

16-0775

Jun.  
8-15-16



CITY OF MANITOWOC  
WISCONSIN, USA  
www.manitowoc.org



July 28, 2016

To: Mayor and Common Council  
From: Manitowoc City Plan Commission  
Subject: **PC 20-2016: Conditional Use Permit. Manitowoc County Expo Grounds / Meijer, Planned Unit Development pursuant to 15.750 of the Municipal Code**

Dear Mayor and Common Council:

At the July 27, 2016 meeting of the Manitowoc City Plan Commission, the Commission considered all items on its agenda, including the item identified above, and wishes to report and recommend to the Common Council the following action: to approve the Conditional Use Permit and General Development Plan for the Manitowoc County Expo Grounds/Meijer Planned Unit Development subject to the attached conditions and General Development Plan.

Respectfully Submitted,  
*Paul Braun*  
Paul Braun  
Plan Commission Secretary

Attach Conditions  
Attach GDP/Covenants  
Granicus #16-577

16-0684

**Report to the  
Manitowoc Plan Commission**

**Meeting Date:** July 27, 2016

**Report Print Date:** July 22, 2016; 3:48 PM

**Request:** PC 20-2016: Conditional Use Permit. Manitowoc County Expo Grounds / Meijer, Planned Unit Development pursuant to 15.750 of the Municipal Code.

**Reason for Request:** Pursuant to 15.750(4) of the Municipal Code, Planned Unit Developments (PUDs) require the issuance of a Conditional Use Permit (CUP). As part of the CUP process the applicant shall submit a PUD General Development Plan (GDP) which defines the development standards for the PUD area.

**Existing Land Use for Subject Property:** Currently the land is being used for the Manitowoc Expo activities such as the County Fair, racing and other events. The grass / open space areas are used for parking during Expo Ground events.

**Existing Zoning for Subject Property:** The area of the PUD has been rezoned to the C-1 Commercial District.

**Surrounding Property Land Uses and Zoning**

Direction	Existing Land Use	Existing Zoning
North	office, medical	B-3 – general business
East	auto dealership, convenience store, retail	C-1 - commercial B-3 – general business
South	motel, single family	B-3 – general business B-1 – office - residential
West	I-43, home repair store, industrial park	I-1 – light industrial B-3 – general business

**Comprehensive Plan:** The 20 year Future Land Use Map shows the area as “Planned Mixed Use” which is a mix of community business, mixed residential, office, light industrial and institutional and community services.

Consistency Analysis

The proposed PUD is consistent with the Comprehensive Plan and Future Land Use Map. The proposal is also consistent with the Manitowoc Expo Grounds Master Plan which was a special study included in the Comprehensive Plan. All three of the development concepts in the Expo Grounds Master Plan show a large retail use in the southern portion of the site situated similarly to the Meijer proposal.

**Report:** This report is an update to the information previously provided to the Plan Commission and will highlight the changes and pertinent issues for this stage of the PUD process. Please find attached to this report the updated site and building development plans, the revised PUD covenants, and the draft Certified Survey Map.

### Case History

At its April meeting, the Plan Commission recommended rezoning the 27.5 acres from R-1 (Residential-Agricultural) and B-1 (Office-Residential) to C-1 (Commercial) District. The Common Council approved the rezoning at its June 20 meeting, and the change is now effective. At the June 22 meeting of the Plan Commission, the initial review of the CUP and PUD General Development Plan was tabled in order to allow the City and applicant to continue working out the details of the project. Those details are now substantially complete.

### Site Assessment

Site plan review is underway, and the City and applicant continue to work through review comments and plan revisions. The site plan is largely compliant with City requirements, so changes from this point forward are relatively minor in scope. The Community Development Department has focused on elements of the site plan that are critical to the PUD, and notes the following highlights and changes since June.

- a. Setbacks: Building setbacks as shown for future development were increased to 25' on all sides.
- b. Signage: Meijer modified the size, height, and design of the freestanding signage at the request of the City. The pylon sign at Dewey Street and S. Rapids Road has been reduced in area by about 50 sq. ft., reduced in height by about 2 ft., and unifying design materials have been added to the base of the pylons.
- c. Lighting: Parking lot light details have been provided. The City had requested a black finish color for consistency with Harbor Town street lighting, but Meijer is requesting white. The parking lot lights will be 33 ft. tall.
- d. Fencing: Decorative materials for the proposed fence on west property line have been clarified. The fence will be finished with white vinyl.
- e. Gas Station Canopy: Meijer modified the design of the canopy supports at the request of the City. Unifying design materials have been added to the base of the supports.
- f. Parapet Wall: The City had requested that the back of parapet wall match the primary façade color. Meijer explained that it must be white because it is part of the roofing (waterproofing) system.
- g. Rooftop Mechanicals: The City requested that screening of rooftop mechanical equipment be effective when viewed from all surrounding rights-of-way including I-43. Meijer has provided screening from Dewey, Rapids, and "Meijer Drive", but not from the direction of I-43. Given the change in grade and the existing foliage along the Interstate, this may not be a major issue. It could become more of an issue if additional development occurs to the west of the Meijer site in the future.
- h. Parking Count: Meijer reduced the total number of parking spaces on the site in order to increase landscaping and snow storage areas. The total count was reduced from 791 to 709, which should still be more than adequate.
- i. Crosswalk Markings: At the request of the City, pedestrian crosswalk markings were added both internally to the site and on adjoining streets where appropriate. Meijer will be responsible for adding crosswalks and signals.
- j. Intersection Modifications: In addition to crosswalks, Meijer will be responsible for certain intersection modifications on Dewey Street and S. Rapids based on the Traffic Impact Analysis (TIA). The revised site plan shows modifications to the S. Rapids Road median including creation of an additional left turn bay for northbound traffic. Additional modifications will be required in the future in response to the findings of the TIA and will be governed by separate construction documents.
- k. Bus Shelter: The location of the bus shelter moved from the building side of the access drive to the parking lot side of the access drive. While the new location is more bus

friendly, it is less passenger friendly. This appears to be an inadvertent change that resulted from other site elements being modified (landscaping and snow storage areas). If the shelter can be moved closer to the building sidewalk, that would be preferable.

#### Compliance Analysis

Section 15.750 of the Zoning Code establishes the following review criteria for PUDs. The analysis and findings of the Department follow each item.

- (a) *Character and Integrity of Land Use. In a PUD, the land uses proposed and their intensity and arrangement on the site shall be of a visual and operational character which:*
1. *Are compatible to the physical nature of the site with particular concern for preservation of natural features, tree growth and open space;*
    - The primary natural feature in the area is a wetland and intermittent stream complex to the north which is outside of the scope of the proposed development. There are very few trees on the existing site, any loss of which will be more than compensated with new landscaping. No negative impacts to the physical nature of the site are anticipated.
  2. *Would produce an attractive environment of sustained aesthetic and ecological desirability, economic stability, and functional practicality compatible with the general development plans for the area as established by the City's Comprehensive Plan;*
    - The proposed PUD development upholds these community values and the recommendations of the Comprehensive Plan. While large-box retail can have negative impacts on a community, no negatives are anticipated here based on appropriate placement in the City's predominant automobile-oriented shopping area and based on the high quality of the building and site design.
  3. *Would not adversely affect the anticipated provisions for school or other municipal services; and*
    - No residential development is proposed as part of this PUD. Existing municipal services and the increased tax base resulting from the development are expected to adequately serve the development.
  4. *Would not create a traffic or parking demand incompatible with the existing or proposed facilities to serve the PUD.*
    - Traffic impacts have been assessed through a Traffic Impact Analysis and mitigating measures will be implemented through the site plan process and through a construction document. Parking demand for both this site and other surrounding land uses can be met with the 709 spaces planned for this development.
- (b) *Economic Feasibility and Impact. The proponents of a PUD application shall provide evidence satisfactory to the City Plan Commission and Common Council of the economic feasibility of the development, including but not limited to letters of intent, prelease commitments and the availability of adequate financing, and shall further demonstrate that the PUD would not adversely affect the economic prosperity of the City, or diminish the values of surrounding properties.*
- Meijer has provided their construction timetable and is in the process of making a significant investment in several communities around the State of Wisconsin. The Department has no reason to believe that the project will not be implemented due to inadequate financing. The resulting impact on surrounding property values should be substantial. An economic feasibility analysis has not

been requested or provided, although the property tax impact of the completed development has been estimated at \$10 to 15 million.

- (c) *Engineering Design Standards. The width of street rights-of-way, width and location of streets or other paving, outdoor lighting, location of sewer and water lines, provision for storm water drainage or other similar environmental engineering considerations shall be based on standards necessary to implement the specific functions in a specific situation; provided, however, in no case shall standards be less than those necessary to ensure the public safety and welfare as determined by the City Engineer.*
- All related items are being satisfied through the site plan review process and numerous infrastructure planning meetings.
- (d) *Preservation and Maintenance of Open Space. In a PUD, the owner shall be required to provide open space that is "developed" with active recreational facilities provided by the owner; and/or "undeveloped" which is designed to preserve important site amenities and environmentally sensitive areas, and which may permit certain improvements provided by the owner such as the cutting of trails, the provision of picnic areas, etc.*
- All landscaped areas will be maintained by Meijer and any future property owners per the PUD requirements. Developed recreational facilities are not included in this particular PUD. Future phases of development in the surrounding area may provide such opportunities.

