

**IMPLEMENTATION PLAN FOR
RIVER POINT PLANNED UNIT
DEVELOPMENT (PUD)**

Recording Area

Name and Return Address

Community Development Dept.
900 Quay Street
Manitowoc, WI 54220

052-000-173-130; 052-000-173-040;
052-000-173-080; 052-000-173-140;
052-000-173-170; 052-000-173-090;
052-000-173-022; 052-000-173-150;
052-000-173-020; 052-000-173-110;
052-000-173-003; 052-000-173-023;
052-000-173-030; 052-000-173-001;
052-000-173-060; 052-000-173-160;
052-000-173-100; 052-000-173-000;
052-000-173-002; 052-000-173-010;
052-000-173-070

Parcel Identification Number (PIN)

This information must be completed by submitter: document title, name & return address, and PIN (if required). Other information such as the granting clauses, legal description, etc. may be placed on this page of the document or may be placed on additional pages of the document. NOTE: Use of this cover page adds one page to your document and \$2.00 to the recording fee. Wisconsin Statutes, 59.43(2m)

IMPLEMENTATION PLAN FOR PLANNED UNIT DEVELOPMENT (PUD)

CITY OF MANITOWOC, WISCONSIN

This Planned Unit Development (PUD), to be known as **River Point PUD** is approved this 20th day of, September 2021 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 shown in Exhibit A and described in Exhibit B which are 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 River Point PUD is created by the City of Manitowoc, WI, a municipal corporation and The Community Development Authority of the City of Manitowoc (CDA), Wisconsin.

WHEREAS, the CDA purchased the PROPERTY from Wisconsin Central Ltd, a Delaware corporation on April 12, 2019 by quit claim deed recorded in Volume 3209, Page 638, Document # 1204566,

WHEREAS, the CDA has recommended to the Common Council approval of the creation of the River Point PUD at its July 21, 2021 meeting;

WHEREAS, the City has approved a General Development Plan (GDP) and Conditional Use Permit on September 20, 2021 pursuant to Manitowoc Municipal Code (hereinafter "MMC") § 15.750(4) for the River Point PUD;

WHEREAS, the City has approved a Final Development Plan (FDP) on September 20, 2021 pursuant to MMC § 15.750(16) for River Point PUD;

WHEREAS, the City has authorized the preparation, execution and recording of the PLAN pursuant to MMC §15.750(17) for the River Point PUD; and

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

1. ***Existence of the PLAN for River Point PUD (#PC 27-2021).***

The City has created the PLAN for the PROPERTY to 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 PLAN shall 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 the River Point PUD #PC27-2021 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, said plans are incorporated by reference.

3. ***Subsequent Purchasers.***

A PUD is a zoning overlay district under MMC § 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 Zoning District that the property is located in.

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

Pursuant to MMC § 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 (MMC § 15.750(20)(a)) require the approval of the City's Planner or City's Engineer (MMC § 15.750(20)(b)).

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

A PUD is a zoning overlay district under MMC § 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. The depicted lots in Exhibit A shall govern development in these same geographic areas, regardless of whether lot numbers are modified after the date of this PUD 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 the date of this PUD shall include a reference to "River Point PUD #PC 27-2021" and underlying lot numbers identified in Exhibit A.

7. ***Development Standards.***

The development standards for the River Point PUD consist of a "River Point Permitted Uses and Lot Standards" document and a "River Point Design Guidelines" document. The official version dated September 20, 2021 and as updated from time to time, are on file in the Community Development Department at City Hall, 900 Quay Street, Manitowoc, WI 54220.

8. ***General Provisions.***

- a. ***Breach of PLAN.*** If at any time any provision or requirement stated in the PLAN have been breached by an 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.

- b. 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.
- c. 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.
- d. 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.
- e. Severability. If any provision 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.
- f. Amendments: Pursuant to MMC § 15.750(20), major changes to the PLAN (herein defined as changes to either the Implementation Plan for the PUD or the River Point Permitted Uses and Lot Standards document) require approval by the CITY and subsequent recording of a written amendment to the PLAN with recording fees to be paid by the requesting party. Minor changes to the PLAN (herein defined as changes to the River Point Design Guidelines document) require the approval of the City Planner or City Engineer. Owners/developers at the time of major changes shall be notified in writing of the proposed changes prior to approval by the Common Council.
- g. 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.
- h. 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.

- i. 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.
- j. 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.
- k. Entire Designation. This PLAN contains all provisions and requirements incumbent upon the Owner/Developer relative to River Point 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.
- l. 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.

COMMUNITY DEVELOPMENT AUTHORITY OF THE CITY OF MANITOWOC, WISCONSIN

By: [Signature]
Adam Tegen – Executive Director

9-28-2021
Date

STATE OF WISCONSIN)
)ss.
MANITOWOC COUNTY)

Personally came before me this 28th day of, September, 2021, the above signed Adam Tegen to me known who executed the foregoing instrument and to me known to be such Executive Director of the Community Development Authority of the City of Manitowoc, and acknowledged that they executed the foregoing instrument as such Officer of said Community Development Authority, by its authority.



Jennifer Bartz
Notary Public Jennifer Bartz
Manitowoc County, Wisconsin
My commission (expires)(is): 8/17/2024

CITY OF MANITOWOC

By: [Signature]
Justin M. Nickels, Mayor

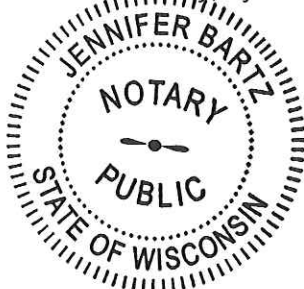
9/28/21
Date

By: [Signature]
Mackenzie Reed-Kadow, City Clerk

9-28-2021
Date

STATE OF WISCONSIN)
)ss.
MANITOWOC COUNTY)

Personally came before me this 28th day of, September, 2021, the above signed Justin M. Nickels and Mackenzie Reed-Kadow, to me known who executed the foregoing instrument and to me known to be such Mayor and City Clerk 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.



Jennifer Bartz
Notary Public Jennifer Bartz
Manitowoc County, Wisconsin
My commission (expires)(is):
8/17/2024

River Point PUD

Exhibit A

Riverside
West

Open
Space

Riverside North

Center North

Riverside South

Center South

Riverside South

RIVER POINT DR.

MANTOWOC RIVER

CHICAGO ST.

N. 11TH ST.

BUFFALO ST.

N. 10TH ST.

East 11th

YORK ST.

West 10th

MARITIME DR.

Open Space



0 200 400
Feet

Exhibit B

DESCRIPTION:

River Point PUD parcel

A parcel of land located in Blocks 2, 148, 149, 150, 151, 152, 168, 169, 170, 171, 172, 173 and 185 of the Original Plat of the City of Manitowoc and adjacent vacated streets, being part of Government Lot 5 of Section 19 and Government Lot 3 of Section 30, Town 19 North, Range 24 East, City of Manitowoc, Manitowoc County, Wisconsin, described as follows:

Commencing at the NE Corner of said Section 30; Thence N 87°35'26" W, 366.28 feet coincident with the north line of said Government Lot 3 to a point on the west line of N. 11th street being the point of beginning; Thence N 00°52'37" E, 78.32 feet coincident with said west line of N. 11th street to a meander line being S 00°52'37" W, ±61 feet from the approximate Ordinary High Water Mark of the Manitowoc River; Thence N 74°02'44" W, 882.94 feet coincident with said meander line; Thence S 61°01'35" W, 53.26 feet coincident with said meander line to a point on the north line of an existing parcel recorded in volume 243, page 314, document 306352, being S 88°45'41" E, ±28 feet from said approximate Ordinary High Water Mark of the Manitowoc River; Thence S 88°45'41" E (recorded as N 88°48'40" W), 30.00 feet; Thence Southerly, 128.67 feet along the arc of a 301.89 foot radius curve to the right the chord of which bears S 11°42'41" E (recorded as N 11°45'40" W), 127.70 feet; Thence S 00°29'19" W (recorded as N 0°26'20" E), 118.70 feet; Thence N 88°20'41" W (recorded as S 88°23'40" E), 1.25 feet; Thence Southerly, 123.97 feet along the arc of a 240.49 foot radius curve to the left the chord of which bears S 13°04'41" E (recorded as N 13°07'40" W), 122.60 feet all coincident with the easterly line of said existing parcel recorded in volume 243, page 314, document 306352; Thence S 48°19'19" W, 20.00 feet to a meander line on the south line of said parcel, being N 48°19'19" E, ±44 feet from said approximate Ordinary High Water Mark of the Manitowoc River; Thence S 49°52'04" E, 1515.55 feet coincident with said meander line to a point on the west line of N. 10th Street as described in volume 755, page 408, document 609214, being N 01°03'40" E, ±24 feet from said approximate Ordinary High Water Mark of the Manitowoc River; Thence N 01°03'40" E (recorded as S 00°40'15" W), 15.00 feet; Thence S 88°56'20" E (recorded as S 89°19'45" W), 9.00 feet; Thence N 00°50'35" W (recorded as S 02°34'30" E), 120.06 feet; Thence N 02°55'01" E (recorded as S 01°11'06" W), 308.99 feet; Thence S 89°30'20" E (recorded as S 88°45'45" W), 1.00 feet all coincident with said west line of N. 10th Street as described in volume 755, page 408, document 609214; Thence N 01°03'40" E, 40.27 feet to the southeast corner of said Block 168; Thence N 89°31'05" W, 100.00 feet coincident with the south line of said Block to the southwest corner of Lot 11; Thence N 01°03'40" E, 110.00 feet to the northwest corner of said Lot 11; Thence N 89°31'05" W, 100.00 feet to the southwest corner of Lot 4; Thence N 01°03'40" E, 115.00 feet coincident with the west line of said Lot 4 and its northerly extension to the south line of Buffalo Street as established by the Resolution Vacating Street Area, recorded in document 470436; Thence N 89°31'05" W, 165.97 feet coincident with said south line of Buffalo Street to said west line of N. 11th Street; Thence N 01°20'53" E, 35.00 feet; Thence N 01°02'59" E, 300.32 feet; Thence N 89°25'09" W, 0.55 feet; Thence N 00°52'37" E, 11.68 feet all coincident with said west line of N. 11th Street to the point of beginning. Said parcel includes all of that land lying between the meander lines and the Ordinary High Water Mark of the Manitowoc River.

The afore description includes the Certified Survey Map recorded in volume 35, page 207, document number 1240183.

EXCEPTING THEREFROM the following:

A tract of land located in Lot 5, Block 168 of the Original Plat of the City of Manitowoc, Manitowoc County, Wisconsin and a portion of the vacated Buffalo Street right of way described as follows:

The East 30 feet of Lot 5, Block 168 of the Original Plat of the City of Manitowoc, Manitowoc County, Wisconsin and that portion of the vacated Buffalo Street right of way being 5 feet wide adjacent to said East 30 feet of said Lot 5.

River Point Permitted Uses and Area Regulations

Permitted Uses

Mixed-use housing

Description: One or more dwelling units located in a building, commonly on the second floor, that also houses a commercial land use, such as a retail use or a professional office.

Parking Requirements: 1 space for each dwelling unit

Supplemental Standards: A dwelling unit on the second floor shall be served by stairs inside of the building (i.e., exterior stairs are not permitted).

Multi-family

Description: A building containing more than 2 dwelling units that is situated on one lot. The units may be rented or owned as in a condominium.

Parking Requirements: 1 space for each dwelling unit

Supplemental Standards: (a) Density. Number of units shall not exceed 1 unit per 500 square feet of the parcel area. (b) Number of principal buildings per parcel. More than one multi-family building may be located on a parcel of land, provided the overall density is maintained.

Multi-family, 2 units

Description: A building containing 2 dwelling units that is situated on one lot. The units may be rented or owned as in a condominium. The term includes various construction types including modular homes, panelized homes, pre-cut homes, and site-built homes. (Sometimes referred to as duplex.)

Parking Requirements: 1 space for each dwelling unit

Supplemental Standards: (a) Number of principal buildings per parcel. More than one 2-unit multi-family building may be located on a parcel of land. (b) Garage required. Garage shall be built for each dwelling unit at the same time the 2-unit multi-family building is being constructed and must be attached.

Townhouse

Description: A building containing 3 to 8 dwelling units that are separated by a party wall that extends from the ground to the roof and each of the units are located on a separate lot and have a separate entrance. (Sometimes referred to as single-family attached or rowhouse.)

Parking Requirements: 1 space for each dwelling unit

Supplemental Standards: (a) Lot area. No more than 70 percent of the lot area shall be occupied by a building. (b) Utility service. Each dwelling unit shall have independent service connections to all utilities, including water, sewer, and electricity. (c) Subsequent divisions. Individual townhouses shall not be further subdivided. (d) Driveways. When more than one garage is located in the front of a townhouse, a common driveway shall be used whenever possible. (e) Vertical off-sets. When a building includes 5 or more dwelling units, there shall be a vertical offset of at least 2 feet between each adjoining dwelling unit. (h) Garage required. Garage shall be built for each dwelling unit at the same time the townhouse building is being constructed and must be attached.

Overnight lodging

Description: A place where individual guest rooms with private bathrooms are offered to transient guests for rent. This use may also include (1) recreational/fitness rooms and a food service area for the exclusive use of guests and (2) banquet facilities for meetings and other gatherings. The term includes hotels and motels but does not include bed and breakfasts.

Parking Requirements: 1 space for each guest room and 1 space for each employee on the largest work shift, plus any required spaces for other uses such as restaurants or banquet facilities

Supplemental Standards: (a) State permit. Prior to the establishment of overnight lodging, the operator shall obtain a hotel/motel permit from the Wisconsin Department of Health Services, or the department's authorized agent, and maintain such permit for the life of the use or until the department no longer requires such permit.

Brewpub

Description: A place where fermented malt beverages are manufactured and those beverages, along with other beverages and food, are offered for retail sale and on-site consumption.

Parking Requirements: None

Supplemental Standards: (a) Limitation on floor area devoted to production. No more than 40 percent of the floor area shall be devoted to the production of fermented malt beverages, including storage of raw materials and finished products. (b) Limitation on production. Not more than 10,000 barrels (310,000 gallons) of fermented malt beverages may be manufactured in a calendar year. (c) State permit. Prior to the establishment of a brewpub, the operator shall obtain the necessary State permits.

Restaurant

Description: A place where food and beverages are offered for retail sale for on-site or off-site consumption, and where the on-site consumption of fermented malt beverages, wine, or liquor, if any, is clearly secondary and subordinate to the sale of food and nonalcoholic beverages. A restaurant may also prepare food as part of a catering business. The term does not include a grocery store with a food service section.

