

REPORT TO CITY PLAN COMMISSION

Plan Commission Informal Hearing Meeting Date: March 8, 2023

Common Council Public Hearing Meeting Date: April 5, 2023

Item: Major Changes to the Recorded Implementation Plan Document for

Meade Pond, LLC, PD Overlay District #1-01 (PD #1-01)

Case Manager: Don Harp, Principal Planner

GENERAL INFORMATION

Owner/Applicant: James Feeney, President of Meade Pond Condominium Association, on behalf of all property owners of the Meade Pond Condominium Association

Addresses: 806, 812, 813, 818, 819, 824, 825, 830, 831, 836, 837, 842, 843, 900, 901, 906, 907, 912,

913, 918, 919, 924, 925, 930, 931, 936, 937, and 940 Pondview Court

Parcel Numbers: 31-1-8200-01 through 31-1-8200-28

Legal Description: Lot 2 of Certified Survey Map No. 4009

Petitioner's Request: "All home owners want to own their individual property and eliminate shared ownership." As a result, amendments to the development regulations for PD Overlay District #1-01 have been initiated by the property owners.

BACKGROUND

The subject property was annexed into the City in 1998, pursuant to the Meade Street Annexation.

On March 7, 2001, the Meade Pond, L.L.C. Planned Development PD Overlay District #1-01 (PD Overlay District #1-01) was approved by the Common Council. The subject property was rezoned from R-1A One-family District to PD/R-1B Planned Development One-family District. The purpose of the planned development rezoning was to allow for the construction of twenty-eight (28) single-family detached dwelling units by condominium plat with customized development regulations unique to this development. The customized development regulations approved under PD Overlay District #1-01 allowed for specific land uses, development and density standards, design guidelines and ordinance exceptions to promote an integrated development that maximized the use of the property.

On March 29, 2001, Certified Survey Map No. 4009 was recorded in the Outagamie County Register of Deeds' Office. The subject property is currently described as Lot 2 of Certified Survey Map No. 4009.

On July 19, 2001, Implementation Plan Document PD Overlay District PD #1-01 was recorded in the Outagamie County Register of Deeds' Office, a/k/a Document No. 1417611. This document prescribes the current development regulations of the subject property. (See attached)

Major Changes to PD #1-01 March 8, 2023 Page 2

The Preliminary Plat for The Villas at Meade Pond is also being presented at the March 8, 2023 Plan Commission meeting.

STAFF ANALYSIS

Existing Site Conditions: The subject site consists of 28 single-family detached condominium units, one (1) neighborhood sign and one (1) detention pond.

General Information: The property owners are in the process of dissolving "The Villas at Meade Pond Condominium Association" and creating a Homeowners' Association (HOA). The key difference between a condominium association and a homeowners' association is what the individual members actually own. With a condo, each member owns their individual dwelling unit, and they have a shared ownership interest in the common areas. With a HOA, each member will own their individual dwelling unit and lot. The Preliminary Plat associated with this request subdivides the common area into 28 individual lots and 3 outlots. The outlots will be owned and maintained by the HOA.

Major Changes to Planned Development (PD) Overlay Districts: Changes to the requirements of PD Overlay District #1-01 have been initiated by the property owners. The proposed changes constitute a Major Change to the PD Overlay District pursuant to Section 23-151(p)(1)e. of the Zoning Ordinance, Section 4. and Section E. 3. of the recorded Implementation Plan Document No. 1417611. Major changes require the Plan Commission to hold an informal public hearing to review the proposed changes and make its recommendation to the Common Council who holds a subsequent Class 2 public hearing.

The proposed changes to the requirements of PD Overlay District #1-01 reflect the proposed individual lot configurations, proposed side yard building setback dimensions and other as-built conditions represented on the proposed Preliminary Plat – "The Villas at Meade Pond".

The following is a summary of proposed changes to the requirements of PD Overlay District #1-01:

- 1) Page 1, Section A. Delete the term "condominium units" and replace with single-family detached dwellings. Clarify that accessory uses, buildings and structures are permitted within the PD #1-01. Identify the allowed uses on Outlots 1, 2 and 3.
- 2) Page 2, Section B. Specify the minimum front, side and rear yard building/structure setback dimensions to avoid creating nonconforming building and structures as a result of the proposed lot configurations shown on the preliminary plat.
- 3) Page 2, Section B. Create a maximum lot coverage standard.
- 4) Page 3, Section C. Delete the terms "condominium units", "two-family dwellings", and "manufactured homes" and replace with single-family detached dwellings.
- 5) Page 3, Section D. Revise the summary of ordinance exceptions for ease of use. Clarify the words and terms defined in the current Zoning Ordinance apply to PD #1-01 for consistent administration and enforcement of the zoning regulations.
- 6) Page 3, delete outdated Exhibits and replace with a new Exhibit (A) showing the individual lot configurations.

Major Changes to PD #1-01 March 8, 2023 Page 3

Appleton Comprehensive Plan 2010-2030: The City of Appleton 2010-2030 Comprehensive Plan Future Land Use Map identifies the subject area as future single/two-family residential designation. The proposed changes to the recorded Implementation Plan Document No. 1417611 appear to be consistent with the Future Land Use Map and the following goals and objectives.

Goal 1 – Community Growth

Appleton will continue to provide opportunities for residential, commercial, and industrial growth, including appropriate redevelopment sites within the downtown and existing neighborhoods, and greenfield development sites at the City's edge.

Goal 3 – Housing Quality, Variety, and Affordability

Appleton will provide a variety of rental and ownership housing choices in a range of prices affordable to community residents, and ensure that existing housing is adequately maintained in terms of physical quality and market viability.

OBJECTIVE 5.1: Continue efforts to ensure an adequate supply of housing affordable to all income levels in the community.

OBJECTIVE 5.3 Housing and Neighborhoods:

Provide a range of housing options that meet the needs and appeal to all segments of the community and allows residents to age in place.

Policy 5.3.3 Plan for a supply of developable land suitable for residential development.

OBJECTIVE 10.1 Land Use:

Provide an adequate supply of suitable land meeting the demand for development of various land uses.

OBJECTIVE 10.4 Land Use:

Plan for compact, efficient, and fiscally responsible growth of residential, commercial, and industrial development in new neighborhoods in order to implement the principles of smart growth.

Policy 10.4.1 Continue to guide residential growth to locations either contiguous to or within presently urbanized areas. As peripheral development occurs, it should be at a compact, urban density to ensure new neighborhoods can be efficiently served by public infrastructure.

Findings of Fact: Per Section 23-151(o) of the Municipal Code, in reporting its findings and recommendations on Major Changes to PD overlay districts, Development Plans and recorded Implementation Plan Documents to the Common Council, the Plan Commission's recommendation is based upon the following findings of fact. The related excerpts are listed below.

1) In what respects the proposed plan is or is not consistent with the stated purpose, requirements and standards of the PD regulations.