In addition to the standards listed above, the Plan Commission and Council for Commercial PUDs shall also consider the following:

1. *The economic practicality of the proposed PUD can be justified;*
2. *The proposed PUD will be served by off-street parking and truck service area and facilities in accordance with MMC 15.430 or subsection (19)(e) of this section;*
3. *The proposed PUD shall be adequately provided with, and shall not impose any undue burden on, public services and facilities such as fire and police protection, street maintenance, water, sanitary sewer and stormwater drainage, and maintenance of public areas;*
4. *The locations of entrances and exits have been designated to prevent unnecessary interference with the safe and efficient movement of traffic and surrounding streets, and that the PUD will not create any adverse effect upon the general traffic pattern of the surrounding neighborhood; and*
5. *The architectural design, landscaping, control of lighting and general site development will result in an attractive and harmonious service area compatible with, and not adversely affecting the property values of, the surrounding neighborhood.*

The Department finds that the proposed PUD meets all of these criteria as discussed previously and as shown in the attached site and building development plans.

#### Public Comments

Prior to the June 22 Plan Commission meeting, notices for the Conditional Use Permit were mailed to neighbors within 200 feet and a public informational hearing was conducted. New notices were not mailed prior to this meeting, as this is now an Old Business item. No new public comments were received since the last staff report.

**Recommendation:** The Community Development Department recommends approval of the Conditional Use Permit and General Development Plan for the Manitowoc County Expo Grounds/Meijer Planned Unit Development subject to the following conditions:

1. Comply with all applicable requirements of the Manitowoc Municipal Code.

2. Construct Dewey Street extension, "Meijer Drive," other required right-of-way improvements to City specifications and implement all other infrastructure improvements needed to support the development as specified by the terms of the site plan approval.
3. Work with Maritime Metro Transit to identify a mutually agreeable location for the bus shelter/stop.
4. Prior to approval of the Final Development Plan, supply the Community Development Department with the Easements, Covenants, and Restrictions document that will be applied to additional development of the property.
5. The Final Development Plan shall substantially conform to the approved General Development Plan and shall be submitted to the Plan Commission within 24 months of the Common Council approval for this Conditional Use Permit.
6. The Final Development Plan and PUD shall not be considered approved until the appropriate documents are approved by the Common Council and recorded by the Register of Deeds.



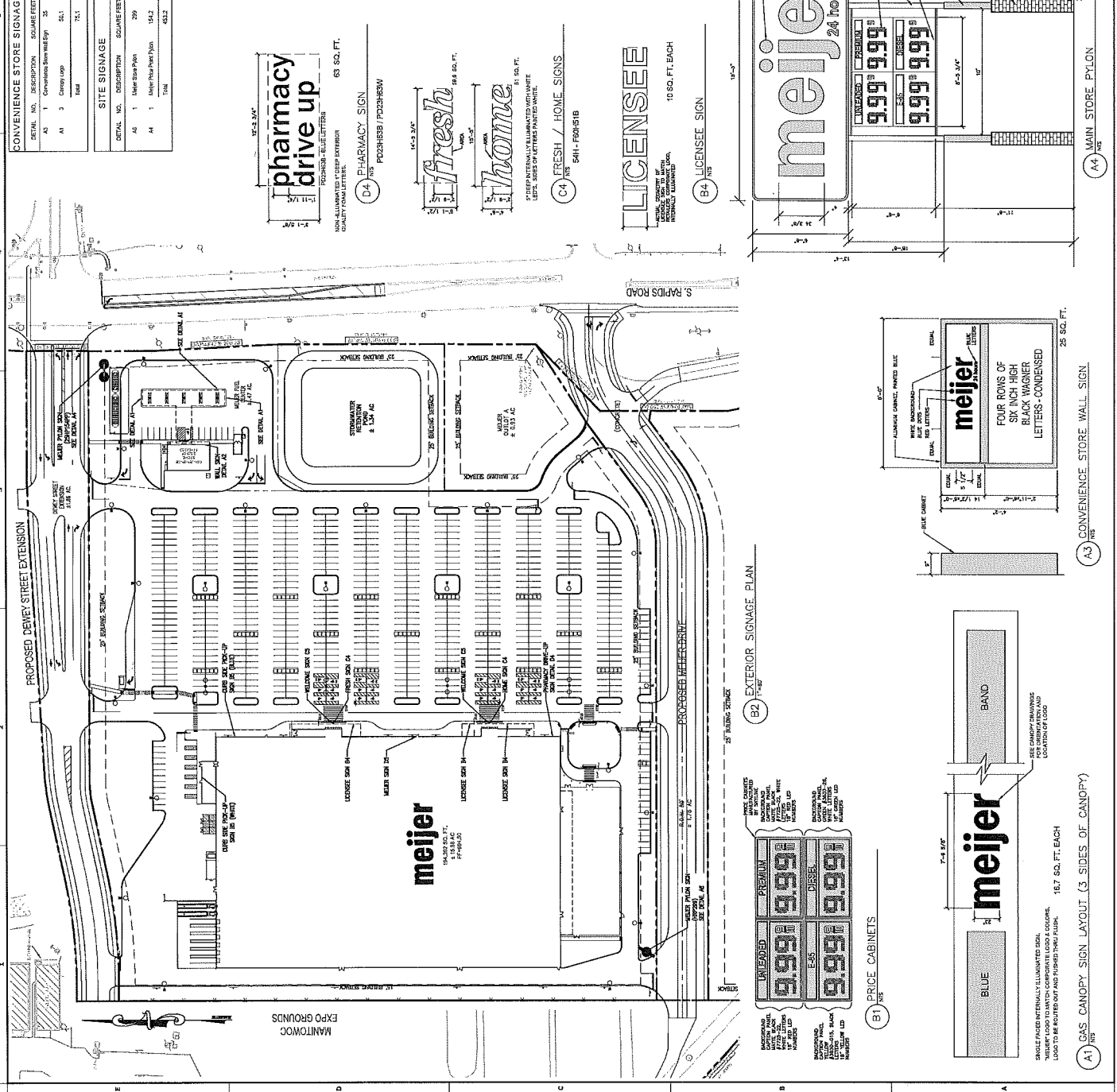
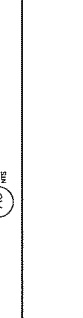
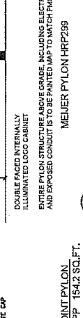
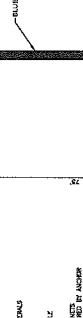
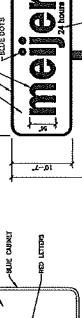
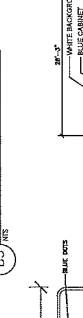
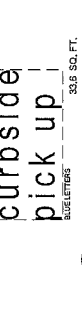
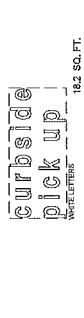
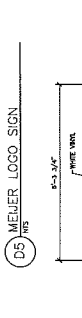
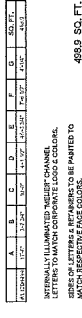
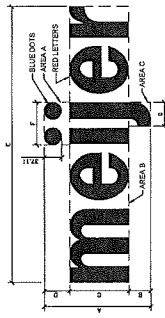




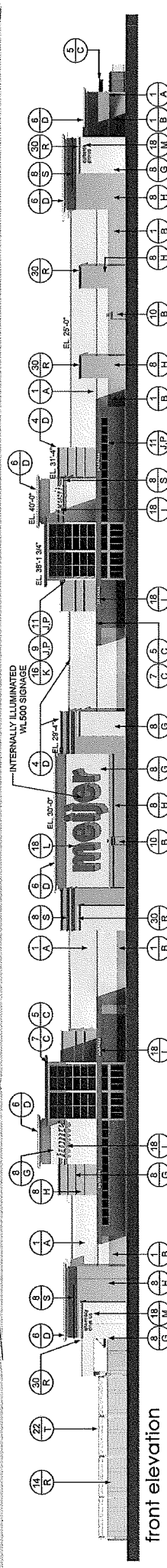
PROJECT NO.	XXXXXX
PROJECT NAME	XXXXXX
DATE	XX/XX/XX
DESIGNED BY	XXXXXX
CHECKED BY	XXXXXX
DATE	XX/XX/XX
PROJECT NO.	XXXXXX
PROJECT NAME	XXXXXX
DATE	XX/XX/XX
DESIGNED BY	XXXXXX
CHECKED BY	XXXXXX
DATE	XX/XX/XX

CONVENIENCE STORE SIGNAGE		STORE SIGNAGE		SIGNAGE TOTAL	
DETAIL NO.	DESCRIPTION	SQUARE FEET	DESCRIPTION	SQUARE FEET	SQUARE FEET
A3	Convenience Store Wall Sign	25.1	Store Signage	777.9	803.0
A4	Gas Canopy Sign	18.7	Convenience Store	78.1	881.1
A5	Price Cabinets	76.1	Site Signage	482.2	1363.3
			TOTAL	1065.2	

SITE SIGNAGE		
DETAIL NO.	DESCRIPTION	SQUARE FEET
D4	Pharmacy Sign	63.0
D5	Meijer Logo Sign	468.9
D6	Welcome Sign	6.8
D7	Curbside Pick Up Sign	18.2
D8	Licensee Sign	10.0
D9	Price Cabinets	76.1
D10	Gas Canopy Sign	18.7
	TOTAL	432.7

