

*****ATTACHMENTS*****

Hearing Notice for the Marina, Parks and Forestry Commission
February 25, 2020

Pursuant to a notice published by the City Clerk, there is a hearing scheduled for this evening to give persons an opportunity to be heard relative to the proposed taking of dedicated parkland located at 5430 Moenning Road. The purpose of the taking of the parkland is to create new parkland in the same subdivision.

All interested persons will now be heard.

Publish - January 23, 2020.
(Classified)

NOTICE OF PUBLIC HEARING ON Municipal Code relating to the
Establishment of Parks per Sec. 74-2 of the Municipal Code

Notice is hereby given that a public hearing will be held at 4:15 P.M., February 4, 2020, and 7:00 P.M., February 19, 2020, in City Hall, 3rd Floor Council Chambers, 828 Center Avenue, Sheboygan, Wisconsin, and at 4:15 P.M., February 25, 2020, in the Municipal Service Building, Training Room, 2026 New Jersey Avenue, Sheboygan, Wisconsin, to give persons an opportunity to be heard relative to the proposed taking of parkland located at 5430 Moenning Road. The purpose of the taking of the parkland is to create new parkland in the same subdivision.

MEREDITH DEBRUIN
City Clerk

CONFIRMATION



435 E. Walnut
Green Bay, WI 54301
(888)774-7744

SHEB, CITY OF,LEGAL ACCT
828 CENTER AVE OFC OFFICE
SHEBOYGAN WI 53081-4442

<u>Account</u>	<u>AD#</u>	<u>Net Amount</u>	<u>Tax Amount</u>	<u>Total Amount</u>	<u>Payment Method</u>	<u>Payment Amount</u>	<u>Amount Due</u>
GWM-60409220	0004019364	\$11.67	\$0.00	\$11.67	Credit Card	\$0.00	\$11.67

Sales Rep: jstrom

Order Taker: jstrom

Order Created 01/23/2020

<u>Product</u>	<u># Ins</u>	<u>Start Date</u>	<u>End Date</u>
GWM-SHE-Sheboygan Press	1	01/24/2020	01/24/2020
GWM-SHEW-Sheboygan Press Digital	28	01/24/2020	02/20/2020

* ALL TRANSACTIONS CONSIDERED PAID IN FULL UPON CLEARANCE OF FINANCIAL INSTITUTION

Text of Ad: 01/23/2020

NOTICE OF PUBLIC HEARING ON Municipal Code relating to the Establishment of Parks per Sec. 74-2 of the Municipal Code
Notice is hereby given that a public hearing will be held at 7:00 P.M., February 19, 2020, in the Council Chambers of the City Hall, Sheboygan, Wisconsin, to give persons an opportunity to be heard relative to the proposed taking of dedicated parkland located at South Business Drive and Moenning Road. The purpose of the taking of the parkland is to create new parkland in the same subdivision.
MEREDITH DEBRUIN
City Clerk
Runs: 01/24/2020 WNAXLP

CITY OF SHEBOYGAN

REQUEST FOR MARINA, PARKS AND FORESTRY BOARD CONSIDERATION

ITEM DESCRIPTION: Consideration of recommending the taking of Parcel Number 59281471040 for non-park purposes.

REPORT PREPARED BY: Joseph L. Kerlin, Superintendent of Parks and Forestry

REPORT DATE: February 20, 2020

MEETING DATE: February 25, 2020

FISCAL SUMMARY:

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

STATUTORY REFERENCE:

Wisconsin Statutes: N/A
Municipal Code: Sec. 74-2

BACKGROUND / ANALYSIS: In 2008 the city dedicated 3.70 acres of undeveloped land as park land along Moenning Road. Werner Homes, the developer of Stonebrook Crossing Addition No. 1 Subdivision, has made a request to develop the existing park land as part of the new subdivision, and to create a new park closer to South Business Drive to be dedicated as part of the final plat approval. The new park land would be 1.73 acres and Werner Homes would grade, seed, and service the park with water, electric and sanitary.

Section 74-2 of the Sheboygan Municipal Code declares that the taking of a park for non-park use-either public or private-is a serious matter. The first step is for this board to hold three public hearings. The third public hearing is scheduled for the February 25 meeting. Then, the MPF may make a positive recommendation (which requires a ¾ vote) to the Public Works Committee that a park be taken for non-park use.

