Drive;
thence Easterly along the North line of said Lot 1 of a Certified Survey Map recorded in Volume 28 on Pages 209 to 211 and said Southerly Right of Way line of Concord Drive, a distance of 776 feet, more or less, to the West line of said Outlot 1 of a Certified Survey Map recorded in Volume 28 on Pages 209 to 211 and the Easterly Right of Way line of Gateway Drive;
thence Northerly along the West line of said Outlot 1 of a Certified Survey Map recorded in Volume 28 on Pages 209 to 211 and said Easterly Right of Way line of Gateway Drive, a distance of 30 feet, more or less, to the North line of said Outlot 1 of a Certified Survey Map recorded in Volume 28 on Pages 209 to 211;
thence Easterly along the North line of said Outlot 1 of a Certified Survey Map recorded in Volume 28 on Pages 209 to 211, a distance of 475 feet, more or less, to the West line of said Outlot 1 of a Certified Survey Map recorded in Volume 28 on Pages 209 to 211;
thence Northerly along said West line of Outlot 1 of a Certified Survey Map recorded in Volume 28 on Pages 209 to 211 and its Northerly extension, a distance of 577 feet, more or less, to the centerline of Weeden Creek Road;
thence Northwesterly across the Right of Way of said Weeden Creek Road, a distance of 101 feet, more or less, to the Southwest corner of Lot 1 of said Certified Survey Map recorded in Volume 24 on Pages 81 to 82 and the Northerly Right of Way line of said Weeden Creek Road;
thence Northerly along the West line of said Lot 1 of a Certified Survey Map recorded in Volume 24 on Pages 81 to 82, a distance of 230 feet, more or less, to a jog in said West line of Lot 1 of a Certified Survey Map recorded in Volume 24 on Pages 81 to 82;
thence Easterly along said jog, a distance of 25 feet, more or less, to the West lines of said Lot 1 and Lot 2 of said Certified Survey Map recorded in Volume 24 on Pages 81 to 82;
thence Northerly along said West lines of Lots 1 and 2 of a Certified Survey Map recorded in Volume 24 on pages 81 to 82, a distance of 249 feet, more or less, to the Northwest corner of said Lot 2 of a Certified Survey Map recorded in Volume 24 on Pages 81 to 82 and the Southerly Right of Way line of Tower Drive;
thence Easterly along the North line of said Lot 2 of a Certified Survey Map recorded in Volume 24 on Pages 81 to 82 and said Southerly Right of Way line of Tower Drive, a distance of 209 feet, more or less, to the Southerly extension of the West line of Lot 1 of said Certified Survey Map recorded in Volume 26 on Pages 87 to 88;
thence Northerly along said Southerly extension of the West line of Lot 1 of a Certified Survey Map recorded in Volume 26 on Pages 87 to 88 and said West line of Lot 1 of a Certified Survey Map recorded in Volume 26 on Pages 87 to 88, a distance of 576 feet, more or less, to the Northwest corner of said Lot 1 of a Certified Survey Map recorded in Volume 26 on Pages 87 to 88 and the Northeast corner of Lot 9D of a Certified Survey Map recorded as document 1571381 in Volume 17

of Certified Survey Maps on Pages 1 to 2 in said Register of Deeds Office;

thence Southwesterly along the North line of said Lot 9D, a distance of 390 feet, more or less, to the Southeast corner of lands owned by Gosse Investments, LLC (parcel ID 59281479082);

thence Northerly along the East line of said lands owned by Gosse Investments, LLC, a distance of 349 feet, more or less, to the Northeast corner of said lands owned by Gosse Investments, LLC and the Southeasterly Right of Way line of Behrens Parkway;

thence Northeasterly along said Southeasterly Right of Way line of Behrens Parkway and the Northwest line of lands owned by Torginol, Inc (parcel ID 59281479085), a distance of 627 feet, more or less, to the North corner of said lands owned by Torginol, Inc (parcel ID 59281479085);

thence Southeasterly along the Northeast line of said lands owned by Torginol, Inc (parcel ID 59281479085), a distance of 275 feet, more or less, to the Northeast corner of said lands owned by Torginol, Inc (parcel ID 59281479085) and the Northwest corner of lands owned by Torginol, Inc (parcel ID 59281479081);

thence Easterly along the North line of said lands owned by Torginol, Inc (parcel ID 59281479081), a distance of 540 feet, more or less, to the Northeast corner of said lands owned by Torginol, Inc (parcel ID 59281479081) and the Westerly Right of Way line of said Tower Drive;

thence South and Southwesterly along West and Northwesterly Right of Way line of said Tower Drive and the East and Southeasterly line of said lands owned by Torginol, Inc (parcel ID 59281479081), a distance of 903 feet, more or less, to a point 80 feet Northwesterly of, and perpendicular to, the Southwest corner of Lot 1 of a Certified Survey Map recorded as document 1852731 in Volume 23 of Certified Survey Maps on Pages 287 to 288 in said Register of Deeds Office;

thence Southeasterly and perpendicular, a distance of 80 feet, more or less, to the Southeasterly Right of Way line of said Tower Drive and said Southwest corner of Lot 1 of a Certified Survey Map recorded in Volume 23 on Pages 287 to 288;

thence Easterly along the South line of said Lot 1 of a Certified Survey Map recorded in Volume 23 on Pages 287 to 288, a distance of 586 feet, more or less, to said Westerly Right of Way line of South Business Drive;

thence Southerly along said Westerly Right of Way line of South Business Drive and the East line of lands owned by the City of Sheboygan (parcel ID 59281479103), a distance of 715 feet, more or less, to said Northerly Right of Way line of Weeden Creek Road and the Southeast corner of said lands owned by the City of Sheboygan (parcel ID 59281479103);

thence Westerly along said Northerly Right of Way line of Weeden Creek Road and the South line of said lands owned by the City of Sheboygan (parcel ID 59281479103), a distance of 658 feet, more or less, to an angle point in said Northerly Right of Way line of Weeden Creek Road;

thence Southerly across said Right of Way of Weeden Creek Road, a distance of 105 feet, more or less, to the Southerly Right of Way line of said Weeden Creek Road and North line of said Lot 1 of a Certified Survey Map recorded in Volume 21 on Pages 204 to 205 said point of intersection being 61 feet, more or less, Easterly of the Northwest corner of said Lot 1 of a Certified Survey Map recorded in Volume 21 on Pages 204 to 205;

thence Easterly along said North line of Lot 1 of a Certified Survey Map recorded in Volume 21 on Pages 204 to 205 and the North line of said Lot 1 of a Certified Survey Map recorded in Volume 15 on Pages 94 to 95, a distance of 348 feet, more or less, to the Northeast corner of said Lot 1 of a Certified Survey Map recorded in Volume 15 on Pages 94 to 95 and the West line lands owned by Final Quest LLC (parcel ID 59281470959);

thence Northerly along said Southerly Right of Way line of Weeden Creek Road and said West line of lands owned by Final Quest LLC, a distance of 12 feet, more or less, to the Northeast corner of said lands owned by Final Quest LLC;

thence Easterly along said Southerly Right of Way line of Weeden Creek Road and said North line of lands owned by Final Quest LLC, a distance of 221 feet, more or less, to the Northeast corner of said lands owned by Final Quest LLC and said Westerly Right of Way line of South Business Drive;

thence Southeasterly along the Northeast line of said lands owned by Final Quest LLC and its Southeasterly extension, a distance of 132 feet, more or less, to the centerline of said South Business Drive;

thence Southeasterly and perpendicular, a distance of 42 feet, more or less, to said Easterly Right of Way line of South Business Drive and the West line of lands owned by Amanda Lane Apartments,

LLC (parcel ID 59281471012);

thence Northerly along said Easterly Right of Way line of South Business Drive and said West line of lands owned by Amanda Lane Apartments, LLC, a distance of 39 feet, more or less, to the Westerly Northwest corner of said lands owned by Amanda Lane Apartments, LLC;

thence Northeasterly along said Easterly Right of Way line of South Business Drive and the Northwest line of said lands owned by Amanda Lane Apartments, LLC, a distance of 98 feet, more or less, to said Southerly Right of Way line of Weeden Creek Road and the Easterly Northwest corner of said lands owned by Amanda Lane Apartments, LLC;

thence Easterly along said Southerly Right of Way line of Weeden Creek Road and the North line of said lands owned by Amanda Lane Apartments, LLC, a distance of 523 feet, more or less, to the Northeast corner of said lands owned by Amanda Lane Apartments, LLC and the Northwest corner of Fox Grove Lot 8 Condominium as recorded as document 1860985 in Volume 14 of Plats on Page 369 in said Register of Deeds Office;

thence Southerly along the East line of said lands owned by Amanda Lane Apartments, LLC, the West line of said Fox Grove Lot 8 Condominium, and the West line of Lot 9 of Fox Grove subdivision as recorded as document 1448671 in Volume 14 of Plats on Pages 131 to 132 in said Register of Deeds Office, a distance of 212 feet, more or less, to the Southwest corner of said Lot 9 and North corner of Lot 10 of said Fox Grove subdivision;

thence Southwesterly along the East line of said lands owned by Amanda Lane Apartments, LLC and the Northwest line of said Lot 10 of Fox Grove subdivision, a distance of 60 feet, more or less, to the West corner of said Lot 10 of Fox Grove subdivision;

thence Southeasterly along the East line of said lands owned by Amanda Lane Apartments, LLC and the Southwest line of said Lot 10 of Fox Grove subdivision, a distance of 150 feet more or less, to the South corner of said Lot 10 of Fox Grove subdivision and the Westerly Right of Way line of Fox Grove Road;

thence Westerly and Southerly counterclockwise around the Fox Grove Road cul-de-sac Right of Way line as dedicated on a Certified Survey Map recorded as document 1478945 in Volume 14 of Certified Survey Maps on Pages 91 to 93 in said Register of Deeds Office and along the East line of said lands owned by Amanda Lane Apartments, LLC, a distance of 179 feet, more or less, to the Northwest corner of Tract 2 of said Certified Survey Map recorded in Volume 14 on Pages 91 to 93;

thence Southwesterly along the East line of said lands owned by Amanda Lane Apartments, LLC and the Northwest line of said Tract 2, a distance of 100 feet, more or less, to the West corner of said Tract 2;

thence Southerly along the East line of said lands owned by Amanda Lane Apartments, LLC and the West line of said Tract 2, a distance of 95 feet, more or less, to the Southeast corner of said lands owned by Amanda Lane Apartments, LLC, the Southwest corner of said Tract 2, and the North line of lands owned by the City of Sheboygan (parcel ID 59281471015);

thence Easterly along the South line of said Tract 2 and said North line of lands owned by the City of Sheboygan (parcel ID 59281471015), a distance of 155 feet, more or less, to the Southeast corner of said Tract 2;

thence Northeasterly along the Southeast line of said Tract 2 and said North line of lands owned by the City of Sheboygan (parcel ID 59281471015), a distance of 56 feet, more or less, to the East corner of said Tract 2 and the Southwest corner of Fox Grove Seven Condominium recorded as document 1544021 in Volume 13 of Plats on Pages 264 to 265 in said Register of Deeds Office;

thence Northeasterly along the South line of said Fox Grove Seven Condominium, the South line of Fox Grove Six Condominium recorded as document 1513019 in Volume 13 of Plats on Page 211 in said Register of Deeds Office, and said North line of lands owned by the City of Sheboygan (parcel ID 59281471015), a distance of 258 feet, more or less, to the Southeast corner of said Fox Grove Six Condominium;

thence Northerly along the East line of said Fox Grove Six Condominium, the East line of Pond View Condominium recorded as document 1856809 in Volume 14 of Plats on Page 360 in said Register of Deeds Office, the East line of Fox Grove 4 Condominium recorded as document 1713060 in Volume 13 of Plats on Page 546 in said Register of Deeds Office, and the West line of said lands owned by the City of Sheboygan (parcel ID 59281471015), a distance of 334 feet, more or less, to the Southwest corner of Lot 2 of said Fox Grove subdivision;

thence Easterly along the South lines of Lot 2 and Lot 1 of said Fox Grove subdivision and the North line of said lands owned by the City of Sheboygan (parcel ID 59281471015), a distance of 293 feet, more or less, to the Southeast corner of said Lot 1 of Fox Grove subdivision and the Westerly Right of Way line of Moenning Road;

thence Southerly along said Westerly Right of Way line of Moenning Road and the East line of said lands owned by the City of Sheboygan (parcel ID 59281471015), a distance of 324 feet, more or less, to the North line of lands owned by Maryann Linger (parcel IDs 59030454340 and 59281471014);

thence Westerly along the North line of said lands owned by Maryann Linger and the South line of said lands owned by the City of Sheboygan (parcel ID 59281471015), a distance of 147 feet, more or less, to the Northwest corner of said lands owned by Maryann Linger;

thence Southerly along the West line of said lands owned by Maryann Linger and the East line of said lands owned by the City of Sheboygan (parcel ID 59281471015), a distance of 152 feet, more or less, to the Southwest corner of said lands owned by Maryann Linger and the North line of Tract "A" of a Certified Survey Map recorded as document 1001856 in Volume 3 of Certified Survey Maps on Pages 165 to 166 in said Register of Deeds Office;

thence Westerly along said North line of Tract "A", the North lines of Lots 12 and 13 of Fox Meadows Addition No. 1 recorded as document 1424608 in Volume 14 of Plats on Page 99 in said Register of Deeds Office, and the South line of said lands owned by the City of Sheboygan (parcel ID 59281471015), a distance of 209 feet, more or less, to an angle point in the North line of said Lot 13;

thence Southwesterly along the Northwest lines of Lots 13, 14, and 15 of said Fox Meadows Addition No. 1 and the Southeast line of said lands owned by the City of Sheboygan (parcel ID 59281471015), a distance of 296 feet, more or less, to the Northwest corner of said Lot 15 and the Northeast corner of Lot 16 of said Fox Meadows Addition No. 1;

thence Westerly along the North line of said Lot 16, the North lines of Lots 76 and 77 of Fox Meadows Addition No. 4 recorded as document 1539429 in Volume 15 of Plats on Pages 36 to 37, and the South line of said lands owned by the City of Sheboygan (parcel ID 59281471015), a distance of 286 feet, more or less, to the North corner of said Lot 77;

thence Westerly along the North lines of Lots 77 and 78 of said Fox Meadows Addition No. 4 and the South line of said lands owned by the City of Sheboygan (parcel ID 59281471015), a distance of 95 feet, more or less, to the Northwest corner of said Lot 78;

thence Southwesterly along the Northwest lines of Lots 78 and 79 of said Fox Meadows Addition No. 4 and the Southeast line of said lands owned by the City of Sheboygan (parcel ID 59281471015), a distance of 179 feet, more or less, to an angle point in the Northwest line of said Lot 79;

thence Southwesterly along the Northwest lines of Lots 79 and 80 of said Fox Meadows Addition No. 4 and the Southeast line of said lands owned by the City of Sheboygan (parcel ID 59281471015), a distance of 80 feet, more or less, to the Northwest corner of said Lot 80 and the Northeast corner of said Lot 85 of Fox Meadows Addition No. 5;