Parking Requirements: None

Supplemental Standards: (a) State permit. Prior to the establishment of a restaurant, the operator shall obtain a restaurant permit from the Wisconsin Department of Health Services, or the department's authorized agent, and maintain such permit for the life of the use or until the department no longer requires such permit. (b) Liquor license. If the establishment serves liquor, the operator shall obtain a liquor license from the City and maintain such license for the life of the use or until the license is no longer required.

Tavern

Description: A place where fermented malt beverages, wine, or liquor are offered for retail sale for on-site consumption and where food consumption, if any, is clearly secondary and subordinate to the sale of alcoholic beverages. The term includes bars, drinking establishments, sports bar, lounges, and other similar uses.

Parking Requirements: None

Supplemental Standards: (a) Liquor license. Prior to the establishment of a tavern, the operator shall obtain a liquor license from the City and maintain such license for the life of the use or until the license is no longer required. (b) Compliance with state requirements. A tavern shall comply with requirements as may be adopted by the state of Wisconsin.

Retail sales and rentals

Description: An establishment providing retail or rental services.

Parking Requirements: None

Supplemental Standards: (a) Licensing. Certain retailers must obtain a license from the city as set forth in Chapter 11 of the municipal code. (b) All retail or rental activities shall be conducted entirely within the confines of a building unless specifically permitted by city staff.

Administrative and general services

Description: A place where employees primarily perform administrative or general functions. The term includes data processing centers, customer service centers via telecommunications, architectural firms, engineering firms, photography studios, weight loss centers, commercial postal services, beauty shops, pet grooming shops, photocopying and printing services, linen services, dry cleaning services, diaper services and other similar uses.

Parking Requirements: None

Supplemental Standards: Aside from generally applicable standards, no special standards apply to administrative and general services.

Financial and professional services

Description: A place where financial, banking, and professional services are offered. The term includes banks, savings and loan institutions, other lending institutions, auto title loan businesses, payday loan businesses, law offices, real estate offices, insurance offices, travel agencies, and other similar uses.

Parking Requirements: None

Supplemental Standards: A payday loan business or auto title loan business shall not be located within 5,000 feet of another payday loan business or auto title loan business or within 150 feet of a residential zoning district or a planned development district that allows residential uses.

Health care clinic

Description: A place where medical services are offered and patients do not stay overnight. The term includes dental clinics, medical offices, chiropractic offices, acupuncture centers, and sports medicine facilities and other similar uses. The term does not include a health care center/hospital.

Parking Requirements: None

Supplemental Standards: Aside from generally applicable standards, no special standards apply to health care clinics.

Indoor entertainment and recreation

Description: A place where indoor entertainment or recreation is offered. The term includes theaters, movie theaters, dance halls, theaters for performing arts, bowling alleys, skating rinks, billiard and pool halls, arcades and other similar uses. The term does not include adult-oriented establishments.

Parking Requirements: None

Supplemental Standards: Aside from generally applicable standards, no special standards apply to indoor entertainment and recreation.

Park and recreation trails

Description: A place where primarily outdoor recreational activities may occur. A park may be operated by a public entity for the benefit of the general public or by a homeowners association for the benefit of its members. A park may be developed with recreational facilities or undeveloped. When operated by a public entity, the term includes zoos, dog parks, farmers market, and neighborhood recreation centers.

Parking Requirements: None

Supplemental Standards: Aside from generally applicable standards, no special standards apply to parks and recreation trails.

Artisan shop

Description: A place where handmade craft items or works of art are made on a small-scale and offered for retail sale. Examples of such items include paintings, textiles, weaving, photography, sculptures, pottery, leather products, handmade paper, jewelry, hand-blown glass, small wooden items, candles, soaps, lotions, and other similar items.

Parking Requirements: None

Supplemental Standards: (a) Generally. All materials and activities, except loading and unloading, shall be conducted entirely within an enclosed building. (b) Demonstrations and workshops. The operator may conduct demonstrations and workshops within the confines of the building or onsite exterior areas.

Light Manufacturing

Description: A place where products or parts are manufactured, including processing, fabrication, assembly, treatment, packaging, incidental storage, and administrative offices. The term includes a tool and die maker, furniture production, metal fabrication, apparel manufacturing, printing, publishing and other similar uses.

Parking Requirements: None

Supplemental Standards: (a) Restriction on location of manufacturing processes. All manufacturing processes shall be conducted entirely within the confines of a building and be compatible with adjacent existing or planned land uses.

Lot Standards

WEST – 10th DISTRICT

- Land Uses Allowed :
 - Multiple Family Residential, Mixed-use Housing, Projects consistent with site plan SP 17-2021.
- Setbacks:
 - York Street, 10th, 11th Streets – No setback from the street line required.
 - River Point Drive – 4' Minimum Building Setback
 - Side Yard. No side yard shall be required.
 - Rear Yard. No rear yard shall be required.
 - Parking lots adjacent to rights-of-ways, alleys or public property require a 5' setback for landscaping unless noted otherwise.
- Minimum lot Size & Width:
 - Minimum Size - 1.5 acres (65,340 s.f.)
 - Minimum Average lot width - 50'
- Building Height :
 - No Building Height maximum
 - Building Height minimum – 35'

EAST – 11th DISTRICT

- Land Uses Allowed :

- Mixed-Use Housing, Brewpub, Restaurant, Tavern, Retail sales and rentals, Administrative and general services, Financial and professional services, Health care clinic, Indoor entertainment and recreation, Artisan shop
- Setbacks:
 - Front Yard. York, Buffalo, N. 11th Streets – No setback from the street line required. All buildings shall be constructed up to the street line except if altered by the Community Development Department based on architectural or design characteristics which maintain an active edge. A building may be setback, with approval from the department, if an open air dining, deck, patio, beer garden or similar use is located in the setback area see design guidelines.
 - Side Yard. No side yard shall be required
 - Street side yard: No street side yard shall be required
 - Rear Yard. No rear yard shall be required
 - Parking lots adjacent to rights-of-ways, alleys or public property require a minimum 5' setback for landscaping unless noted otherwise. See River Point Design Guidelines.
- Minimum lot Size & Width:
 - Minimum Size - 5,500 s.f.
 - Minimum Average lot width - 50'
- Building Height :
 - No Building Height maximum
 - Building Height minimum – 2 story or 35'

RIVERSIDE – SOUTH DISTRICT

- Land Uses Allowed :
 - Mixed-Use Housing, Brewpub, Restaurant, Tavern, Retail sales and rentals, Administrative and general services, Financial and professional services, Health care clinic, Indoor entertainment and recreation, Artisan shop
- Setbacks:
 - Front Yard. River Point Drive – No setback from the street line required. All buildings shall be constructed up to the street line except if altered by the Community Development Department based on architectural or design characteristics which maintain an active edge. A building may be setback, with approval from the department, if an open air dining, deck, patio, beer garden or similar use is located in the setback area.
 - Side Yard. No side yard shall be required.
 - Rear Yard (along river bike / ped trail) – No rear yard shall be required. All buildings shall be constructed up to the rear yard line except if altered by the Community Development Department based on architectural or design characteristics which maintain an active edge. A building may be setback, with approval from the department, if an open air dining, deck, patio, beer garden or similar use is located in the setback area.
 - Parking lots adjacent to rights-of-ways, alleys or public property require a 5' setback for landscaping unless noted otherwise. See River Point Design Guidelines.
- Minimum lot Size & Width:
 - Minimum Size - 5,500 s.f.
 - Minimum Average lot width - 50'

- Building Height: Maximum of two stories or 35’.

CENTER – SOUTH DISTRICT

- Land Uses Allowed :
 - Mixed-Use Housing, Multi-family, Overnight lodging, Brewpub, Restaurant, Tavern, Retail sales and rentals, Administrative and general services, Financial and professional services, Health care clinic, Indoor entertainment and recreation, Park and recreation trails, Artisan shop
- Setbacks:
 - N. 11th Street, Buffalo Street and River Point Drive : All buildings shall be constructed up to the street line except if altered by the Community Development Department based on architectural or design characteristics which maintain an active edge. A building may be setback, with approval from the department, if an open air dining, deck, patio, beer garden or similar use is located in the setback area.
 - Front Yard. No setback from the street line required.
 - Side Yard. No side yard shall be required.
 - Rear Yard – No rear yard shall be required.
 - Parking lots adjacent to rights-of-ways, alleys or public property require a 5’ setback for landscaping unless noted otherwise. See River Point Design Guidelines.
- Minimum lot Size & Width:
 - Minimum Size - 5,500 s.f.
 - Minimum Average lot width - 50’
- Building Height :
 - No Building Height maximum
 - Building Height minimum – 35’

CENTER – NORTH DISTRICT

- Land Uses Allowed :
 - Mixed-Use Housing, Multi-family, Overnight lodging, Brewpub, Restaurant, Tavern, Retail sales and rentals, Administrative and general services, Financial and professional services, Health care clinic, Indoor entertainment and recreation, Artisan shop.
 - N. 11th Street frontage. The first floor uses along N. 11th Street shall not include any residential uses.
- Setbacks:
 - Buffalo, N. 11th Streets – 0’ building street side setback
 - River Point Drive, Chicago Street – 10’ building street side setback
 - Parking lots adjacent to rights-of-ways, alleys or public property require a 5’ setback for landscaping unless noted otherwise. See River Point Design Guidelines.
- Minimum lot Size & Width:
 - Minimum Size - 5,500 s.f.
 - Minimum Average lot width - 50’
- Building Height :
 - No Building Height maximum
 - Building Height minimum – 35’

RIVERSIDE – NORTH DISTRICT

- Land Uses Allowed :

- Townhouse preferred but Mixed-Use Housing, Multi-family, Multi-family, 2 units, Townhouse, Brewpub, Restaurant, Tavern, Retail sales and rentals, Administrative and general services, Financial and professional services, Health care clinic, Artisan shop, and Light Manufacturing with retail component would be considered.
- Setbacks:
 - Chicago Street – 20’ building street side setback
 - Bike / Pedestrian Trail – 5’ building setback, a patio, deck can be in the 5’ setback area.
 - Parking lots adjacent to rights-of-ways, alleys or public property require a 5’ setback for landscaping unless noted otherwise. See River Point Design Guidelines.
- Minimum lot Size & Width:
 - Minimum Size - 5,500 s.f.
 - Minimum Average lot width - 50’
- Building Height :
 - Residential - 35’
 - Commercial – 20’
 - Mixed use Residential & Commercial – 35’

RIVERSIDE – WEST DISTRICT

- Land Uses Allowed :
 - Mixed-Use Housing, Multi-family, Multi-family, 2 units, Townhouse, , Overnight lodging, Brewpub, Restaurant, Tavern, Retail sales and rentals, Administrative and general services, Financial and professional services, Health care clinic, Indoor entertainment and recreation, Park and recreation trails, Artisan shop, and Light Manufacturing with retail component would be considered.
- Setbacks:
 - River Point Drive, Chicago Street, River and Trail –10’ building setbacks
 - Parking lots adjacent to rights-of-ways, alleys or public property require a 5’ setback for landscaping unless noted otherwise. See River Point Design Guidelines.
- Minimum lot Size & Width:
 - Minimum Size - 5,500 s.f.
 - Minimum Average lot width - 50’
- Building Height: Maximum of two stories or 35’.

SUPPLEMENTAL USES AND STANDARDS

- Any appeals to the River Point PUD Lot Standards shall be brought to the Community Development Authority for final decision.
- No tax exempt uses are allowed in the River Point District unless a payment in-lieu of taxes agreement is entered into by the City and property owner or approval is granted by City.
- All projects must follow the Site Plan Requirements as described in Chapter 15 Comprehensive Zoning Ordinance of the Municipal Code.

LANDSCAPING REQUIREMENTS

- Landscaping Standards for Off-Street Parking Areas (Parking Lots) can be found in Section 15.690 in the Zoning Code. All other Landscaping Standards are as follows:
- General Landscaping for Off-Street Parking Areas, Street Frontage and Building Foundations.
 - All plant material shall be healthy, vigorous, and free of disease and insects.

- **Street frontage landscape requirements**
 - Minimum amount required. A minimum of 60 landscape points shall be provided along a public street right-of-way on a prorated basis for every 100 linear feet of frontage.
 - Placement on lot. Plants required by this section shall be located within 10 feet of the public right-of-way. In no instance shall such landscaping be located within a public right-of-way, unless approved by the City.
 - The following trees shall not be used as street frontage trees because of undesirable traits (e.g., weak wood, form, fruit/nut litter): silver maple, box elder, butternut, black walnut, any other tree so designated by the Community Development Department.
 - A minimum of 50 percent of the required landscape points shall be devoted to tall deciduous trees and a minimum of 30 percent of the points shall be devoted to medium deciduous trees.
 - Due to site constraints such as setbacks, slope, utilities or similar items the Community Development Department reserves the right to allow flexibility in landscaping location if the general intent of the landscaping regulations are followed.
- **Building foundation landscape requirements**
 - Minimum amount required. A minimum of 50 landscape points shall be provided on a prorated basis for every 100 feet of building foundation perimeter. For example, a building with a perimeter of 180 feet must provide a minimum of 90 landscape points $((180/100)*50)=90$.
 - Placement on lot. Plants required by this section shall be placed so that, at maturity, the dripline of each plant is generally located within 10 feet of the building foundation. As a general rule, plants shall be distributed around the entire perimeter of the building. Such landscaping shall not be located in those areas required for landscaping as street frontages or parking areas.
 - Use of various plant types. Tall trees shall not be used to meet building foundation landscape requirements. The intent of this section is to require a visual break in the mass of buildings and to require a visual screen of a minimum of 6 feet in height for all exterior perimeter appurtenances, such as ground mounted HVAC units and utility boxes.
- **Landscape Points and Minimum Planting Sizes**

Plant Category	Minimum Planting Size	Points
Tree		
Tall Deciduous Tree (40 – 100 feet)	2 ½" Caliper	30
Medium Deciduous Tree (30 – 40 feet)	1 ½" Caliper	15
Low Deciduous Tree (15 – 30 feet)	¾" Caliper	10
Tall Evergreen Tree	5' Tall	30
Medium Evergreen Tree	4' Tall	20
Low Evergreen Tree	3' Tall	12
Shrub		
Tall Deciduous Shrub	36" Tall	5
Medium Deciduous Shrub	24" Tall	3
Low Deciduous Shrub	18" Tall	1
Tall Evergreen Shrub	24" Tall	5
Medium Evergreen Shrub	18" Tall	4
Low Evergreen Shrub	12" Tall	3