In order to effectuate the use of this Parcel for non-park usage, a land swap will also occur.

STAFF COMMENTS: In an effort to have the clearest possible record of what has occurred, Staff has prepared the attached draft Resolution which details the process required to use Parcel Number 59281471040 for non-park purposes.

ACTION REQUESTED: Motion to recommend the use of Parcel Number 59281471040 for non-park purposes, and forward the recommendation and the draft Resolution to the Public Works Committee for their further consideration.

ATTACHMENTS:

- I. Draft Resolution
- II. Site Location Map
- III. Preliminary Site Plan
- IV. Benefits for transfer of land

Res. No. - 19 - 20 . By Alderperson Wolf.
February 25, 2020.

A RESOLUTION confirming the taking of Parcel Number 59281471040 for non-park use pursuant to Sheboygan Municipal Code § 74-2 and approving the deeding of Parcel Number 59281471040 to Werner Homes in exchange for new park land near South Business Drive.

WHEREAS, Sheboygan Municipal Code § 74-2 provides the process by which a park may be used for non-park use; and

WHEREAS, that process requires the board of marina, park, and forestry commissioners to hold three public hearings regarding whether or not a park should be taken for non-park use; and

WHEREAS, for a park to be taken for non-park use, the board of marina, park, and forestry commissioners must recommend to the public works committee by a three-fourths vote that the park be taken for a non-park use; and

WHEREAS, for a park to be taken for non-park use, the public works committee must approve the recommendation of the board of marina, park, and forestry commissioners; and

WHEREAS, for a park to be taken for non-park use, the common council must confirm the approval of the public works committee by a three-fourths vote; and

WHEREAS, Res. No. 155-08-09 dedicated Parcel Number 59281471040 (the "Land"), located on Moenning Road for park purposes; and

WHEREAS, the City of Sheboygan has received a request from Werner Homes, the developer of Stonebrook Crossing Addition No. 1 Subdivision to develop the Land as part of the new subdivision; and

WHEREAS, Werner Homes proposes to create a new proposed park within the Stonebrook Crossing Addition No. 1 Subdivision that is closer to South Business Drive to be dedicated as part of the final plat approval ("New Park"); and

WHEREAS, the location of the New Park is depicted on the map that is attached to this Resolution; and

WHEREAS, the New Park would have road access, be graded, be seeded with grass, and have access to water, sanitary sewer, natural gas and electricity (the "New Park Improvements"); and

WHEREAS, the New Park Improvements would be done at Werner Homes's expense; and

WHEREAS, the board of marina, park, and forestry commissioners held public hearings regarding the use of the Land for non-park purposes on February 4,

2020, February 19, 2020, and February 25, 2020; and

WHEREAS, after considering the comments made at the public hearings and other feedback regarding the use of the Land for non-park purposes, on February 25, 2020, the board of marina, park, and forestry commissioners recommended to the public works committee, by a three-fourths vote, that the Land be taken for a non-park use; and

WHEREAS, the public works committee considered the recommendation of the board of marina, park, and forestry commissioners, and approved the use of the Land for non-park purposes.