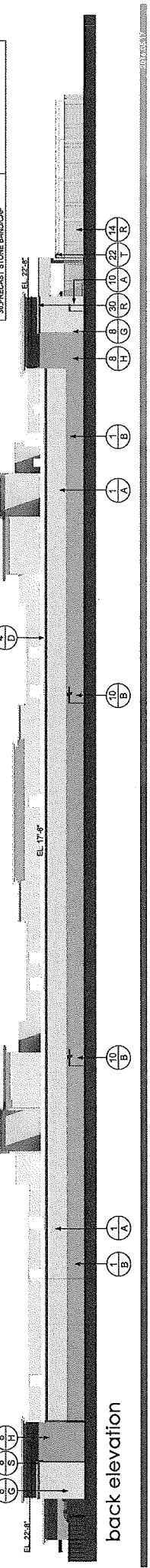
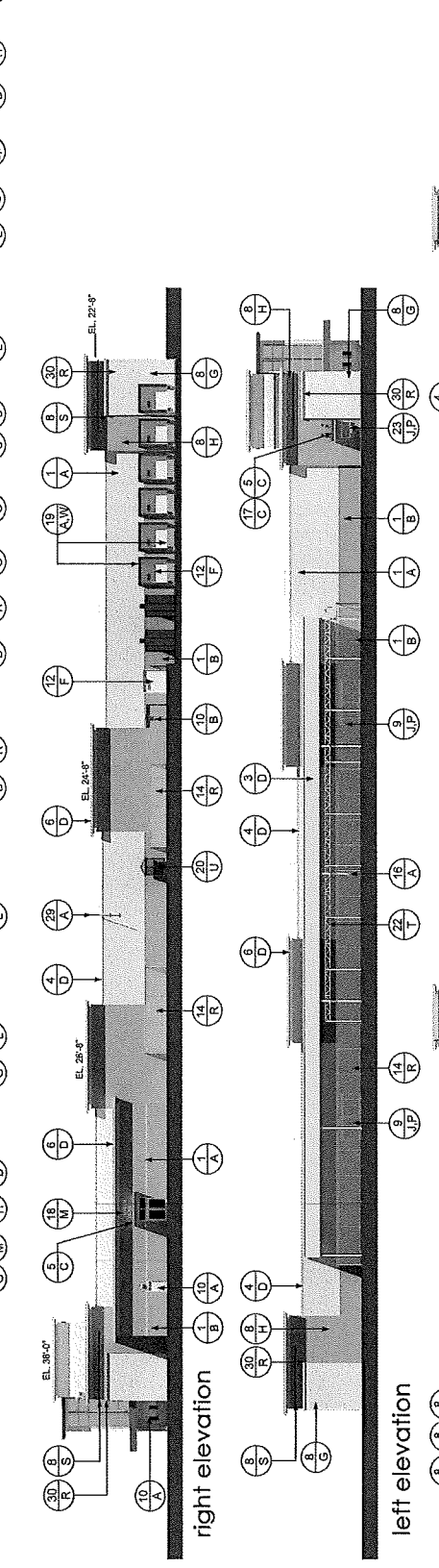






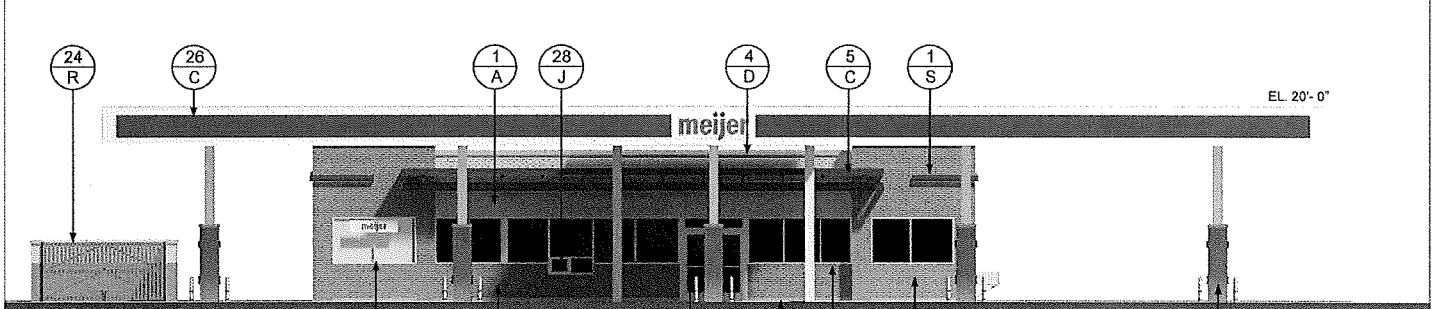
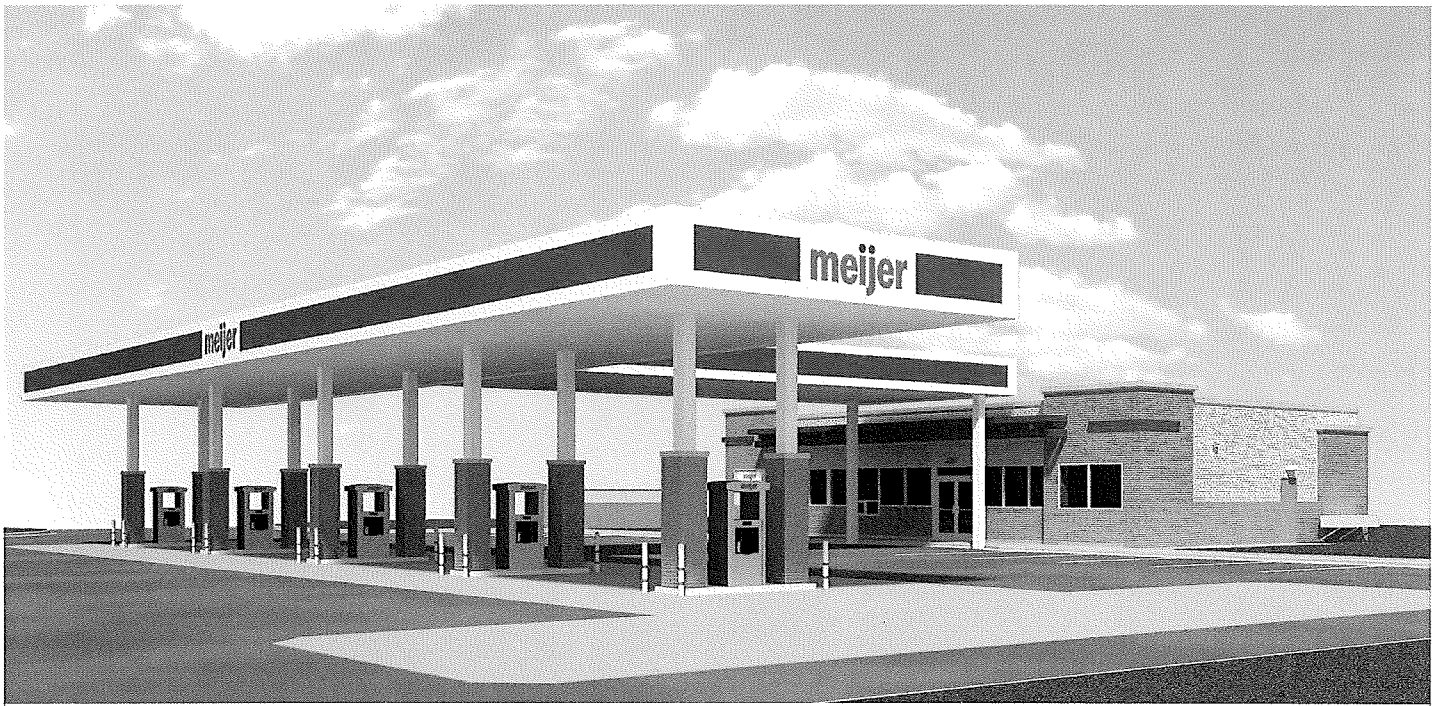
**EXTERIOR FINISH LEGEND**

ELEMENT OR MATERIAL	COLOR / FINISH / GLAZING / TYPE
1. PRECAST PANEL (BRICK IMPRINT)	A. MACADAMIA
2. PRECAST PANEL (SMOOTH FACE)	B. TANBARK
3. METAL COPING / LEDGE FLASHING	C. ALUMINOUM
4. METAL COPING / LEDGE FLASHING	D. ALUMINOUM
5. METAL CORNICE	E. TERRA COTTA
6. METAL CORNICE	F. WHITE
7. ALUMINUM DOOR / FRAME	G. BRASS / BRASS GLAZER
8. ALUMINUM DOOR / FRAME	H. BRASS / BRASS GLAZER
9. ALUMINUM DOOR / FRAME	I. CLEAR ANODIZED
10. HOLLOW METAL DOOR / FRAME	J. CLEAR ANODIZED
11. SECTION DOOR	K. SALVANIZED
12. SECTION DOOR	L. SALVANIZED
13. SECTION DOOR	M. WOOD UNPAINTED
14. CHAIR LINK FENCE	N. SURFACE APPLIED
15. CHAIR LINK FENCE	O. VISION GLASS
16. CHAIR LINK FENCE	P. VISION GLASS
17. STEEL FRAMING / DECK / HANDERS	Q. BRASS / BRASS GLAZER
18. SIGNAGE	R. BRASS / BRASS GLAZER
19. DOOR SEAL / LEVELER / BUMPER	S. BLUE GLAZED (COLOR 488)
20. FIRE PUMP HOUSE	T. ALUMINUM
21. FIRE PUMP HOUSE	U. DARK BRONZE FRAME
22. SHARPE CLOTH STRUCTURE	V. DARK BRONZE FRAME
23. PARACHUTE PANTS WINDOW	W. BRASS / BRASS GLAZER
24. PARACHUTE PANTS WINDOW	X. BRASS / BRASS GLAZER
25. EXPOSED CONCRETE	Y. BRASS / BRASS GLAZER
26. GAS STATION CANOPY	Z. BRASS / BRASS GLAZER
27. PRODUCT ADVERTISEMENT BOARD WINDOW	AA. BRASS / BRASS GLAZER
28. PRODUCT ADVERTISEMENT BOARD WINDOW	AB. BRASS / BRASS GLAZER
29. PRECAST STONE BAND/CAP	AC. BRASS / BRASS GLAZER