- In the calculation of landscaping points; building facades that do not have a front, rear or side yard setback do not need to include that building façade length into their landscaping point calculation or provide street frontage landscaping.
- All building facades or parking lots that have a front, rear or side yard setback shall be landscaped.
- Landscape plans shall be prepared by a landscape architect or landscape contractor whose main profession is landscaping.
- All parking lots require a minimum 5' landscaping buffer unless due to unique site or building characteristics the buffer is impracticable. The Community Development Department reserves the right to make changes to the buffer size and location if the intent of the guidelines is still being met. The intent of the landscaping buffer is for the placement of grass, sod, bushes, trees and other landscaping amenities such as benches, art, or fountains. The placement of only grass, sod or decorative stone does not meet the landscaping intent.
- Parking lots are to be curbed unless amended by the Community Development Department.
- Prohibited plants. Plants specifically designated as invasive by the Wisconsin Department of Natural Resources or other state agency shall not be planted and shall not be used. It is encouraged that landscape plans follow "A guide to selecting landscape plants for Wisconsin" University of Wisconsin – Extension, Publication A2865 as amended.
- Adjustments to Landscaping Requirements. The Community Development Department may authorize adjustments to the requirements where literal compliance with the specifications and standards under this section would make the landscaping ineffective or unnecessary. Existing land use conditions, topographic constraints, existing vegetation, traffic safety, or compliance with fire or other public safety requirements may necessitate adjustments. If the Department determines that the location of landscape materials within the landscape area is not appropriate or feasible, the Department may require that at least an equivalent area of landscape treatment be added elsewhere on the site.
- Turf areas may be sodded or seeded. In areas subject to erosion, sod shall be used. Sod shall be commercially grown and clean and free of weeds, noxious pests, and diseases.
- Where mulch is used as a ground treatment, it shall be applied to a maximum depth of 4 inches. A landscape fabric may be placed between the soil and mulch to impede weed growth.
- Landscape plantings as required by this section may be satisfied in whole, or in part, by preserving existing trees and shrubs on the subject property. A tree, on the same property, is eligible for credit if it is within 10 feet of the area to be landscaped. Trees used for a credit shall be healthy and not be damaged from skinning, barking and the like. The City reserves the right to determine if a tree can be used for a credit.
- Random Placement. To the extent possible, plants shall be randomly placed so as to give a natural appearance.
- Planting Beds. Where required, shrubs shall be placed in planting beds with mulch. Planting beds shall be a minimum of 5' unless amended by the Community Development Department.
- Snow Storage. Landscape plants should not be located in areas reserved for snow storage.

- Proximity to overhead utility lines and the like. Trees and shrubs shall not be placed where they will require frequent pruning in order to avoid interference with overhead utility lines, buildings, or other structures.
- All landscaping shall be maintained in good condition so as to present a healthy, neat, and orderly appearance, free from refuse, weeds, and debris.
- Responsibilities. The current landowner shall be responsible for maintaining the vegetation, irrigation system, screening devices, and other landscape components as may be required by this article.
- Maintenance practices. Maintenance shall consist of regular and normal maintenance practices of landscaping including weeding, irrigation, fertilizing, pruning, and mowing. Plant materials that exhibit significant levels of insects, pests, diseases, or damage shall be treated as appropriate.
- Replacement, generally. Plant materials which were planted as required by this article or which were used as a credit and which die or are irreparably damaged shall be removed and replaced with living plant materials consistent with the approved landscape plan or as required by this article.
- Plant Diversity is required. No more than 50% of the plants shall be of the same species.
- Landscaping treatments shall comply with vision triangle requirements.
- All dumpsters shall be site screened, with a masonry wall that complements the principal building unless an alternative site screen is approved by the Community Development Department.
- Anticipated future development. Where an approved site plan depicts a future building extension, the foundation landscaping requirement shall be calculated by measuring the length of the total perimeter. However, foundation plantings need only be installed based on the landscape points calculated from the portions of the building perimeter that will not be affected by building extension. If this results in point requirements which are not met through the initial planting, then such requirement shall be met within 5 years of building permit issuance, or as extended in writing by the Community Development Department.

STORMWATER REQUIREMENTS

- All properties shall follow Chapter 28 “Stormwater Management” in the Municipal Code.
- Property owners shall have no more than 80% of their lot covered by impervious surfaces, excluding the River North District. If more than 80% impervious is proposed, the developer shall provide storm water treatment that provides at least 40% TSS removal for all impervious surfaces over 80% of the total lot area.
- The Riverside North District shall have no more than 50% of their lot covered by impervious surfaces. If more than 50% impervious is proposed, the developer shall provide storm water treatment that provides at least 40% TSS removal for all impervious surfaces over 50% of the total lot area.
- See Stantec’s “Proposed Hydrology” plan sheets EXH.2 thru EXH.5.

- The City and Developer, upon mutual agreement, may find alternative means and methods to the stormwater requirements to meet this section.

SIGN REQUIREMENTS

- Permissible Signs: See SD-04 “Downtown Core” in the Sign Code (Chapter 31) for details unless revised in these guidelines.
 - Wall Sign: Back lit channel letters only.
 - Awning Sign – No revisions
 - Marque Sign – No revisions
 - Projecting Sign – No revisions
 - Sidewalk Sign – No revisions
 - Suspended Sign – No revisions
 - Window Sign – No revisions
 - Supplemental Sign –No revisions
 - Electronic Message Displays – Prohibited
- Architectural and Design creativity are encouraged in sign design. The Community Development Department may make exceptions to the sign guidelines if the intent and character of the River Point PUD is maintained and a Master Sign Document has been submitted, reviewed and approved by the department. See River Point Design Guidelines for additional design recommendations.
- Properties abutting the Manitowoc River bike and pedestrian trail: property lines abutting the bike and pedestrian trail can be treated similar to a street frontage as detailed in the Sign Ordinance. Awning, projecting, wall and window signage along the river lot frontages are allowed. The intent is to encourage appropriate signage for users of the trail and Manitowoc River promoting an active and vibrant corridor.

City of Manitowoc

River Point Design Guidelines

September 20, 2021

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About this Guide

The River Point Design Guidelines are first and foremost a resource for property owners, builders, architects, and realtors to use in order to understand the reasons for, the proper methods of, and the overall benefits of high-quality building design, both to the individual and the City of Manitowoc as a whole.

These guidelines are intended to advise ways in which property and business owners can take advantage of River Point's natural beauty and history, by following the appropriate methods for improving buildings and property. These design guidelines should be used in concert with the Manitowoc Downtown Design Guidelines to create a diverse building and site fabric that also blends with the historic identity of Downtown Manitowoc.

Each individual building façade plays an important role in the makeup of the River Point. Storefronts, window displays, signage, color, canopies, and architectural details all play an integral part in the successful design of individual buildings.

In order to receive a Certificate of Appropriateness to complete a project within the River Point District, initial contact should be made with the Community Development Department. The Department will assist in interpretation of the guidelines as well as the review process while serving as the liaison with the Community Development Authority (CDA). Depending on the scale of the project, the Certificate of Appropriateness will be issued by the Department or the CDA.

These design guidelines are crafted to function in harmony with the City of Manitowoc's existing policies, ordinances, and codes. Nothing in the Building Design Guidelines shall affect the applicability of the Manitowoc Municipal Code. Where sub-area guidelines are also applicable, the Building Design Guidelines are to be utilized in conjunction with said documents and the provisions of both shall pertain; however, when in conflict, the more specific guidelines shall take precedence.

Background

The City of Manitowoc's River Point is a unique space that will serve as an adaptive reuse of railroad and industrial land that harkens back to the City's origins. In order facilitate high-quality building and site design on the River Point peninsula, the City has approved a Planned Unit Development (PUD) for the property. Specifically the City approved a General Development Plan (GDP) and a Conditional Use Permit on September 20, 2021 pursuant to Manitowoc Municipal Code § 15.750(4) for the River Point PUD. Both sections support the goals and objectives of the City's adopted Comprehensive Plan and Downtown Master Plan. Both documents highlight the importance of a healthy and vibrant downtown and the positive economic benefits that come from the downtown, including River Point. Within the River Point District, there is the requirement to have projects obtain a Certificate of Appropriateness. These guidelines are intended to provide assistance and direction on the necessary aspects to take into account when considering a project.

Building & site design is a key element in the built environment that contributes to Manitowoc's success as a community. In order to preserve and build on Manitowoc's architectural heritage, the City has embraced design principles and guidelines in its most recent planning documents, namely the Downtown Design Guidelines, Downtown Master Plan, and City of Manitowoc Comprehensive Plan.

Goals

This design guide will:

- Address all structures and site design on River Point, including residential, mixed use, commercial, office, industrial, and any institutional uses.
- Facilitate innovative and creative building & site design and development.
- Ensure that projects within River Point are judged according to consistent criteria.
- Result in a comprehensive, complete, applicant design submission and provide design review guidance.

Application of the Design Guide

The River Point Design Guidelines shall be applicable in the following locations on the following map. Where the River Point Design Guidelines are not applicable, the Downtown Design Guidelines will be.

River Point PUD

Exhibit A

Riverside
West

Open
Space

Riverside North

Center North

Riverside South

Center South

Riverside South

RIVER POINT DR.

MANTOWOC RIVER

CHICAGO ST.

N. 11TH ST.

BUFFALO ST.

N. 10TH ST.

East 11th

YORK ST.

West 10th

MARITIME DR.

Open Space



0

200

400

Feet

Building Design Guidelines

This Section contains nineteen guidelines, divided into categories based on four connected ways of looking at building design. Each guideline has an overall description and related principles that are illustrated with images.

The categories are:

A: Context Fit addresses aspects of building massing and location that are influenced by the context of the adjacent building environment.

B: Pedestrian Friendliness relates to design aspects of buildings, public spaces, and the exterior of adjacent building that affect the pedestrian experience and make spaces “pedestrian-friendly.”

C: Visual Attractiveness address elements of architectural design that result in visually appealing buildings.

D: Sustainable Design describes techniques and technologies that can be utilized to minimize environmental impact and relate people to the natural environment.

A: Context Fit

The purpose of this section is to identify existing neighborhood characteristics that should be enhanced or incorporated into the building design of new or infill development projects. Where existing neighborhood elements may not yet exist on River Point, adjacent Downtown Manitowoc should be referenced. In addition, this section addresses neighborhood compatibility and transitions to adjacent buildings and street frontages.

A1. Design Context

Building Design should provide contextual references to its surrounding built environment. Design context could include natural features such as a river, lake, park or open space; man-made landforms; historic and cultural contexts; and existing architecture. Attention to these features and the planned use of blocks on River Point should be referenced.

A1.1

Buildings should blend with natural or man-made landforms or natural features, especially the Manitowoc River, central boulevard on North 11th Street, and riverside trail. The goal is to maximize access to both scenic view and or surrounding contextual streetscape.



Figure A1.1a: Building architecture can relate to existing or man-made features, such as this retention pond.



Figure A1.1b: *Scenic view access is provided to the adjoining river and open space.*

A1.2

Buildings should be arranged to relate to each other and to create view corridors that promote visual access from the site to adjacent neighborhoods. View corridors are spaces that frame views from one location to another. Streets are one type of view corridor; pedestrian walkways are another.

A1.3

Buildings should be arranged in a manner that creates a sense of enclosure and defined space.



Figure A1.3a: *Office buildings create a sense of enclosure around a central open space amenity.*

A1.4

A site's buildings should be arranged so that they help to frame and define the fronting and internal streets, giving deliberate form to streets and sidewalk areas.

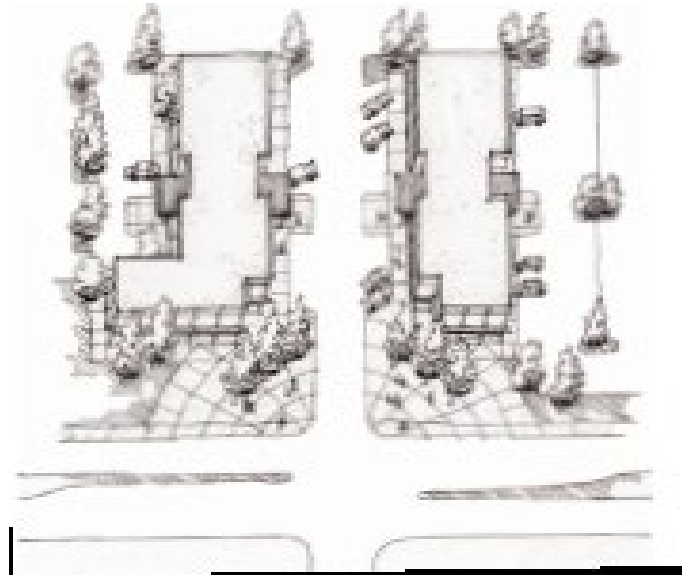


Figure A1.4a: Retail buildings create a facing commercial frontage and provide visual access from the adjacent neighborhood.

A1.5

For infill sites, buildings should be set back from the street in accordance with the predominant line of building massing (setback) along the street in order to create a defined streetscape and sense of place. See River Point Permitted Uses and Lot Standards for setback information. Also, reference the Downtown Manitowoc Design Guide for infill within historic buildings.

A1.6

Buildings that have a distinctive architectural, historic or cultural context should incorporate those elements through the use of similar or compatible styles, materials, architectural detailing or other appropriate references.

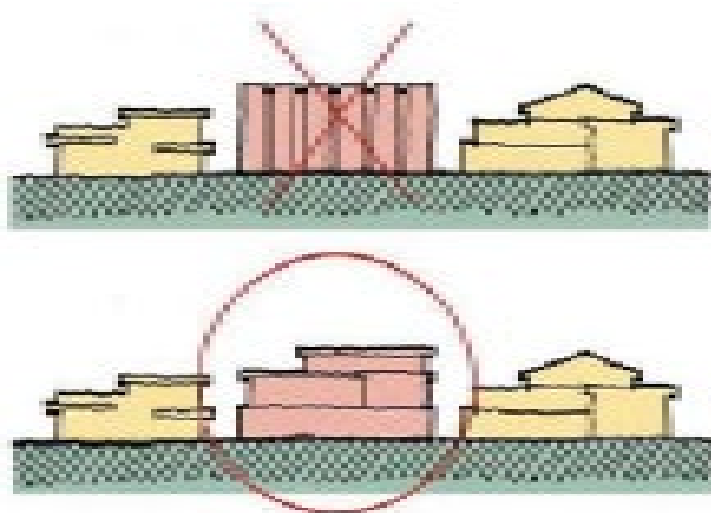


Figure A1.6a: *In the lower example the middle building fits better with its architectural context by use of horizontal articulation.*

A1.7

In areas where the existing context is not well-defined, new development may be recognized as a pioneer with the opportunity to establish a pattern of identity from which future development can take its cues. The site's zoning and other relevant policies should be considered as indicators of the desired direction for the area and project. One should also look to precedent within other communities with similar characteristics as River Point. This will guide appropriate architectural style.