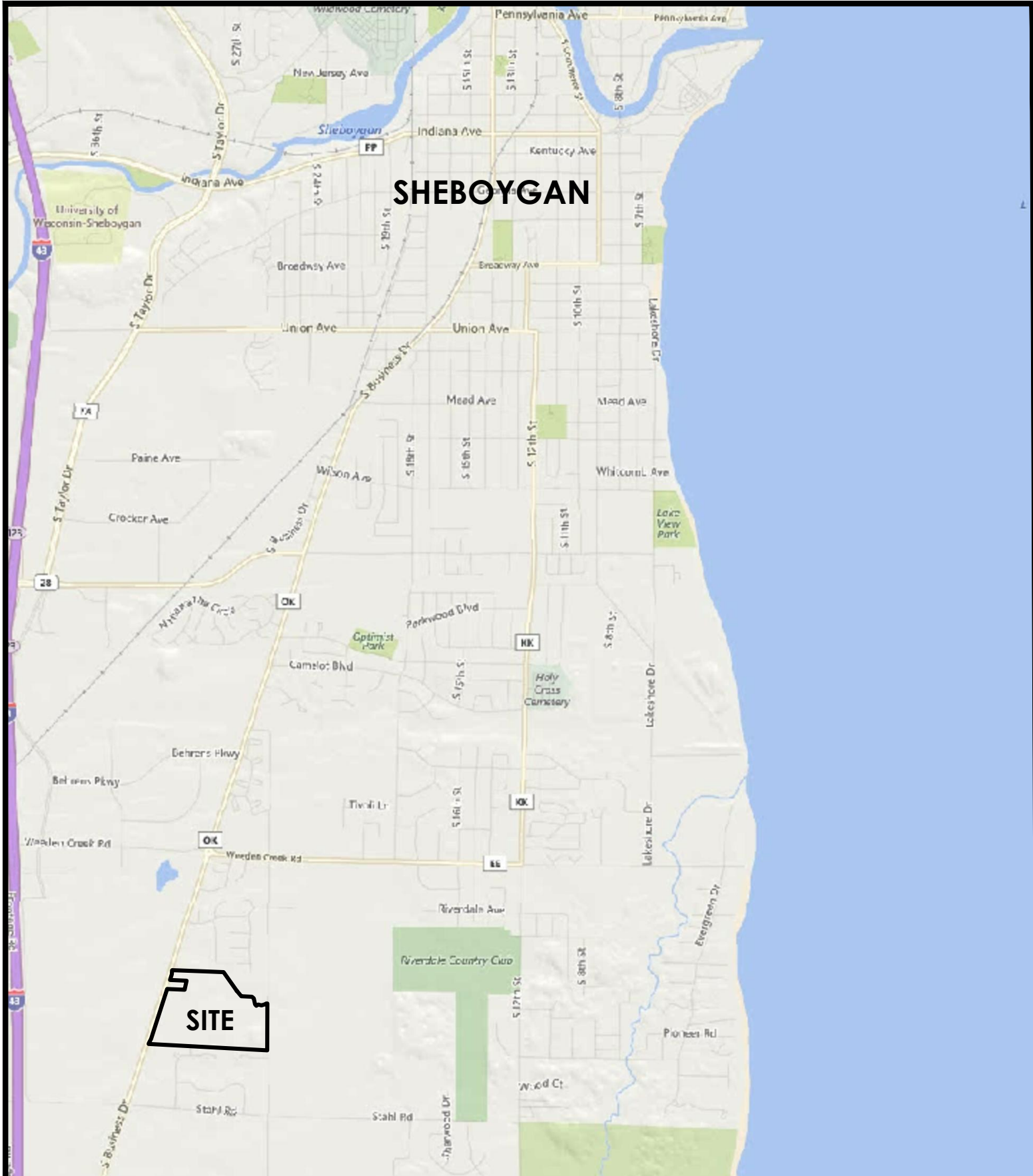
NOW, THEREFORE, BE IT RESOLVED: That the Common Council of the City of Sheboygan confirms, by three-fourths vote, the approval of the public works committee that the Land be taken for a non-park use.

BE IT FURTHER RESOLVED: That the appropriate City Officials are authorized to execute the documents necessary to deed the Land to Werner Homes in exchange for the New Park, and to require Werner Homes to execute any documents deemed necessary by the City Attorney to ensure Werner Homes completes the New Park Improvements.

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



SHEBOYGAN

SITE

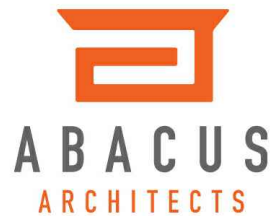
January 13, 2020
Location Map
 Sheboygan, WI



SCALE: 1" = 2,640'

Abacus Architects, Inc. holds all rights of copyright in and to these prints, drawings and documents. No reproduction, copying, alteration, modification, usage, incorporation into other documents, or assignment of the same may occur without the prior written permission of Abacus Architects, Inc.

© Abacus Architects, Inc. 2020



Preliminary Plat of Stonebrook Crossing Addition No. 1

Part of the NE 1/4 and NW 1/4 of the SE 1/4 and part of the SE 1/4 and SW 1/4 of the NE 1/4 of Section 9, Township 14 North, Range 23 East, City of Sheboygan, Sheboygan County, Wisconsin.