thence Southerly along the East lines of said Lots 85, 84, and 83 of Fox Meadows Addition No. 5, a distance of 331 feet, more or less, to the Southeast corner of said Lot 83 and said Northerly Right of Way line of Riverdale Avenue;

thence Southeasterly across said Right of Way of Riverdale Avenue, a distance of 67 feet, more or less, to the point of reverse curvature on the North line of Lot 94 of said Fox Meadows Addition No. 5 and the Southerly Right of Way line of said Riverdale Avenue;

thence Southeasterly along the East line of said Lot 94, said Southerly Right of Way line of Riverdale Avenue, the Westerly Right of Way line of White Fox Drive, and the arc of a curve to the right, having a radius of 30.00 feet, a distance of 48 feet, more or less, to the point of compound curvature at the Southwest corner of said Riverdale Avenue and said White Fox Drive;

thence Southerly along said East line of Lot 94 of Fox Meadows Addition No. 5, the East lines of Lots 95 through 103 of said Fox Meadows Addition No. 6, and the Westerly Right of Way line of said White Fox Drive, a distance of 871 feet, more or less, to the East corner of said Lot 103 and the Northwest corner of Lot 104 of said Fox Meadows Addition No. 6;

thence Southwesterly along the Southeast line of said Lot 103 and the Northwest line of said Lot 104, a distance of 154 feet, more or less, to the Southeast corner of said Lot 103 and Southwest corner of said Lot 104;

thence Easterly along the South lines of Lots 104, 105, and 106 of said Fox Meadows Addition No. 6, a distance of 303 feet, more or less, to the Northwest corner of Lot 6 of Stonebrook Crossing recorded as document 1896949 in Volume 15 of Plats on Pages 273 to 274 in said Register of Deeds Office;

thence Southeasterly along the Southwest lines of Lots 6, 7, and 8 of said Stonebrook Crossing and the West line of Outlot 1 of a Certified Survey Map recorded as document 1897215 in Volume 24 of Certified Survey Maps on Pages 214 to 216 in said Register of Deeds Office, a distance of 552 feet, more or less, to the East line of lands owned by Stonebrook Crossing LLC (parcel ID 59281471032);

thence Southerly along the East line of said lands owned by Stonebrook Crossing LLC (parcel ID 59281471032), a distance of 291 feet, more or less, to the North line of Lot 65 of Stonebrook Crossing Addition No. 1 as recorded as document 2104946 in Volume 15 of Plats on Pages 301 to 302 in said Register of Deeds Office;

thence Southwesterly along the North line of said Lot 65, a distance of 3 feet, more or less, to the Northwest corner of said Lot 65 and the Easterly Right of Way line of Rim Rock Road (East dedication);

thence Southwesterly across said Right of Way of Rim Rock Road (East dedication), a distance of 66 feet, more or less, to the Westerly Right of Way line of said Rim Rock Road (East dedication) and the Northeast corner of Lot 66 of said Stonebrook Crossing Addition No. 1;

thence Southwesterly along the North line of said Lot 66, a distance of 102 feet, more or less, to the South line of said lands owned by Stonebrook Crossing LLC (parcel ID 59281471032);

thence Westerly along said South line of lands owned by Stonebrook Crossing LLC (parcel ID 59281471032), a distance of 29 feet, more or less, to the East line of Lot 67 of said Stonebrook Crossing Addition No. 1;

thence Northwesterly along the East lines of said Lot 67, a distance of 162 feet, more or less, to the Northeast corner of said Lot 67;

thence Southwesterly along the Northwest lines of said Lot 67 and Lot 68 of said Stonebrook Crossing Addition No. 1, a distance of 169 feet, more or less, to an angle point in the Northwest line of said Lot 68;

thence Southwesterly along the Northwest line of said Lot 68, a distance of 41 feet, more or less, to the South line of said lands owned by Stonebrook Crossing LLC (parcel ID 59281471032);

thence Westerly along the South line of said lands owned by Stonebrook Crossing LLC (parcel ID 59281471032), a distance of 680 feet, more or less, to the North line of Lot 92 of said Stonebrook Crossing Addition No. 2;

thence Northwesterly along the North line of said Lot 92, a distance of 107 feet, more or less, to the Northwest corner of said Lot 92 and the East line of Lot 96 of said Stonebrook Crossing Addition No. 2;

thence Southerly along said East line of Lot 96 of said Stonebrook Crossing Addition No. 2, a distance of 10 feet, more or less, to the Southeast corner of said Lot 96 and the Northeast corner of Lot 95 both of said Stonebrook Crossing Addition No. 2;

thence Westerly along the South line of said Lot 96 and the North line of said Lot 95 both of said Stonebrook Crossing Addition No. 2, a distance of 153 feet, more or less, to the Southwest corner of said Lot 96 and Northwest corner of said Lot 95 both of said Stonebrook Crossing Addition No. 2 and the Easterly Right of Way line of Boulder Place;

thence Westerly across said Right of Way of Boulder Place, a distance of 69 feet, more or less, to the Westerly Right of Way line of said Boulder Place and the Southeast corner of Lot 101 and the Northeast corner of Lot 102 both of said Stonebrook Crossing Addition No. 2;

thence Westerly along the South line of said Lot 101 and the North line of said Lot 102 both of said Stonebrook Crossing Addition No. 2, a distance of 197 feet, more or less, to the Southwest corner of said Lot 101 and Northwest corner of said Lot 102 both of Stonebrook Crossing Addition No. 2 and said Easterly Right of Way line of South Business Drive;

thence Southwesterly along said Easterly Right of Way line of South Business Drive, the West line of said Lot 102 and the West line of Lot 103 both of said Stonebrook Crossing Addition No. 2, the West lines of Lots 14, 28, and 29 of said Stonebrook Crossing Addition No. 1, and across the Right of Way of Stonebrook Drive, a distance of 809 feet, more or less, to the Southwest corner of said Lot 29 and the Southwest corner of said Stonebrook Crossing Addition No. 1;

thence Westerly along the Westerly extension of the South line of said Lot 29 and South line of said

Stonebrook Crossing Addition No. 1, a distance of 34 feet, more or less, to the centerline of said South Business Drive;

thence Southwesterly along said centerline of South Business Drive, a distance of 121 feet, more or less, to the Easterly extension of the North line of lands owned by Loretta A. Gilbertson (parcel ID 59030454541);

thence Westerly along said Easterly extension of the North line of lands owned by Gilbertson, a distance of 33 feet, more or less, to said Westerly Right of Way line of South Business Drive, the Northeast corner of said lands owned Gilbertson, and an angle point in the East line of Lot 3 of said Certified Survey Map recorded in Volume 28 on Pages 322 to 330;

thence Westerly along the North line of said lands owned by Gilbertson and said East line of Lot 3 of a Certified Survey Map recorded in Volume 28 on Pages 322 to 330, a distance of 567 feet, more or less, to the Northwest corner of said lands owned by Gilbertson and an angle point in said East line of Lot 3 of a Certified Survey Map recorded in Volume 28 on Pages 322 to 330;

thence Southerly along the West line of said lands owned by Gilbertson and said East line of Lot 3 of a Certified Survey Map recorded in Volume 28 on Pages 322 to 330, a distance of 571 feet, more or less, to the Southwest corner of said lands owned by Gilbertson and an angle point in said East line of Lot 3 of a Certified Survey Map recorded in Volume 28 on Pages 322 to 330;

thence Easterly along the South line of said lands owned by Gilbertson and said East line of Lot 3 of a Certified Survey Map recorded in Volume 28 on Pages 322 to 330, a distance of 458 feet, more or less, to the Southeast corner of said lands owned by Gilbertson, an angle point in said East line of Lot 3 of a Certified Survey Map recorded in Volume 28 on Pages 322 to 330, and said Westerly Right of Way line of South Business Drive;

thence Southerly along said Westerly Right of Way line of South Business Drive and said East line of Lot 3 of a Certified Survey Map recorded in Volume 28 on Pages 322 to 330, a distance of 640 feet, more or less, to the Northerly Right of Way line of Stahl Road and the Southeast corner of said Lot 3 of a Certified Survey Map recorded in Volume 28 on Pages 322 to 330;

thence Westerly along said Northerly Right of Way line of Stahl Road and South line of said Lot 3 of a Certified Survey Map recorded in Volume 28 on Pages 322 to 330, a distance of 171 feet, more or less, to the Point of Beginning for said Certified Survey Map recorded in Volume 28 on Pages 322 to 330;

thence Southerly and perpendicular, a distance of 33 feet, more or less, to said South line of the Southwest 1/4 of Section 9, the centerline of said Stahl Road, and the North line of lands owned by Sandra L. Wright (parcel ID 59030458971);

thence Westerly along said South line of the Southwest 1/4 of Section 9, said centerline of Stahl Road, and said North line of lands owned by Wright, a distance of 60 feet, more or less, to the Northwest corner of said lands owned by Wright;

thence Southerly along said West line of lands owned by Wright, a distance of 50 feet, more or less, to the Southerly Right of Way line of said Stahl Road and the Northeast corner of Lot 2 of said Certified Survey Map recorded in Volume 28 on Pages 331 to 339;

thence Southerly along said West line of lands owned by Wright and the East line of said Lot 2 of a Certified Survey Map recorded in Volume 28 on Pages 331 to 339, a distance of 324 feet, more or less, to the Southwest corner of said lands owned by Wright and an angle point in said East line of Lot 2 of a Certified Survey Map recorded in Volume 28 on Pages 331 to 339;

thence Easterly along the South line of said lands owned by Wright and said East line of Lot 2 of a Certified Survey Map recorded in Volume 28 on Pages 331 to 339, a distance of 181 feet, more or less, to the Southeast corner of said lands owned by Wright, an angle point in said East line of Lot 2 of a Certified Survey Map recorded in Volume 28 on Pages 331 to 339, and said Westerly Right of Way line of South Business Drive;

thence Southerly along said East line of Lot 2 of a Certified Survey Map recorded in Volume 28 on Pages 331 to 339 and said Westerly Right of Way line of South Business Drive, a distance of 737 feet, more or less, to the North line of lands owned by Little Owls Child Care Center, LLC (parcel ID 59030458970) and an angle point in said East line of Lot 2 of a Certified Survey Map recorded in Volume 28 on Pages 331 to 339;

thence Westerly along said North line of lands owned by Little Owls Child Care Center, LLC and said East line of Lot 2 of a Certified Survey Map recorded in Volume 28 on Pages 331 to 339, a distance of 227 feet, more or less, to the Northwest corner of said lands owned by Little Owls Child Care

Center, LLC and an angle point in said East line of Lot 2 of a Certified Survey Map recorded in Volume 28 on Pages 331 to 339;

thence Southerly along the West line of said lands owned by Little Owls Child Care Center, LLC and said East line of Lot 2 of a Certified Survey Map recorded in Volume 28 on Pages 331 to 339, a distance of 200 feet, more or less, to the Southwest corner of said lands owned by Little Owls Child Care Center, LLC and an angle point in said East line of Lot 2 of a Certified Survey Map recorded in Volume 28 on Pages 331 to 339;

thence Easterly along the South line of said lands owned by Little Owls Child Care Center, LLC and said East line of Lot 2 of a Certified Survey Map recorded in Volume 28 on Pages 331 to 339, a distance of 106 feet, more or less, to the Northwest corner of lands owned by Jason E. and Kelly R. Spradau (parcel ID 59030458960) and an angle point in said East line of Lot 2 of a Certified Survey Map recorded in Volume 28 on Pages 331 to 339;

thence Southerly along the West line of said lands owned by Spradau and said East line of Lot 2 of a Certified Survey Map recorded in Volume 28 on Pages 331 to 339, a distance of 154 feet, more or less, to the Southwest corner of said lands owned by Spradau and an angle point in said East line of Lot 2 of a Certified Survey Map recorded in Volume 28 on Pages 331 to 339;

thence Easterly along the South line of said lands owned by Spradau and said East line of Lot 2 of a Certified Survey Map recorded in Volume 28 on Pages 331 to 339, a distance of 123 feet, more or less, to said Westerly Right of Way line of South Business Drive and an angle point in said East line of Lot 2 of a Certified Survey Map recorded in Volume 28 on Pages 331 to 339;

thence Southerly along said Westerly Right of Way line of South Business Drive and said East line of Lot 2 of a Certified Survey Map recorded in Volume 28 on Pages 331 to 339, a distance of 291 feet, more or less, to the Northerly Right of Way line of Sunset Road and the Southeast corner of said Lot 2 of a Certified Survey Map recorded in Volume 28 on Pages 331 to 339;

thence Westerly along said Northerly Right of Way line of Sunset Road and the South line of said Lot 2 of a Certified Survey Map recorded in Volume 28 on Pages 331 to 339, a distance of 152 feet, more or less, to the Northerly Right of Way line of Sunset Road as originally dedicated by David D. and Eleanor DeMaster to the Town of Wilson on a Warranty Deed recorded as document 905606 in said Register of Deeds Office and an angle point in said South line of a Certified Survey Map recorded in Volume 28 on Pages 331 to 339;

thence Southerly across said Right of Way of Sunset Road, a distance of 66 feet, more or less, to the Southerly Right of Way line of said Sunset Road as originally dedicated by said DeMasters and an angle point in the North line of Lot 2 of said Certified Survey Map recorded in Volume 28 on Pages 318 to 321;

thence Easterly along said Southerly Right of Way line of Sunset Road and said North line of Lot 2 of a Certified Survey Map recorded in Volume 28 on Pages 318 to 321, a distance of 101 feet, more or less, to said Westerly Right of Way line of South Business Drive and the Northeast corner of said Lot 2 of a Certified Survey Map recorded in Volume 28 on Pages 318 to 321;

thence Southerly along said Westerly Right of Way line of South Business Drive and the East line of said Lot 2 of a Certified Survey Map recorded in Volume 28 on Pages 318 to 321, a distance of 215 feet, more or less to the Southeast corner of said Lot 2 of a Certified Survey Map recorded in Volume 28 on Pages 318 to 321;

thence Westerly along the South line of said Lot 2 of a Certified Survey Map recorded in Volume 28 on Pages 318 to 321 and the South line of Lot 1 of said Certified Survey Map recorded in Volume 28 on Pages 318 to 321, a distance of 1381 feet, more or less, to the Southwest corner of said Lot 1 of a Certified Survey Map recorded in Volume 28 on Pages 318 to 321;

thence Northerly along the West line of said Lot 1 of a Certified Survey Map recorded in Volume 28 on Pages 318 to 321, the Easterly Right of Way line of said Sunset Road, and the Northerly extension of each, a distance of 320 feet, more or less, to the South line of Lot 1 of said Certified Survey Map recorded in Volume 28 on Pages 331 to 339 and said Northerly Right of Way line of Sunset Road;

thence Westerly along said South line of Lot 1 of a Certified Survey Map recorded in Volume 28 on Pages 331 to 339 and said Northerly Right of Way line of Sunset Road as originally dedicated by DeMasters, a distance of 67 feet, more or less, to the Southwest corner of said Lot 1 of a Certified Survey Map recorded in Volume 28 on Pages 331 to 339 and the Easterly Right of Way line of Interstate "43";

thence Northerly along the West line of said Lot 1 of a Certified Survey Map recorded in Volume 28 on Pages 331 to 339 and said Easterly Right of Way line of Interstate "43", a distance of 1,629 feet, more or less, to the Northwest corner of said Lot 1 of a Certified Survey Map recorded in Volume 28 on Pages 331-339 and said Southerly Right of Way line of Stahl Road;
thence Easterly along the North line of said Lot 1 of a Certified Survey Map recorded in Volume 28 on Pages 331-339 and said Southerly Right of Way line of Stahl Road, a distance of 967 feet, more or less, to said Southerly extension of the West line of Outlot 3 of a Certified Survey Map recorded in Volume 29 on Pages 49 to 53;
thence Northerly along said Southerly extension of the West line of Outlot 3 of a Certified Survey Map recorded in Volume 29 on Pages 49 to 53, a distance of 50 feet, more or less, to said South line of the Southwest 1/4 of Section 9 and the Point of Beginning.