A2. Building Mass Transition

Building mass is defined as the physical volume or bulk of a structure and can be measured by height and size of the building footprint. Building mass is an important factor that affects functional and visual compatibility between adjacent neighborhoods and different land uses. The following design guidelines promote coordination and continuity of the proposed development and the development efforts throughout the neighborhood through creation of a gradual transition between different building masses.

A2.1

Buildings at the outer edge of an activity center should be comparable in height and mass with the surrounding neighborhood.

A2.2

Adverse visual (view) impacts of a massive building should be minimized or mitigated through the use of visual buffers, neighborhood-compatible architecture and building mass and siting techniques. Large buildings should be broken into multiple buildings if possible, or into smaller building massing elements through varied rooflines, varied façade planes, upper story setback, windows on front elevation, etc. in order to reduce the apparent size of the building. Avoid monolithic design characteristics.

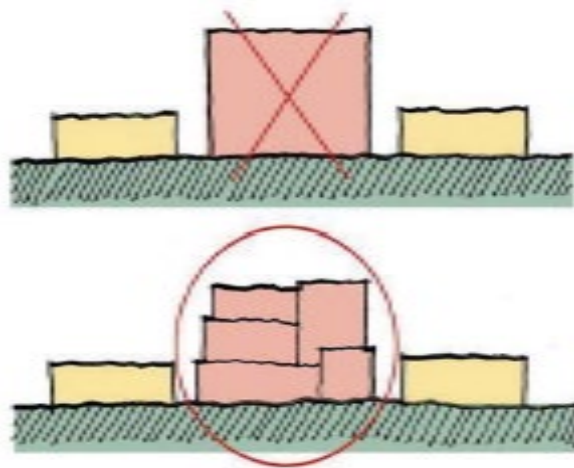


Figure A2.2a: *The mass of the larger building steps down near smaller buildings and the varied roof forms reduce apparent size.*



Figure A2.2b: *This building uses varied roof forms and façade planes to reduce apparent size.*

B: Pedestrian Friendliness

Pedestrian-friendliness describes the quality of a built environment that attracts foot traffic and fosters a sense of safety and well-being for its users. Building design directly impacts the pedestrian-friendliness of a place by creating a setting that is comfortable for pedestrians to walk, stop and congregate. A building that attracts pedestrians may enjoy greater commercial success for its tenants and users, whereas an unsuccessful building can create an environment that pedestrians seek to avoid. Pedestrian-friendliness is a counterpoint to the aesthetic criteria listed in the Section C.

B1. Public Spaces

When buildings are properly designed, they can frame special public places such as parks, open spaces, esplanades, pedestrian plazas, courtyards, outdoor seating areas, streetscape, etc, that provide safety and amenity for the development's residents, customers, employees, and for surrounding properties.

B1.1

Buildings, where feasible, must be sited or designed to create public spaces that are easily accessible from adjacent streets or sidewalks.



***Figure B1.1a:** Shopping windows and pedestrian features activate the space between these two buildings. The structures frame a view corridor to the adjacent plaza.*

B1.1

Buildings must engage and define the street edge with landscaping, pedestrian walkway, and street furnishings to allow for safe and comfortable movement of pedestrians.

- i. In order to enhance pedestrian experience and to avoid the appearance of a massive parking lot between the building and the street, building setbacks to adjacent streets must be minimized wherever possible. When internal drives are utilized to organize buildings and pedestrian movement, setbacks to internal drives must be minimized wherever possible. However, where an established pattern of building setbacks exists, new buildings should be consistent with the surrounding building alignment.
- ii. Pedestrian linkage should be established among multiple building entrances and the parking lot.
- iii. All buildings must relate to street frontage through use of landscaping, pedestrian access and other public spaces. Commercial buildings must create an active street environment and unified streetscape that encourages pedestrian activity. A combination of at minimum (5) streetscape elements must be included: pedestrian seating, moveable tables, planters, pedestrian-scaled light fixtures (not more than 16' tall), artwork or decorative paving, waste receptacles, bicycle racks, and other street furnishings.



Figure B1.1b: *Mixed-use and retail buildings frame this central courtyard feature.*



Figure B1.2a: *Unified pedestrian-oriented streetscape*



Figure B1.2b: *Outdoor seating and pedestrian-scaled light fixtures engage the street.*

B1.3

Drive-through passageways and canopies should be located to the rear or side of all buildings.

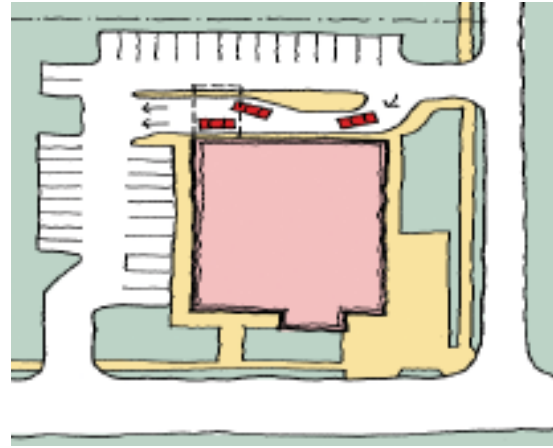


Figure B1.3a: *In these images, the drive-through is oriented away from the street corner, at the side or rear of the building.*

B2. Visual Transparency

Facade transparency creates a visual connection between indoor and outdoor spaces. Windows and doors narrate the uses inside the building to the observer and are a measure of how public or private these uses are intended to be. For example, storefront windows at street level are more expansive, suggesting common uses, while upper levels are smaller, indicating more private uses. The provision of windows, doors and other openings, especially at ground level, enhances the aesthetic appeal of buildings, provides visual interest and fosters a sense of security and vibrancy for pedestrians.

This guideline applies to all commercial, office and institutional uses and to façades that have street frontage or are adjacent to pedestrian access or parking areas (the red bars in the diagram below indicate the applicable façades.)

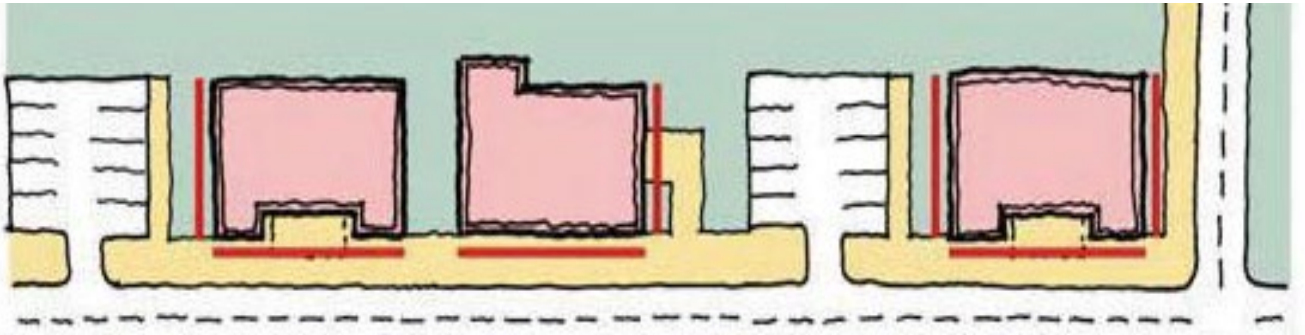


Figure B2: Applicable façades of the visual transparency guideline.

B2.1

Facades of all commercial, office and institutional structures must incorporate transparent features (clear glass on windows and doors) over a minimum percentage of the surface area at ground-level. Ground level is defined as two to eight feet measured vertically at street level.

- iii. For commercial uses, a minimum of 50% should be transparent.
- iv. For other uses, a minimum of 35% should be transparent.

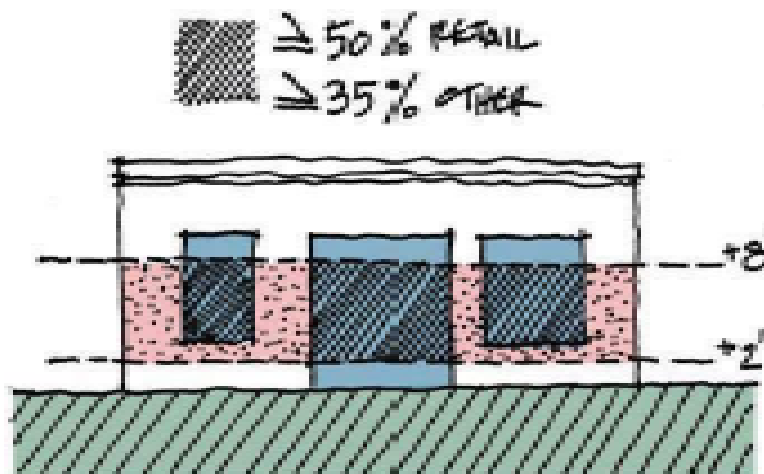


Figure B2.1: Ground-level is defined as the surface area from 2' to 8' measured vertically at street level.

B2.2

Glass at the ground level must be clear and unobstructed to allow visual access to the building's active interior uses such as retail display, product production or office space that create interest for pedestrians walking by to look at. Mirrored glass and dark tinted glass are prohibited.



Figure B2.2: *Clear glass allows visual access to the retail storefront display.*

B2.3

Where appropriate, a ground-level façade may employ sculptural, mosaic, or relief artwork or other design features over 50% of the ground-level surface area in lieu of clear glass. Large blank walls must be avoided on all four sides of the exterior.



Figure B2.3: *This grocery store incorporates ground-level mosaics in lieu of storefront windows.*

B2.4

On upper levels, use of appropriately-sized clear glass windows is encouraged to create visual connection between interior building spaces and the surrounding site context. When necessary, tinted glass may be allowed to provide privacy while aesthetically and functionally serving the building. Mirrored glass is prohibited.



Figure B2.4: Appropriately-sized clear glass windows are encouraged on upper stories.

B3. Primary Entry Identity

An obvious and welcoming building entry can be an important architectural feature that defines the visual character of a building and improves the pedestrian environment by enhancing the user's experience.

B3.1

Primary building entrances must be oriented to a public street or a prominent public area

B3.2

Each primary building on a site, regardless of its size, must have clearly-defined, highly-visible primary entrance featuring at least four (4) of the following:

- v. Unique architectural feature (i.e. prominent tower feature or peaked roof form and/or variation in building color/material);
- vi. Recess or projection;
- vii. Pedestrian weather protection (i.e. canopy, overhang, or arcade).

- viii. Architectural detail such as raised corniced parapets over the door, arches, lattice or tile work and moldings integrated into the building structure and design;
- ix. Streetscape including outdoor patio, integral planters or wing walls that incorporate landscaped areas and/or places for sitting.



Figure B3.2: Entry is clearly marked by a tower feature, variation in color and material, canopy, and recess/projection.

B3.3

The building entry must incorporate architectural details to form an effective transition from the size of the overall building to the scale of pedestrians.



Figure B3.3: Arched entry with pedestrian lighting transitions the overall building to pedestrian scale.

B3.4

Glass doors and sidelights must be provided unless the design context defines other forms of entry. Precedent must be presented.

B4. Pedestrian Weather Protection

Exterior weather protection can enhance pedestrian safety and comfort and is most often provided in the form of overhead protection from rain, sun and wind such as awnings, overhangs, and arcades.

Awnings are elements added to the face of a building made of semi-permanent materials such as canvas or similar lightweight material along with metal support framework.

Overhangs are permanent structures supported from buildings to provide weather protection for building entry and pedestrian walkways

Arcades are similar to overhangs except those arcades are supported by columns in the walkway, in addition to the building face.

B4.1

Exterior weather protection is strongly encouraged for building facades adjacent to sidewalks or pedestrian areas. If avoided, applicants must strongly support with new-build precedent, why weather protection was avoided. Financial reasons are not acceptable.

B4.2

Exterior weather protection generally should not overhang from the building for more than 5 feet unless it incorporates transparent material to allow the ground level exterior to be illuminated by natural light. Arcades may be extended for more than 5 feet in depth if the ceiling is more than one story in height.

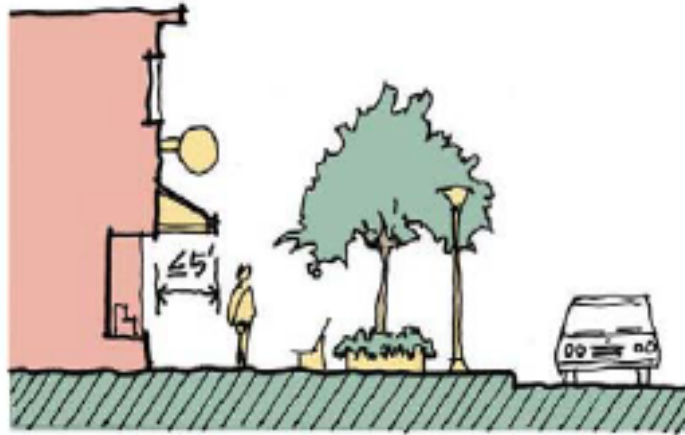


Figure B4.2a: Exterior weather protection generally should not overhang for more than 5 feet from the building.



Figure B4.2b: Arcade feature provides pedestrian comfort.

B4.3

Awnings must be designed to project over individual window and door openings (i.e., mounted in the reveals of openings). Awnings that are a continuous feature, extending over several windows, doors, masonry piers, or arches, are prohibited.



Figure B4.3: *AVOID awnings extending over several windows and doors.*

B4.4

Fabric awnings are encouraged; canvas awnings with a matte finish are preferred. Metal or glass awnings that are compatible with building design **MAY** be considered. Awnings with high gloss finish and illuminated, plastic awnings are prohibited.



Figure B4.4a: *Canvas shed awnings and glass canopies enhance pedestrian character*



Figure B4.4b: Acceptable use of metal awnings

B4.5

Awning colors must be compatible with the overall color scheme of the façade. Solid colors or subtle striped patterns are preferred.

B5. Pedestrian-Scaled Architectural Detailing

Pedestrian-scaled architectural details enhance the appearance of a building at the street level and are usually positioned on the first two floors the exterior. Buildings should possess a tangible and distinct design quality not only at a distance but also up close. These details enhance the pedestrian's sense of well-being by allowing one to judge the size of a space, indicate design and structural quality, and provide human scale and intimacy.