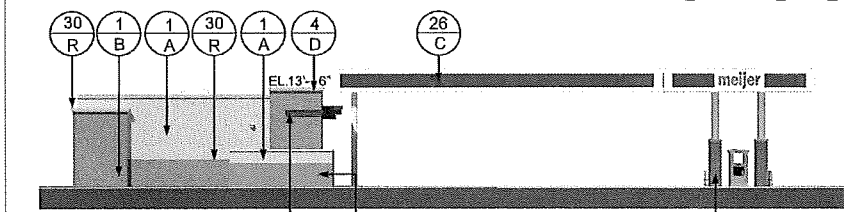


Manitowoc, WI

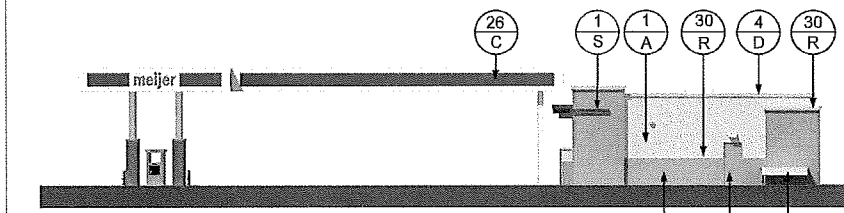
meijer | GrenbergFarrow



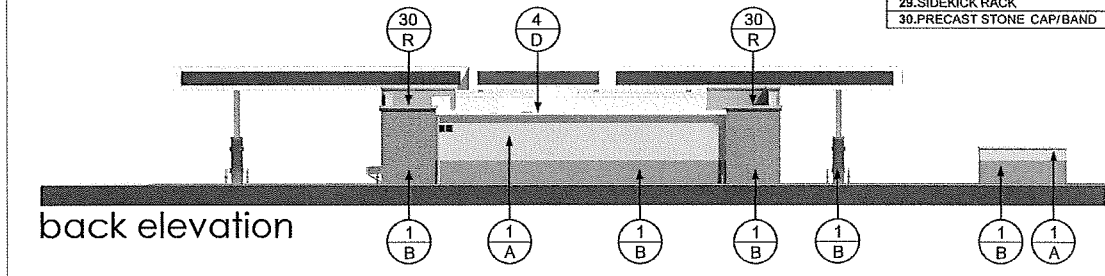
front elevation



left elevation



right elevation



back elevation

ELEMENT OR MATERIAL:	COLOR / FINISH / GLAZING / TYPE:
1. PRECAST PANEL (BRICK IMPRINT)	A. MACADAMIA
2. PRECAST PANEL (SMOOTH FACE)	B. TANBARK
3. METAL ROOF OR WALL PANEL	C. AWARAK BLUE
4. METAL COPING / EDGE FLASHING	D. ALMOND
5. METAL FASCIA	E. TERRA COTTA
6. METAL CORNICE	F. WHITE
7. METAL SOFFIT	G. NOT USED
8. NOT USED	H. NOT USED
9. ALUMINUM DOOR / FRAME	J. CLEAR ANODIZED
10. HOLLOW METAL DOOR / FRAME	K. GALVANIZED
11. WINDOW / STOREFRONT	L. INTERNALLY ILLUMINATED
12. SECTIONAL DOOR	M. NON-ILLUMINATED
13. STEEL DOOR / FRAME	N. SURFACE APPLIED
14. CHAIN LINK FENCE	P. VISION GLASS
15. DECORATIVE FENCE	Q. SPANDREL GLASS
16. STEEL COLUMN	R. NATURAL
17. STEEL FRAMING / DECK / HANGERS	S. BLUE GLAZED (COLOR 4466)
18. SIGNAGE	T. ALUMINUM
19. DOCK SEAL / LEVELER / BUMPER	U. DARK BRONZE FRAME
20. SMOKING SHELTER	V. MATCH BACKGROUND COLOR
21. FIRE PUMP HOUSE	W. BLACK
22. SHADE CLOTH STRUCTURE	
23. PHARMACY PASS WINDOW	
24. WOOD GATE	
25. EXPOSED CONCRETE	
26. GAS STATION CANOPY	
27. PRODUCT ADVERTISEMENT BOARD	
28. PASS THRU WINDOW	
29. SIDEKICK RACK	
30. PRECAST STONE CAP/BAND	

**IMPLEMENTATION PLAN FOR PLANNED  
UNIT DEVELOPMENT (PUD)  
CITY OF MANITOWOC, WISCONSIN**

This Planned Unit Development (PUD), to be known as **Meijer PUD** is approved this XX day of XXXXX, 2016 by the Common Council of the City of Manitowoc, Wisconsin, a Wisconsin Municipal Corporation, (hereinafter referred to as the "CITY") for certain real property located in the City of Manitowoc, Manitowoc County, WI and described in Exhibit A which is attached and incorporated herein by reference (hereinafter referred to as the "PROPERTY"). This Implementation Plan (hereinafter referred to as the "PLAN" or "AGREEMENT") for the Meijer PUD is made and entered into by and between Manitowoc County, a body corporate (hereinafter referred to as "COUNTY"), Meijer Stores Limited Partnership (hereinafter referred to as the "OWNER/DEVELOPER" OR "MEIJER") and the City of Manitowoc, WI, a municipal corporation.

WHEREAS, on January 29, 2016 the County and Meijer have entered into a Real Estate Option Contract in which Meijer will purchase approximately 27.5 acres from the County as shown on Exhibit A.

WHEREAS, the closing date for the property transfer is planned for the Fall of 2016,

WHEREAS, the City has approved a General Development Plan (GDP) on INSERT DATE (Report #2016-XXXX), and approved a Conditional Use Permit (Report #2016-XXX) pursuant to Section 15.750(4) for the Meijer PUD; and

WHEREAS, the City has approved a final site plan and Final Development Plan (FDP) on INSERT DATE (Report #2016-XXX) pursuant to Section 15.750(16) for Meijer PUD, and

WHEREAS, the City has authorized the preparation, execution and recording of the PLAN pursuant to Section 15.750(17) for Meijer PUD; and

WHEREAS, the parties hereto wish to notify all interested parties of the existence of said PLAN;

NOW, THEREFORE, in consideration of the foregoing recitals, the County, Meijer and the City hereby notify all interested parties as follows:

1. **Existence of the PLAN for Meijer PUD (#PC20-2016).**  
The County, Meijer and City ("PARTIES") hereto have entered into a mutually agreeable AGREEMENT and PLAN for the PROPERTY. The AGREEMENT and PLAN designate and establish the general land uses which shall be permitted on the PROPERTY; provide detailed development guidelines and conditions which must be complied with by the Owner/Developer and all subsequent PROPERTY owners or agents of the PROPERTY Owner/Developer; and provide a specific implementation plan. The AGREEMENT and PLAN designate and specify improvements that must be made, and conditions that must be fulfilled by the Owner/Developer and the City, in conjunction with the PUD designation.
  
2. **Location of PLAN and AGREEMENT.**  
The PLAN and AGREEMENT for Meijer PUD #PC8-2016 is on file with the City of Manitowoc Community Development Department (hereinafter referred to as the

"DEPARTMENT") at 900 Quay Street, Manitowoc WI 54220-4543, and is subject to review and reproduction by all interested parties upon request. The PROPERTY shall be developed substantially in accordance with the most current and City-approved PROPERTY development and site plans submitted by GreenbergFarrow and entitled "Meijer – Store Number 304 City of Manitowoc, Manitowoc County, Wisconsin" (SP20-2016), said plans are incorporated herein by reference.

3. ***Subsequent Purchasers.***

A PUD is a zoning overlay district under Section 15.750. This PLAN is a covenant that shall run with the PROPERTY. Accordingly, all future purchasers of the PROPERTY should become familiarized with the PLAN, the AGREEMENT, and the "C-1" Commercial District Zoning Regulations (Section 15.310).

4. ***Amendments to PLAN.***

Pursuant to Section 15.750(20), major changes in the PLAN require approval by the City and subsequent recording of a written amendment to the PLAN. Minor changes to the PLAN (Section 15.750(20)(a)) require the approval of the City's Planner or City's Engineer (Section 15.750(20)(b)).

5. ***Relationship to Underlying Zoning.***

A PUD is a zoning overlay district under Section 15.750. Accordingly, where the provisions of this PUD and the underlying zoning are in conflict, the PUD shall govern. Where this PUD does not specify a particular provision or standard found in the underlying zoning, the underlying zoning shall govern as applicable.

6. ***Development Guidelines and Conditions.***

The development guidelines contained herein shall limit and control the location and use of the PROPERTY, including the internal use of buildings and structures. Lot numbers referenced in this section are identified in Exhibit A and the geographic area of the depicted lots in Exhibit A shall govern development in these same geographic areas, regardless of whether lot numbers are modified after October 7, 20XX update date by any land division pursuant to Wis. Stats. Ch. 236 and Chapter 21 of the Manitowoc Municipal Code. Any new Certified Survey Map (CSM) created and approved by the City after October 7, 2002 shall include a reference to "Meijer PUD #8-2016" and underlying lot numbers identified in Exhibit A.

**A. DEVELOPMENT STANDARDS**

1. **LAND USES**

- (a) **Lot 1:** A prototypical Meijer store and a Meijer gas station/ convenience store consistent with the attached site and building plans (Exhibits A and F) shall be permitted on Lot 1. A prototypical Meijer store and Meijer gas station/ convenience store shall specifically include, but is not limited to, any special or conditional uses that may be associated with: (i) outside sales and storage, (ii)

garden center operations, (iii) unrestricted hours for pharmacy drive thru and "curb-side" pick up services, (iv) 24-hour operations, and (v) liquor sales.