The proposed major changes to the Development Plan and Implementation Plan Document No. 1417611 appear to be consistent with the initial stated purposes, requirements, and standards for Meade Pond, LLC, PD Overlay District #1-01 (PD #1-01). The proposed major changes will continue to promote the efficient use of land and services while assuring that open space will be maintained.

- 2) The extent to which the proposed plan departs from the zoning and subdivision regulations otherwise applicable to the subject property and the reasons why such departures are or are not deemed to be in the public interest.
 - The proposed zoning ordinance exceptions listed in Section D.4. of the Amended Implementation Plan Document are consistent with initial zoning ordinance exceptions granted for PD #1-01 and reflect as-built conditions within PD #1-01. The proposed major changes do not appear to cause undue adverse impact on the public or character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property, or other matters affecting the public health, safety, or general welfare.
- 3) The extent of public benefit of the PD in terms of meeting planning objectives and enhancing the tax base and economic development. Any specific beneficial actions, plans, or programs agreed to in the PD proposal which are clearly beyond the minimum requirements of this chapter shall be specifically listed as evidence of justified exceptions.
 - PD #1-01 will continue to enhance the City's tax base and promote the goals and objectives of the Appleton Comprehensive Plan 2010-2030 as stated in this report.
- 4) The physical design of the proposed plan and the manner in which said design makes adequate provision for public services, provides adequate control over vehicular traffic, provides for common open space and furthers the amenities of light, air, recreation and visual enjoyment.
 - The proposed major changes to PD #1-01 do not appear to impact existing public utilities, roads patterns, building design standards, physical design of the development, except for introducing lot lines between existing buildings and creating 3 outlots per the proposed Preliminary Plat associated with this request.
- 5) The relationship and compatibility of the proposed plan to the adjacent properties and neighborhood.
 - The principal uses allowed within PD #1-01 will remain single-family detached dwellings as initially approved. Therefore, the proposed major changes are unlikely to create adverse impacts to the adjacent properties and neighborhood.

Technical Review Group (TRG) Report: This item appeared on the February 14, 2023 TRG Agenda. No negative comments were received from participating departments.

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RECOMMENDATION

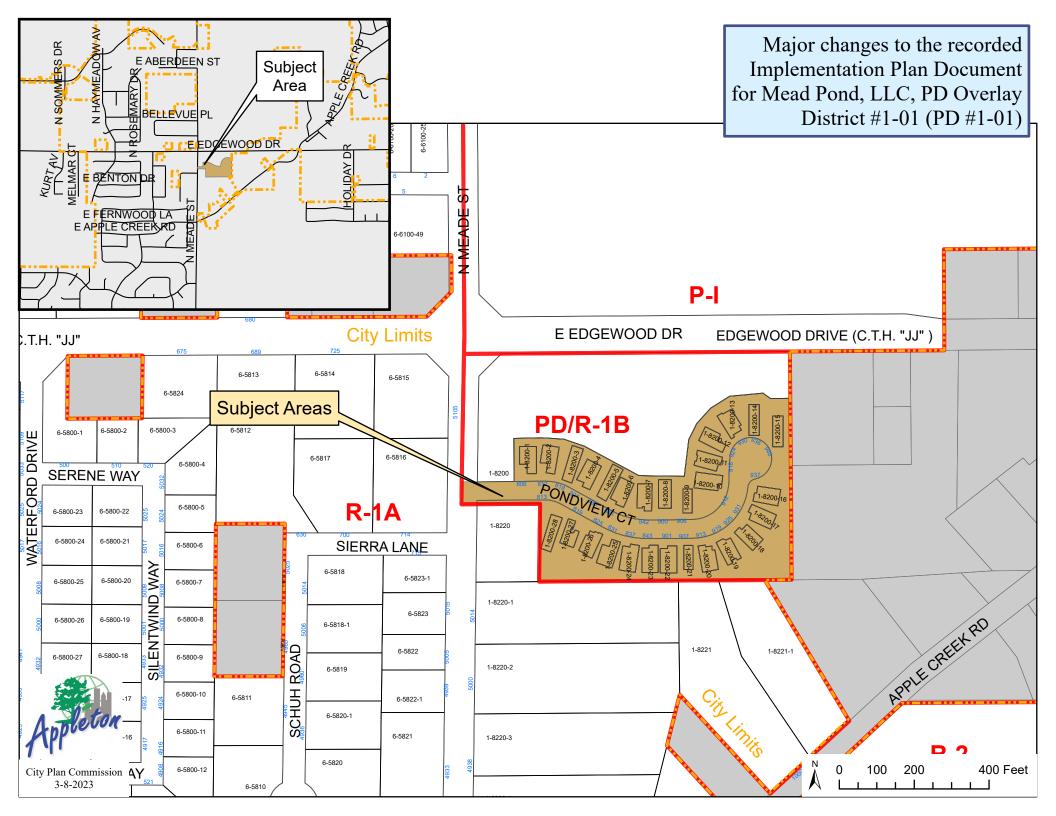
Staff recommends, based upon the above analysis, the proposed changes to the requirements and development plan for PD #1-01, per the attached Amended Implementation Plan Document, **BE APPROVED** subject to the following condition:

1. Prior to City signatures being affixed to the Amended Implementation Plan Document, the Amended Implementation Plan Document must be signed by all property owners and then be submitted to the City along with the Final Plat. The Amended Implementation Plan Document must be recorded in the Outagamie County Register of Deeds' Office by the property owners per Section 23-151(m)(2)f. and g. of the Municipal Code.

NOTE: If approved, the Preliminary Plat for The Villas at Meade Pond and the major changes to the recorded Implementation Plan Document for Meade Pond, LLC, PD #1-01 (March 8, 2023 Plan Commission agenda items) will be reported out at the same Common Council meeting on April 5, 2023.

LEGAL DESCRIPTION

THE VILLAS AT MEADE POND - MEADE POND CONDOMINIUM, DECLARATION OF CONDOMINIUM RECORDED JULY 18, 2001 IN THE OFFICE OF THE REGISTER OF DEEDS FOR OUTAGAMIE COUNTY, WISCONSIN, AS DOCUMENT NO. 1417428 AND BY CONDOMINIUM PLAT THEREFOR, RECORDED AS DOCUMENT NO. 1417427 IN CABINET G OF PLATS ON PAGE 119; BEING ALL OF LOT 2 OF CERTIFIED SURVEY MAP NO. 4009, FILED IN THE OFFICE OF THE REGISTER OF DEEDS FOR OUTAGAMIE COUNTY, WISCONSIN ON MARCH 29, 2001, IN VOLUME 21 OF CERTIFIED SURVEY MAPS, ON PAGE 4009, AS DOCUMENT NO. 1400454, LOCATED IN THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 12, TOWNSHIP 21 NORTH, RANGE 17 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN.