B5.1

Knee walls: A two-to three-foot masonry or concrete knee wall should be provided around the base of the building where appropriate (see Guideline C4). The use of glass curtain wall systems, particularly on pedestrian storefront facades, should be minimized.

B5.2

Cornices: Provide ornamental molding, entablature, frieze, or other roofline treatments.



Figure B5.1 and 5.2: This building incorporates masonry knee wall and decorative cornice elements.

B5.3

Windows and Doors: Detailed treatment of windows and doors must be provided at the ground level for facades oriented toward a public street or a pedestrian area. Details may include decorative lintels, sills, door design, molding or framing details. The character of windows must be expressed in the window frames or special shapes such as arches, or in mullions that divide the window into smaller panes. The character of the windows must be consistent with the overall building character. Windows with mullions must have surface mounted mullions. Integral, between glass mullions, are prohibited.

B5.4

Lighting: Distinctive wall-mounted light fixtures, such as lights with decorative shade or mounting, must be provided on the first floor of all sides facing points of public access.



Figure B5.4: Patterned masonry detail and light fixtures enhance pedestrian character.

B5.5

Others: In addition to the above, at least two of the following architectural elements must be provided on the building façade:

- i. Decorative surfaces such as patterned concrete masonry, stone, or brick work.
- ii. Horizontal stone or masonry banding.
- iii. Sculptures, mosaics and other artwork

C: Visual Attractiveness

Many architectural amenities combine to create visual attractiveness. The whole in successful architecture is more than the sum of the building parts. A building's attractiveness may be judged from several perspectives, from the vehicular realm at a distance to the pedestrian realm, up close. The interplay of the following nine factors significantly impacts the visual attractiveness of not only individual structures, but ultimately the character of entire blocks and sub-areas.

C1. Architectural Composition

Composition is the organization of the whole out of its parts-the conception of single elements, the interrelating of these elements, and the relating of them to the total form. Architectural composition is the art of arranging and combining distinct parts or elements of a building to form an ordered expression of architectural form.

C1.1

Connectivity: The arrangement and visual flow of surface materials such as brick or stone horizontally and vertically must tie together the building as a whole. Buildings must avoid radical breaks in the elevations and massing that reduce connectivity.



Figure C1.1a: Building materials and massing unify the structure as a whole.



Figure C1.1b: *AVOID radical breaks in building materials.*

C1.2

Symmetry/Balance: Symmetry is when wings of a building are matched in size and fenestration layout about a center point (often the primary entrance) in order to create visual harmony. Buildings that are not symmetrical must be massed to create visual balance between components relative to the primary entry location.



Figure C1.2a: *Symmetry is duplication of elements about a centerline.*



Figure C1.2b: *Balance is created by tower on the left side offsetting the longer section to the right.*

C2. Articulation & Modulation

Building articulation and modulation help to create an intermediate level framework on the exterior of buildings, providing visual relief for large wall areas.

Horizontal articulation is created by use of materials such as stone or special masonry patterns (e.g. soldier coursing) that run along the façade of a building and tie the building together. Cornices and parapets play special roles in visually unifying the top of a building.

Vertical articulation is created by regular spacing of vertical elements such as piers, pilasters, columns and/or fenestration at regular intervals to visually transfer building weight to the ground and tie the base of a building to its top.

Building modulation is a measured and proportioned inflection or setback in a building's face. Modulation may be achieved through recessed or projecting wall offsets, entryways, porch or canopy structures, columns, piers or other features.

C2.1

All building walls must have consistent horizontal and vertical articulation to form a grid framework on four sides of the building exterior. This framework should serve to break down the overall scale of a building into intermediate scale parts.

Building walls must include materials and design characteristics consistent with those on the front. The effect of a single, long or massive wall with no relation to human scale is not acceptable.



Figure C2.1a: Vertical brick articulation combines with horizontal stone/ precast concrete banding to form overall grid frameworks. Cornices unify the top of the building.

C2.1

Vertical Articulation/modulation - A horizontal wall must not extend for a distance greater than 30 feet without visually established vertical articulation and/or modulation.



Figure C2.2: Combined vertical articulation and modulation minimize the appearance of a long, massive wall.

C2.3

Vertical articulation and modulation must be carried from the base to the rooftop to visually transfer building weight to the ground.



Figure C2.3: *Effective use of modulation and horizontal articulation to minimize the appearance of bulk.*

C3. Proportions and Rhythm

Proportion is the relationship between the height and width of a rectangle. In architecture, this can refer to the overall building mass as well as openings for windows and doors within it. Some commonly used proportions that have been found to be pleasing to the eye. The most famous is the “golden section” which is a roughly 8:5 proportion. Other common proportions are 2:1, 1.5:1 and 1:1 (Figure C3). These proportions can be used for window openings and for visually established architectural elements. Repetitive use of similar proportions creates regular rhythm that helps tie a building together.

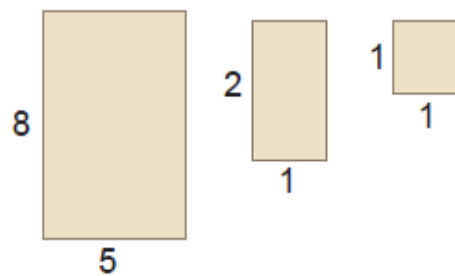


Figure C3: Common proportions for building openings and massing elements.

C3.1

Architectural articulation or modulation can be used to organize the perceived mass of larger buildings. Building features such as columns, piers, rooflines and brick patterns can divide and create orientation on a large surface. Preferred orientations are vertical. Once these proportions have been established windows and doors must reinforce the vertical orientation of the composition.

C3.2

The proportion of openings or other visually established architectural elements must be generally consistent throughout a development to create a sense of unity on building façades.

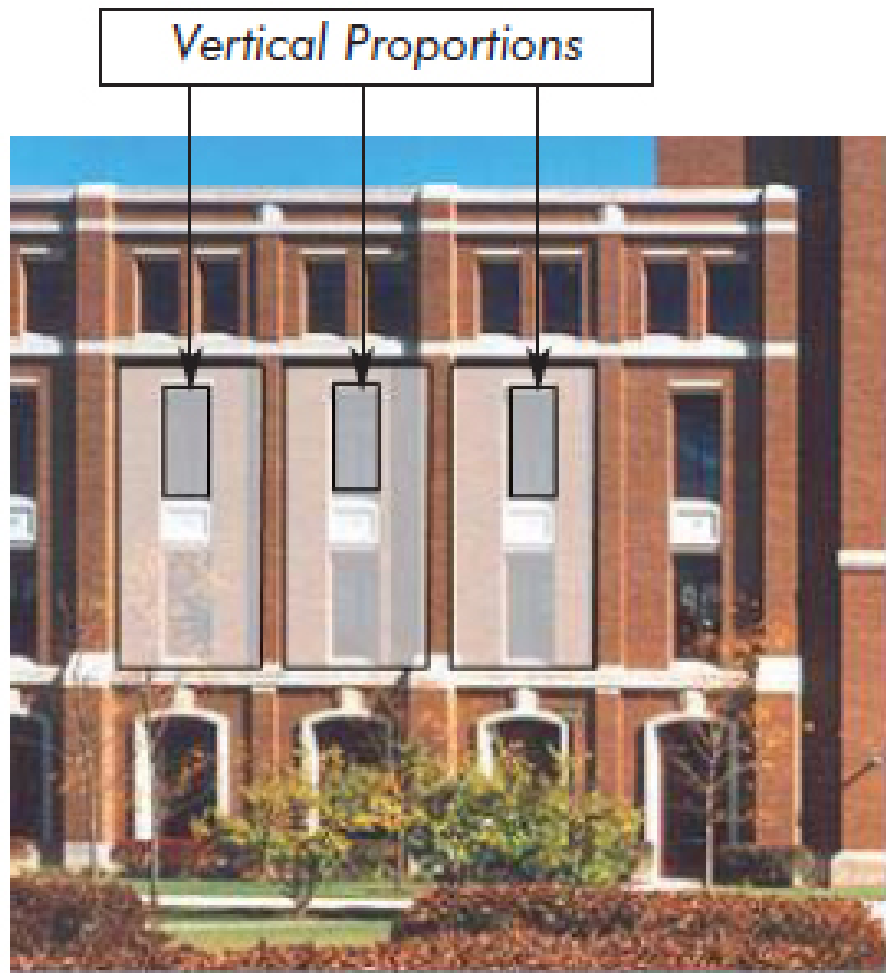


Figure C3.1 and C3.2: Articulation grid framework repeats vertical proportions.

C3.3

Syncopation of Elements - Rhythm can be created by regular repetition of window openings and/or building articulation/modulation. Analogous to symphonic music, rhythm can be more complex and interesting than rote repetition of elements. Patterns such as A-B-A-B or A-B-B-A-B-B can add interest to a building elevation.



Figure C3.3: *Syncopation of façade elements*

C4. Building Base, Middle, and Cap

Many successful buildings use an ancient formula for building design that incorporates clear identification of building base, body and cap. The origin of the formula relates to the human feet, torso and head.

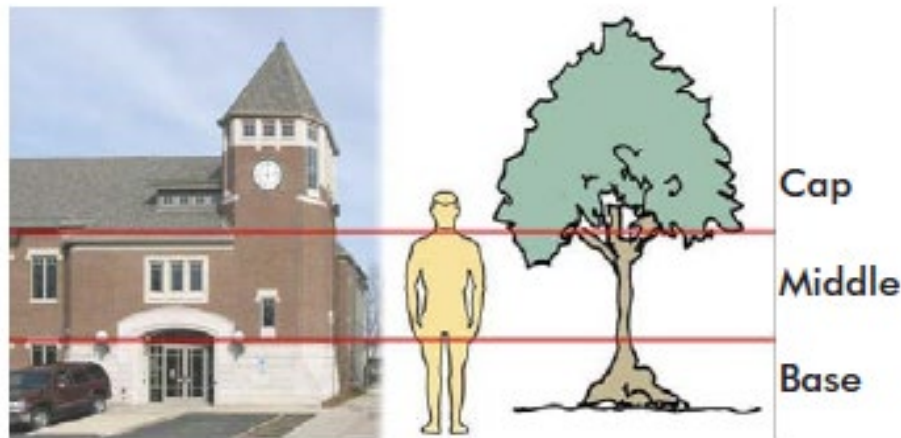


Figure C4: Diagram illustrates the vertical definition of base, middle and cap, similar to the human form and/or a tree.

C4.1

Base - A building base must be established through the use of stone, concrete or masonry materials that has a heavier appearance and makes firm contact with the earth. For one story buildings, a knee wall base must be established.

C4.2

Cap - The building cap incorporates the roof parapet or roofline and is where the building meets the sky. Because of the high visibility of the “sky line,” the appearance of a “false roof ” is not acceptable.

- a. Building roof forms must appear integral to the building’s design on all sides of the structure and must be capped with cornice moldings or another precedented cap type consistent with nearby buildings. Secondary building faces on flat-roofed buildings must have a parapet height that is consistent with the primary face. The vertical façade of a building face must not be extended above the actual parapet or roofline to give the appearance of a false front

(See also C7.1)

- b. When sections of a building face are raised to create varied rooflines, the raised sections must have substantial depth to reflect the form of an actual building.
- c. The rear of parapet features must be treated to the same level of detail as the front.
- d. Rooftop mechanicals, including condensers, vents and pipes are to be screened to their full height by parapet walls on all sides of a building. Metal screening systems are not acceptable for new construction projects and may be considered on a case-by-case basis for other projects in which the installation of a parapet is infeasible.



Figure C4.2a: *AVOID extending vertical façade of a building face above the actual parapet or roofline to give the appearance of a false front. AVOID unscreened rooftop mechanical units.*



Figure C4.2b: *Raised parapet with substantial depth creates varied rooflines. Rooftop mechanicals are completely screened by the parapet.*

C4.3

Middle - The building body connects the base and cap and typically appears repetitive from floor to floor, creating a vertical proportion to the exterior. The building body is to make up the majority of the building height and must not be overwhelmed by massive roof area.

C5. Materials

The choice of materials and texture has great visual significance and can affect the long-term appearance and maintenance of the built environment. Exterior building material is directly related to the durability of the building against weathering and damage from natural forces. Building material can be classified based on its application as:

Primary Material - The dominant material of a building's exterior walls. A primary material will typically comprise 75% to 90% of each exterior building face excluding windows and doors; however, architectural style and detailing of the building should dictate the appropriate composition of primary material.

Accent Material - A material utilized to provide architectural interest and variety on a building. Accent materials will typically comprise 10% to 25% of each building face excluding windows and doors, depending on architectural style and context. Accent materials are not to be utilized as a primary building material.

C5.1

Choose high-quality and long-lasting materials that offer texture and avoid monotonous surfaces. The look and dimension of material elements should relate to human scale. Earth tone building materials that have a pleasing visual texture, such as brick and stone, are strongly preferred.

C5.2

The type and detailing of building materials must be consistent on all sides of a structure. Materials used on primary facades, if not used for the entire building, should return along secondary sides a minimum distance based on visibility be utilized on secondary sides to maintain visual consistency.

C5.3

The following is a guide to the acceptable use of exterior building materials. Use of alternate materials or the extent of material usage may be reviewed on a case-by-case basis, taking into consideration such factors as context and architectural style. Additional guidelines related to specific materials are provided below.

- i. **Brick and Stone** - Brick and stone convey permanence and are preferred primary and accent building materials for all building types.
- ii. **Glass** - The use of glass as a primary exterior building material may be appropriate if acceptable precedent is provided. Where used, transparent types of glass are preferred and mirror/dark tinted glass is discouraged.
- iii. **Cast-in-place Concrete** - Cast-in-place concrete may be appropriate for industrial buildings or secondary facades if sufficient articulation and detail is provided to diminish the appearance of a large, blank wall and provide a high-quality architectural finish. Cast-in-place concrete is acceptable as an accent material; its appropriateness for primary material applications will be reviewed within the context of the design intent and surrounding character of development. Use of cast in place concrete in lieu of brick and stone, to mimic brick and stone, for financial reasons, will not be considered.
- iv. **Pre-cast Concrete** - Pre-cast is acknowledged as a durable and quality material. Concrete panels should incorporate architectural finishes that comply with the architectural articulation (Guideline C2) and detailing (Guideline B5) design guidelines. The appearance of panel joints should be minimized. On building faces adjacent to a public right-of-way or pedestrian area where the appearance of masonry is to be conveyed, masonry inlays are generally preferred to coated or painted form liner applications which simulate the look of brick or stone; however, the appropriateness of either will be reviewed based upon the context of the design intent and the surrounding character of development. Use of precast concrete in lieu of brick and stone, to mimic brick and stone, for financial reasons, will not be considered.
- v. **Architectural Metal Cladding** - Smooth metal panels with sufficient metal thickness to prevent “oil canning” or deterioration of the surface and

promote durability are acceptable. Use of stamped metal panels to mimic a historic aesthetic may be considered. The use of metal should account for the design intent of the building and surrounding character of development.