The land described above contains 296.251 acres (12,904,699 square feet) of land, more or less.

End of Description.

EXHIBIT B

CITY OF SHEBOYGAN, WISCONSIN

**Territory Amendment No. 1 to
Tax Incremental District No. 18**



*Joint Review Board Organizational Meeting Held: **September 14, 2021***

*Public Hearing Held: **September 14, 2021***

*Adopted by Plan Commission: **September 14, 2021***

*Adopted by City Council: **September 20, 2021***

*Anticipated to be Considered for Approval by Joint Review Board: **September 23, 2021***

September 2021

Tax Incremental District No. 18
Territory Amendment #1

City of Sheboygan Officials

Common Council

Ryan Sorenson	Mayor
Barbara Felde	Aldersperson
Roberta Filicky-Peneski	Aldersperson
Amanda Salazar	Aldersperson
Betty Ackley	Aldersperson
Markus Savaglio	Aldersperson
Dean Dekker	Aldersperson
Grazia Perrella	Aldersperson
Leslie Laster	Aldersperson
Trey Mitchell	Aldersperson
Jim Bohren	Aldersperson

City Staff

Todd Wolf	City Administrator
Chad Pelishek	Dir. of Planning & Development
Steven Sokolowski	Manager of Planning & Zoning
Charles Adams	City Attorney
Meredith DeBruin	City Clerk
Kaitlyn Krueger	Finance Director/Treasurer

Plan Commission

Ryan Sorenson, Chair
Ald. Trey Mitchell
Marilyn Montemayor
David Hoffman
Gerald Jones
John Motiska
Ryan Sazama, City Engineer

Chad Pelishek, Ex-officio

Joint Review Board

Ryan Sorenson, Chair	City Representative
Mark Boehlke	Sheboygan Area School District
Roy Kluss	Lakeshore Technical College
Roger TeStrote	Sheboygan County
Roberta Filicky-Peneski	Citizen Member

EXECUTIVE SUMMARY

DESCRIPTION OF ORIGINAL DISTRICT AND PROPOSED TERRITORY AMENDMENT #1

Original District Purpose - Tax Incremental District ("TID") No. 18 ("District") is an existing industrial district, which was created by a creation resolution of the City Council adopted on January 1, 2018

Amendments

The District has not been previously amended.

SUMMARY OF FINDINGS

As required by s.66.1105 Wis. Stats., and as documented in this Territory Amendment and the exhibits contained and referenced herein, the following findings are made:

- a. The project costs will not change as a result of this amendment.
- b. There are no additional improvements as a result of this amendment.
- c. This Territory Amendment #1 Project Plan for the District is feasible, and is in conformity with the Comprehensive Plan of the City.

That "but for" the creation of this District, the development projected to occur as detailed in this plan would not occur in the manner, at the values or within the timeframe desired by the City. In reviewing the appropriateness of this Plan Amendment, the City and Joint Review Board must consider "whether the development is expected in the tax increment district would occur without the use of the tax incremental financing. Since the purpose of the plan amendment is solely to subtract territory, this test cannot be applied in a similar fashion. The City and Joint Review Board have concluded that the "but for test" was met with respect to the District. Accordingly, the City finds that is reasonable to conclude the "but for test" continues to be satisfied.

Not less than 50% by area of the real property within the District, as amended, is suitable for industrial sites as defined by Wis. Stats 66.1101 and has been zoned for industrial use. The industrial use of the district will not be changing under this amendment.

TYPE & GENERAL DESCRIPTION OF DISTRICT

Tax Incremental District No. 18 (the "District") is an Industrial District created on January 1, 2018 to promote industrial development in Sheboygan County. The District has not been amended prior. The proposed subtraction of territory will be the first amendment to the District. As of January 1, 2018, the District had an incremental valuation of \$12,444,400.

The proposed amendment would subtract six (6) parcels from TID No. 18. The removal of the parcels is necessary maintain whole parcels within the boundaries of the tax increment district to

align to phase 1 of the Stonebrook Crossing Addition No. 1 subdivision. The removal of these parcels will not affect the 12% of equalized value test as the parcels did not exist prior to January 1, 2021.

Purpose of this Amendment

The City proposes to remove specified parcels from the District in order to align the TID boundary with the current Stonebrook Crossing Addition No. 1 final subdivision plat. The original TID boundary followed existing parcel lines and when the subdivision plat was completed the boundary split parcels making it difficult for the city assessor. Therefore, the city is proposing to remove six parcels to follow the phase 1 subdivision plat. The parcels to be removed include: 59281471133, 59281471125, 59281471122, 58281471111, 59281471110, 59281471109.

The City is required to maintain whole parcels within the boundaries of the tax increment district. The proposed boundary amendment will ensure the City complies with this requirement and allows the City to implement the development envisioned in the original project plan.

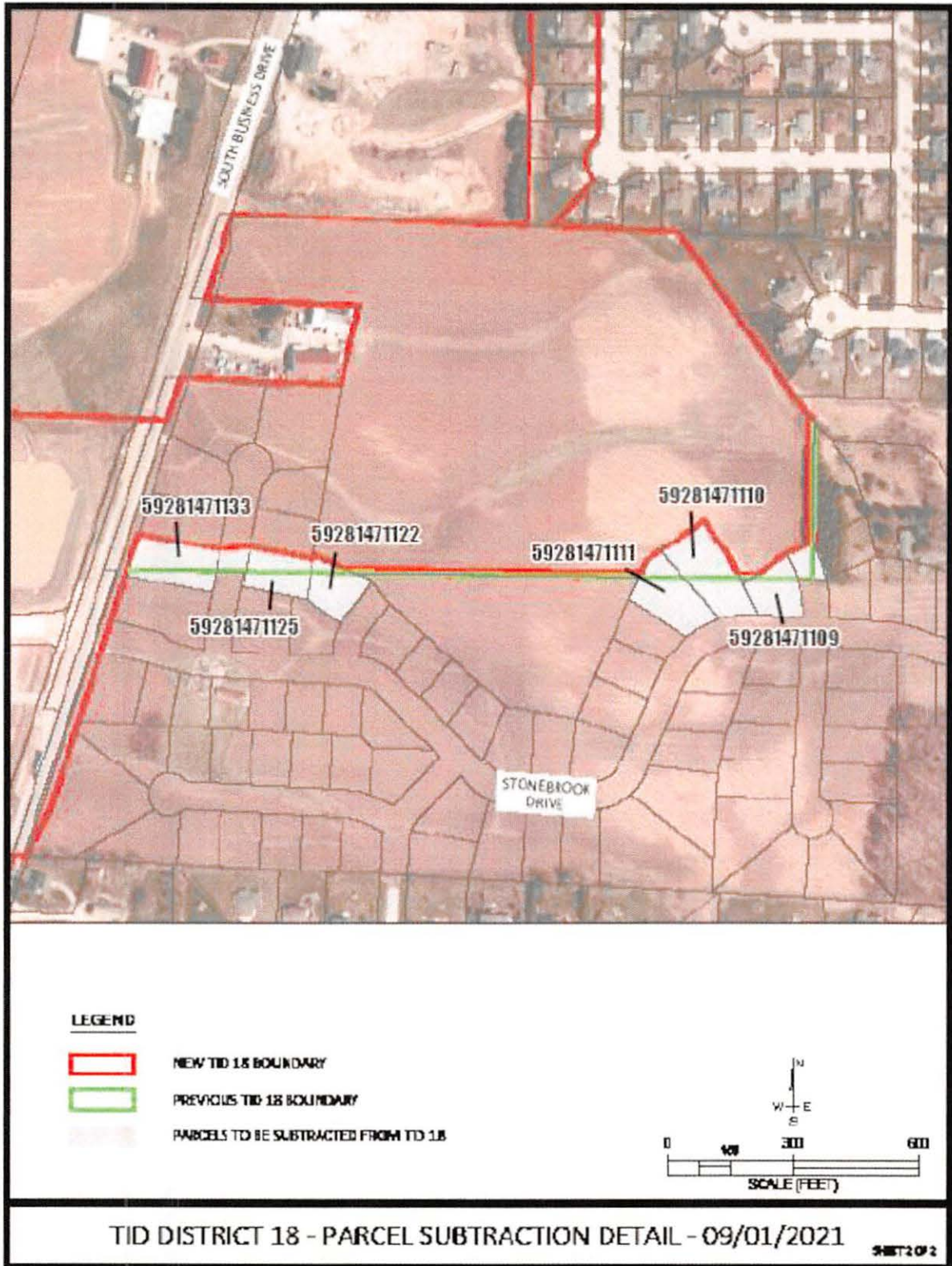
A map, located in Section 3 of this plan, identifies the Territory to be removed and its geographic relationship to the existing District's boundaries

MAP OF DISTRICT BOUNDARIES PRIOR TO AMENDMENT NO. 1

TID 18 Parcels



MAP OF PARCELS TO BE SUBTRACTED WITH PARCEL NUMBERS



LIST OF PARCELS WITHIN THE TERRITORY TO BE SUBTRACTED FROM THE DISTRICT & ANALYSIS

Real Estate

Parcel ID	2021 Assessed Land	2021 Assessed Improv.	Lot Size
59281471133	14,100		0.433
59281471125	14,100		0.325
59281471122	10,600		0.287
59281471111	12700		0.478
59281471110	12700		0.578
59281471109	11500		0.315
Totals	75,700		

Equalized Value Test

No territory will be added to this District. Demonstration of compliance with the equalized value test is not required for this Plan Amendment. The Plan Amendment is to subtract territory.

STATEMENT OF KIND, NUMBER AND LOCATION OF PROPOSED PUBLIC WORKS AND OTHER PROJECTS

The project costs will not change, nor are there any additional improvements as a result of this amendment. The statement of kind, number and location of proposed public works and other projects as documented in the Original Project Plan dated January 2021 remains in effect.

MAP SHOWING PROPOSED IMPROVEMENTS AND USES WITHIN THE TERRITORY REMAINING

Except for subtraction of territory, the is Plan Amendment makes no changes to the maps depicting proposed improvements and uses within the District.

DETAILED LIST OF ADDITIONAL PROJECT COSTS

The project costs will not change, nor are there any additional improvements as a result of this amendment.

ECONOMIC FEASIBILITY STUDY & A DESCRIPTION OF THE METHODS OF FINANCING AND THE TIME WHEN SUCH COSTS OR MONETARY OBLIGATIONS RELATED THERETO ARE TO BE INCURRED

Given the district was created as Industrial District and the industrial portion is not changing with amendment, no change in cash flows should be impacted by this amendment.

PLAN IMPLEMENTATION

As stated in the Original Project Plan, projects identified will provide the necessary anticipated governmental services and/or development incentives to the remaining district.

The order in which expenditures are made should be adjusted in accordance with development and execution of developer agreements, if any. The City reserves the right to alter the implementation of this plan to accomplish this objective.

IMPLEMENTATION & FINANCING TIMELINE

There are no proposed changes to the projects or projects costs identified in the Original Project Plan dated December 1991.

INCREMENT DEBT

The table below projects the debt payments, interest on advances and administrative expenses of the District.

ESTIMATE OF REMAINING DISTRICT TO BE DEVOTED TO RETAIL BUSINESS

Pursuant to Wis. Stats. 66.11005(5)(b), the City estimates that less than 35% of the territory within the District will be devoted to retail business at the end of the District's maximum expenditure period.

PROPOSED CHANGES IN ZONING ORDINANCES

The City of Sheboygan does not anticipate the need to change any of its zoning ordinances in conjunction with the implementation of this Territory Amendment.

PROPOSED CHANGES IN MASTER PLAN, MAP, BUILDING CODES AND CITY OF SHEBOYGAN ORDINANCES

It is expected that this Territory Amendment will be complementary to the City's Master Plans. There are no proposed changes to the master plan, map, building codes or other City of Sheboygan's ordinances for the implementation of this Territory Amendment.

RELOCATION

Relocation is controlled by State Statutes Chapter 32 and implementing Administrative Codes. Those codes define the application of relocation laws and define "public project". The city will comply with Relocation Laws as they apply to property acquisitions.

No relocation is anticipated based on the subtraction of territory from this District.

ORDERLY DEVELOPMENT AND REDEVELOPMENT OF THE CITY OF SHEBOYGAN

Subtraction of territory from the District will have no impact on the viability of the Original District Project Plan as it relates to the orderly development and redevelopment of the City.

LIST OF ESTIMATED NON-PROJECT COSTS

The City does not expect to incur any non-Project Costs in the implementation of this Territory Amendment.

RESERVED FOR OPINION OF ATTORNEY FOR THE CITY OF SHEBOYGAN ADVISING WHETHER
THE PLAN IS COMPLETE AND COMPLIES WITH WISCONSIN STATUTES, SECTION 66.1105

REVISED LEGAL DESCRIPTION TO BE INCLUDED ON THIS PAGE

CITY OF SHEBOYGAN

REQUEST FOR CITY PLAN COMMISSION CONSIDERATION

ITEM DESCRIPTION: Res. No. 50-21-22 Approving an amendment to the project plan for Tax Incremental District No. 18, City of Sheboygan, Wisconsin.

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

REPORT DATE: September 8, 2021 **MEETING DATE:** September 14, 2021

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:

The City established Tax Increment District (TID) 18 in 2018. At that time the Stonebrook Subdivision (Werner Subdivision) had not started the preliminary or final plats therefore no parcel was established. The project plan included the two large parcels that some day would become a subdivision. Now that the subdivision is platted, six parcels are transecting the TID boundary line. Meaning six parcels are both in and out of the TID. The Real Property Lister and the City Assessor have notified City Development that whole parcels need either be in the TID or out of the TID. The easiest route to correct this issue, is to subtract the six parcels from the TID. Therefore, this amendment does exactly that.



LEGEND
[Red line] NEW TID 18 BOUNDARY
[Green line] PREVIOUS TID 18 BOUNDARY
[Gray box] PARCELS TO BE SUBTRACTED FROM TID 18



STAFF COMMENTS:

State law requires a public hearing and approval of the project plan amendment by the City Plan Commission with referral back to the Common Council.

ACTION REQUESTED:

Motion to recommend the Common Council approve Res. No. 50-21-22 approving an amendment to the project plan for Tax Incremental District No. 18, City of Sheboygan, Wisconsin.