- (b) **Lots 2 and 3:** All uses permitted in the C-1 Commercial District shall be permitted on Lots 2 and 3 (outlot A and B), except that the following uses are expressly prohibited:
1. Adult day care facilities, and child day care centers
  2. Apartments above a permitted use on the first floor subject to the R-5 Low Density Multiple Family Zoning District;
  3. Auto title loan, pay day loans or similar uses
  4. Automobile laundries, car washes;
  5. Automobile accessories and parts store, including minor automobile repairs;
  6. Automobile service stations (ie. convenience store) are limited to one in the PUD area;
  7. Awning and siding sales;
  8. Boat sales and accessories;
  9. Bottling beverages, such as milk, soft drinks, etc., to be sold in package lots, from the premises at retail only;
  10. Business building owner's or operator's dwelling unit on the same premises
  11. Churches
  12. Circuses, and carnivals and other uses as per Manitowoc Municipal Code 11.170(1) and (2);
  13. Collection station for dry cleaning or laundry;
  14. Community living arrangements
  15. Continuing care communities, retirement housing, intergenerational housing, and other collaborative housing options.
  16. Contractor office or shop;
  17. Electric household appliance repair shops; small gasoline motor appliances, sales and service;
  18. Employment agencies;
  19. Exterminating or pest control stores;
  20. Farm equipment and machinery sales;
  21. Freezing lockers for rental;
  22. Fuel (ie. LP tank) and ice sales offices;
  23. Funeral homes and crematories;
  24. Garages for storage;
  25. Governmental, philanthropic, or eleemosynary institutions which are not for profit or tax exempt;
  26. Hat cleaner shops;
  27. Homes for the elderly and nursing homes;
  28. Laundromats and dry cleaning establishments;
  29. Libraries, museums, art galleries which are not for profit or tax exempt
  30. Live bait stores;

31. Mini-warehouse;
32. Mobile and manufactured home sales;
33. Monument sales;
34. Motorcycle sales and repair;
35. Motor vehicle sales of new and used vehicles; including Recreational vehicles and campers;
36. Newspaper distributing stations;
37. Non-profit or tax exempt entities unless the entity is leasing from a taxable entity;
38. Open sales lots;
39. Printing, publishing and distribution;
40. Private clubs and lodges;
41. Public garages;
42. Recycling facilities;
43. Religious article stores;
44. Rental agencies;
45. Rental agencies for automobiles, trailers trucks and heavy equipment;
46. Secondhand stores and rummages shops;
47. Shoe repair shops;
48. Single family, two family; multiple family residential
49. Store fixtures and store equipment shops;
50. Tattoo and body piercing establishments;
51. Taverns unless the tavern is accessory to a restaurant or other permitted use.
52. Taxicab dispatching, storage and minor repair;
53. Tire sales and repair;
54. Tobacco shops;
55. Transitional housing;
56. Trucking, distribution and load assembly depot;
57. Vacant lot residential garden;
58. Water conditioning, sales and service;
59. Wholesale sales;
60. Wrecker service, sale or rental of used or new vehicles

## 2. BUILDING DESIGN STANDARDS

- (a) **Lot 1:** Building design for the Meijer store and Meijer gas station/convenience store shall be consistent with the attached site and building plans (Exhibits A and F). Where specific design elements are not specified in Exhibits A and F, development of Lot 1 shall comply with the same standards as applied to Lots 2 and 3 in the following provisions.
- (b) **Lots 2 and 3:** All buildings and structures within the PROPERTY shall be designed so as to create a unified design theme. All buildings and structures on Lots 2 and 3 shall comply with the following design standards:



1. Façade Design
  - i. Any building or structure over two hundred (200) feet in length shall be designed so as to provide wall articulation on all street facing facades to break up the visual expanse of the structure. Façade articulation shall be attained by incorporating recesses and projections, and variations in roof and façade lines.
  - ii. All roof top mechanical equipment shall be completely screened from public view by a continuous, permanent screen of a color compatible with the principal structure. Whenever possible, the screen shall be designed as an architectural component of the structure in the form of a parapet wall.
  - iii. All sides of all buildings and structures shall be constructed of primary materials defined as face brick or comparable material as approved by the DEPARTMENT. In all cases, the acceptable primary materials will be glass, brick, or of a brick pattern on tilt up panels, or a split face decorative block, wood, sandstone and other native stone, and stucco (ie. Drivit or comparable system). The use of pre-fabricated metal panels or untextured concrete block exterior siding shall not be permitted as the primary building material on the exterior wall. Additional architectural specific materials will be reviewed on a case-by-case basis by the DEPARTMENT.
  - iv. Buildings and structures shall utilize four-sided design and shall be required to create prominent facades on both a front side and back side.
2. Gasoline stations with or without a convenience store and car wash and all under single ownership at the PROPERTY shall not be permitted to display banners, temporary signs or advertisements on the exterior of any building or structure on the PROPERTY. Display and pricing signs for product for sale located at pump islands and along building facades permitted as part of the approved plans are allowed. The primary materials under A.2(b)1.iii. shall be used to construct canopy structures including roof and support members for these uses, and shall be designed to match the design materials used on principal and accessory buildings and structures on the site.
3. All electric meters, transformers, downspouts and other appurtenances shall either be incorporated internally into a building or structure, or be of the same or a similar color approved by the DEPARTMENT, so as to match

or be unobtrusive at the site and be fully site screened as much as legally permissible.

4. All buildings and structures shall have primary earth tone colors or variations of brown, grey, rust or tan that are consistent with the tone and / or hue of the colors of the other buildings and structures on the PROPERTY. Secondary colors shall feature complementary earth tones. Each individual building and structure on the PROPERTY will be allowed business specific colors that will be reviewed on a case-by-case basis by the DEPARTMENT, within the context of the color scheme described above. All building colors and materials will coordinate with the primary colors and materials of all existing buildings and structures to provide a unified development.
5. Building heights shall follow the C-1 Commercial Zoning District regulations.
6. Creativity in architectural design is encouraged. Evaluation of the appearance of a building or structure shall be based on the quality of its design and relationship to surroundings.
7. Landscape design shall be used to enhance and complement architectural features.
8. In locations where plants are susceptible to injury by pedestrian or motor traffic, protection shall be provided with appropriate curbs, fences, tree guards or other devices. All parking lots shall be curbed including internal landscaping islands to protect the landscaping areas and to aid in traffic flow.
9. The minimum horizontal distance between freestanding buildings shall be thirty (30) feet, unless approved by the DEPARTMENT.

### 3. SIGNS

- (a) **Lot 1:** Sign design, placement, and dimensional standards for the Meijer store and Meijer gas station/convenience store shall comply with the signage plan attached as Exhibit C. Where specific sign details are not specified in Exhibit C, signs on Lot 1 shall comply with the same standards as applied to Lots 2 and 3 in the following provisions.
- (b) **Lots 2 and 3:** Signage on Lots 2 and 3 shall comply with the following requirements.
  1. Signs shall be part of the architectural concept for the PROPERTY, and shall complement the architectural style and scale of buildings and

structures, and shall be designed as an integral architectural element of all buildings and sites to which it principally relates.

2. Size, color, lettering, location and arrangement shall be harmonious with the principal building design. No individual lot shall be permitted to have signage in excess of area requirements under Section 15.450.
3. No off-premise signs (billboards) shall be permitted on the PROPERTY; provided, however, this shall not preclude the existing off-premise sign associated with the Harbor Town Center PUD.
4. Permitted signs shall include one (1) monument sign (defined herein as a low profile, free standing ground mounted sign with a solid base on the ground, and landscaping around the perimeter of the sign at least three (3) feet on all sides of the sign base) per lot not to exceed fifty (50) square feet in area on each face, and a maximum height of twelve (12) feet above final grade, and constructed of the same or other materials complementary to the principal building and structures on the same lot, plus wall signs limited in total area to six (6) square feet per lineal foot of building frontage up to a maximum of two hundred (200) square feet of wall mounted signs per building side, to a maximum of four hundred (400) square feet. Roof, freeway-orientated, and marquee signs shall not be permitted on lots 2 and 3.
5. Animated signs are prohibited.
6. All monument signs shall be located outside of designated easement areas, unless approval to locate within an easement area is expressly provided by the City's Director of Building Inspection and City's Planner.

4. OFF-STREET PARKING LOTS / LOADING AREAS

- (a) **Lot 1:** Off-street parking and loading areas for the Meijer store and Meijer gas station/convenience store shall comply with the site plan attached as Exhibit B. Where specific parking and loading details are not specified in Exhibit B, development of Lot 1 shall comply with the same standards as applied to Lots 2 and 3 in the following provisions.
- (b) **Lots 2 and 3:** Off-street parking and loading areas on Lots 2 and 3 shall comply with the following requirements.
  1. Off-street parking requirements for each building and structure constructed at the PROPERTY shall be determined and calculated at each site plan

review under Section 15.370(2), and to the fullest extent possible, shall comply with requirements under Section 15.430(4).

2. Large off-street parking areas shall be broken up, at regular intervals, with perimeter landscaping and interior lot "green" islands pursuant to Section 15.690. All site plans for the PROPERTY shall meet the requirements under Section 15.370(2) and Section 15.690. All parking lots shall be curbed including internal landscaping islands to protect the landscaping areas and aid in traffic flow. Cart corals shall be integrated into the landscaping islands for efficiency of parking areas, and to provide a greater aesthetic impact, unless this requirement is waived by the DEPARTMENT.
3. Trees shall be selected for ultimate height, breadth of crown, type of shading, color and hardiness. Shrubs and ground cover shall be selected for year round appearance, texture, color, ultimate height and hardiness.
4. Snow storage areas that are not part of the landscape tree islands shall be designated on site plans under Section 15.370(2).
5. All commercial trash dumpsters or other trash disposal areas shall be sight screened by a wall or fence on three (3) sides which shall be constructed of design materials complementary to the principal building on a lot, and a fourth side with a lockable access gate facing a service drive, with the height of the screen structure extending at least one (1) foot above the top of the dumpster or trash receptacle, but not more than eight (8) feet in height as measured from grade. If shrubs are used as the sight screen, they shall form an immediate, solid, opaque and continuous sight screen. The access gate shall be designed to provide an opaque screen. Final design shall be approved by the DEPARTMENT.
6. All roof top and ground level mechanical equipment shall be screened from view from adjacent rights-of-way.
7. All new utility distribution installations, excluding transformers and telephone boxes, shall be located underground to meet standards established by the Manitowoc Public Utilities (MPU). Transformers and associated structures shall be recessed into the ground wherever possible, to maximize the aesthetics of the area.
8. All fencing shall be of durable decorative materials such as treated wood, cedar, vinyl, masonry, or coated metals. Chain link fencing of any kind is prohibited.