- vi. **Concrete Masonry Units** - Concrete masonry unit (CMU) is acceptable as an accent only. Split face CMU may be considered for use as a base material in lieu of limestone, but limestone is preferred.
- vii. **Wood** - Wood may be appropriate in specific historical or cultural context.
- viii. **Fiber Cement** - The use of fiber cement materials should be limited to accent applications only, except where utilized in a downtown or historic context as a substitute for wood. Fiber cement product will not be considered acceptable in fulfillment of masonry requirements.
- ix. **Stucco** - The use of stucco is acceptable for accent applications only.
- x. **EIFS** - EIFS or Dryvit material is not to be used as a primary material. Where it is to be used, EIFS should be appropriate based upon the design intent of the building and limited to accent applications above the pedestrian level (approximately 10' above ground).
- xi. **Siding** - Horizontal aluminum and vinyl sidings should not be utilized for non-residential applications.
- xii. **Other** - Contemporary or specialized building materials not addressed herein will be reviewed on a case-by-case basis and will be evaluated based upon such factors as durability, quality, maintenance, architectural intent, compatibility with the provisions of these design guide-lines, and environmental context.



Figure C5.3via: *Brick veneer is in laid in pre-cast panels. Vertical articulation features mask the join lines.*

C6. Color Scheme

The color scheme for a building must unify the building image and complement the building context.

C6.1

Coordinated Palette of Colors - A coordinated palette of colors must be created for each development that includes one primary color with up to three major accent colors and a range of minor accent colors.



Figure C6.1: *A coordinated palette of colors including one primary*

C6.2

Primary Base Color - The primary color of the buildings must be compatible with adjacent buildings. Use of a single primary color will serve to tie the building together. The use of two primary colors should be limited to mixed-use or multi-story buildings where the two colors are coordinated.



Figure C6.2: Two primary colors coordinated with trim accent color.

C6.3

Earth Tones - Natural stone and unglazed brick represent the range of earth tones. Earth tones are preferred as the primary base color.

C6.4

Accent Colors - Accent colors must complement the selected primary base color. Accent color intensity should be related to the amount of accent color proposed, with brighter colors having less accent area.

C6.5

Bright colors - Bright colors include red, yellow, emerald green, bright blue and other colors with intense hue. These colors can detract from the overall building design and context, and should be used sparingly as accents that visually activate pedestrian areas or convey information as part of a sign.

C7. Secondary Building Faces

Secondary building faces are oriented away from pedestrian and vehicular traffic areas. Recognizing that internal building function may require the use of solid wall for some commercial structures, the following guidelines are intended to promote an aesthetic design that is consistent with the quality and appearance of primary building faces.

C7.1

Parapets - Secondary building faces on flat-roofed buildings must have a parapet height that is consistent and proportional with the primary face. Roofs that flow over the top of the wall face are not acceptable.

C7.2

Four-sided Architecture - Blank, massive building faces are prohibited. Secondary building façades must employ massing variation, modulation and façade articulation, and architectural detailing to create four-sided architecture and to be consistent with the primary building faces.



Figure C7.2: *Secondary façade treated details and articulation that are consistent with the primary building faces.*

C7.3

Drive-through - Drive-through facilities must be designed as an integral part of the building and should be constructed of the same material, style, and level of architectural detailing as the main building.



Figure C7.3: Secondary façade enhanced by use of varied rooflines, architectural detail that is consistent with front façade.

C7.4

Screening – Landscaping and/or fences must be installed to screen the secondary building faces from adjacent residential uses. Refer to the River Point Permitted Uses and Lot Standards for landscaping requirements, including, parking lot, building and lot frontage standards.

C8. Service Area Screening

Non-residential building design must incorporate measures that effectively and attractively screen utility and refuse functions. Refer to Section xxx of the Municipal Code for landscaping and screening standards.

C8.1

Service Doors - Service doors must be inset in the secondary building faces to allow shadow lines. Vehicle service areas must not be visible from public rights-of-way. Where service doors will be visible from an internal roadway (i.e., on an

outlot structure), service areas should incorporate some decorative features to enhance the four-sided design of the building.



Figure C8.1: *Appearance of service areas is enhanced by use of awnings, planters*

C8.2

Truck Unloading - The use of internal loading areas or screen walls is required. Where such measures are not possible, loading must be fully screened from adjacent uses.



Figure C8.2a: *Internal loading area.*



Figure C8.2b: *Effective use of a screen wall to conceal loading functions.*

C8.3

Refuse Screening - Internal refuse enclosures are preferred. Where refuse cannot be located internally, enclosures must be discreetly located and constructed of a masonry material that is consistent with the primary structure. Wood, chain link, and cyclone fence refuse screening are prohibited.



Figure C8.3: *Refuse screening is discreet and consistent with the building.*

Utility Screening – Utility meters of any kind may not be located on primary or secondary facades and must be screened. If screening is impossible, painting to match color scheme may be considered.

C8. Building Signage

Well-placed and appropriately-sized signs reinforce building identity and enhance functionality. Throughout the city, business signs play a significant role in creating either a positive or negative visual image. The following are guidelines for signage design. For specific sign regulations, please refer to the SD-04 “Downtown Core” in Chapter 31 of the Municipal code and the River Point Permitted Uses and Lot Standards.

C9.1

Compatibility with Building Elements: Signs should serve to identify a business while contributing to the attractiveness and pedestrian-friendly orientation of the street.

- i. Signage should be anticipated and incorporated into the building's architecture. Signs should be compatible with building design in terms of relative scale, materials, and colors.
- ii. The scale and size of signage must be appropriate for the building upon which it is located. Small storefronts should have smaller signs than larger storefronts. Signs should not dominate a building façade.
- iii. Signs must not cover or interrupt the architectural detail or ornamentation of a building's façade. Signs should not project above the edge of rooflines.
- iv. Signs in multiple-tenant buildings must complement or enhance each other. Multiple-tenant sites should have coordinated signage.
- v. Customer entrances must be identified with pedestrian-oriented signs that allow pedestrians to easily and comfortably read the sign as they stand adjacent to the business.



Figure C9.1a: *Scale of signage is appropriate for building. Multiple signs are displayed in a consistent manner.*

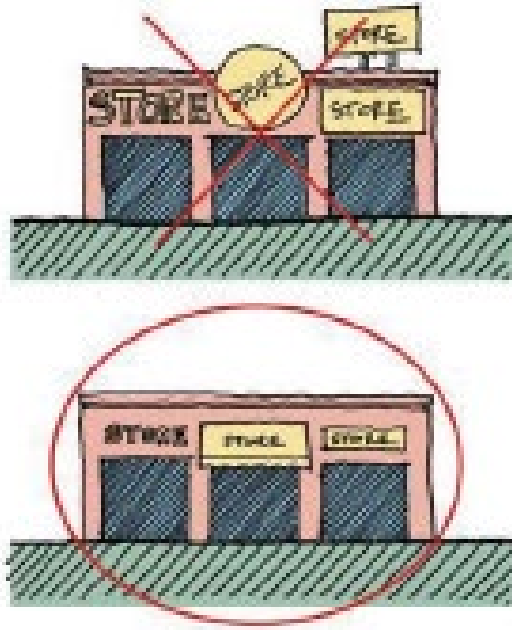


Figure C9.1b: Multiple-tenant signage should be coordinated in scale and style.

C9.2

Signage Materials and Style:

- i. Signs must be constructed of weather retardant and high-quality durable materials. If wood is to be used, it should be properly sealed to prevent moisture from soaking into the wood and causing the lettering to deteriorate.
- ii. Retail signs may be located on awnings over the entry and/or windows of the establishment. The shape, design and color of awnings must be coordinated with the architectural style of the building. Where multiple awnings are used, the design and color of all awnings must be coordinated.
- iii. Letter-type signs with individual letters that are affixed to the building exterior are preferred.
- iv. Internally-lit box signs with lettering printed on a translucent face are prohibited.
- v. Window lettering, either vinyl applied or painted, is acceptable to add interest to storefronts. Temporary pin-ups and flyers that cover ground-level windows are prohibited.

- vi. Decorative overhanging or blade signs may be appropriate in a coordinated retail setting where the size is controlled and coordinated with a building's façade design. Decorative overhanging or blade signs must not exceed six square feet in size with a maximum height of three feet and should be placed at a minimum ten feet above the sidewalk. They must extend no more than two feet from the face of the building.
- vii. Large signs that project from buildings are to be avoided.



Figure C9.2: Coordinated retail signage relates to both the pedestrian and vehicular realms.

C9.3

Legibility:

- i. Sign lettering must be highly legible. Crowded lettering or typefaces that are difficult to read should be avoided.
- ii. No more than two lettering styles will be used for small signs; not more than three for larger signs.
- iii. Signs with poor contrast are difficult to read. Lettering must contrast with the sign background for maximum aesthetic and effective graphics.

C9.4

Sign Lighting:

- iv. Direct lighting of wall-mounted signage by exterior mounted light fixtures is strongly encouraged, as such lighting allows signs to appear as an integral part of the building's façade.
- v. Individually illuminated letters (either internal or backlit) are preferred. Internally illuminated box signs are prohibited.
- vi. Signage lighting must not spill over into adjacent properties or public rights-of-way.
- vii. Electric raceways, conduits and junction boxes must be concealed from public view.
- viii. Buildings with frontage along the river must have river front signage in addition to street front signage.



Figure C9.4: *Pedestrian-oriented building signage with exterior mounted lighting.*

C9.5

Colors: Excessive and uncoordinated use of sign colors is to be avoided. Colors must be limited to not more than three on a single sign but may be reviewed on a case-by-case basis with good reason. Garish or fluorescent colors are discouraged.

D: Sustainable Design

Sustainable or “Green” building design sets new design priorities that expand and complement the classical building design concerns of economy, utility, durability, and pleasure. Sustainable building design, construction and renovation can help to create healthier environments; reduce operating costs and conserve energy and resources. The need to address environmental sustainability in the design, construction and renovation of buildings is underscored by the following facts:

- Americans spend approximately 90% of their time indoors
- Buildings consume 65% of U.S. electricity
- Approximately 136 million tons of construction and demolition (C&D) waste is generated every year

Sustainable buildings can provide key economic, environmental and social cost benefits. Economic benefits include a reduction in operating costs (i.e., energy and water efficiency, waste management, repair and improvement) and optimization of life cycle economic performance. Environmental benefits include conservation of natural resources, increased use of renewable energy sources, improvements in air and water quality and a reduction of solid waste generation. Socially, improved health and comfort are most benefited by green building design along with a reduction of local resource impacts and infrastructure.

Where consistent with the city’s design policies; innovation in design, construction and operations using new and developing technologies and practices is encouraged. The following guidelines describe desired performance outcomes and strategies for obtaining them. Although the feasibility of implementing sustainable design guidelines should be evaluated on a case-by-case basis, a focus on human exposure to daylight, conservation of raw materials, regional product selection, energy efficiency and indigenous landscaping are increasingly important issues of concern for the City of Manitowoc.

In addition to the guidelines contained in this document, additional information about sustainable building and site design can be obtained from the U.S. Green Building Council, a coalition of leaders from the building industry who promote buildings that are environmentally responsible, profitable and healthy places to live and work. The organization also develops and administers the LEED (Leadership in Energy and Environmental Design) Building Rating System. LEED is

recognized as a national standard in the rating and certification of high performance “green” buildings. Further details are available online at, www.usgbc.org.

D1. Winter City Design and Solar Access

Building design can harness sunlight to provide ample heat, light, and shade in the winter and induce summertime ventilation. Passive solar design reduces heating and cooling energy bills, increases spatial vitality, and improves comfort. As an added benefit, passive solar design principles typically accrue energy benefits with low maintenance risks over the life of the building and reduce operational and maintenance costs.

Winter City Design is building layout and design that reduces impact of cold weather and takes advantage of solar access to provide warming.

D1.1

Building massing should consider “Winter City Design” by locating entrances facing south towards the sun, and configuring the building to block the north and west winds.

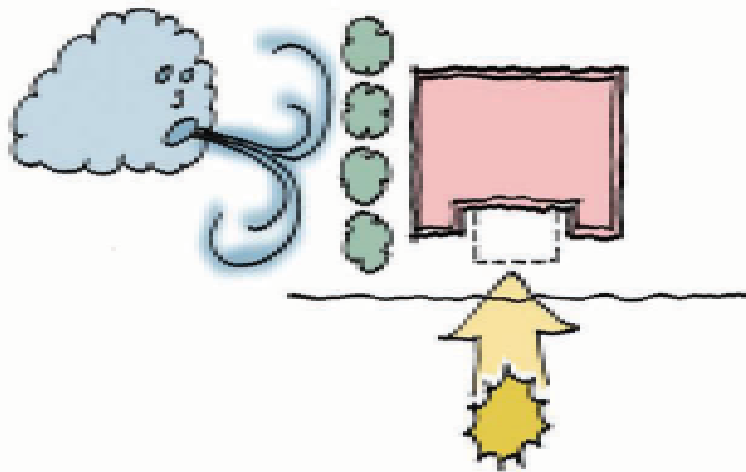


Figure D1.1: Winter City Design utilizes the sun’s energy and blocks the winter wind.

D1.2

Buildings should be oriented to maximize passive solar heating and daylighting through south window exposure. Incorporation of passive solar heating can reduce building auxiliary heating requirements by up to 75% compared to a typical structure while remaining cost-effective on a life-cycle basis.

D1.3

Utilize vegetation as a wind break to reduce excessive wind speeds while allowing air flow through external spaces. Dense planting around narrow openings between structures mitigates wind-tunnel effects, impedes the movement of dust and improves thermal comfort within surrounding buildings.

D1.4

Passive solar design is most effective if the site is laid out and planted to provide shelter from the excesses of the climate. Pergolas, trees and vines can offer shade in summer but allow the sun's warmth in winter. In the warmer months, the use of roof overhangs, awnings, porches and landscape plantings can block the afternoon western sun, thereby enhancing energy efficiency and reducing glare.