ATTACHMENTS:

- I. Res. No. 50-21-22

CITY OF SHEBOYGAN

REQUEST FOR CITY PLAN COMMISSION CONSIDERATION

ITEM DESCRIPTION: Application for Conditional Use with exceptions by Priority One Investments, LLC to install new murals on the north and south walls of Nikki's Nex 2 New located at 1019 N. 8th Street. CC zone

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

REPORT DATE: September 10, 2021

MEETING DATE: September 14, 2021

FISCAL SUMMARY:

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

STATUTORY REFERENCE:

Wisconsin Statutes:
Municipal Code: N/A

BACKGROUND / ANALYSIS:

Priority One Investments, LLC is proposing to install two (2) new murals on the north and south walls of Nikki's Nex 2 New located at 1019 N. 8th Street. The applicant states:

- Nikki's Nex 2 New is requesting approval to install two (2) interactive 100sf (10 x 10) murals on the northwest corner of the north wall (adjacent to grass yard) and the southwest corner of the south wall (adjacent to the alley).
- An interactive mural is a large scale public painting that pedestrians can “interact” with in some way.
- On the north wall, an individual would stand in front and put their hand on the wall making it look like they are pushing the door open to another world.
- On the south wall, an individual would stand in the blank white space. The black and white design are very cartoon in nature showing images of well-known objects and places that make Sheboygan unique.
- Public Art has been a focus of the City of Sheboygan for several years, as evidenced by the JMKAC’s “Sheboygan Project” and other recent public art installations in Downtown Sheboygan. The proposed mural fits directly with the Art, Culture and Food theme that the City is seeking for Downtown Sheboygan. This mural will be a landmark beckoning visitors and locals alike to come downtown.

- If approved, the mural will be completed in September of 2021.

STAFF COMMENTS:

The Plan Commission may want to have the applicant explain:

- The preparation work of the wall for the mural such as sandblasting, priming, etc.
- Is the applicant using professional paint used for murals and will the mural be sealed?
- How will the owner maintain the integrity of the piece in the years to come? Are there funds for future maintenance/sealing?

The Plan Commission should consider the following when reviewing murals:

- Is the location appropriate?
- Is the size/scale appropriate?
- Is the mural considered public art (mural is not a billboard or sign used for advertising)?
- Does the mural represent the City's values, culture and people?
- Does mural activate and enhance this private/public space?
- Are the colors complimentary and harmonious with the exterior colors of the building structure, as well as consistent with the chosen theme?

ACTION REQUESTED:

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

1. Applicant shall obtain all necessary permits prior to installation of mural.
2. The mural shall not contain any political, advertising (business name, logos, slogans, messages, etc.), etc.
3. Mural installation must be completed within six (6) months of the start date. A one-time extension for an additional 60 days may be granted if the request is submitted in writing prior to the end of the initial 60-day period. If these dates are not met the Plan Commission, at its discretion, may cancel the mural permit.
4. Materials shall be long-lasting and graffiti-resistant to the greatest extent possible.
5. The applicant shall properly maintain mural and any issues of disrepair shall be addressed immediately. If, for whatever reason, the mural falls into disrepair, the building owner will be notified in writing and required to make necessary repairs within 60 days. If the repairs are not made within the specified time, the city reserves the right to repair or remove the mural at the owner's expense.
6. If using lighting, lighting shall be installed per Section 15.707 of the City of Sheboygan Zoning Ordinance (no spillover light onto adjacent properties and/or the streets).
7. If there are any amendments to the approved plans, 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. _____
MAP NO. _____
ZONING CLASSIFICATION: _____

Office Use Only

APPLICATION/FILE NO. _____
REVIEW DATE: _____

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

**CITY OF SHEBOYGAN
APPLICATION FOR
CONDITIONAL USE PERMIT**
Requirements Per Section 15.905
Revised May 2018

Completed application is to be filed with the Department of City Development, 828 Center Avenue, Suite 208. 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: Priority One Investments, LLC

ADDRESS: 708 Erie Avenue, Suite 201, Sheboygan, WI 53081

E-MAIL: timfrey@vistacare.org

PHONE: (920) 694-1102

2. DESCRIPTION OF THE SUBJECT SITE/PROPOSED PROJECT

NAME OF PROPOSED/EXISTING BUSINESS: Nikki's Next to New

ADDRESS OF PROPERTY AFFECTED: 1017 N. 8th Street

LEGAL DESCRIPTION: _ORIGINAL PLAT THE N 44' OF THE S 64' OF LOTS 5 & 6 BLK 95; ALSO THE S 20' OF LOTS 5 & 6 BLK 95

BRIEF DESCRIPTION OF **EXISTING** OPERATION OR USE: *North and South Wall of Nikki's Next to New clothing store.*

DETAILED DESCRIPTION OF **PROPOSED** OPERATION OR USE INCLUDING ANY CHANGES TO THE EXISTING USE: *Paint a two 10' x 10' mural that will increase foot traffic to the area. Painted within the month of September. Materials will be outdoor/exterior paint and primer*

BRIEF DESCRIPTION OF ALL REQUESTED VARIANCES FROM PROVISIONS OF THE ZONING ORDINANCE, WHICH ARE RELATED TO THE PROPOSED OPERATION OR USE: *Only exterior paint will be applied to the already existing north and south walls. The size and use of the wall and alleyways will not be adjusted or affected in any way.*

3. JUSTIFICATION OF THE PROPOSED CONDITIONAL USE

Written justification for the proposed conditional use, indicating reasons why the applicant believes the proposed conditional use is appropriate.

How is the proposed conditional use (independent of its location) in harmony with the purposes, goals, objectives, policies and standards of the City of Sheboygan Comprehensive Master Plan? *It is aligned because it is bringing both more art and beauty to the downtown area, but it is also increasing business and city exposure due to the interactive elements that makes it fun and easily accessible*

Does the conditional use, in its proposed location, result in any substantial or undue adverse impact on nearby property the character of the neighborhood, environment, traffic, parking, public improvements, public property or rights-of-way? *No*

How does the proposed conditional use maintain the desired consistency of land uses in relation to the setting within which the property is located? *It does not disturb any land uses as it will go on a pre-existing wall and will be flat to the façade. No 3-D, electrical, or miscellaneous elements will be used outside of paint.*

Is the proposed conditional use located in an area that will be adequately served by utilities, or services provided by public agencies? If not, please explain. *Yes, no utilities or services will be required for the upkeep of this mural installation*

4. NAMES AND ADDRESS (Indicate N/A for "Not Applicable" items)

OWNER OF SITE: Tim Frey

ADDRESS: 708 Erie Avenue, Suite 201, Sheboygan, WI 53081 **E-MAIL:** : timfrey@vistacare.org

ARCHITECT: N/A

ADDRESS: _____ **E-MAIL:** _____

CONTRACTOR: N/A

ADDRESS: _____ **E-MAIL:** _____

5. CERTIFICATE

I hereby certify that all the above statements and attachments submitted hereto are true and correct to the best of my knowledge and belief.

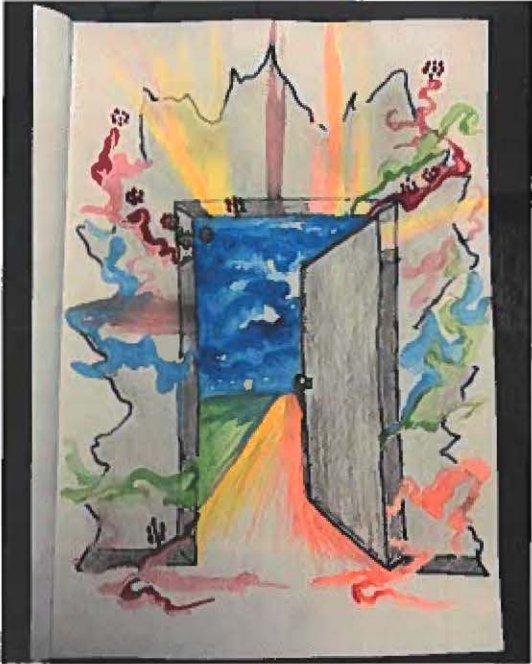
Timothy Frey
APPLICANT'S SIGNATURE

2021-08-27
DATE

Tim Frey
PRINT ABOVE NAME

**Nikki's Next to New (South Wall)
Mural Narrative
Fall 2021**

Proposed Image:



Proposed Location:



Narrative:

This design will be one of four 'interactive' murals around the downtown area of Sheboygan. The goal of these four paintings is to increase foot traffic in town, as they are easily accessible by walking. An interactive mural is a large-scale public painting that pedestrians can 'interact' with in some way. In this proposed design, an individual would stand in front and put their hand on the wall making it look like you are pushing a door open to another world and just having the courage to try.

This design will be completed by one artist, one who organized the four interactive murals and painted the mural on the side of George Michaels. The goal is to get people to explore the town, while also having hopes of bringing more business to the surrounding businesses through foot traffic and exposure on social media sites.

Examples of Other Interactive Murals in the USA:



**Nikki's Next to New (North Wall)
Mural Narrative
Fall 2021**

Proposed Image:



Proposed Location:



Narrative:

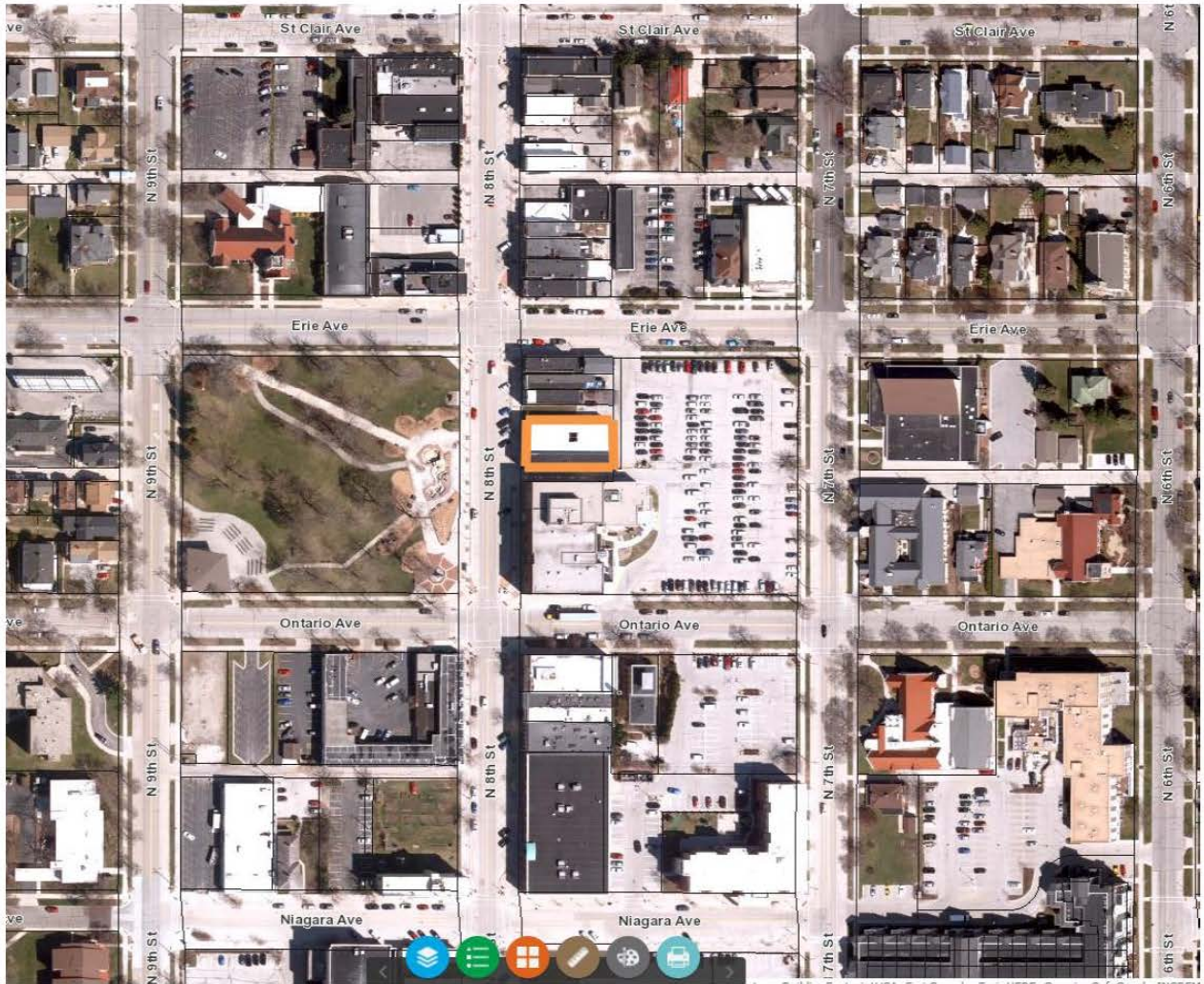
This design will be one of four 'interactive' murals around the downtown area of Sheboygan. The goal of these four paintings is to increase foot traffic in town, as they are easily accessible by walking. An

interactive mural is a large-scale public painting that pedestrians can 'interact' with in some way. In this proposed design, an individual would stand in the blank white space left in the drawing. The black and white design are very cartoon in nature – showing images of well-known objects and places that make Sheboygan unique. It can double as both a tourist spot and one of great Sheboygan pride. I have supplied some examples of other interactive mural ideas in the following section.

This design will be completed by two artists, one that is based in Milwaukee and is a full time artist, and the other is a local – she works at the John Michael Kohler Art Center, and is also heavily involved in the arts community here in town. Both expressed a great love for Sheboygan and want to express that feeling in an easy to understand and cartoon-like painting. The goal is to get people to explore the town, while also having hopes of bringing more business to the surrounding businesses through foot traffic and exposure on social media sites.

Examples of Other Interactive Murals in the USA:







CITY OF SHEBOYGAN

REQUEST FOR CITY PLAN COMMISSION CONSIDERATION

ITEM DESCRIPTION: Application for Conditional Use with exceptions by Jason LaBouve to operate Harbor Cafe at 340 S. Pier Drive. PUD Zone.

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

REPORT DATE: September 10, 2021

MEETING DATE: September 14, 2021

FISCAL SUMMARY:

STATUTORY REFERENCE:

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

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

BACKGROUND / ANALYSIS:

Jason LaBouve is proposing to operate Harbor Cafe at 340 S. Pier Drive. The applicant states:

- Harbor Café will be an earthy sophisticated, family-friendly, French café style hangout located at 340 South Pier Drive. The proposed plan includes the construction of a new interior buildout that converts the existing retail space into a new coffee/cold sandwich shop. My goal is to open Harbor Cafe on April 1, 2022.
- The vision for Harbor Cafe is to combine the menu concepts of Starbucks and Panera Bread, but with an extremely welcoming atmosphere that gives patrons a place to congregate for endless periods of time, without any pressure to consume or leave. Whether you're a young family visiting from out of town, meeting with a group of old friends, having a casual business meeting, doing a group project with fellow students, independently writing a blog, or just want to pop in and grab a quick snack to go, the mission for Harbor Cafe is to give citizens and visitors of our community access to the environment and views of arguably one of the most emblematic pieces of real estate in the City of Sheboygan.
- Harbor Cafe will be a family-friendly atmosphere for patrons of all ages and will not serve alcohol. The menu will be simple and not require any fryers or grills. Beverages will include: water, flavored sparkling waters, coffees, espressos, teas and smoothies. Food will include: soups, salads, wraps, mini deli-style sandwiches, charcuterie boards (featuring local cheeses and sausages), bakery, and specialty deserts. The menu will source ingredients locally wherever possible.