5. LANDSCAPE TREATMENT

- (a) **Lot 1:** Landscaping for the Meijer store and Meijer gas station/convenience store shall comply with the landscaping plan attached as Exhibit D. Where specific landscape details are not specified in Exhibit D, landscaping of Lot 1 shall comply with the same standards as applied to Lots 2 and 3 in the following provisions.
- (b) **Lots 2 and 3:** Landscaping for Lots 2 and 3 shall comply with the following requirements.
  - 1. All landscaping within the PROPERTY shall be designed to enhance architectural features, improve appearances; sight screen off-street parking areas, loading docks, storage areas and miscellaneous structures. Existing mature trees shall be preserved wherever feasible.
  - 2. The following minimum sizes are required at the PROPERTY:

Plant Type	Minimum Size at Installation
Large deciduous trees	2 ½ - 3" caliper
Conifers	4 – 5' in height
Small flowering trees	1 – 1 ½" caliper
Large shrubs	30 – 36" in height
Small shrubs	18 - 24" in height

- 3. At least twenty (20) per cent of the gross area of the PROPERTY shall be landscaped with open space consisting of lawn area, ornamental plant materials, or retained existing native vegetation. Each individual site plan presented to the City under Section 15.370(2) shall comply with the landscaping requirements contained in Section 15.690. High quality trees and shrubs shall be required. Common areas, storm water detention/retention areas, and setback areas shall be included in calculating the overall PROPERTY requirement of maintaining at least twenty (20) per cent of the PUD area in landscape material. Due to the nature of a PUD, various lots shall be able to borrow green space from other project lots to meet this requirement.
- 4. Clusters of vegetation, approved by the DEPARTMENT shall be used to sight screen less attractive portions of the PROPERTY.
- 5. All buildings and structures shall be separated from sidewalks or parking surfaces with a planting strip measuring at least four (4) feet in width.
- 6. Plantings shall be provided on all building and structure facades visible to the general public from a R/W, unless this requirement is waived by the DEPARTMENT.

7. Along all R/W's, plant materials shall be selected and placed to avoid blocking site lines or vision clearance areas under Section 15.390(7) at intersections and curb cuts. Landscaping within and adjacent to utility easement areas shall not disrupt service or access to overhead or underground equipment.

6. STORM WATER DETENTION/RETENTION FACILITIES

- (a) Appropriate detention and retention of storm water shall be provided by the Owner/Developer outside of R/W areas and shall comply with Chapter 28 of the Manitowoc Municipal Code. All lots on the PROPERTY are required to have positive drainage, and shall not be permitted to drain to any adjacent lot or parcel, unless approved by the City's Engineer.
- (b) All storm water detention/retention facilities shall be designed so that during nonevent periods there will be permanent vegetation cover. The plant materials installed in detention/retention facilities must be able to withstand periodic flooding.
- (c) Storm water detention/retention facilities shall be designed and landscaped so that they provide an aesthetic amenity, as well as, provide storm water storage capacity.

7. EXTERIOR LIGHTING

- (a) **Lot 1:** Exterior lighting for the Meijer store and Meijer gas station/convenience store shall comply with the lighting plan attached as Exhibit E. Where specific lighting details are not specified in Exhibit E, lighting on Lot 1 shall comply with the same standards as applied to Lots 2 and 3 in the following provisions.
- (b) **Lots 2 and 3:** Exterior lighting for Lots 2 and 3 shall comply with the following requirements.
  1. For all lots on the PROPERTY, exterior lighting shall be shaded, recessed, or inwardly directed in such a manner so that no direct light or glare is cast upon adjoining lots, or upon adjoining R/W's.
  2. New light standards shall be no higher than is necessary to provide sufficient security lighting for the PROPERTY. Light standards shall not be taller than twenty-five (25) feet above final grade. No light standards are allowed around storm water retention ponds.

3. Exterior lighting components such as fixtures, standards and exposed accessories should be harmonious with the overall PROPERTY design and thematic improvements.
4. The style and design of all non-building lighting fixtures shall require the approval of the City's Engineer and City's Planner. All light standards, shades and fixtures shall be black in color.

8. MAINTENANCE

- (a) Landscape materials which have deteriorated or have been damaged or defaced, shall be properly and promptly repaired or replaced.
- (b) Planting materials which have deteriorated or died shall be replaced with healthy plantings, or the area redesigned with other landscape treatments to provide an attractive appearance.
- (c) Planting areas should be kept watered, fertilized, cultivated and pruned as required to give a healthy and well-groomed appearance during all seasons.
- (d) Off-street parking areas shall be kept in good repair, properly marked and clear of litter and debris.
- (e) Buildings and structures, including signs, shall be cleaned, painted and repaired as required.
- (f) Lawns and other landscaped areas shall be kept mowed and trimmed.
- (g) Owner/Developer is expressly responsible for maintaining vacant lots on the PROPERTY in a refuse and debris-free state, and shall have the vegetation cut periodically during the growing season.

9. DEVELOPMENT REGULATIONS

- (a) The following development regulations represent the minimum allowable restrictions on lots within the Meijer PUD:
  1. Minimum lot size – One acre in gross area; except Lot 2 shall be no smaller than 0.93 acres. Lots for storm water retention ponds may be smaller than 1 acre if approved by the DEPARTMENT.
  2. Minimum lot width and frontage - One hundred and fifty (150) feet.
  3. Maximum building height – Building heights shall conform to the C-1 Commercial Zoning District regulations.

4. Access - minimum twenty-five (25) foot wide permanent public access easement or R/W dedication for all lots. Sufficient access to all lots for emergency vehicles shall be required and shall be depicted on site plans prepared pursuant to Section 15.370(2).
5. Maximum building lot coverage - Fifty (50) per cent of gross lot area for all lots, unless this requirement is waived by the DEPARTMENT.
6. Building and parking setback – Subject to vision clearance requirements under Section 15.390(7), buildings and structures shall be setback a minimum of twenty-five (25) feet from all R/W lines; and setback a minimum of twenty- five (25) feet in the rear and interior side yard areas, unless specified otherwise by the State of Wisconsin. Related structures ie. bank drive thru, and parking lots shall be at a minimum setback of ten (10) feet from all R/W lines; and a minimum setback of ten (10) feet in rear and interior side yard areas, unless specified otherwise by the State of Wisconsin. The parking lot setbacks for Lot 1 are shown on Exhibit C. Setback areas shall be fully graded, sodded and landscaped, or treated with a thematic improvement which shall require the approval of the City's Engineer and City's Planner, except in setback areas designated for parking.
7. Sidewalks - Minimum five (5) foot wide sidewalks are required. For Lots 2 and 3 (outlots A and B). sidewalks extending the full length of the building must be provided along any facade featuring a customer entrance and along any facade abutting public parking areas. Such sidewalks shall be located at least four (4) feet from the facade of the building to provide planting beds for foundation landscaping.
8. Site Plan Requirements - All buildings, additions and parking lots constructed at the PROPERTY shall be required to comply with Section 15.370(2). The DEPARTMENT shall be granted site plan review and approval authority for the PUD. Site plan approval by the DEPARTMENT and compliance with letter of credit and performance agreement requirements under Section 15.370(2)(h) shall be required before a project on the PROPERTY can proceed.
9. Off-Street Parking Requirements and Maintenance - Loading requirements shall meet the requirements under Section 15.430(10). For lots 2 and 3 (outlots A and B), loading activities shall be conducted only in the rear or interior side yard areas as approved by the DEPARTMENT. Parking lot maintenance and repair shall be required pursuant to Section 15.430(12).



Outside storage of materials not intended for sale to the public, storage containers and storage trailers shall not be permitted at the PROPERTY.

10. Landscaping - All site plan landscaping requirements shall be completed within twelve (12) consecutive calendar months of the date a certificate of occupancy is issued, subject to an approved site plan under Section 15.370(2). Re-vegetation of all disturbed areas shall be required in accordance with approved site plans under Section 15.37(2). All landscaping shall be maintained and kept viable.
11. Utilities - All new electric, telephone, cable and other communication lines and services, both main and service connections, shall be provided by underground wiring within easements or within dedicated R/W. All new utility lines shall be installed in full accordance with the standards of each utility provider.

**A. GENERAL PROVISIONS**

1. Breach of PLAN. If at any time any provision or requirement stated in the PLAN have been breached by the owner of the PROPERTY, or portion thereof, then the City may withhold approval of any or all land division approvals, site plan approvals, or the issuance of any or all grading or building permits or occupancy permits applied for with respect to that specific lot or portion of the PROPERTY that is in breach of any provision or requirement stated in the PLAN, until such breach has been remedied.
2. Binding Effect. This PLAN shall run with the PROPERTY and be binding upon the Owner/Developer, their respective successors, representatives and assigns, and all persons who may hereafter acquire an interest in the PROPERTY or any part thereof, with the exception that provisions of this PLAN may be modified through an amendment in accordance with the procedure specified in the PLAN.
3. Recordation. This PLAN and any subsequent modifications thereof or additions thereto shall be, upon being duly executed, recorded by the CITY at the Owner/Developer's sole expense, at the Register of Deeds for Manitowoc County, Wisconsin, and shall be deemed to be and interpreted as a covenant running with the PROPERTY.
4. Approvals in Writing. Whenever under this PLAN approvals, authorizations, determinations, satisfactions or waivers are authorized or required, such approvals, authorizations, determinations, satisfactions or waivers shall be effective and valid only when given in writing and signed by the duly authorized officer of the CITY. Wherever any approval is required by this PLAN, and request or application for such approval is duly made, such approval shall not be unreasonably withheld.