IMPLEMENTATION PLAN FOR PLANNED UNIT DEVELOPMENT

PLANNED DEVELOPMENT DESIGNATION

This Planned Development Designation, to be known as Meade Pond, L.L.C. is approved this 7 day of March, 2001 by the Common Council of the City of Appleton, Wisconsin, a Wisconsin Municipal Corporation, (hereinafter referred to as the "City") for certain real property located in Appleton and described in attached Exhibit A (hereinafter referred to as the "Property"). This Implementation Plan for Planned Development (PD) Rezoning #1-01 is made and entered into by and between Meade Pond, L.L.C. (hereinafter referred to as the Owner) and the City.

WHEREAS, Sec. 23-151(k)(3)d and f, Appleton Municipal Code requires the recordation of an Implementation Plan for Planned Developments undertaken in the City; and

OUTAGAMIE 1417611

OUTAGAMIE COUNTY
RECEIVED FOR RECORD

JUL 1 9 2001

AT NO O'CLOCK A.M. PAL

JANICE FLENZ

REGISTER OF DEEDS

Attorney Rick Knight c/o Meade Pord, LLC 14 Tri Park Way, Building Z Appleton, UI 54913

Address

WHEREAS, the actual Implementation Plan contemplated under the aforementioned Ordinance is too voluminous and cumbersome for easy recordation by the Outagamie County Register of Deeds; and

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

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

1. Existence of Implementation Plan for PD #1-01. The parties hereto have entered into mutually agreeable Development and Implementation Plans for the Property. This designation establishes the general uses which shall be permitted on the property, a general development plan, a specific implementation plan, and a statement of development guidelines and conditions that must be complied with by the Owner and all subsequent property owners or agents of the property owners. This designation also specifies improvements that must be made and conditions that must be fulfilled in conjunction with this designation by the Owner.

- 3. **Subsequent Purchasers**. A Planned Development (PD) is a zoning overlay district under the City of Appleton Zoning Ordinance. The Implementation Plan exists for Planned Developments (PDs) under this zoning category and are covenants that run with the land. Accordingly, all future purchasers of property zoned PD should become familiarized with the individual requirements attached to that specific property.
- 4. Amendments to Implementation Plans. Pursuant to Sec. 23-151 of the Appleton Municipal Code, major changes in a PD require approval by the City and subsequent recording of the amendment.
- 5. **Development Guidelines and Conditions**. The Development Guidelines and Conditions include, but are not limited to, the following:

A. LAND USES

- Permitted Uses will be single-family detached condominium units. Additional uses will
 only be permitted after a Planned Unit Development Amendment has been submitted and
 approved by the City of Appleton Common Council.
- 2. Accessory Uses None.
- 3. Special Uses None.

B. **DEVELOPMENT STANDARDS**

- 1. Building Height shall not exceed 35 feet.
- 2. **Setbacks** shall be as follows:
 - a. Front yard: 20 feet
 - b. Rear yard: 25 feet with a reduction to 15 feet for Units 1 through 16 and 19 and as on Exhibit G for units20 24 (for decks or combination of decks and structures)
 - c. Side yard: Varies, but no less than a combined side yard of 10 feet at any closest point
- 3. **Parking** spaces are a minimum of two (2) off-street parking spaces in addition to a 2-car garage as proscribed by the Zoning Ordinance according to use. On-street parking on one (1) side only, and no on-street parking in the cul-de-sac.
- 4. **Open Space** Land not presently occupied by condominiums will be devoted to green space and detention pond. The entire development consists of 62% open space as demonstrated in Exhibit A. The open space areas as shown conceptually in Exhibit A shall remain open and free from all improvements except landscaping, utility work, and access or other elements as shown on the plan.

5. Signs and Lighting

- a. All project identification signs shall comply with Chapter 23 of the Appleton Municipal Code as now in effect or hereafter amended unless specifically identified in this document.
- b. All exterior lighting fixtures, either mounted on the building or freestanding, shall be installed with cut-off shielding that reflects light downward and shall be designed and installed so the light source is not visible at property lines.
- 6. **Development Schedule** is to start construction following the development of the City's detention pond, with build-out within three (3) years of the date of the opening of the public street.

C. REQUIRED IMPROVEMENTS

1. Access

- a. Streets. The primary access to the property is provided through a public street east of Meade Street which is built to applicable City standards per the Appleton Municipal Code and the Appleton Street Design Criteria Manual with the following exceptions: the public street will be 50 feet wide, with a 28-foot (face-to-face) pavement. The cul-de-sac will be 112 feet in circumference, with a 90-foot pavement circumference.
- Sidewalks. The public roadway will have 4-foot sidewalks on both sides of the street.
- c. **Bike Paths** will not be constructed within this development.

2. Water Systems

Water supply for the development shall be provided by Appleton Water Utility. Adequate fire flows shall be provided as required by the Appleton Fire Department. The water line will be looped out of the cul-de-sac and a 20-foot easement provided to connect to a water line in Highway JJ.

3. Sewer Systems

Sewerage for the development shall be provided by the City of Appleton.

4. Fire Protection

The subject property is located within the Appleton Fire Department's service area. All condominium units will be protected with an automatic fire sprinkler system installed according to National Fire Protection Association Standards (NFPA). Installation of Sprinkler Systems in one and two family dwellings and manufactured homes will be done according to the adopted City of Appleton Municipal Code.

5. Utilities and Easements

All new utility lines shall be installed underground and in full accordance with the standards of each utility provider and the Appleton Municipal Code - Subdivision Standards. Easement

documents shall be approved by the City and recorded in Outagamie County Register of Deeds' office.

6. Landscaping

Landscaping improvements shall be required to be shown on all future Planned Unit Development Plans. The Preliminary Landscape Plan for the development is shown as Exhibit H. Landscaping shall conform with the requirements of the City's Landscape Standards. Revegetation of all disturbed areas shall be required in accordance with City Grading and Excavation requirements. All landscaping shall be maintained and kept viable.

7. Building Design

All new buildings shall identify the color scheme, materials, and building design to assure coordination among the buildings. The design of new buildings shall generally comply with those materials and styles shown on Exhibits B through F. Building materials and colors will be submitted and approved by the Planning Department as part of this document prior to its recordation.

D. IMPLEMENTATION

1. **Platting Requirements:** A two (2) lot CSM with a dedicated street that exceeds the maximum 500-foot provision will be filed once the rezoning is approved.

2. Density of Development

Densities of development indicated in Exhibit A represent the proposed site plan. The development will meet all applicable standards and requirements as contained in the Appleton Municipal Code unless such standards and requirements are specifically waived or modified by Planned Unit Development Amendment approval(s).

3. Ordinance Exception from Zoning:

- a) An exception of 15 feet to the 25-foot rear yard setback requirement (for decks or combination of decks and structures) is being requested for Units #1-15, 16, and 19. It has been determined that units #20, #21, #22, and #23 can encroach no more than 1.67 feet into the 15 foot rear setback (as shown on exhibit G) (approved through minor amendment June 7, 2001).
- b) The public street will be 50 feet wide rather than the Code required 60-foot wide street.
- c) The cul-de-sac will be about 900 feet long rather than the Code required 500 foot length.
- d) Pavement width will be 28 feet wide (face-to-face) as opposed to the policy required 32 feet width.
- e) The sidewalks will be 4 feet wide rather than the policy required 5-foot width.
- f) A side yard setback reduction to no less than a combined side yard of 10 feet at any closest point (6 feet per side in Ordinance).
- g) Construction of 28 principal buildings on a single residential lot. (No more than one (1) principal building shall occupy a single residential lot in Ordinance).