- The primary mission for Harbor Cafe is to provide patrons with a welcoming and comfortable environment to congregate. The decor can be summarized as "earthy sophistication," with a lot of natural building materials and a large Sheboygan mural to be painted by local artist, Dale Knaak. The current floorplan has indoor seating for 60 patrons in 18 different seating clusters.
- In addition to the seating, there will be an ordering counter and the following equipment including: under counter refrigeration units, soup warmers, bakery cabinets, meat slicer, preparation tables, espresso machine, smoothie blender, ice machine, dishwashing sinks, and storage.
- In addition, we're hope to get the city's approval to build a deck on the riverside of the building to create outdoor seating for as many as 36-48 additional patrons during the warmer months.
- The space at 340 South Pier Drive was once occupied by Restoration Gardens and they continue to do an amazing job managing the landscaping. There is a beautiful garden area directly to the west of the building and in the future, I envision the possibility of using this space to create a seasonally themed garden for people to walk through and enjoy, which would include patriotic themes for the summer, tasteful harvest/Halloween theme for the fall, and a sophisticated Christmas theme for the winter. This would just be an added bonus. Perhaps we would have the Salvation Army or Santa and Elves visit a bit as well.
- Harbor Café, LLC will employ 1-2 full-time and 6-8 part-time employees.
- Initially, the hours of operation will be 6am to 9pm, Sunday thru Saturday. Hours will evolve as peaks and lulls are determined.

Other Comments:

I'm a Sheboygan native and have been employed as Vice President & General Manager of Torginol, Inc. since 2006. In addition to Torginol, I have an entrepreneurial spirit, a love for Sheboygan, and a passion for hospitality, so I want to use my resources to support the community in this way.

I have almost a decade of experience in the food and beverage industry, starting as a dishwasher at the age of 13 and working my way through school in the restaurant business to a sales manager position with Miller Brewing Company in California after graduating from Madison. As part of my plan, I will continue with fulltime employment at Torginol and hire a manager to run the day-to-day operations at Harbor Café, but will play an active role in directing and administering the business.

STAFF COMMENTS:

The applicant mentions potential outdoor seating along the Sheboygan Riverfront promenade. If proposing to utilize the Sheboygan Riverfront promenade, the applicant will be required to obtain the required encroachment permit prior to being able to serve customers in this riverfront promenade area.

The applicant mentions possible signage but no formal sign package has been submitted. 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 and meets the S. Pier Design Guidelines. Staff may bring the proposed signage design back to the Plan Commission if there are any concerns.

The dumpsters and/or grease receptacles shall be located inside the dumpster enclosure.

The applicant will need to work with the Sheboygan County Health Department and the City Inspections Department regarding required permits and occupancy.

The Plan Commission may want to have the applicant address:

- Will there be any venting and/or mechanicals to be installed?

The Harbor Cafe is a nice way of filling this vacant S. Pier tenant space.

ACTION REQUESTED:

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

1. Prior to operation/occupancy, the applicant shall obtain all licenses and occupancy permits as well as meet all required codes including but not limited to building, plumbing, electrical, HVAC, fire, health, food, alcohol, etc. An occupancy permit will be granted only at such time as the applicant has met all requirements.
2. If serving alcohol, the applicant shall obtain the necessary liquor license in order to serve alcohol. Applicant may serve alcohol if and only if all required liquor licenses are obtained.
3. Dumpsters and/or grease receptacles shall be located within the screened enclosure.
4. Outdoor storage of materials, products or equipment shall be prohibited.
5. All ground level, rooftop mechanicals and/or venting shall be screened/enclosed and constructed of like materials and colors of the facility (HVAC equipment, etc.). The applicant shall work with staff on these matters. If there are any concerns regarding these issues, staff may bring it back to the Plan Commission for review/approval.
6. All new lighting shall be installed per Section 15.707 of the City of Sheboygan Zoning Ordinance. There shall be no spillover light onto adjacent properties or the streets.
7. Applicant shall install signage meeting the South Pier 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.
8. Proposed signage will be individual letter signs (no flat panel or interior lit cabinet signs).
9. No outdoor seating is permitted in the Riverfront promenade area without obtaining the required encroachment/Sidewalk Café permit.

10. If there are to be any renovation to the exterior of the facility, the applicant will be required to obtain approval from the Architectural Review Board prior to receiving a building permit for such renovation.
11. If there are any amendments to the approved use and/or floor/site plan, the applicant will be required to submit a new conditional use application reflecting those amendments.

ATTACHMENTS:

Conditional Use and required attachments

PARCEL NO. _____

MAP NO. _____

ZONING CLASSIFICATION: _____

Office Use Only

APPLICATION/FILE NO. _____

REVIEW DATE: _____

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

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

Requirements Per Section 15.905
Revised May 2018

Completed application is to be filed with the Department of City Development, 828 Center Avenue, Suite 208. 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: Sam LeRoy, Quasius Construction, Inc.

ADDRESS: 1202A N. 8th Street Sheboygan, WI 53081 E-MAIL: sleroy@quasius.com

PHONE: 920-627-8056 FAX NO. 920-457-1045

2. DESCRIPTION OF THE SUBJECT SITE/PROPOSED PROJECT

NAME OF PROPOSED/EXISTING BUSINESS: Harbor Cafe

ADDRESS OF PROPERTY AFFECTED: 340 South Pier Drive

LEGAL DESCRIPTION: SOUTH PIER THE E 93' OF THE W 270' OF LOT 5

BRIEF DESCRIPTION OF **EXISTING** OPERATION OR USE: Existing space was used as a retail store. It is currently vacant/unoccupied.

DETAILED DESCRIPTION OF **PROPOSED** OPERATION OR USE INCLUDING ANY CHANGES TO THE EXISTING USE: Proposed use is converting the space to a café servicing the south pier district, they will serve grab and go snack and beverages, as well as coffee drinks and cold sandwiches.

BRIEF DESCRIPTION OF ALL REQUESTED VARIANCES FROM PROVISIONS OF THE ZONING ORDINANCE, WHICH ARE RELATED TO THE PROPOSED OPERATION OR USE: N/A

3. JUSTIFICATION OF THE PROPOSED CONDITIONAL USE

Written justification for the proposed conditional use, indicating reasons why the applicant believes the proposed conditional use is appropriate.

How is the proposed conditional use (independent of its location) in harmony with the purposes, goals, objectives, policies and standards of the City of Sheboygan Comprehensive Master Plan? Furtheres the city's goals for the South Pier District and will help draw in and retain tourists and locals to this district.

Does the conditional use, in its proposed location, result in any substantial or undue adverse impact on nearby property the character of the neighborhood, environment, traffic, parking, public improvements, public property or rights-of-way? N/A

How does the proposed conditional use maintain the desired consistency of land uses in relation to the setting within which the property is located? Will be similar to the other restaurants/shops along the public promenade.

Is the proposed conditional use located in an area that will be adequately served by utilities, or services provided by public agencies? If not, please explain. Yes.

4. NAMES AND ADDRESS (Indicate N/A for "Not Applicable" items)

OWNER OF SITE: Jason LaBouve

ADDRESS: 342 South Pier Drive **E-MAIL:** _____

ARCHITECT: N/A

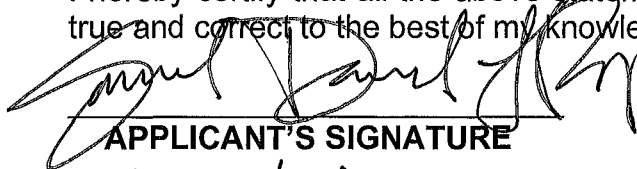
ADDRESS: _____ **E-MAIL:** _____

CONTRACTOR: Quasius Construction, Inc.

ADDRESS: PO Box 727 Sheboygan, WI 53082 **E-MAIL:** sleroy@quasius.com

5. CERTIFICATE

I hereby certify that all the above statements and attachments submitted hereto are true and correct to the best of my knowledge and belief.



APPLICANT'S SIGNATURE

8-16-21

DATE

Sam Leroy

PRINT ABOVE NAME

Harbor Café, LLC
340 South Pier Drive
Sheboygan, WI 53081

September 3, 2021

Steve Sokolowski
City of Sheboygan – Planning & Development Department
828 Center Avenue, Suite 208
Sheboygan, WI 53081

Dear Steve,

The café is incorporated as Harbor Café, LLC (85-4072417) and will be operated as Harbor Café (harborcafe.com). Harbor Café, LLC will rent the 2,500 SF commercial space on the lower level of the building addressed at 340 South Drive from Grateful Properties, LLC. My goal is to open Harbor Café on April 1, 2022. Harbor Café, LLC will employ 1-2 full-time and 6-8 part-time employees. Initially, the hours of operation will be 6 AM – 9 PM, Sunday thru Saturday. Hours will evolve as peaks and lulls are determined.

OVERVIEW

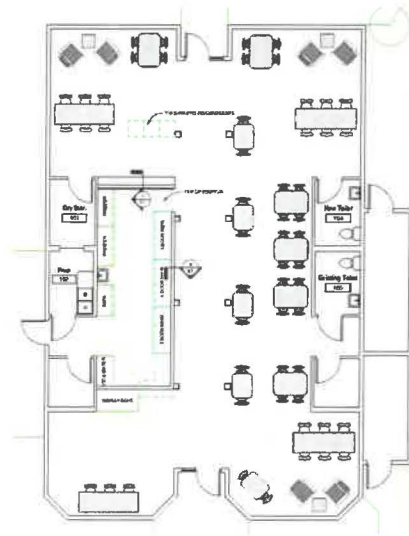
In short, the vision for Harbor Café is to combine the menu concepts of Starbucks and Panera Bread, but with an extremely welcoming atmosphere that gives patrons a place to congregate for endless periods of time, without any pressure to consume or leave. Whether you're a young family visiting from out of town, meeting with a group of old friends, having a casual business meeting, doing a group project with fellow students, independently writing a blog, or just want to pop in and grab a quick snack to go, the mission for Harbor Café is to give citizens and visitors of our community access to the environment and views of arguably one of the most emblematic pieces of real estate in the City of Sheboygan.

MENU

Harbor Café will be a family-friendly atmosphere for patrons of all ages and will not serve alcohol. The menu will be simple and not require any fryers or grills. Beverages will include: water, flavored sparkling waters, coffees, espressos, teas, and smoothies. Food will include: soups, salads, wraps, mini deli-style sandwiches, charcuterie boards (featuring local cheeses and sausages), bakery, and specialty deserts. The menu will source ingredients locally wherever possible.

DÉCOR

The primary mission for Harbor Café is to provide patrons with a welcoming and comfortable environment to congregate. The décor can be summarized as "earthy sophistication," with a lot of natural building materials and a large Sheboygan mural to be painted by local artist, Dale Knaak. The current floorplan has indoor seating for 60 patrons in 18 different seating clusters. In addition, we're hope to get the city's approval to build a deck on the riverside of the building to create outdoor seating for as many as 36-48 additional patrons during the warmer months. Pictures of the exterior building and floorplan are as follows:



In addition to the seating, there will be an ordering counter and the following equipment, including: under counter refrigeration units, soup warmers, bakery cabinets, meat slicer, preparation tables, espresso machine, smoothie blender, ice machine, dishwashing sinks, and storage.

FUTURE

The space at 340 South Pier Drive was once occupied by Restoration Gardens and they continue to do an amazing job managing the landscaping. There is a beautiful garden area directly to the west of the building and in the future I envision the possibility of using this space to create a seasonally themed garden for people to walk through and enjoy, which would include patriotic themes for the summer, tasteful harvest / Halloween theme for the fall, and a sophisticated Christmas theme for the winter. This would just be an added bonus. Perhaps we would have the Salvation Army or Santa and Elves visit a bit as well.

Thank you for taking the time to review a summary of my plan. I am certainly open to meeting in person and discussing any other aspects you would like me to consider. Again, I am in this for the long-term and view this venture as more of giving back to the community than competitive business.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jason LaBouve".

Jason LaBouve

Harbor Café, LLC

920-912-8787

jason@labouve.net

SITE NARRATIVE - CONDITIONAL USE APPLICATION

August 17th, 2021

PROJECT NAME AND ADDRESS:

Harbor Cafe
340 South Pier Drive
Sheboygan, WI 53081

ESTIMATED PROJECT COST:

\$50,000

PARCEL INFORMATION/SITE DATA/LEGAL DESCRIPTION:

- The parcel is defined as tax parcel 59281322033.
- It is defined as SOUTH PIER THE E 93' OF THE W 270' OF LOT 5
- The entire lot area 0.15 acres.

ZONING CLASSIFICATION/ZONING REQUIREMENTS:

UD – Unit Development

EXISTING SITE CONDITIONS/LAND USE:

Current use was for a retail space with a second story residential dwelling.

PROPOSED LAND USE/LOT COVERAGE SITE DATA

- The proposed plan includes the construction of a new interior buildout that converts the existing retail space into a new coffee/cold sandwich shop.
- This new use will not greatly affect traffic of customers, employees, or neighboring properties.
- Building will be serviced by existing utilities on the property.

SITE DATA:

New Building Footprint: 0 Square Feet

New Paving: 0 Square Feet

SITE SELECTION

- This property was selected for the development of this new café due to the proximity to the resort and the other establishments on south pier that are a draw to tourists and other potential customers.

LANDSCAPE REQUIREMENTS

- No changes are required.