Gross Area of Subdivision
2,959,926 Sq. Ft.
(67,951 Acres)

Lot Phasing:

- Phase 1 - Lots 14-59, Outlots 1-2, Park
- Phase 2 - Lot 60-110
- Phase 3 - Lots 111-136
- Phase 4 - Lots 137-148

Note: Lots 1-13 are in Stonebrook Crossing

Center of Section:
not been set according to
dossier sheet. Reference ties
are missing.
Notified County Surveyor.

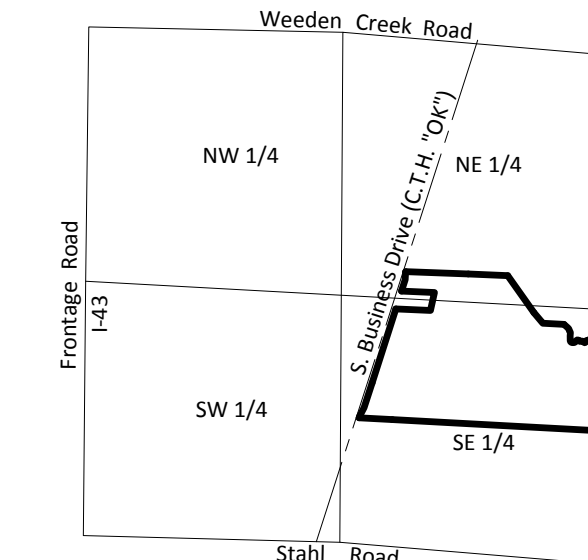
The Boerke Company Inc.
731 N. Jackson St. Suite 700
Milwaukee, WI 53201-4697

East Quarter corner
Sec. 9-14-23
MAG nail found
156,141.73
211,637.59
(Sheboygan County Coordinates)

unplatted lands
existing A-1 zoning
David L. Gartman LLC
5509 Moening Rd.
Sheboygan, WI 53081-8510

Location Sketch

Sec. 9, T. 14 N., R. 23 E.
Scale: 1" = 2000'