E. GENERAL PROVISIONS

1. Enforcement

The provisions of the Meade Pond, L.L.C. Planned Development designation and the development plan relating to the use of the land shall be effective and in force unless so amended as required by the Appleton Municipal Code Section 23-151.

2. Breach of Provisions of PD Designation

If at any time any provision or requirements stated in the Owner's Planned Development designation have been breached by the Owner, the City may withhold approval of any or all platting or the issuance of any or all grading or building permits or occupancy permits applied for on the property until such breach has been remedied.

3. Binding Effect

This Owner's Planned Development designation shall run with the land and be binding upon the Owner, 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 designation may be modified through an amendment in accordance with the procedure stated in the Appleton Municipal Code Section 23-151. This designation shall be recorded in order to put prospective purchasers or other interested persons on notice as to the terms contained herein.

4. Entire Designation

This designation contains all provisions and requirements incumbent upon the Owner relative to the Planned Development #1-01, except as modified by subsequent action of the Appleton Common Council in accordance with procedures set forth in the Appleton Municipal Code Section 23-151 to amend planned developments, and except that nothing contained herein shall be construed as waiving any requirements of the Appleton Municipal Code or other regulations otherwise applicable to the development of the Property.

5. Period of Validity

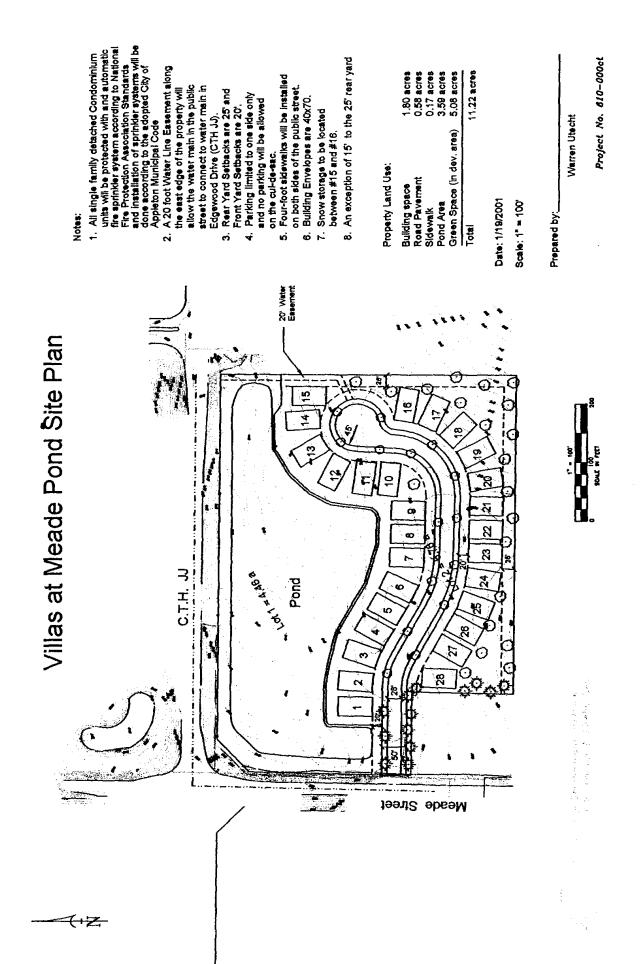
The Development Plan (**Exhibit A**) shall remain valid for 365 days during which time this Implementation Plan Document must be completed by recordation in the Outagamie County Register of Deeds' office. Failure to complete the Implementation Plan will constitute abandonment of the PD and related approvals and any assumed development rights over that allowed through the base zoning district.

6. Effective Date

This designation must be signed by both the City and the Owner and must be recorded by the Outagamie County Register of Deeds' Office in order to become effective. The effective date shall be the date of recordation.

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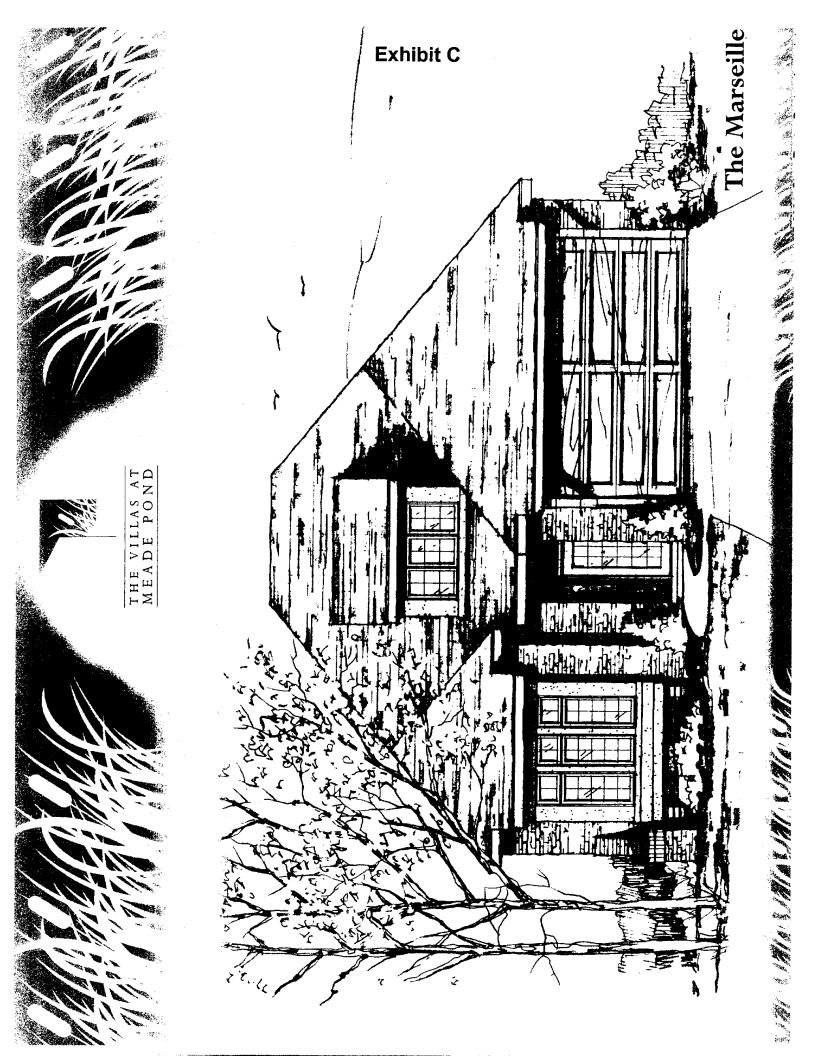
Dated this <u>'28"</u> day of _	By: Owner	
COUNTY OF <u>Outaga mie</u>) Personally came before me this named Toold W. Platt	Meade Pond I.L.C. Ses Separate Management of Management of Misconsin My Commission expires	and for the purposes therein
Approved as to form: Mull Jaynes P. Walsh Appleton City Attorney	CITY OF APPLETON, a Wisconsi Municipal Corporation By: Timothy M. Hanna, Mayor Attest: May Wall, July Or Cynthia Hesse, City Clerk	
COUNTY OF OUTAGAMIE) Personally came before me this Timothy M. Hanna. Mayor of C	ity of Appleton, and Cynthia Hesse, is who executed the foregoing instress purposes therein intended. Mary	rument and acknowledged the Wendell, Deputy City Clerk
F:\PLANNING\Word\PD Rezonings\2001\SE C	Notary Public, State of Wisconsin My Commission expires / 0/	