PERFORMANCE STANDARDS/POTENTIAL NUISANCES:

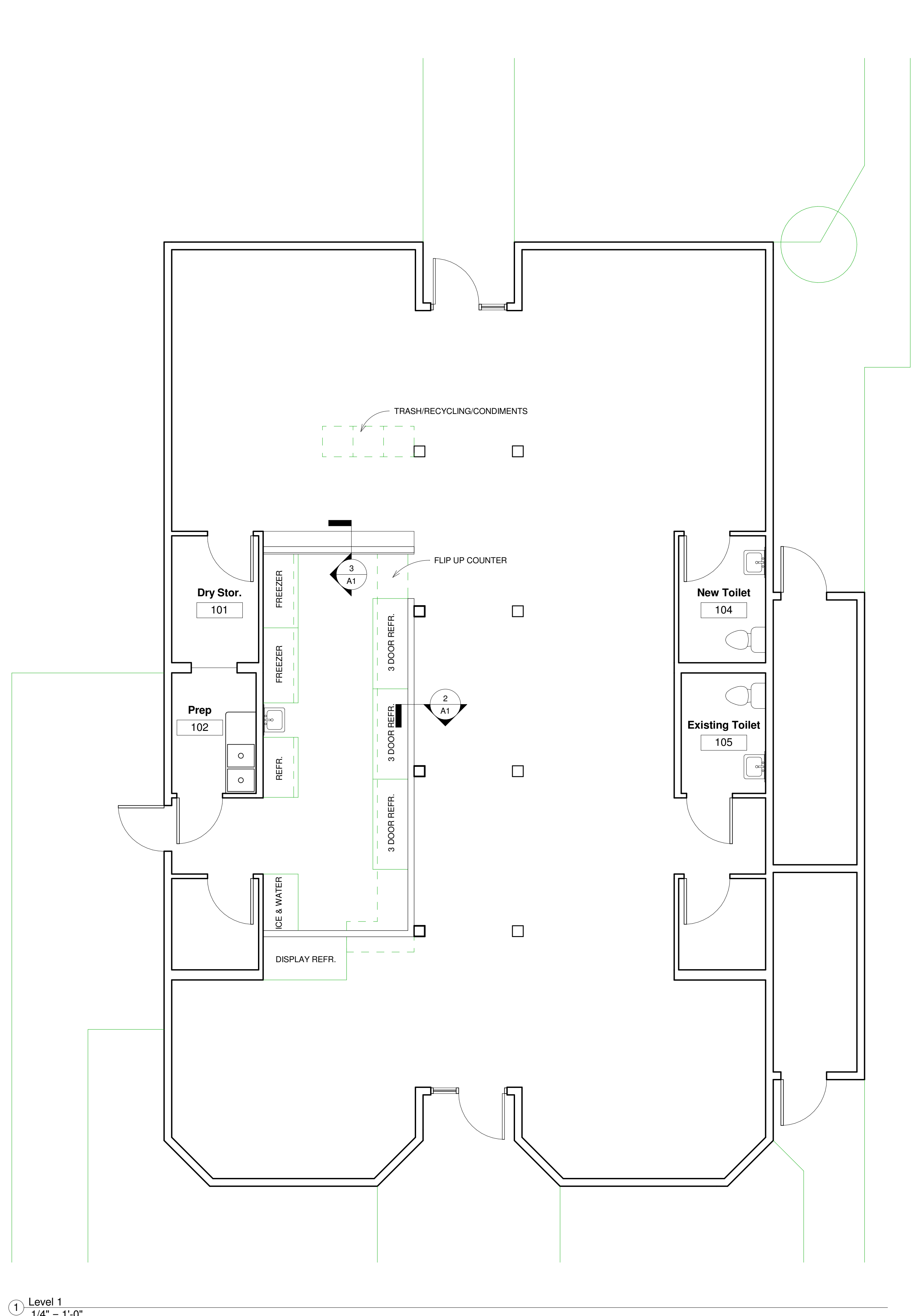
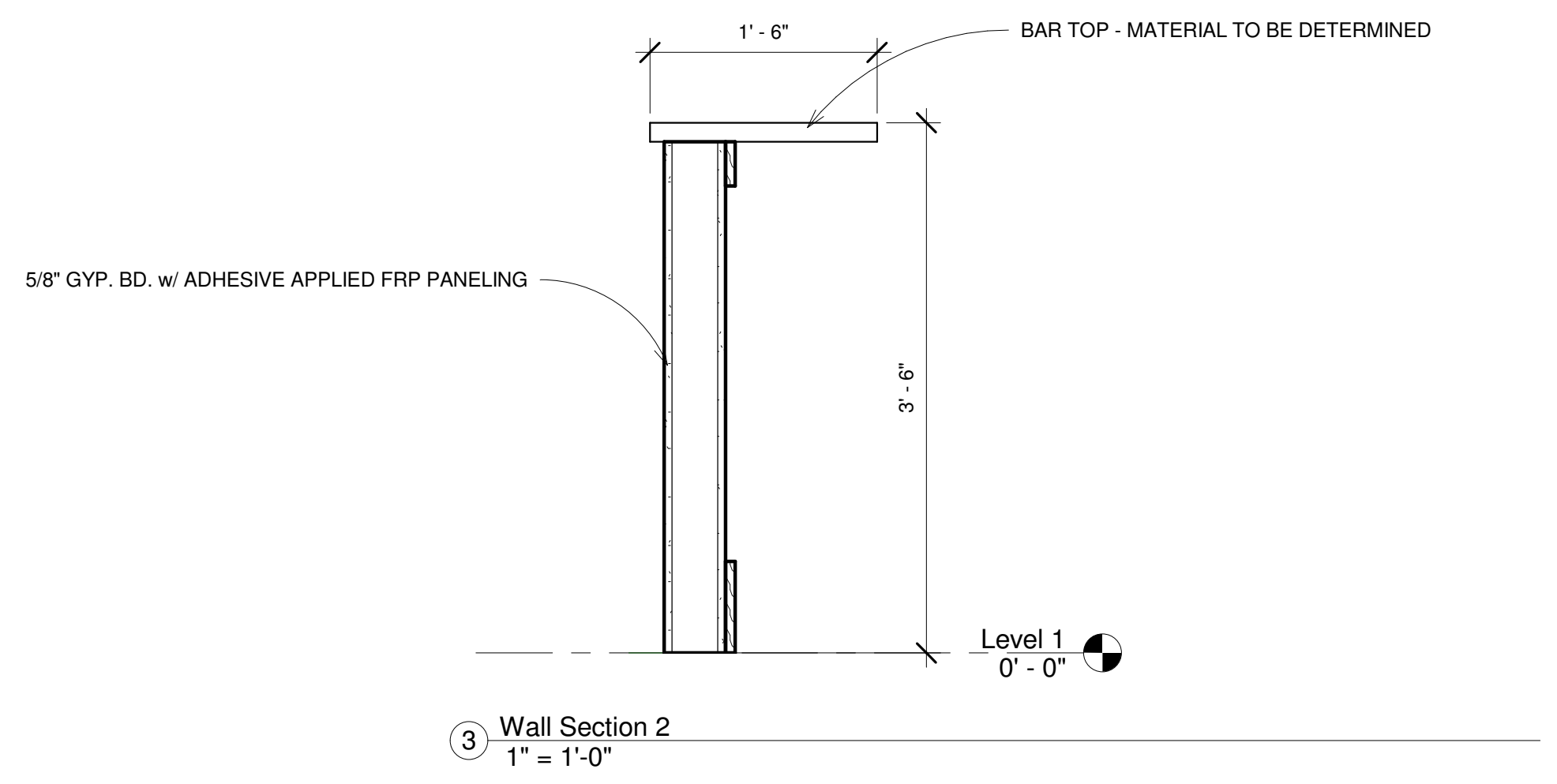
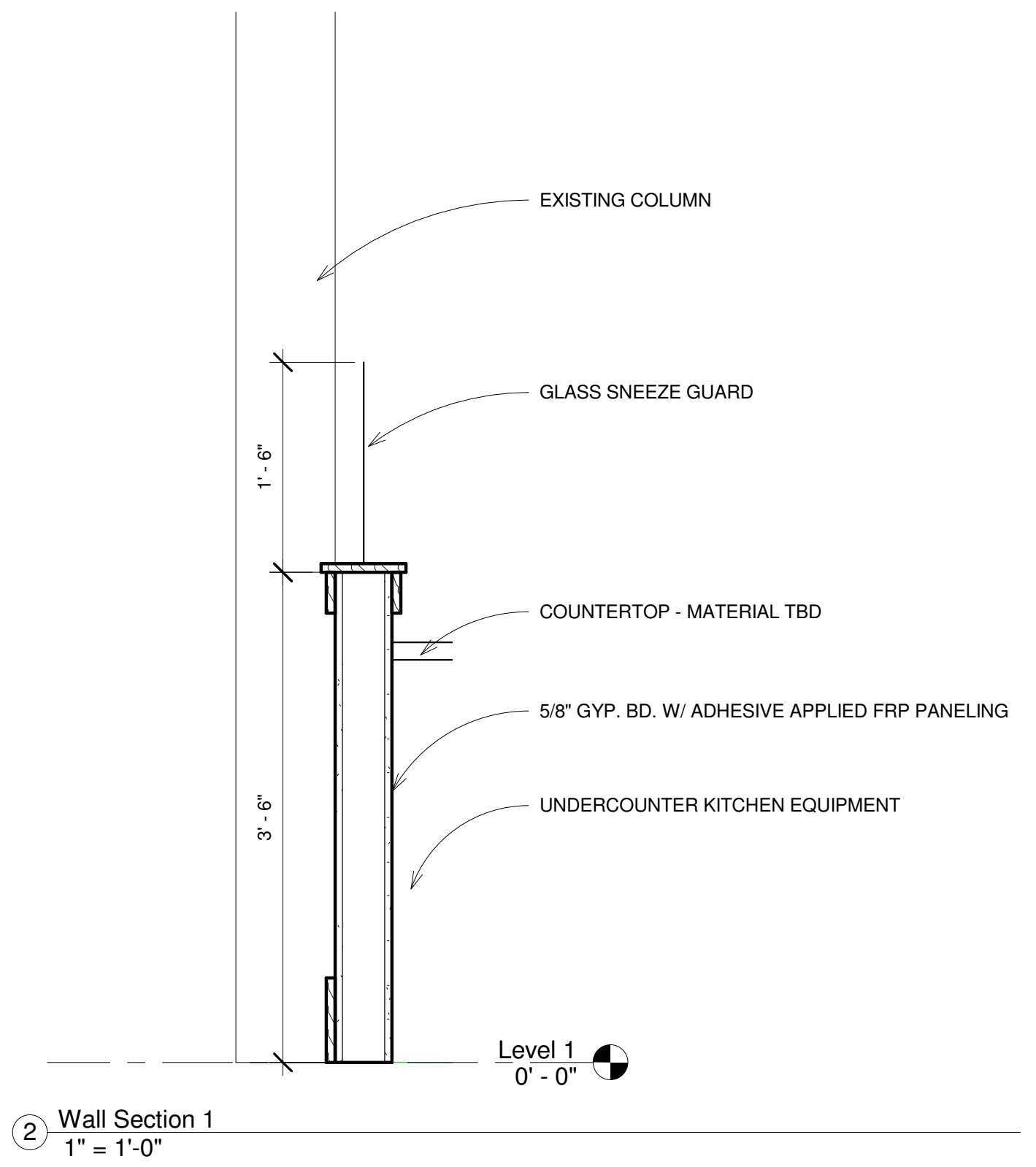
- All performance standards to comply with City of Sheboygan Zoning Ordinance, Section 15-7 to ensure this development will not become a nuisance to neighboring residential property owners.

SITE LIGHTING:

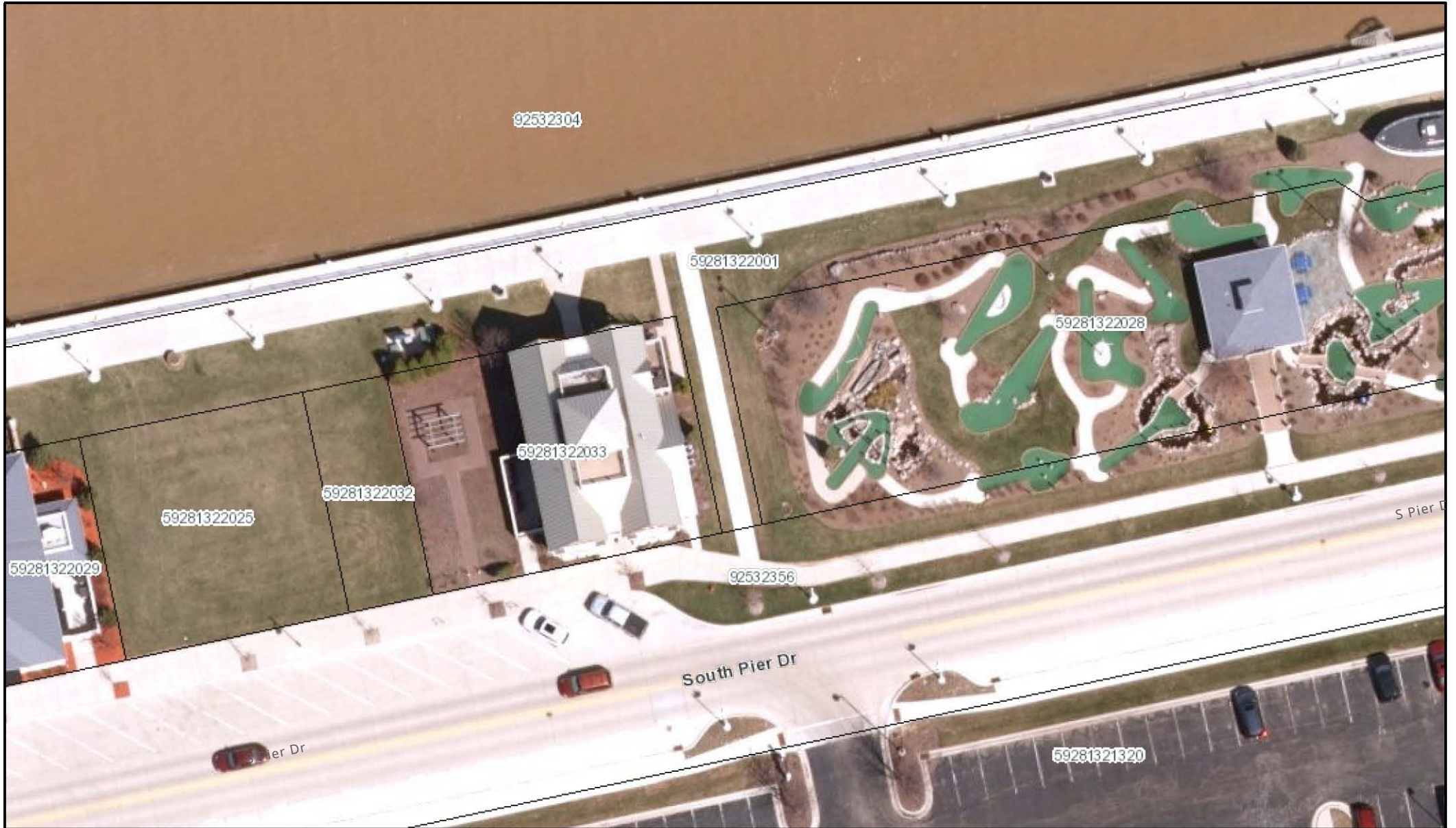
- No additional.

ARCHITECTURE:







- No changes are being made to the exterior architecture of the building.
- The interior changes are going to reflect the existing building materials within the building.