David L. Gartman LLC
5509 Moening Rd.
Sheboygan, WI 53081-8510

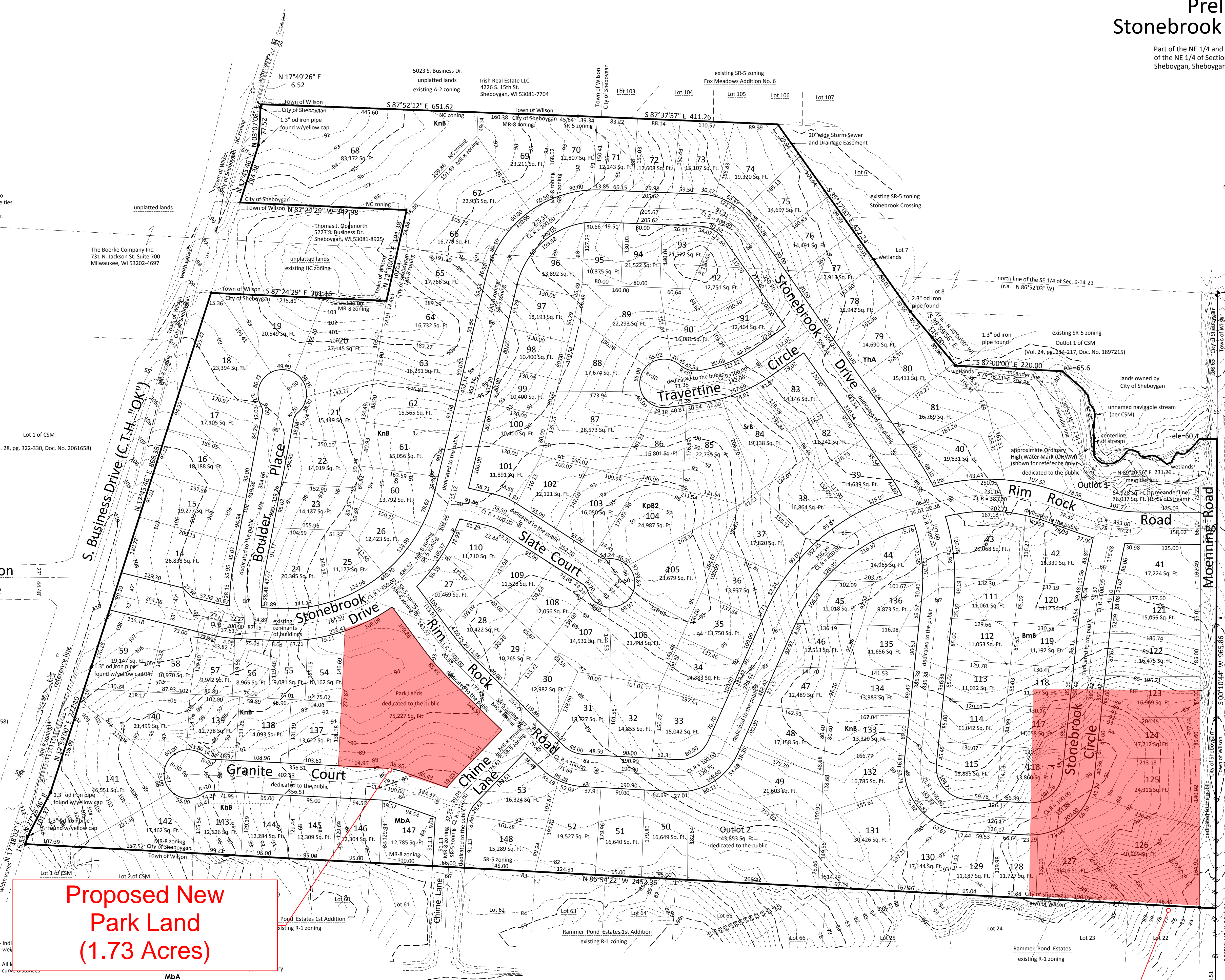
unplatted lands
existing A-1 zoning

Owner/Subdivider
Lee Realty of Sheboygan, Inc.
4539 S. Taylor Dr.
Sheboygan, WI 53081-8978

Engineer
Joel Van Ess
Abacus Architects, Inc.
1135A Michigan Ave.
Sheboygan, WI 53081

Surveyor
David J. Leininger
Homeland Surveying, LLC
2079 Cold Springs Rd.
Saukville, WI 53080

Southeast corner
Sec. 9-14-23
PK nail found
153,492.67
213,629.33
(Sheboygan County Coordinates)



**Proposed New
Park Land
(1.73 Acres)**

**Current Dedicated
Park Land
(3.70 Acres)**

Wetlands was delineated and located by Evergreen Consultants on Oct 07, 2019. The topography was supplied by Abacus Architects which was done in 2019. The topographic elevation datum is based on City datum per Abacus Architects. The water elevation is based on topography done in 2005. All zoning districts shown within proposed subdivision is proposed zoning.

Objecting Authorities:
Department of Administration

Approving Authorities:
City of Sheboygan
Sheboygan County Planning and Resource Department

(f.a.) - means "recorded as"

Bearings are referenced to the Wisconsin County Coordinate System, Sheboygan County. The east line of the SE 1/4 of Sec. 9-14-23 has a bearing of S 0°01'04" W.

Scale in feet
1" = 100'

• indicates a 1.3" od iron pipe found unless otherwise noted.
○ indicates a 1.25" x 18" rebar weighing 4.17 lbs./ft. set.

Any land below the ordinary high water mark of a lake or navigable stream is subject to the public trust in navigable waters that is established under article IX, section 1, of the state constitution.



City benefits from transfer of Parkland

- The current parkland usability is limited:
 - It is 100% wooded with no walking trails and many fallen trees.
 - Several of the trees are ash and there would be a significant removal cost.
 - Elevations are varied and would be a challenge developing usable active areas (playground, open green space, walkways, etc.) Much of the parcel would not be usable as a park.
 - No access of dedicated parking; Moenning Road does not allow for street parking.
 - It is not currently reflected in the city's park map and has no signage or official name.
- Proposed parkland allows for usability:
 - Centrally located with road access, flat grade, with water, electric and sanitary serviced to the site.
 - Would allow for a neighborhood park for subdivision residents with future playground equipment and open green space that is appropriately sized for economical maintenance.
 - Closest recreational areas with playgrounds are Jackson School and Schinker Creek Park (Lake Aire Subdivision); neither are pedestrian or bicycle friendly for children to get from proposed subdivision.
 - Target market of new subdivision is emphasized towards families with school age children.
 - The full development of the subdivision will generate over \$75,000 in park impact fees used to develop the park and other parks around the city.