Planned Development Rezoning Southeast Corner JJ & Meade Street R-1A to PD/R-1B Site Plan

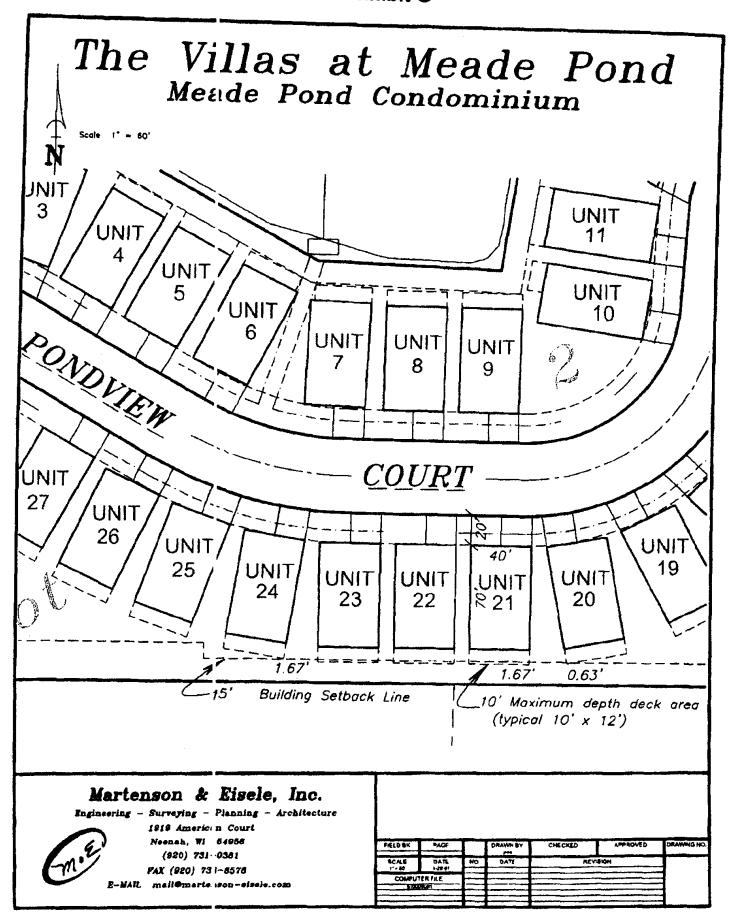
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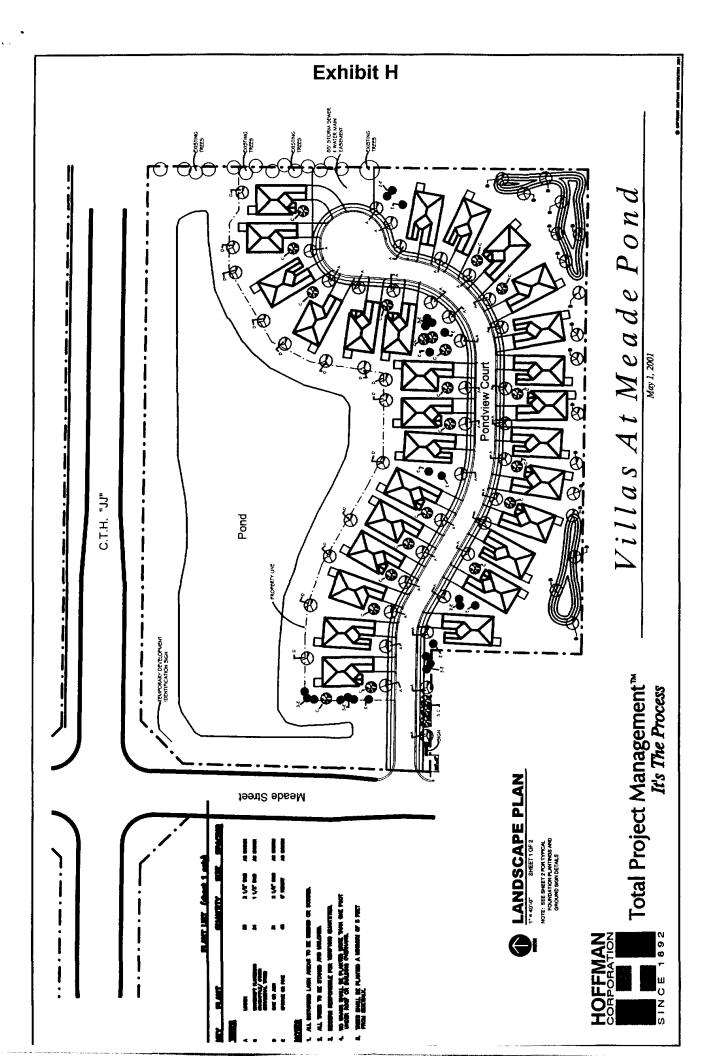
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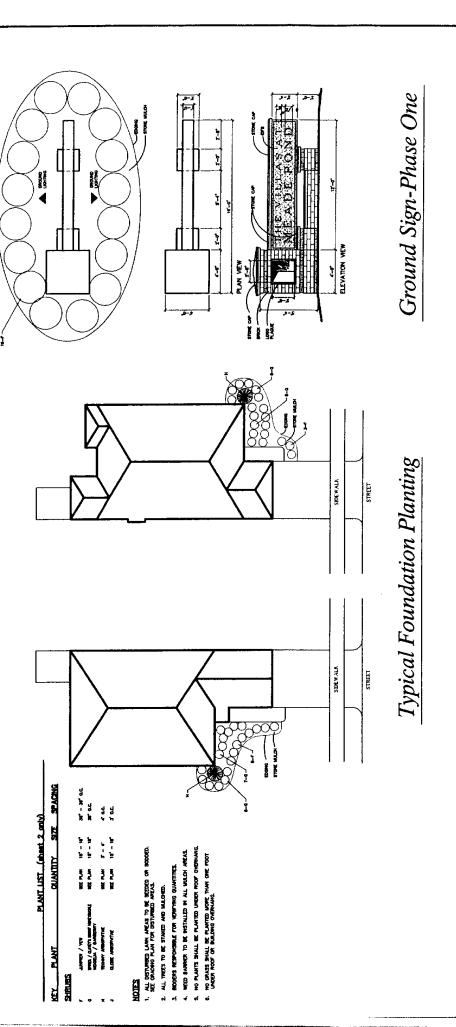












LANDSCAPE PLAN



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Villas At Meade Pond

AMENDMENT to Implementation Plan Document No. 1417611 for Meade Pond, L.L.C. (PD #1-01)

WHEREAS, the Meade Pond, L.L.C. Planned Development Designation for PD Rezoning #1-01 (PD #1-01) went into effect on the date when the Implementation Plan for Meade Pond, L.L.C. (PD #1-01) was recorded in the Outagamie County Register of Deeds Office, Wisconsin, on July 19, 2001, as Document No. 1417611.