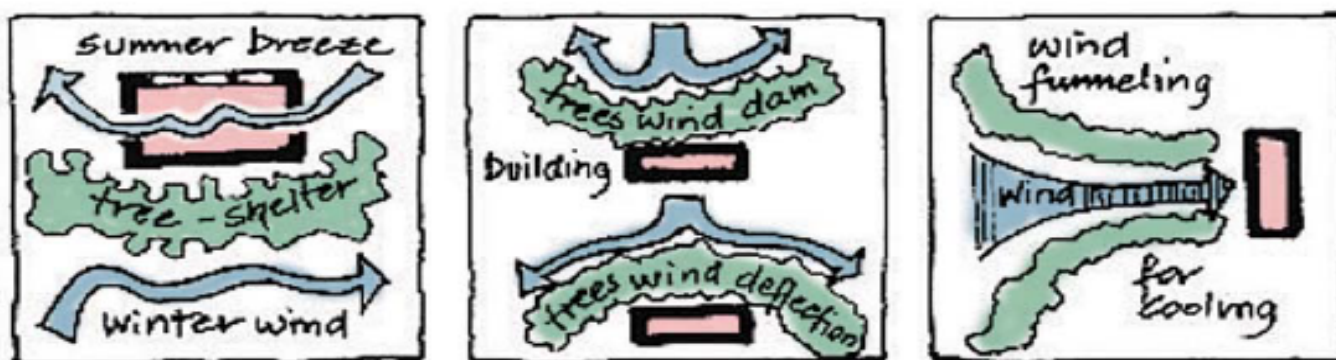
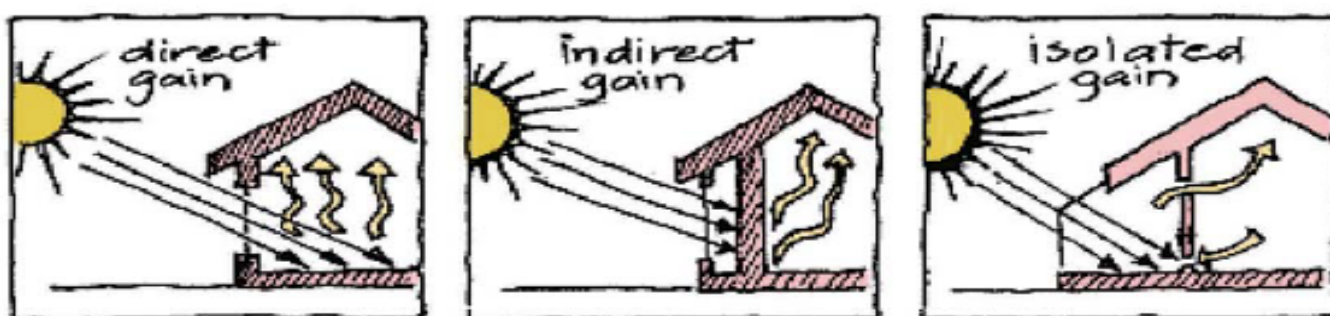


Figure D1.4: Landscaping and building placement play important roles in maximizing the benefits of wind and reducing negative impacts.

D2. Daylighting

The provision of adequate natural light can reduce the need for electrical lighting and reduce energy consumption. Daylighting is the careful balancing of heat gain and loss, glare control, and variations in daylight availability. For example, successful daylighting designs will invariably incorporate the use of shading devices to reduce glare and excess contrast in the workspace. Additionally, window size and spacing, glass selection, the reflectance of interior finishes and the location of any interior partitions must all be evaluated. Passive heating strategies use direct daylight to heat a building whereas; daylight used for lighting uses indirect lighting.

Daylighting features that may be integrated in building design include skylights, lightshelves, lightwells and windows, which may be direct or indirect depending on the desired effect or function of the space.



The following strategies should be incorporated into the design process:

D.1

Increase perimeter daylight zones.

D2.2

Allow daylight penetration high in a space. Windows located high in a wall or in roof monitors and clerestories will result in deeper light penetration and reduce the likelihood of excessive brightness due to excessive direct daylight

D2.3

Reflect daylight within a space to increase room brightness. A light shelf, if properly designed, has the potential to increase room brightness and decrease

window brightness. High gloss white interior paint helps distribute reflected light - a component of indirect daylight.

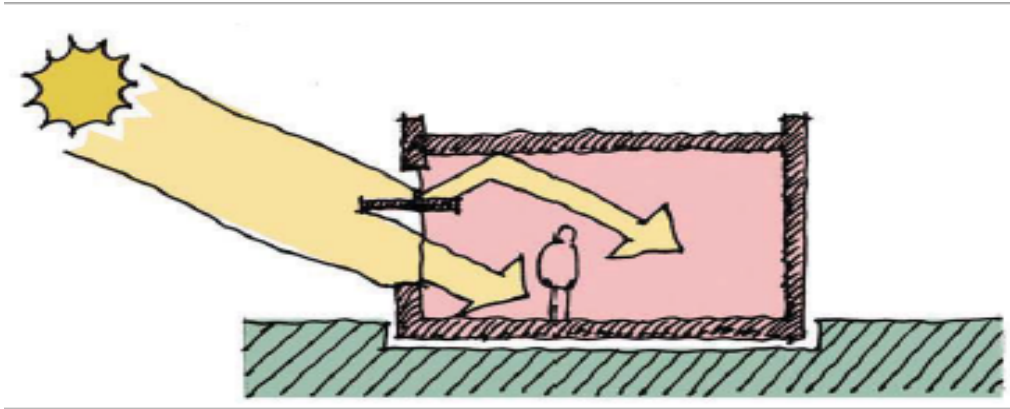


Figure D2.3: Building orientation and the use of windows can maximize winter sun and provide passive heating. Lightshelves and canopies can block summer sun.

D2.4

Slope ceilings to direct more light into a space. Sloping the ceiling away from the fenestration area will help increase the surface brightness of the ceiling further into a space.

D2.5

Avoid direct beam daylight on critical visual tasks. Poor visibility and discomfort (glare) will result if excessive brightness differences occur in the vicinity of critical visual tasks.

D2.6

Filter daylight. The harshness of direct light can be filtered with vegetation, curtains, louvers, or the like, and will help distribute light.\

D3. Building Materials and Color

D3.1

The use of locally-produced building materials can serve to preserve regional identity, bolster the local economy, and reduce pollution associated with long-distance transport.

Indigenous stone includes a range of materials, from the upper Midwest granite and stone to southern Wisconsin's Chilton slates and limestone and sandstone. It may be cut in quarries or removed from the surface of the ground

(flag and fieldstone). Ideally, stone from the building site can be used as a landscape feature.

Local brick is brick manufactured throughout the Wisconsin. Most brick plants are located in central Wisconsin. Also consider using reclaimed brick from various demolition projects in the region.

D3.2

Natural materials are encouraged to be utilized whenever possible, as they are less energy intensive to produce, have lower toxicity levels, and contribute less pollution to the environment.

D3.3

The durability of building materials should be considered - materials that do not need high maintenance or frequent placement are preferred.

D3.4

The use of materials that emit harmful or toxic chemicals should be avoided.

D3.5

The color of the building's exterior surface is an important factor in heat gain. In cooler climates, dark colored, absorptive materials are preferable.

D3.6

On flat-roofed buildings, consider utilizing "cool roof systems" which are typically light in color and reduce solar heat gain using a combination of strategies, including "cool roof" surfaces, insulation, and radiant barriers. A "cool roof" utilizes high solar reflectance and high emissivity to reflect radiation and reduce heat absorption on the roof surface. Optimal roofing materials are described below:

- White elastomeric coatings have a high reflectance (0.65- 0.78) and high emittance

- White single-ply membranes have a high reflectance (0.69- 0.81) and high emittance
- Other coated white roofing systems (such as white metal roof and painted concrete) have high reflectance (0.67- 0.85)

D4. Landscaping and Exterior Design

D4.1

Landscape materials that are tolerant of local climate, soils and natural water availability should be utilized. Where appropriate, indigenous materials are preferred.

D4.2

Site construction plans should preserve topsoil and established vegetation.

D4.3

Preserve and enhance existing natural areas such as prairie, wetland, floodplain and woodland areas as an essential component of site planning.

D4.4

Encourage the utilization of natural drainage approaches such as swales and vegetated filter strips on private properties instead of storm sewers.

D4.5

Encourage water efficiency in order to reduce irrigation demand, recapture storm water, and reduce building water consumption. Encourage the utilization of drought tolerant plants, drip irrigation, stormwater storage system, green roofs, pervious pavement, etc.

D5. Adaptive Reuse of the Buildings

While buildings design primarily serves the practical and functional purposes of the current owner or tenant, they should also consider the adaptability of the building to other uses. Corporate prototype designs are discouraged if they are unable to be converted for adaptive reuse of future businesses. They should be

modified to be consistent with the historical and architectural context of the surrounding buildings and Manitowoc's design standards.

Design Preference Summary

Section 1: Composition, Rhythm, and Proportions

Preferred Characteristics

1. Composition that ties together the building as a whole.
2. Building facades that use a regular repetition of elements to create a harmonious rhythm.
3. Building facades that are organized with attractive proportions.
4. Smooth transition between different materials.
5. Large building mass broken down into multiple façade elements with interesting roof lines, particularly for large one-story buildings.
6. Buildings with clearly discernable base, middle, and building cap.
7. Service areas and parking lots that attractively screen service items / cars from the exterior street front.

NOT Preferred Characteristics

1. Discontinuity of building elements.
2. Many different sizes of forms that are proportionally dissident.
3. Unusual building forms that seek to draw attention from the whole composition.

Section 2: Transparency, Entry and Detailing

Preferred Characteristics

1. Building entries that are clearly identified by the architecture.
2. Glassy entries that have canopy or awning weather protection.
3. Use of pedestrian arcades that allow natural light on the building face.
4. Buildings with architectural details that are of a size and character that nearby pedestrians can easily see and enjoy.
5. Pedestrian outdoor seating.
6. Pedestrian lighting.

NOT Preferred Characteristics

1. Canopies that overhang too far in front of the building entries and make them dark.
2. Lack of pedestrian-scaled architectural detailing.
3. Massive buildings with little architectural relief.
4. Buildings with hard-to-find entries.

Section 3: Materials

Preferred Characteristics

1. Buildings that use brick and stone in traditional architectural formations.
2. Buildings that use metal panels and glass window walls with a more modern character.
3. Building faces with adjacent landscape planters and plantings.

NOT Preferred Characteristics

1. Precast concrete panels with no detailing.
2. Building faces with different materials that are not well integrated.
3. Building faces with EIFS and or corrugated metal panel.
4. Buildings with too many colors.

Section 4: Exterior Lighting

Preferred Characteristics

1. Building with ground level glass and interior lighting of active areas and uses.
2. Unique elements of building with special lighting highlights.
3. Channel-lit back lit signage that compliments that building elevations.
4. Pedestrian-level lighting.

NOT Preferred Characteristics

1. Building windows that are interior lit but lack visible active uses.
2. Internally illuminated acrylic signs or canopies.

Section 5: Exterior Signs

Preferred Characteristics

1. Channel-lit back lit signage that fits within the holistic building composition.
2. Signs scaled for pedestrians near sidewalks.

NOT Preferred Characteristics

1. Exterior box signs.
2. Internally illuminated acrylic signs or canopies.
3. Signs not easily visible to pedestrians on the sidewalk.

Design Review Process

Preliminary Staff Review

Full design review of projects within the design review area is completed by the Community Development Authority. Successful projects will be issued a Certificate of Appropriateness and shall complete their projects in accordance with the presented and approved design. Preliminary staff review of building design concepts prior to formal submittal of project materials is required for all projects in order to evaluate the applicant's conceptual design approach and assist the applicant in understanding the City's design guide-lines and related policies.

It is important to note that completion of a preliminary staff review shall not constitute endorsement or approval of building plans or elevations. However, a preliminary staff review is expected to result in higher quality submittal of materials for formal review that would more likely meet design guidelines contained within this document.

The following materials should be submitted for a preliminary staff review:

- Statement of design concept
- Preliminary building elevation drawing or sketch
- Building material samples as appropriate

Preliminary project schedule.

Should, through the normal course of building construction, major design elements, materials, or concepts change, it is expected that the applicant project notify the City of Manitowoc as soon as possible to review any changes. Failure to notify the City of changes and continuing construction of the project with major deviations from the design granted a Certificate of Appropriateness is prohibited.

Formal Design Review Submittals

Subsequent to the preliminary staff review and as part of the building permit or development approval process, applicants will be required to submit materials for formal site plan review. Finalized materials may ultimately be forwarded to the Plan Commission and/or City Council for consideration as part of a development proposal. Based upon specific project components, applicants may be requested to submit some or all of the following materials:

1. **Statement of Design Intent** - A brief written description, prepared by the architect or designer, of the project design intent. A discussion of how the proposed building complies with the Building Design Guidelines may also be appropriate.
2. **Building Elevations** - Realistic, colored building elevations of all building faces, as well as black and white line drawings will be required. Building elevations should be legible and scaled, with all exterior materials and colors identified and keyed on the elevation drawing. Include information on façade finishes, windows, trim, doors, architectural elements, roofing, mechanical screening and other elements as appropriate. For larger buildings, a keyed illustration of the building footprint may also be appropriate.
3. **Perspective Illustration** - Realistic perspective drawing of the building, which may also indicate the outline of adjacent improvements as appropriate.
4. **Material Samples** - Physical samples must be submitted for all proposed exterior materials. Product brochures, specification sheets, and photos must be submitted. Materials and colors must be labeled and keyed to the elevation drawings.
5. **Photos** - Eye-level photographs of the subject property and features surrounding the site, which should be labeled indicating the location and direction of photos. Applicable images may include existing adjacent structures, vegetation and other significant features.
6. The following materials are required if not otherwise provided as part of the engineering plan or landscape plan submittal:

Site Plan - A contextual site plan of the proposed project illustrating the perimeter footprint of adjacent buildings, roadways, parking, landscaping and other key features.

Streetscape Documents - Illustration of pedestrian-oriented streetscape features, including catalog cuts of street furnishings, light fixtures, and proposed plant materials.