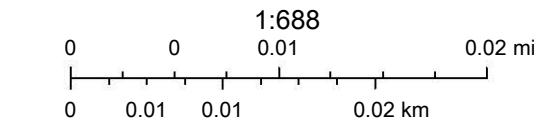


ArcGIS Web Map



8/16/2021, 12:35:52 PM

-  2021 TaxParcel
-  Orthos2019
-  Green: Band_2
-  Red: Band_1
-  Blue: Band_3
-  Road Centerlines



Esri Community Maps Contributors, BuildingFootprintUSA, Esri Canada, Esri, HERE, Garmin, SafeGraph, INCREMENT P, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA





CITY OF SHEBOYGAN

REQUEST FOR CITY PLAN COMMISSION CONSIDERATION

ITEM DESCRIPTION: Application for Conditional Use with exceptions by Tony Rosek to operate Rosek Garage at 1019 N. Water Street (EBCO Venture Center accessory building located on the west side of the property along N. Water Street at 1221 Erie Avenue). UC Zone

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

REPORT DATE: September 10, 2021 **MEETING DATE:** September 14, 2021

FISCAL SUMMARY:

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

STATUTORY REFERENCE:

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

BACKGROUND / ANALYSIS:

Tony Rosek is proposing to operate Rosek Garage from the large accessory building at 1019 N. Water Street. The applicant states the following about the project:

- This is the large vacant accessory building located on the west side of the EBCO Venture Center located at 1221 Erie Avenue - accessory building located on the west side of the property along N. Water Street. The building is approximately 3,870sf (45 x 86).
- Mr. Rosek plans to rent the building from EBCO and operate a car repair business. Customer's cars will receive routine maintenance of engines, brakes, lights, etc. No body work, just mechanical systems.
- Mr. Rosek has a full complement of engine repair tools such as wrenches, pliers, ball joint press, wheel pullers, timing alignment equipment and computers to analyze and diagnose problems. There will also be a portable lift.
- About 2/3 of his work will be with businesses such as Budget Auto (908 Pennsylvania Avenue) and about 1/3 of his work will be with local individual customers.
- There will be little disturbance to the neighborhood since he and his son will deal with only a few cars each day. The building is large enough to allow cars to be parked inside.
- The light fixtures will require new lamps and a wall will be constructed to reduce the size of the area to be heated in the winter.

- There will likely be two (2) employees.
- Hours of operation will be Monday-Friday 8:00am to 5:00pm.
- Mr. Rosek has permission of the owner to use office space and toilet rooms in the adjacent EBCO building (applicant will need to work with the building inspection department to verify if this meets the building code requirements).
- The exterior of the building will remain unchanged.
- No new wall signage or lighting is proposed.
- There will be a small sign in the window next to the existing and a small directional sign indicating the location of the restrooms in the building next door.
- Site work includes removal of the gravel areas and replacing them with a concrete paved parking area on the east of the existing drive and a grass area west of the driveway.

STAFF COMMENTS:

There is quite a bit of gravel surface on the south side of the building. Applicant indicates that they will be landscaping the area west of the existing pavement (closest to the road) and they will be paving the east side of the existing driveway with concrete.

It is staff understanding that the applicant will be placing their garbage inside the building. If dumpsters are ever located outside of the building, the applicant will be required to construct a dumpster enclosure.

The applicant needs to be aware that there will be some building/mechanical code issues that will need to be resolved prior to receiving an occupancy permit to operate from this site.

The Plan Commission may want to have the applicant address:

- How will the site be managed – hours of operation, noise, smells, garbage, lighting, etc.?
- The applicant states the only time the cars will be running is coming in and out of the repair shop. Please explain.
- How does the applicant intend on storing and disposing hazardous waste products involved in this auto repair business (shall not be allowed to use storm water sewer)?
- What are the applicant's intentions regarding garbage/dumpster? Staff does not see a dumpster proposed for this site.
- What is the expected timeframe for the landscaping and paving to be installed?

ACTION REQUESTED:

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

1. Prior to operation/occupancy, the applicant shall obtain all licenses and occupancy permits as well as meet all required codes including but not limited to building, plumbing, electrical, HVAC, fire, hazardous materials, etc. An occupancy permit will be granted only at such time as the applicant has met all requirements.
2. A licensed heating contractor must certify that ventilation requirements are met for auto repair.
3. The facility will meet all zoning requirements including but not limited to noise, smells, vibration, hazardous materials, etc.
4. In no instance shall the auto repair create a nuisance for neighboring properties (noise, hours of operation, garbage, etc.). If any issue(s) arises, the Plan Commission may again review the conditional use permit.
5. If using dumpsters, dumpster(s) shall be screened/enclosed and constructed of like materials and colors of the facility. If using chain link fencing, the applicant shall install Privacy Decorative Slating (PDS) material in order to effectively screen and enclose the dumpster.
6. Outdoor storage of materials, products or equipment shall be prohibited.
7. The applicant may not store any unlicensed or inoperable vehicles on the property and may not do any type of auto repair outside the building.
8. Inoperative vehicles, equipment, or other items typically stored or displayed in a junkyard or salvage yard, shall not be displayed for this land use.
9. All ground level and rooftop mechanicals shall be screened/enclosed and constructed of like materials and colors of the facility (HVAC equipment, hoods, venting, etc.).
10. All new lighting shall be installed per Section 15.707 of the City of Sheboygan Zoning Ordinance. There shall be no spillover light onto adjacent properties or the streets.
11. Vehicle location shall not cause any type of pedestrian/vehicle conflict or safety issues.
12. Applicant may not sell vehicles from this site.
13. All areas used for parking/maneuvering of vehicles shall be paved.
14. All areas that are not required to be paved shall be landscaped with grass and/or approved landscaping.
15. All vehicles to be serviced shall be located on the paved parking area only (vehicles are not permitted on landscape areas and gravel is not permitted).
16. Applicant shall pave and landscape all the gravel areas located onto the south side of the building by June 10, 2022.
17. Applicant shall obtain the necessary sign permits prior to installation. Applicant shall work with staff with regards to constructing a well-designed signage for the site that utilizes colors and materials similar to the building. Proposed and future signage at this EBCO Venture Center property/facilities shall be individual letter signs (no flat panel or interior lit cabinet signs). Staff may bring the proposed signage design back to the Plan Commission for review/approval.
18. Applicant is responsible for working with all private and public utilities in order to adequately service this development proposal (applicant will need to provide the necessary easements and/or relocate utilities as necessary).
19. 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, street trees, etc.).

20. 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.
21. 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.).
22. All vehicles shall be located on the private property (paved parking lot) and shall not be located on any City streets, public right-of-ways, landscape areas, etc.
23. Total number of vehicles and equipment permitted on the paved parking area site is 10.
24. If the applicant proposes any type of exterior remodel/renovation to the building, City of Sheboygan Architectural Review Board approval is required prior to construction.
25. If there are any amendments to the approved use and/or floor/site plan, 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. 202780
MAP NO. _____
ZONING CLASSIFICATION: _____

Office Use Only

APPLICATION/FILE NO. _____
REVIEW DATE: _____

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

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

Requirements Per Section 15.905
Revised May 2018



Completed application is to be filed with the Department of City Development, 828 Center Avenue, Suite 208. 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: TONY ROSEK
ADDRESS: 1520 ST. CLAIR E-MAIL: -
PHONE: (920) 889-8090 FAX NO. (-)

2. DESCRIPTION OF THE SUBJECT SITE/PROPOSED PROJECT

NAME OF PROPOSED/EXISTING BUSINESS: ROSEK GARAGE
ADDRESS OF PROPERTY AFFECTED: 1019^N WATER ST.
LEGAL DESCRIPTION: -

BRIEF DESCRIPTION OF EXISTING OPERATION OR USE: EMPTY.
FORMER WAREHOUSE, LUMBER STORAGE.

DETAILED DESCRIPTION OF PROPOSED OPERATION OR USE INCLUDING ANY CHANGES TO THE EXISTING USE: AUTO REPAIR GARAGE.

BRIEF DESCRIPTION OF ALL REQUESTED VARIANCES FROM PROVISIONS OF THE ZONING ORDINANCE, WHICH ARE RELATED TO THE PROPOSED OPERATION OR USE: SEE ATTACHED

3. JUSTIFICATION OF THE PROPOSED CONDITIONAL USE

Written justification for the proposed conditional use, indicating reasons why the applicant believes the proposed conditional use is appropriate.

How is the proposed conditional use (independent of its location) in harmony with the purposes, goals, objectives, policies and standards of the City of Sheboygan Comprehensive Master Plan? THE EXTERIOR OF THE BUILDING WILL NOT CHANGE, THUS EXISTING HARMONY REMAINS.

Does the conditional use, in its proposed location, result in any substantial or undue adverse impact on nearby property the character of the neighborhood, environment, traffic, parking, public improvements, public property or rights-of-way? THERE IS NO ADVERSE IMPACT DUE TO MR. ROSEK'S WORK.

How does the proposed conditional use maintain the desired consistency of land uses in relation to the setting within which the property is located? THE DESIRED CONSISTENCY IS MAINTAINED, I.E., NO EXTERIOR CHANGES.

Is the proposed conditional use located in an area that will be adequately served by utilities, or services provided by public agencies? If not, please explain. YES.

4. NAMES AND ADDRESS (Indicate N/A for "Not Applicable" items)

OWNER OF SITE: TIM EBENREITER

ADDRESS: _____ E-MAIL: _____

ARCHITECT: RICHARD LINDE, RET.
ADDRESS: 622 PENN. AV, SHEB E-MAIL: richardlinde84@gmail.com

CONTRACTOR: N.A.

ADDRESS: _____ E-MAIL: _____

5. CERTIFICATE

I hereby certify that all the above statements and attachments submitted hereto are true and correct to the best of my knowledge and belief.

Tony W Rosek
APPLICANT'S SIGNATURE

8/24/21
DATE

TONY W. ROSEK
PRINT ABOVE NAME

ATTACHED TO APPLICATION FOR CONDITIONAL USE PERMIT

ROSEK GARAGE

8/24/21

MR. ROSEK PLANS TO RENT THE EXISTING BUILDING AS A CAR REPAIR BUSINESS, DURING REGULAR BUSINESS HOURS (8 TO 5, M-F). HE AND HIS SON WILL BE THE SOLE OCCUPANTS. MR. ROSEK HAS PERMISSION OF THE OWNER TO USE OFFICE SPACE AND TOILET ROOMS IN THE ADJACENT EBCO BUILDING. THE EXTERIOR OF THE BUILDING WILL REMAIN UNCHANGED. NO NEW WALL SIGNAGE OR EXTERIOR LIGHTING IS PLANNED THERE WILL BE A SMALL SIGN IN THE WINDOW NEXT TO THE EXISTING OVERHEAD DOOR, AND SMALL DIRECTIONAL SIGN INDICATING THE LOCATION OF THE REST ROOMS. SITE WORK INCLUDES REMOVAL OF THE GRAVEL AREAS AND REPLACING THEM WITH A CONCRETE PAVED PARKING AREA EAST OF THE DRIVEWAY AND A GRASS AREA WEST OF THE DRIVEWAY, AS SHOWN. THE NATURAL SLOPE OF THE SITE DIRECTS SURFACE RUNOFF SOUTH TO THE ALLEY, AND THENCE TO WATER STREET. WITH RESPECT TO CODE REQUIREMENT WE SUBMIT THE FOLLOWING COMMENTS FOR YOUR CONSIDERATION:

502.14 MR. ROSEK WILL ONLY RUN ENGINES TO GET THE VEHICLES IN AND OUT OF THE BUILDING.

903.2.8.1 THE BUILDING IS LESS THAN 10,000 SQ. FT.

2902.4.1 RECENT RULING BY THE STATE (SEE ATTACHES) ALLOWS MR. ROSEK TO USE THE TOILET FACILITIES IN THE ADJACENT EBCO BUILDING, WHICH IS CLOSER THAN 500 FEET.

WRITTEN BY RICHARD LINDE.

NORTH

WATER STREET

GRAVEL,
PROPOSED
GRASS

GRAVEL,
PROPOSED
CONCRETE

CONC.
DRIVEWAY

PROPOSED
PARKING

ALLEY

CONC

CONC

ROSEK GARAGE

GRASS

BLACKTOP PARKING AREA

SIDEWALK

ERIE AVENUE

GRASS

EBCO CENTER
MAIN BLDG
TOILET ROOM

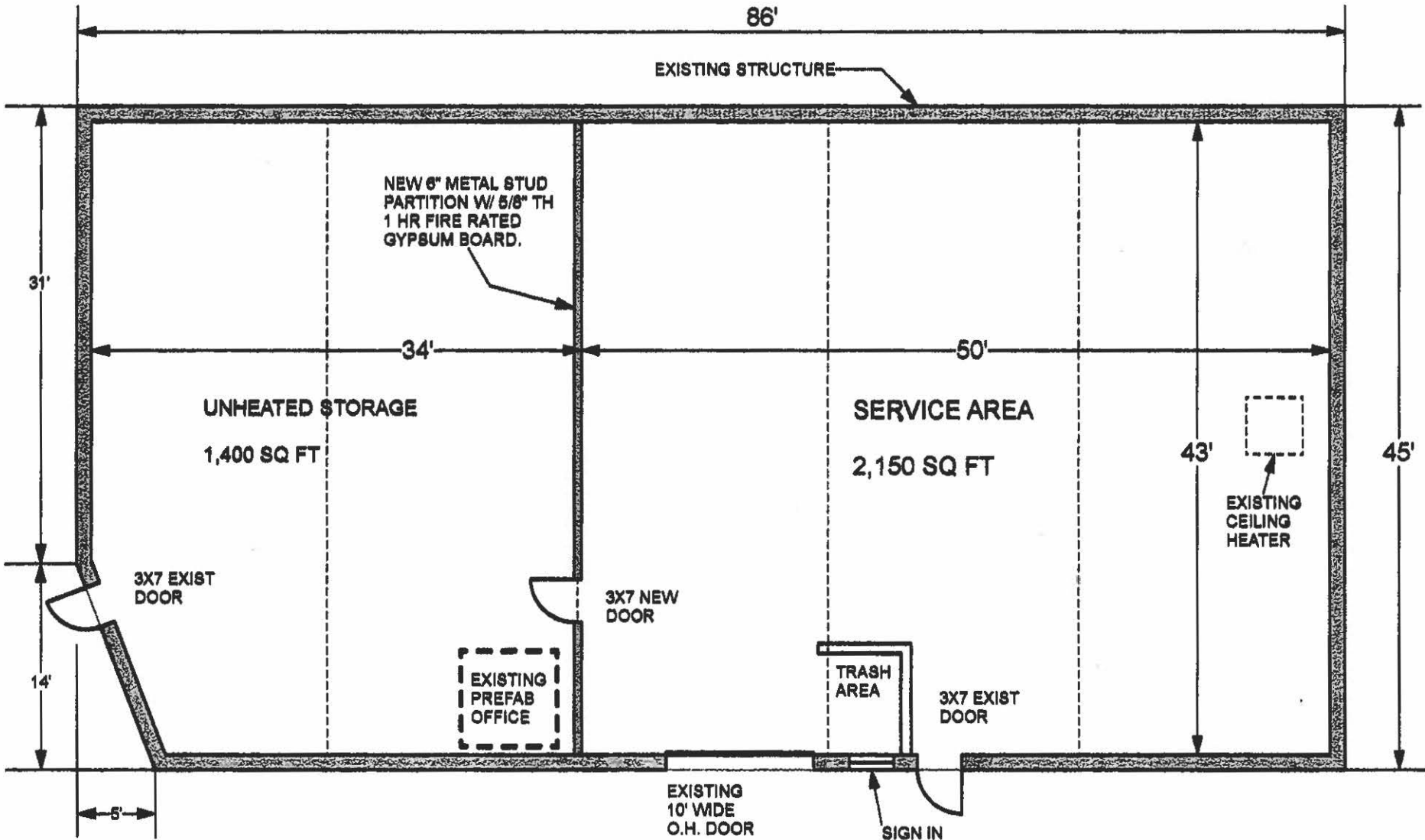
SITE PLAN ROSEK GARAGE

SCALE 1" = 20'-0"