WHEREAS, Section 23-151(p)(1)e. of the Ordinance Appleton Zonina allows amendments to the standards of a recorded Implementation Plan Document. The property owners now desire to formally amend Section A. Land Uses, Section B. Development Standards. Section C. Required Improvements, Section D. Implementation, and Section E. General Provisions of the Implementation Plan Document No. 1417611 for Meade Pond, L.L.C. (PD #1-01).

NOW, THEREFORE, the property owners amend the provisions of Implementation Plan Document No. 1417611 for Meade Pond, L.L.C. (PD #1-01) as follows:

Record and return copy to:

City of Appleton Community & Economic Development Department 100 N. Appleton Street Appleton, WI 54911

The language in Section A.1. and 2. is deleted and replaced in its entirety by the following language: In addition, Section A.3. is created by the following language:

Section A. Land Uses

- 1. **Principal Uses** shall be single-family detached dwellings (Lots 1-28).
- 2. Accessory Uses, buildings, and structures are permitted in connection with the principal use as specified in the underlying R-1B Single-family District pursuant to the Chapter 23, Appleton Zoning Code as now in effect or hereafter amended (Lots 1-28).
- 3. **Neighborhood Identification Sign** shall be allowed on Outlot 1, **Detention Pond** shall be allowed on Outlot 2, and Outlot 3 shall remain in open/green space. All Outlots may be landscaped.

The language in Section B.2.a.,b. and c., Section B.4. and Section B.6. is deleted and replaced in its entirety by the following language: In addition, Section B.2.d. and e. are created by the following language:

Section B. Development Standards

- 2. **Setbacks** shall be as follows:
 - a. Principal Building Front Yard: 20 feet minimum (Lots 1-28 & Outlot 3)
 - b. Principal Building, including decks Rear Yard: 11 feet minimum (Lots 1-15 & Outlot 3)

6 feet minimum (Lot 16)

15 feet minimum (Lots 17-19)

13 feet minimum (Lots 20-24)

25 feet minimum (Lots 25-28)

- c. Principal Building, including decks Side Yards: 4.5 feet minimum (Lots 1-5, 7-28 & Outlot 3). Principal Building Side Yards: 4.5 feet minimum and deck Side Yard: 2.85 feet minimum (Lot 6).
- d. Setbacks for accessory uses, buildings and structures (patios) shall comply with Chapter 23, Appleton Municipal Code as now in effect or hereafter amended unless specifically identified in the document.
- e. Front, Side and Rear Yard Setbacks. None for Outlots 1 and 2, unless identified for the land use as specified for Outlots 1 and 2 in this document and/or drainage plan on file in the Appleton Department of Public Works, Engineering Division.
- 4. Lot Coverage maximum shall be 65%.
- 6. Lot Standards for Lots 1-28 shall be as follows:
 - a. Lot width: 38 feet minimum. (*measured along the front lot line for Lots 1-28)
 - b. Lot size: 5,500 square feet minimum.

Section B.7.a. is created by the following language:

- 7. Outlot Standards (1, 2 and 3) shall be as follows:
 - a. Lot width and size: None, but shall abut on a public road.

The language in Section C.4. is deleted and replaced in its entirety by the following language:

Section C. Required Improvements

4. Fire Protection

The subject property is located in the Appleton Fire Department's service area. All single-family detached dwellings will be protected with an automatic fire sprinkler system installed according to National Fire Protection Association standards (NFPA). Installation of sprinkler systems in single-family detached dwellings will be done according to the adopted City of Appleton Municipal Code, if applicable.

The language in Section D.3.a), Section D.3.f) and Section D.3.g) is deleted and replaced in its entirety by the following language: In addition, Section D.3.h) and i) is created by the following language:

Section D. Implementation

- 3. Ordinance **Exception** from Zoning:
 - a) Front and Rear yard setback reduction. (R-1B Zoning District requires a minimum 20 front yard setback and 25 foot rear yard setback). (See Section B.2.b. and e. of this document.)
 - f) Side yard setback reduction. (R-1B Zoning District requires a minimum 6 foot side yard setback, including attached decks). (See Section B.2.c. and e. of this document.)
 - g) Lot and Outlot width and size reductions. (R-1B Zoning District requires a minimum lot width of 50 feet and a minimum lot area of 6,000 square feet). (See Section B.6. a. and b. and Section B7.a. of this document.) (R-1B Zoning District requires 50% maximum lot coverage). (See Section B.4. of this document.)
 - h) The Neighborhood Identification Sign located on Outlot 1 identifies and is connected to the Meade Pond, LLC Planned Development; therefore, this sign is defined as an on-site sign or on-premises sign.
 - i) Side yard setback reduction to 0 feet for concrete patio located on Lot 10. Accessory structures (i.e. patios) requires a minimum 3 foot side yard setback pursuant Section B.2.d. of this document.

Section D.4. is created by the following language:

4. Words and Terms Defined – All words and terms wherever they occur in this Implementation Plan Document for PD #1-01, shall be defined and interpreted in accordance with Chapter 23, Appleton Zoning Code as now in effect or hereafter amended. Words not defined in Chapter 23, Appleton Zoning Code shall be interpreted in accordance with Wisconsin State Statutes or Wisconsin State Administrative Code as now in effect or hereafter amended.

Exhibit "A". Exhibit "A" attached to Implementation Plan for PD #1-01, Document No. 1417611 is deleted in its entirety and replaced and superseded by the Amended Exhibit "A" attached hereto. **Exhibits "G" and "H"** attached to Implementation Plan for PD#1-01, Document No. 1417611 are both deleted in their entirety.

Scope of Amendments: All other standards and provisions of Implementation Plan Document No. 1417611 for Meade Pond, L.L.C. (PD #1-01) shall be unaffected by these amendments and shall remain in full force and effect.