5. Severability. If any provisions of this PLAN is deemed by a court of competent jurisdiction to be invalid or unenforceable, the remainder of this PLAN shall not be affected thereby, and such remainder would then continue to conform to the requirements of applicable laws and the AGREEMENT.
6. Successors and Assigns. The terms of this PLAN shall be binding upon and inure to the benefit of the parties hereto, as well as their respective successors, transferees and assigns.
7. Applicable Law. This PLAN shall be deemed to have been made in Manitowoc County, Wisconsin, and shall be governed by, construed under, and enforced in accordance with, the law of the State of Wisconsin, except as otherwise provided herein. All actions or proceedings relating directly or indirectly to this PLAN, whether sounding in contract or tort, shall be litigated only in the circuit court located in Manitowoc County, Wisconsin. All parties to this PLAN hereby subject themselves to the jurisdiction of the circuit court for Manitowoc County, Wisconsin.
8. Headings. The section titles have been inserted in this PLAN primarily for convenience, and do not define, limit or construe the contents of such paragraphs. If headings conflict with the text, the text shall control.
9. Pronouns. Pronouns in this PLAN (including, but not limited to, those referring to the Owner/Developer and the City), importing any specific gender shall be interpreted to refer to limited liability companies, corporations, partnerships, men and women, as the identity of the parties hereto, or the parties herein referred to, may require. Pronouns, verbs, and/or other words in this PLAN importing the singular number shall be interpreted as plural, and plural words as singular, as the identity of the parties hereto, or the parties or objects herein referred to, may require.
10. Entire Designation. This PLAN contains all provisions and requirements incumbent upon the Owner/Developer relative to Meijer PUD, except as modified by subsequent action of the City in accordance with procedures set forth in this PLAN, and except that nothing contained herein shall be construed as waiving any requirements of the Manitowoc Municipal Code or other regulations otherwise applicable to the development of the PROPERTY.
11. Date. This PLAN shall be dated and approved and binding as of the date of the last execution. This PLAN shall be effective the date of recordation.



CITY OF MANITOWOC

By: \_\_\_\_\_  
Justin M. Nickels, Mayor

\_\_\_\_\_  
Date

By: \_\_\_\_\_  
Jennifer Hudon, City Clerk

\_\_\_\_\_  
Date

STATE OF WISCONSIN

)ss.

MANITOWOC COUNTY

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2016, the above signed \_\_\_\_\_,

\_\_\_\_\_ to me known who executed the foregoing instrument and to me known to be such \_\_\_\_\_

of the City of Manitowoc, WI, a Wisconsin Municipal Corporation, and acknowledged that they executed the foregoing instrument as such Officers of said City, by its authority.

\_\_\_\_\_  
Notary Public  
Manitowoc County, Wisconsin  
My commission (expires)(is):  
\_\_\_\_\_

This instrument was drafted by:  
Paul Braun, City Planner  
Y:\Planning\PC Plan Commission\Actions 2016\PC xx-2016 Meijer PUD\PUD Meijer.docx

**DRAFT**

Rev: 7/25/16

**Exhibit A  
Certified Survey Map**

**Exhibit B**  
**Site Plan (C200)**

**DRAFT**

Rev: 7/25/16

**Exhibit C  
Exterior Signage Plan (C501)**

**Exhibit D**  
**Overall Landscape Plan (C600)**



**DRAFT**

Rev: 7/25/16

**Exhibit E**  
**Lighting and Photometric Plan (C801)**

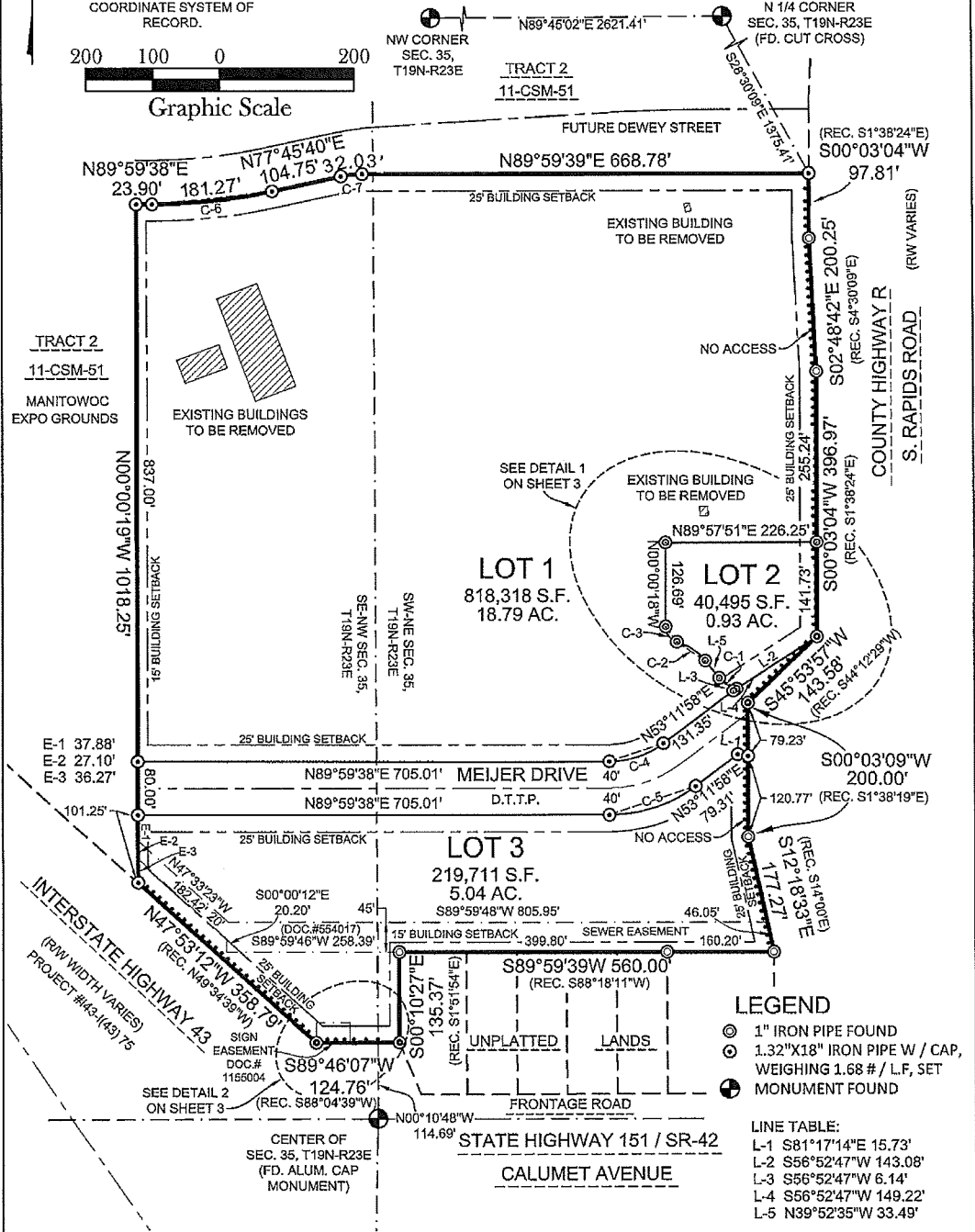
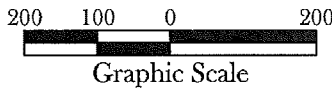
**Exhibit F**  
**Meijer Store and Gas Station Renderings and Elevations**

# CERTIFIED SURVEY MAP

NORTH IS REFERENCED TO NORTH LINE OF THE NORTHWEST 1/4 OF SECTION 35, T19N-R23E, RECORDED TO BEAR N89°45'02"E.

BEARINGS REFERENCED TO THE CURRENT MANITOWOC COUNTY COORDINATE SYSTEM OF RECORD.

PART OF TRACT 2 OF CERTIFIED SURVEY MAP RECORDED IN VOLUME 11, PAGE 51, DOCUMENT NUMBER 609244, MANITOWOC COUNTY RECORDS, LOCATED IN PART OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 AND THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 35, TOWNSHIP 19 NORTH, RANGE 23 EAST, CITY OF MANITOWOC, MANITOWOC COUNTY, WISCONSIN.



<p><b>Mach IV</b> Engineering &amp; Surveying LLC 211 N. Broadway, Suite 114, Green Bay, WI 54503 PH: 920-369-5765 Fax: 920-569-5767</p>	<p>CLIENT: GREENBERG FARROW</p>	<p>SCALE: 1"=200'</p>	<p>SHEET: 1 OF 3 PROJECT NO. 1055-02-16 DRAWING NO. 1201</p>
	<p>DRAFTED BY: RJO TAX PARCEL NO.: 052-835-201-010.00</p>		

# CERTIFIED SURVEY MAP

PART OF TRACT 2 OF CERTIFIED SURVEY MAP RECORDED IN VOLUME 11, PAGE 51, DOCUMENT NUMBER 609244, MANITOWOC COUNTY RECORDS, LOCATED IN PART OF THE NE 1/4, SE 1/4 AND NW 1/4 OF SECTION 35, TOWNSHIP 19 NORTH, RANGE 23 EAST, CITY OF MANITOWOC, MANITOWOC COUNTY, WISCONSIN.