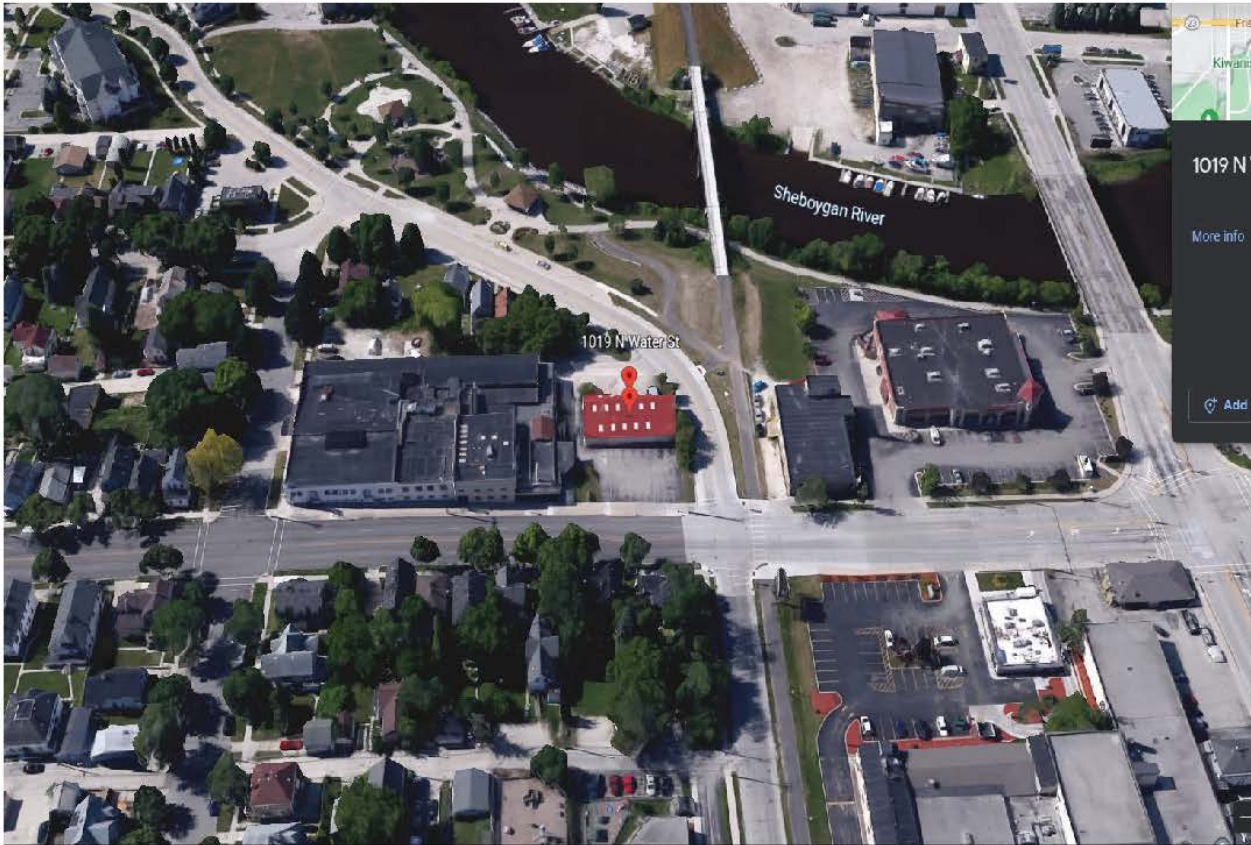
1019 WATER STREET
SHEBOYGAN, WI

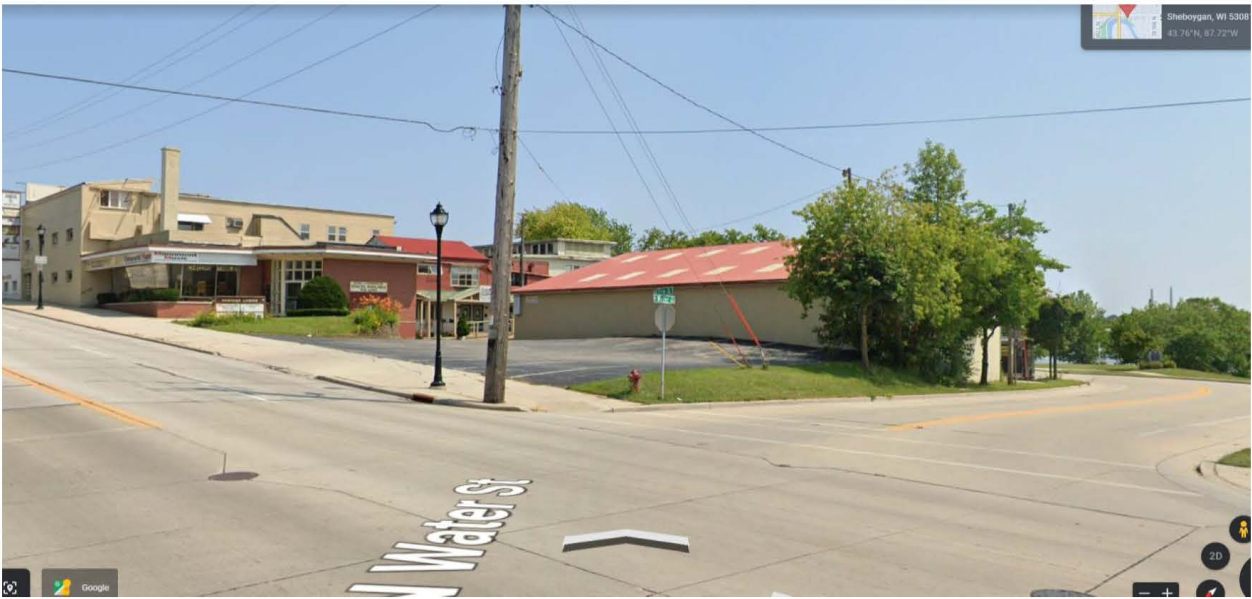
DRAWN BY
R LINDE
8/24/2021

1.



FLOOR PLAN
 SCALE 1" = 10'-0"
ROSEK GARAGE
 1019 WATER STREET
 SHEBOYGAN, WI
 DRAWN BY
 R LINDE
 8/24/2021
2.













Gen. Ord. No. 22 - 21 - 22. By Alderpersons Felde and Mitchell.
September 7, 2021.

AN ORDINANCE annexing territory owned by the City to the City of Sheboygan, Wisconsin.

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

Section 1. **Territory Annexed.** In accordance with sec. 66.0223 of the Wisconsin Statutes, the following described territory in the Town of Wilson, Sheboygan County, Wisconsin, owned by the City of Sheboygan, transferred to the City via a Warranty Deed dated July 28, 2021 and recorded as Document No. 2120070 on August 3, 2021 at 11:24 a.m., and lying contiguous to the City, is hereby annexed to the City of Sheboygan, Wisconsin:

Part of the Southeast 1/4 of the Southwest 1/4 and the Southwest 1/4 of the Southeast 1/4 of Section 9, Township 14 North, Range 23 East, Town of Wilson, Sheboygan County, Wisconsin, described as follows:

Commencing at the Southwest corner of Section 9, Township 14 North, Range 23 East, thence South 88°40'28" East, 2413.53 feet along the South line of said Section 9, to its intersection with the center of [former] U.S. Highway "141", thence North 18°05'08" East 729.00 feet along said centerline to the true point of beginning, thence continuing North 18°05'08" East 508.69 feet along said centerline, thence North 81°28'12" West 600 feet, thence South 09°26'23" West 571.34 feet, thence South 89°01'50" East 529.22 feet to the point of beginning, being a tract containing 6.89 acres of land.

Excepting therefrom the following:

Commencing at the South 1/4 corner of said Section 9, T14N, R23E; thence N88°29'52" W along the South line of the SW 1/4, 253.19 feet to the CTH "OK" reference line; thence N17°59'00" E, 728.75 feet along the reference line, to the point of beginning;

Thence continuing N17°59'00" E, 508.38 feet along the reference line; thence N81°11'03" W, 33.43 feet to the Westerly existing right of way line of CTH "OK"; thence S18°02'33" W, 222.92 feet along the Westerly existing right of way line; thence S38°37'43" W, 133.58 feet; thence S17°59'00" W, 100.00 feet; thence S09°27'09" W, 76.62 feet; thence S88°42'13" E, 71.65 feet; to the point of beginning and containing 0.242 acres of land, including therein 0.387 acres of land lying within the

City Plan


existing right of way of CTH "OK".

Section 2. **Effect of Annexation.** This ordinance shall take effect upon passage and publication, and upon the filing of seven (7) certified copies of this ordinance in the office of the Secretary of the Department of Administration of the State of Wisconsin, together with seven (7) copies of a plat showing the boundaries of the territory attached to the City. From and after the effective date of this ordinance, the territory described in Section 1 shall be a part of the City of Sheboygan for any and all purposes provided by law and all persons coming or residing within such territory shall be subject to all ordinances, rules and regulations governing the City of Sheboygan.

Section 3. **Ward Designation.** The territory described in Section 1 of this ordinance is hereby made a part of the 23rd Ward, 10th Aldermanic District, 10th Supervisory District, 26th Assembly District and the 9th Senatorial District, subject to the ordinances, statutes, rules and regulations governing wards and districts.

Section 4. **Severability.** If any provision of this ordinance is invalid or unconstitutional, or if the application of this ordinance to any person or circumstances is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this ordinance which can be given effect without the invalid or unconstitutional provision or application.

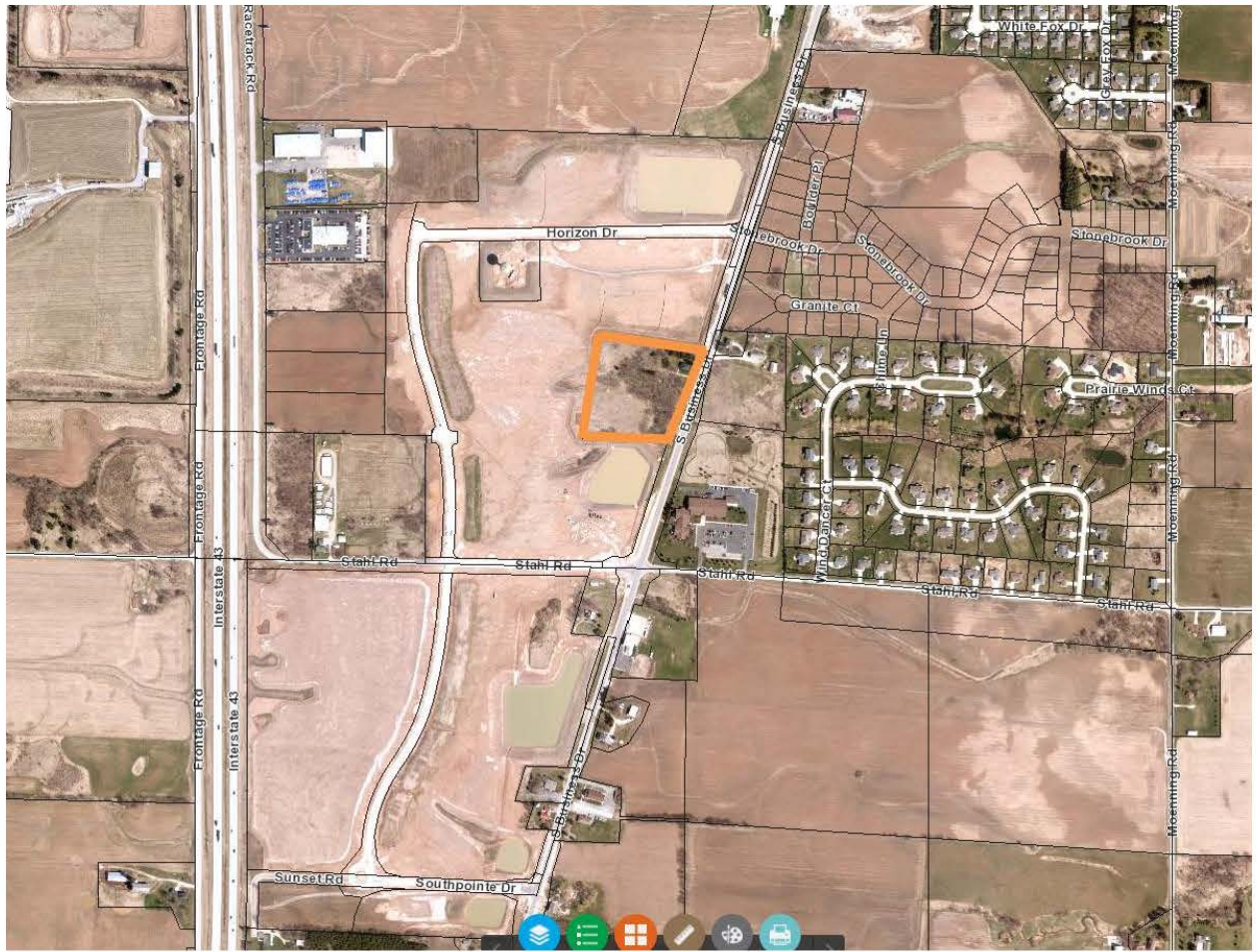
Section 5. **Zoning.** Upon recommendation of the Plan Commission, the territory annexed to the City by this ordinance is temporarily zoned as Suburban Industrial (SI), a designation that is consistent with the City of Sheboygan Comprehensive Plan for that area.



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



CITY OF SHEBOYGAN

REQUEST FOR CITY PLAN COMMISSION CONSIDERATION

ITEM DESCRIPTION: Gen. Ord. No. 22-21-22 annexing territory owned by the City to the City of Sheboygan, Wisconsin

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

REPORT DATE: September 8, 2021 **MEETING DATE:** September 14, 2021

FISCAL SUMMARY:

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

STATUTORY REFERENCE:

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

BACKGROUND / ANALYSIS:

In August 2021, the City of Sheboygan purchased a 6.7-acre parcel along S. Business Drive that is surrounded by SouthPointe Enterprise Campus. The property located at 5528 S. Business Drive is presently located within the Town of Wilson. This general ordinance will annex the property into the city limits and will attach it to the SouthPointe Enterprise Campus for future industrial development. The idea to purchase the property was to increase the amount of developable land within the business park and eliminate a residence that will be completely surrounded by industrial type of uses.

The zoning assigned to the parcel will be SI Suburban Industrial, the same zoning as the other lands in the enterprise campus. Under the annexation law, the city will need to pay the Town of Wilson the town portion of the tax bill for five years.

STAFF COMMENTS:

Staff recommends approval of this City annexation request.

ACTION REQUESTED:

Motion to recommend the Common Council approve Gen. Ord. No. 22-21-22 by Alderpersons Felde and Mitchell annexing territory owned by the City to the City of Sheboygan, Wisconsin and assigning the zoning designation of Suburban Industrial (SI)

ATTACHMENTS:

Annexation information and attachments.