1.	Dated this	day of	, 20
	Ву	Joda Wunderlich	
			OA WUNDERLICH 806 E PONDVIEW CT 200-1 and 1/28 INT IN
COUNTY O	WISCONSIN))ss F) came before me this	day of	, 20 ,
to me knov	amed wn to be the persons ed the same in the capac	who executed the f	, 20, foregoing instrument and es therein intended.
		tary Public, State of W	isconsin

2.	Dated this	day of	, 20
	Ву:_	Russell Jacobus	
	By: <u>-</u>	Jerrie Jacobus	
		Property Address: 87	SELL and JERRIE JACOBUS 12 E PONDVIEW CT 00-2 and 1/28 INT IN
COUNTY OI Personally c the above na to me know	WISCONSIN))ss F) :ame before me this amed wn to be the persons ed the same in the capaci	_ day of , and who executed the for ty and for the purposes	, 20, regoing instrument and therein intended.
		ary Public, State of Wisc	consin

3.	Dated this		day of		, 20
		Ву:	Larry Cain		
		Ву:	Cheryl Cain		
			REV TRUST	RRY and CHERY 818 E PONDVIEW	L CAIN / CT
COUNTY (Personally the above to me known	F WISCONSIN))ss OF) came before me this _ named own to be the perso	ons w	day of, and /ho executed the f / and for the purpose	foregoing instrume es therein intended	, 20, , ent and
			ry Public, State of Wommission expires	isconsin	

4.	Dated this	day of	, 20
		By: Margaret Kostelnik	
		Margaret Kostelnik	
		Owner Name: MARGAI FOR MARGARET KOS TRUST Property Address: 824 City Parcels: 1-8200- COMMON AREA	STELNIK REV E PONDVIEW CT
STATE O	F WISCONSIN)		
COUNTY	OF)	day of	
Personally	y came before me this _	day of , and	, 20,
to me kr	nown to be the perso	ns who executed the foregoacity and for the purposes the	oing instrument and
		Notary Public, State of Wiscor	nsin
		My Commission expires	

5.	Dated this _		day of	, 20
		Ву:_	Richard Vandriest	
		Ву:_	Teena Vandriest	
			Owner Name: RICH VANDRIEST Property Address: 8 City Parcels: 1-8200 COMMON AREA	30 E PONDVIEW CT
COUNTY (Personally the above to me kn	F WISCONSIN))s: OF) came before me this _ named own to be the pers Iged the same in the ca	ons v	vho executed the fo	, 20, regoing instrument and therein intended.
			ry Public, State of Wis Commission expires	consin

6.	Dated this	day of	, 20
	By:_	Ernestine Rouman	
			ESTINE ROUMAN 36 E PONDVIEW CT 00-6 and 1/28 INT IN
COLINTY	WISCONSIN))ss OF)		
the above ito me known	came before me this named own to be the persons v ged the same in the capacit	who executed the for	regoing instrument and
		ry Public, State of Wisc Commission expires	consin

7.	Dated this	day of	, 20
	Ву	/: Thomas Schelble	
	Ву	/: Michelle Schelble	
		Owner Name: THOMA SCHELBLE FOR THO AND MICHELLE SCH TRUST Property Address: 842 City Parcels: 1-8200 COMMON AREA	DMAS SCHELBLE ELBLE JT REV
the above named to me known to)ss before me this d to be the persons	day of , and who executed the fore city and for the purposes th	going instrument and
		otary Public, State of Wisco y Commission expires	onsin

8.	Dated this	S	day of	, 20
		Ву:_	Patrick Hawley	
		Ву:_	Carrie Jo Hawley	
			HAWLEY FOR PATE HAWLEY JT REV TR Property Address: 90 and E PONDVIEW C City Parcels: 1-820	0 E PONDVIEW CT
COUNTY (Personally the above r to me kno	named own to be the pe	ersons v	day of, and who executed the fore y and for the purposes t	, 20, egoing instrument and therein intended.
			ry Public, State of Wisc Commission expires	onsin

9.	Dated this	day of	, 20
	By:	John Sivertsen	
		John Sivertsen	
		Owner Name: JOHN INITIAL TRUSTEE OF GLORIA SIVERTSEN Property Address: 912 City Parcels: 1-8200 COMMON AREA	F THE JOHN AND I JT REV LIV T
STATE OF W	(
COUNTY OF)		
Personally ca	me before me this	_ day of	, 20,
the above nar	ned	, and who executed the fore	going instrument and
		ity and for the purposes t	
		,	
	Not	ary Public, State of Wisc	onsin
		Commission expires	

10.	Dated this	day of	, 20
	Ву	: Patricia Pollen	
		Patricia Pollen	
		Owner Name: PATRIC	_
		Property Address: 918 City Parcels: 1-8200	-11 and 1/28 INT IN
		COMMON AREA	
STATE OF W			
COLINITY OF)ss)		
Personally ca	me before me this	day of	, 20 ,
the above nai	med	day of , and	
to me know	n to be the persons	who executed the forecity and for the purposes the	going instrument and
ackilowieuge	u the same in the capa	city and for the purposes the	ierein interided.
	No	otary Public, State of Wisco	onsin
		Commission expires	

11.	Dated this	day of	, 20
	Ву:	Virginia Russler	
		Owner Name: VIRGINIA RUSSLER of VIRGINIA RUSSLER REV TRUST Property Address: 924 E PONDVIEW City Parcels: 1-8200-12 and 1/28 COMMON AREA	/ CT
STATE OF WISCO	ONSIN))ss)	day of	
to me known to	be the persons w	day of, and, tho executed the foregoing instrume or and for the purposes therein intended	ent and
		ry Public, State of Wisconsin ommission expires	

12.	Dated this		day of	, 20
		Ву:	Martin Waltho	
		By:	Phyllis Waltho	
				TIN AND PHYLLIS 930 E PONDVIEW CT 00-13 and 1/28 INT IN
COUNTY C Personally the above r to me kno	named	ons w	, and who executed the fo	pregoing instrument and
			ry Public, State of Wis	sconsin

13.	Dated this	day of	, 20
	By:_	William Reid, Jr.	
	By:_	Carol Reid	
		REID FOR WILLIAM REV LIV TRUST Property Address: E	LIAM JR AND CAROL I AND CAROL REID, JR. PONDVIEW CT 00-14 and 1/28 INT IN
COUNTY Ol Personally c the above na to me know	WISCONSIN))ss F) came before me this amed wn to be the persons ved the same in the capacit	day of, and who executed the for y and for the purposes	, 20, regoing instrument and therein intended.
		ary Public, State of Wis Commission expires	consin

14.	Dated this	day of	, 20
	By:_	Michael Speel	
	By:_	Lavern Speel	
		SPEEL FOR MICHA SPEEL LIV TRUST Property Address: 9	
COUNTY (Personally the above r to me kno	WISCONSIN))ss OF) came before me this named own to be the persons viged the same in the capacit	day of, and who executed the fo y and for the purposes	, 20, oregoing instrument and stherein intended.
		ry Public, State of Wis Commission expires	sconsin

15.	Dated this	day of	, 20
		By: Edwin Hammo	nd
		By: Jane Hammon	d
		HAMMOND Property Addre	EDWIN AND JANE ess: 937 E PONDVIEW CT 1-8200-16 and 1/28 INT IN EA
COUNTY C Personally the above r to me kno	own to be the perso	day of, and _ , and _ ons who executed the	, 20, ne foregoing instrument and poses therein intended.
		Notary Public, State of My Commission expire	