## SURVEYOR'S CERTIFICATE

I, ANDREW S. CLEVELAND, PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT I HAVE SURVEYED PART OF TRACT 2 OF CERTIFIED SURVEY MAP RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR MANITOWOC COUNTY, WISCONSIN, ON DECEMBER 11, 1985 IN VOLUME 11 OF CERTIFIED SURVEY MAPS, AT PAGE 51, AS DOCUMENT NO. 609244, BEING PART OF THE NORTH 1/2 OF SECTION 35, TOWNSHIP 19 NORTH, RANGE 23 EAST, SAID LAND BEING IN THE CITY OF MANITOWOC, COUNTY OF MANITOWOC, STATE OF WISCONSIN, MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 35, T19N-R23E; THENCE N89°45'02"E, 2621.41 FEET ALONG THE NORTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION TO THE NORTH 1/4 CORNER; THENCE S28°30'09"E, 1375.41 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF COUNTY HIGHWAY R (A.K.A. SOUTH RAPIDS ROAD), SAID LINE ALSO BEING THE EAST LINE OF TRACT 2 OF VOLUME 11 OF CERTIFIED SURVEY MAPS, PAGE 51 AND THE POINT OF BEGINNING; THENCE S00°03'04"W, 97.81 FEET ALONG SAID RIGHT OF WAY AND SAID EAST LINE; THENCE S02°48'42"E, 200.25 FEET ALONG SAID RIGHT OF WAY AND SAID EAST LINE; THENCE S00°03'04"W, 396.97 FEET ALONG SAID RIGHT OF WAY AND SAID EAST LINE; THENCE S45°53'57"W, 143.58 FEET ALONG SAID RIGHT OF WAY AND SAID EAST LINE; THENCE S00°03'09"W, 200.00 FEET ALONG SAID RIGHT OF WAY AND SAID EAST LINE; THENCE S12°18'33"E, 177.27 FEET ALONG SAID RIGHT OF WAY AND SAID EAST LINE TO A SOUTH LINE OF SAID TRACT 2; THENCE S89°59'39"W, 560.00 FEET ALONG SAID SOUTH LINE TO AN EAST LINE OF SAID TRACT 2; THENCE S00°10'27"E, 135.37 FEET ALONG SAID EAST LINE TO A SOUTH LINE OF SAID TRACT 2; THENCE S89°46'07"W, 124.76 FEET ALONG SAID SOUTH LINE TO A SOUTHWEST LINE OF SAID TRACT 2 AND THE EAST RIGHT OF WAY LINE OF INTERSTATE "43"; THENCE N47°53'12"W, 358.79 FEET ALONG SAID RIGHT OF WAY AND SAID SOUTHWEST LINE; THENCE N00°00'19"W, 1018.25 FEET TO THE SOUTH LINE OF FUTURE DEWEY STREET EXTENSION; THENCE N89°59'38"E, 23.90 FEET ALONG SAID SOUTH LINE; THENCE 181.27 FEET ALONG THE ARC OF A 849.00 FOOT RADIUS CURVE TO THE LEFT WHOSE LONG CHORD BEARS N83°52'39"E, 180.92 FEET ALONG SAID SOUTH LINE; THENCE N77°45'40"E, 104.75 FEET ALONG SAID SOUTH LINE; THENCE 32.03 FEET ALONG THE ARC OF A 150.00 FOOT RADIUS CURVE TO THE RIGHT WHOSE LONG CHORD BEARS N83°52'39.5"E, 31.97 FEET ALONG SAID SOUTH LINE; THENCE N89°59'39"E, 668.78 FEET ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 1,155,982 SQUARE FEET/ 26.54 ACRES, MORE OR LESS.  
SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.  
ROAD DEDICATION CONTAINS 77,458 S.F. / 1.78 ACRES, MORE OR LESS.  
SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.

THAT SUCH PLAT IS A CORRECT REPRESENTATION OF ALL THE EXTERIOR BOUNDARIES OF THE LAND SURVEY AND THE DIVISION OF THAT LAND. THAT I HAVE MADE SUCH A SURVEY, AND PLAT BY THE DIRECTION OF THE OWNERS LISTED HEREON. THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF CHAPTER 236, SECTION 236.34 OF THE WISCONSIN STATUTES AND CHAPTER 21 OF THE CITY OF MANITOWOC MUNICIPAL CODE IN SURVEYING AND MAPPING THE SAME.

ANDREW S. CLEVELAND PLS-2787  
MAY 10, 2016

### NOTE:

ALL UTILITY AND DRAINAGE EASEMENT AREAS SHALL COMPLY WITH THE "STANDARD UTILITY EASEMENT CONDITIONS" ADOPTED BY THE COMMON COUNCIL ON NOVEMBER 3, 1997, AND RECORDED AT THE MANITOWOC COUNTY REGISTER OF DEEDS ON NOVEMBER 7, 1997 AT VOLUME 1252, PAGE 498 OF RECORDS, AS DOCUMENT #798738."

### Curve Data

Curve No.	Arc	Radius	Chord	Chord Bearing	Central Angle	Tangent Bearing
C-1	31.21'	49.00'	30.68'	N58°07'19.5"W	36°29'29"	N76°22'04"W
C-2	51.39'	91.00'	50.71'	N56°03'19.5"W	32°21'29"	N72°14'04"W
C-3	30.26'	24.00'	28.29'	N36°07'11"W	72°13'46"	N72°14'04"W
C-4	86.70'	135.00'	85.21'	S71°35'48"W	36°47'40"	
C-5	138.07'	215.00'	135.71'	N71°35'48"E	36°47'40"	
C-6	181.27'	849.00'	180.92'	N83°52'39"E	12°13'58"	
C-7	32.03'	150.00'	31.97'	N83°52'39.5"E	12°13'59"	

**Mach IV**

Engineering & Surveying LLC  
211 N. Broadway, Suite 114, Green Bay, WI 54303  
PH: 920-569-5765 Fax: 920-569-5767

CLIENT: GREENBERG FARROW

DRAFTED BY: RJO  
TAX PARCEL NO.: 052-835-201-010.00

SCALE:

SHEET: 2 OF 3  
PROJECT NO. 1055-02-16  
DRAWING NO. 1201

# CERTIFIED SURVEY MAP

PART OF TRACT 2 OF CERTIFIED SURVEY MAP RECORDED IN VOLUME 11, PAGE 51, DOCUMENT NUMBER 609244, MANITOWOC COUNTY RECORDS, LOCATED IN PART OF THE NE 1/4, SE 1/4 AND NW 1/4 OF SECTION 35, TOWNSHIP 19 NORTH, RANGE 23 EAST, CITY OF MANITOWOC, MANITOWOC COUNTY, WISCONSIN.

## OWNER'S CERTIFICATE

AS OWNERS, WE HEREBY CERTIFY THAT I CAUSED THE LAND DESCRIBED AND EASEMENTS GRANTED ON THIS CERTIFIED SURVEY MAP TO BE SURVEYED, DIVIDED, MAPPED AND DEDICATED AS REPRESENTED HEREON. WE ALSO CERTIFY THAT THIS CERTIFIED SURVEY MAP IS REQUIRED BY S.236.10 OR S.236.12 TO BE SUBMITTED TO THE CITY OF MANITOWOC FOR APPROVAL OR OBJECTION.

MANITOWOC COUNTY BOARD \_\_\_\_\_ DATED \_\_\_\_\_

MANITOWOC COUNTY CLERK \_\_\_\_\_ DATED \_\_\_\_\_

PERSONALLY CAME BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_, THE ABOVE NAMED OWNERS, TO ME KNOWN TO BE THE PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THE SAME.

NOTARY PUBLIC \_\_\_\_\_ MY COMMISSION EXPIRES \_\_\_\_\_  
 COUNTY, WISCONSIN

STATE OF WISCONSIN ]  
 ] SS  
 COUNTY OF \_\_\_\_\_ ]

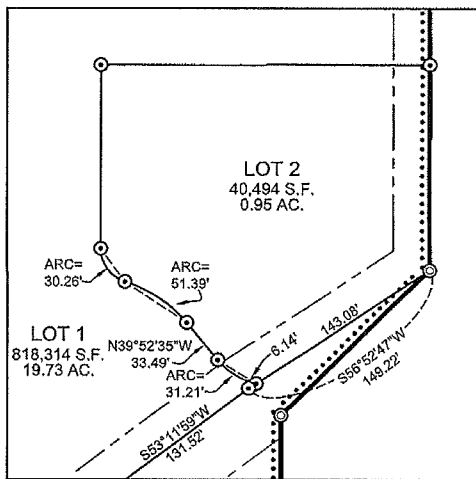
## CERTIFICATE FOR THE CITY OF MANITOWOC PLANNING DEPARTMENT

THIS CERTIFIED SURVEY MAP HAS BEEN SUBMITTED AND APPROVED BY THE CITY OF MANITOWOC PLAN COMMISSION THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

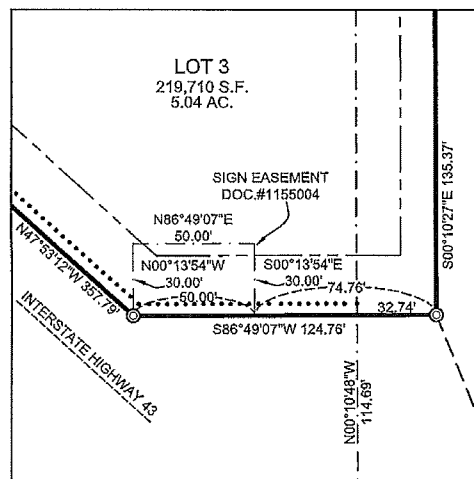
\_\_\_\_\_  
 SIGNATURE

\_\_\_\_\_  
 PRINT NAME

**DETAIL ONE**  
SCALE: 1"=100'



**DETAIL TWO**  
SCALE: 1"=60'



**Mach IV**

Engineering & Surveying LLC  
 211 N. Broadway, Suite 114, Green Bay, WI 54903  
 PH: 920-569-3783 Fax: 920-569-3787

CLIENT: GREENBERG FARROW

DRAFTED BY: RJO  
 TAX PARCEL NO.: 052-835-201-010.00

SCALE:

SHEET: 3 OF 3  
 PROJECT NO. 1055-02-16  
 DRAWING NO. 1201