DOC# 1242022

**IMPLEMENTATION PLAN FOR
RIVER POINT PLANNED UNIT
DEVELOPMENT (PUD)**

STATE OF WI - MTWC CO
KRISTI TUESBURG REG/DEEDS
RECEIVED FOR RECORD
09/28/2021 2:15:43 PM

Recording Area

9 che

Name and Return Address

Community Development Dept.
900 Quay Street
Manitowoc, WI 54220

052-000-173-130; 052-000-173-040;
052-000-173-080; 052-000-173-140;
052-000-173-170; 052-000-173-090;
052-000-173-022; 052-000-173-150;
052-000-173-020; 052-000-173-110;
052-000-173-003; 052-000-173-023;
052-000-173-030; 052-000-173-001;
052-000-173-060; 052-000-173-160;
052-000-173-100; 052-000-173-000;
052-000-173-002; 052-000-173-010;
052-000-173-070

Parcel Identification Number (PIN)

This information must be completed by submitter: document title, name & return address, and PIN (if required). Other information such as the granting clauses, legal description, etc. may be placed on this page of the document or may be placed on additional pages of the document. NOTE: Use of this cover page adds one page to your document and \$2.00 to the recording fee. Wisconsin Statutes, 59.43(2m)



IMPLEMENTATION PLAN FOR PLANNED UNIT DEVELOPMENT (PUD)

CITY OF MANITOWOC, WISCONSIN

This Planned Unit Development (PUD), to be known as **River Point PUD** is approved this 20th day of, September 2021 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 shown in Exhibit A and described in Exhibit B which are 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 River Point PUD is created by the City of Manitowoc, WI, a municipal corporation and The Community Development Authority of the City of Manitowoc (CDA), Wisconsin.

WHEREAS, the CDA purchased the PROPERTY from Wisconsin Central Ltd, a Delaware corporation on April 12, 2019 by quit claim deed recorded in Volume 3209, Page 638, Document # 1204566,

WHEREAS, the CDA has recommended to the Common Council approval of the creation of the River Point PUD at its July 21, 2021 meeting;

WHEREAS, the City has approved a General Development Plan (GDP) and Conditional Use Permit on September 20, 2021 pursuant to Manitowoc Municipal Code (hereinafter "MMC") § 15.750(4) for the River Point PUD;

WHEREAS, the City has approved a Final Development Plan (FDP) on September 20, 2021 pursuant to MMC § 15.750(16) for River Point PUD;

WHEREAS, the City has authorized the preparation, execution and recording of the PLAN pursuant to MMC §15.750(17) for the River Point PUD; and

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

1. ***Existence of the PLAN for River Point PUD (#PC 27-2021).***

The City has created the PLAN for the PROPERTY to 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 PLAN shall 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 the River Point PUD #PC27-2021 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, said plans are incorporated by reference.

3. ***Subsequent Purchasers.***

A PUD is a zoning overlay district under MMC § 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 Zoning District that the property is located in.

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

Pursuant to MMC § 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 (MMC § 15.750(20)(a)) require the approval of the City's Planner or City's Engineer (MMC § 15.750(20)(b)).

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

A PUD is a zoning overlay district under MMC § 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. The depicted lots in Exhibit A shall govern development in these same geographic areas, regardless of whether lot numbers are modified after the date of this PUD 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 the date of this PUD shall include a reference to "River Point PUD #PC 27-2021" and underlying lot numbers identified in Exhibit A.

7. ***Development Standards.***

The development standards for the River Point PUD consist of a "River Point Permitted Uses and Lot Standards" document and a "River Point Design Guidelines" document. The official version dated September 20, 2021 and as updated from time to time, are on file in the Community Development Department at City Hall, 900 Quay Street, Manitowoc, WI 54220.

8. ***General Provisions.***

- a. ***Breach of PLAN.*** If at any time any provision or requirement stated in the PLAN have been breached by an 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.

- b. 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.
- c. 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.
- d. 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.
- e. Severability. If any provision 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.
- f. Amendments: Pursuant to MMC § 15.750(20), major changes to the PLAN (herein defined as changes to either the Implementation Plan for the PUD or the River Point Permitted Uses and Lot Standards document) require approval by the CITY and subsequent recording of a written amendment to the PLAN with recording fees to be paid by the requesting party. Minor changes to the PLAN (herein defined as changes to the River Point Design Guidelines document) require the approval of the City Planner or City Engineer. Owners/developers at the time of major changes shall be notified in writing of the proposed changes prior to approval by the Common Council.
- g. 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.
- h. 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.

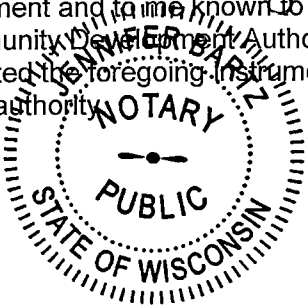
- i. Headings. The section titles have been inserted in this PLAN primarily for convenience, and do not define, limit or construe the contents of such paragraphs. If headings conflict with the text, the text shall control.
- j. Pronouns. Pronouns in this PLAN (including, but not limited to, those referring 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.
- k. Entire Designation. This PLAN contains all provisions and requirements incumbent upon the Owner/Developer relative to River Point 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.
- l. 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.



COMMUNITY DEVELOPMENT AUTHORITY OF THE CITY OF MANITOWOC, WISCONSIN

By: [Signature]
Adam Tegen – Executive Director9-28-2021
DateSTATE OF WISCONSIN)
)ss.
MANITOWOC COUNTY)

Personally came before me this 28th day of, September 2021, the above signed Adam Tegen to me known who executed the foregoing instrument and to me known to be such Executive Director of the Community Development Authority of the City of Manitowoc, and acknowledged that they executed the foregoing instrument as such Officer of said Community Development Authority, by its authority.

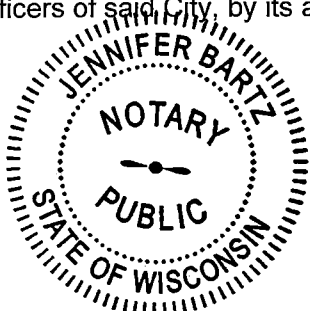


[Signature]
Notary Public Jennifer Bartz
Manitowoc County, Wisconsin
My commission (expires)(is): 8/17/2024

CITY OF MANITOWOC

By: [Signature]
Justin M. Nickels, Mayor9/28/21
DateBy: [Signature]
Mackenzie Reed-Kadow, City Clerk9-28-2021
DateSTATE OF WISCONSIN)
)ss.
MANITOWOC COUNTY)

Personally came before me this 28th day of, September 2021, the above signed Justin M. Nickels and Mackenzie Reed-Kadow, to me known who executed the foregoing instrument and to me known to be such Mayor and City Clerk 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.

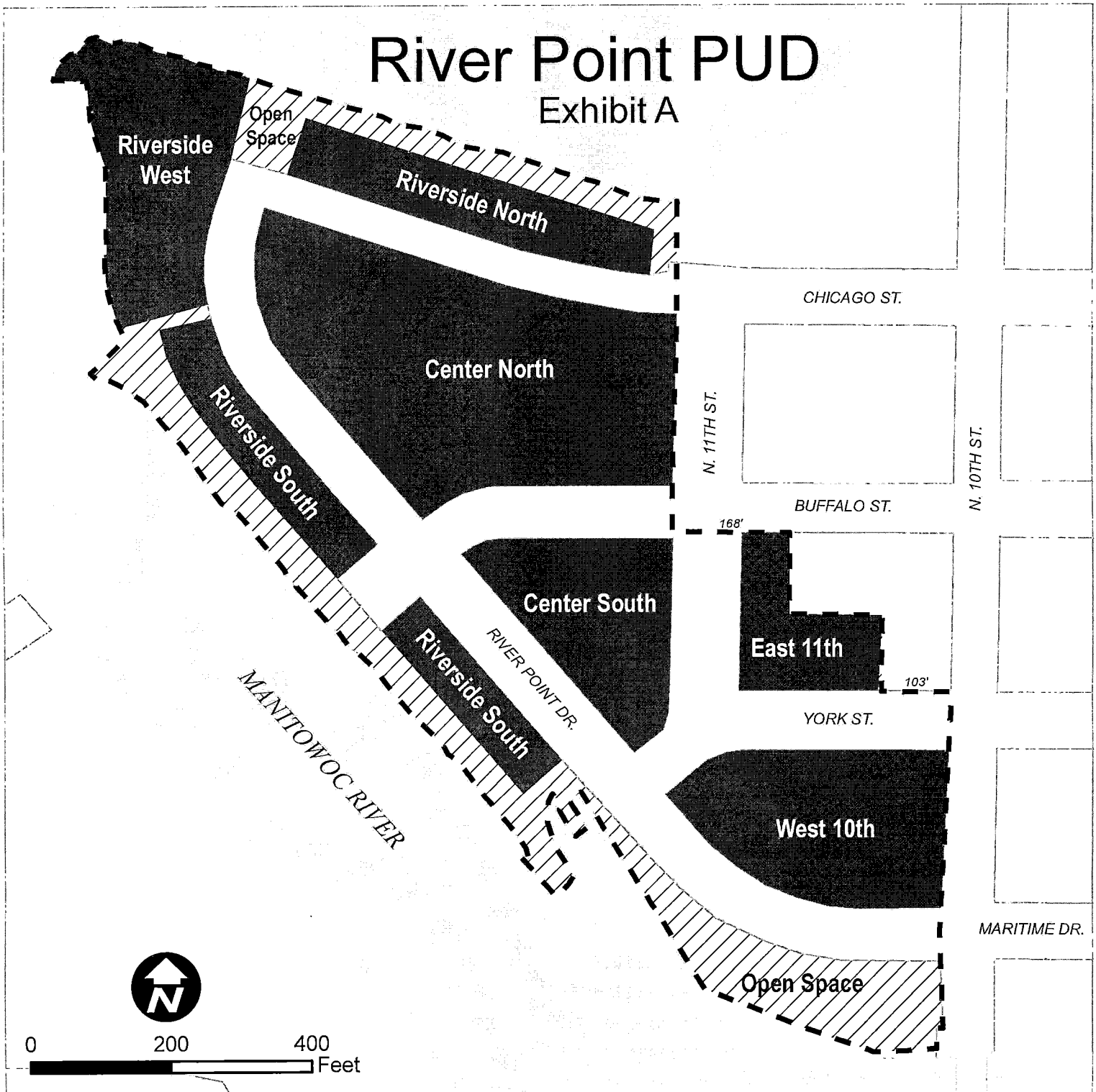


[Signature]
Notary Public Jennifer Bartz
Manitowoc County, Wisconsin
My commission (expires)(is): 8/17/2024



River Point PUD

Exhibit A



**Exhibit B****DESCRIPTION:****River Point PUD parcel**

A parcel of land located in Blocks 2, 148, 149, 150, 151, 152, 168, 169, 170, 171, 172, 173 and 185 of the Original Plat of the City of Manitowoc and adjacent vacated streets, being part of Government Lot 5 of Section 19 and Government Lot 3 of Section 30, Town 19 North, Range 24 East, City of Manitowoc, Manitowoc County, Wisconsin, described as follows:

Commencing at the NE Corner of said Section 30; Thence N 87°35'26" W, 366.28 feet coincident with the north line of said Government Lot 3 to a point on the west line of N. 11th street being the point of beginning; Thence N 00°52'37" E, 78.32 feet coincident with said west line of N. 11th street to a meander line being S 00°52'37" W, ±61 feet from the approximate Ordinary High Water Mark of the Manitowoc River; Thence N 74°02'44" W, 882.94 feet coincident with said meander line; Thence S 61°01'35" W, 53.26 feet coincident with said meander line to a point on the north line of an existing parcel recorded in volume 243, page 314, document 306352, being S 88°45'41" E, ±28 feet from said approximate Ordinary High Water Mark of the Manitowoc River; Thence S 88°45'41" E (recorded as N 88°48'40" W), 30.00 feet; Thence Southerly, 128.67 feet along the arc of a 301.89 foot radius curve to the right the chord of which bears S 11°42'41" E (recorded as N 11°45'40" W), 127.70 feet; Thence S 00°29'19" W (recorded as N 0°26'20" E), 118.70 feet; Thence N 88°20'41" W (recorded as S 88°23'40" E), 1.25 feet; Thence Southerly, 123.97 feet along the arc of a 240.49 foot radius curve to the left the chord of which bears S 13°04'41" E (recorded as N 13°07'40" W), 122.60 feet all coincident with the easterly line of said existing parcel recorded in volume 243, page 314, document 306352; Thence S 48°19'19" W, 20.00 feet to a meander line on the south line of said parcel, being N 48°19'19" E, ±44 feet from said approximate Ordinary High Water Mark of the Manitowoc River; Thence S 49°52'04" E, 1515.55 feet coincident with said meander line to a point on the west line of N. 10th Street as described in volume 755, page 408, document 609214, being N 01°03'40" E, ±24 feet from said approximate Ordinary High Water Mark of the Manitowoc River; Thence N 01°03'40" E (recorded as S 00°40'15" W), 15.00 feet; Thence S 88°56'20" E (recorded as S 89°19'45" W), 9.00 feet; Thence N 00°50'35" W (recorded as S 02°34'30" E), 120.06 feet; Thence N 02°55'01" E (recorded as S 01°11'06" W), 308.99 feet; Thence S 89°30'20" E (recorded as S 88°45'45" W), 1.00 feet all coincident with said west line of N. 10th Street as described in volume 755, page 408, document 609214; Thence N 01°03'40" E, 40.27 feet to the southeast corner of said Block 168; Thence N 89°31'05" W, 100.00 feet coincident with the south line of said Block to the southwest corner of Lot 11; Thence N 01°03'40" E, 110.00 feet to the northwest corner of said Lot 11; Thence N 89°31'05" W, 100.00 feet to the southwest corner of Lot 4; Thence N 01°03'40" E, 115.00 feet coincident with the west line of said Lot 4 and its northerly extension to the south line of Buffalo Street as established by the Resolution Vacating Street Area, recorded in document 470436; Thence N 89°31'05" W, 165.97 feet coincident with said south line of Buffalo Street to said west line of N. 11th Street; Thence N 01°20'53" E, 35.00 feet; Thence N 01°02'59" E, 300.32 feet; Thence N 89°25'09" W, 0.55 feet; Thence N 00°52'37" E, 11.68 feet all coincident with said west line of N. 11th Street to the point of beginning. Said parcel includes all of that land lying between the meander lines and the Ordinary High Water Mark of the Manitowoc River.

The afore description includes the Certified Survey Map recorded in volume 35, page 207, document number 1240183.



EXCEPTING THEREFROM the following:

A tract of land located in Lot 5, Block 168 of the Original Plat of the City of Manitowoc, Manitowoc County, Wisconsin and a portion of the vacated Buffalo Street right of way described as follows:

The East 30 feet of Lot 5, Block 168 of the Original Plat of the City of Manitowoc, Manitowoc County, Wisconsin and that portion of the vacated Buffalo Street right of way being 5 feet wide adjacent to said East 30 feet of said Lot 5.