16.	Dated this	day of	, 20
	Ву	:Ben Vanden Heuvel	
	Ву	: Priscilla Vanden Heu	vel
		Owner Name: BEN A VANDEN HEUVEL, T VANDEN HEUVEL R Property Address: 93 City Parcels: 1-8200 COMMON AREA	TRUSTEES FOR EEVOCABLE TRUST
COUNTY C Personally the above r to me kno	WISCONSIN))ss OF) came before me this named own to be the persons ged the same in the capac	day of, and who executed the fore city and for the purposes t	, 20, egoing instrument and therein intended.
		tary Public, State of Wisc Commission expires	onsin

17.	Dated this	day of	, 20
	By:_	Gary Gehrke	
		Gary Gehrke	
		Owner Name: GARY	_
			5 E PONDVIEW CT -18 and 1/28 INT IN
		COMMON AREA	10 and 1/20 hvi hv
STATE OF \	WISCONSIN)		
)ss F)		
Personally of	t) came before me this	day of	20
the above na	came before me this amed	, and	
to me know	wn to be the persons	who executed the fore	going instrument and
acknowledge	ed the same in the capaci	ty and for the purposes tr	nerein intended.
	Not	ary Public, State of Wisco	nnsin
		Commission expires	7110111

18.	Dated this	day of	, 20
		By: James Feeney	
		By: Sheryl Feeney	
		Owner Name: JAMES FEENEY, TRUSTEES AND SHERYL FEENE Property Address: 919 City Parcels: 1-8200 COMMON AREA	S FOR THE JAMES EY REV TRUST UAD
COUNTY C Personally the above r to me kno	WISCONSIN))ss OF) came before me this named own to be the person ged the same in the cap	day of, and , and ns who executed the fore pacity and for the purposes th	, 20, going instrument and herein intended.
		Notary Public, State of Wisco	

19.	Dated this ₋		day of	, 20	<u></u> .
		Ву:	Charles Lukas		
		Ву:	Cathy Lukas		
			LUKAS Property Address	HARLES AND CATHY s: 913 E PONDVIEW CT 8200-20 and 1/28 INT	
COUNTY O Personally the above r to me kno	OF) came before me this named own to be the per	sons w	who executed the	, 20, 20, foregoing instrument ases therein intended.	<u></u> , <u></u> , and
			ry Public, State of V Commission expires		

20.	Dated this	day of	, 20
	Ву:	John Sharp	
	By:	Jacqueline Sharp	
		Owner Name: JOHN A JACQUELINE SHARE Property Address: 907 City Parcels: 1-8200 COMMON AREA	D
COUNTY OF Personally ca the above na to me know	vn to be the persons	_ day of, and who executed the fore ity and for the purposes th	going instrument and
		cary Public, State of Wisco	onsin

21.	Dated this	day of	, 20
	E	By: Lawrence Silton	
	E	By: Susan Silton	
		Owner Name: LAWREN SILTON, TRUSTEES F JOINT REVOCABLE TI Property Address: 901 I City Parcels: 1-8200-2 COMMON AREA	OR THE SILTON RUST E PONDVIEW CT
the above name to me known)ss) ne before me this ned to be the persor the same in the cap	day of, and ns who executed the foregonacity and for the purposes the	oing instrument and erein intended.

22.	Dated this _		day of	, 20
		Ву:	Daniel Albers	
			Daniel Albers	
		Ву:	Mary Albers	
			Property Address: 8-	EL AND MARY ALBERS 43 E PONDVIEW CT 00-23 and 1/28 INT IN
	WISCONSIN))s)F)	S		
Personally of the above note to me kno	came before me this amed wn to be the pers	ons w	, and	regoing instrument and
			ry Public, State of Wis Commission expires	consin

23.	Dated this	day of	, 20
	Ву:_	Leonard Vanderwyst	
	By:_	Alice Vanderwyst	
		Owner Name: LEON, VANDERWYST Property Address: 83 City Parcels: 1-8200 COMMON AREA	
COUNTY Personally the above to me kn	F WISCONSIN))ss OF) came before me this named nown to be the persons	_ day of, and who executed the fore ty and for the purposes t	, 20,, egoing instrument and therein intended.
	Nota	ary Public, State of Wisc Commission expires	

24.	Dated this	day of	, 20
	By:_		
		Linda Kellett	
		Owner Name: LINDA K	_
		LINDA KELLETT LIV T Property Address: 831	
		City Parcels: 1-8200-	
		COMMON AREA	
STATE OF WISCO	NSIN))ss		
COUNTY OF	j		
Personally came be	efore me this	_ day of	, 20,
the above named _	1 (1	, and who executed the foreg	
		who executed the foreg ty and for the purposes the	
acitiowicagea the	carrie in the capaci	ty and for the purposes the	

25.	Dated this	day of	, 20
	Ву	William Griffith	
		william Offina	
		THE WILLIAM GF Property Address	LLIAM GRIFFITH FOR RIFFITH REV TRUST : 825 E PONDVIEW CT 3200-26 and 1/28 INT IN
	WISCONSIN)		
COUNTY O)ss F)		
Personally of the above n	came before me this amed	_ day of , and	, 20, foregoing instrument and
to me kno acknowledg	wn to be the persons led the same in the capac	who executed the ity and for the purpos	foregoing instrument and es therein intended.
	No	tary Public, State of W	 Visconsin
		Commission expires	

26.	Dated this	day of	, 20
	By		
	D _y	: Phyllis Zeiss	
		PHYLLIS ZEISS REV Property Address: 819	
STATE OF W	΄,		
COUNTY OF)		
Personally car	me before me this	day of	, 20,
to me knowr	n to be the persons	, and who executed the fore city and for the purposes th	
	No	tary Public, State of Wisco	onsin
	My	Commission expires	

27.	Dated this	day of	, 20
	В	v:	
	-	y: Susan Duven	
		Owner Name: SUSAN I SUSAN DUVEN REV T Property Address: 813 I City Parcels: 1-8200-2 COMMON AREA	RUST E PONDVIEW CT
STATE OF WIS	CONSIN)		
to mo momi	io bo ino porconi	day of, ands s who executed the foregonicity and for the purposes the	oning modularmonic ama
		otary Public, State of Wiscon y Commission expires	sin

The above Amendments to the Implementation Plan for PD# 1-01 were drafted by the undersigned at the request of the Property Owner(s).

Drafter's Signature	Date
Approved as to form:	CITY OF APPLETON, a Wisconsin Municipal Corporation
	By:
Appleton City Attorney Christopher Behrens	Jacob A. Woodford, Mayor
	Attest:
	Kami Lynch, City Clerk
STATE OF WISCONSIN)	SS
COUNTY OF OUTAGAMIE)	
named Mayor of City of Appleto	day of, 20, the aboven, and City Clerk of City of Appleton, to me known to be pregoing instrument and acknowledged the same in the nerein intended.
	Notary Public, State of Wisconsin My Commission expires

