



REPORT TO CITY PLAN COMMISSION

Plan Commission Meeting Date: March 20, 2017

Common Council Meeting Date: April 19, 2017

Item: Preliminary Plat – Third Addition to Emerald Valley

Case Manager: Don Harp

GENERAL INFORMATION

Owner/Applicant: Robert DeBruin, Emerald Valley Estates, LLC – owner/applicant

Address/Parcel #: Providence Avenue / Part of 31-1-7600-00

Petitioner's Request: The owner/applicant is proposing to subdivide property under a multi-phased approach.

BACKGROUND

The Final Plat for the Second Addition to Emerald Valley consisting of 28 residential lots was approved by the Common Council on September 17, 2014.

The Final Plat for the First Addition to Emerald Valley consisting of 3 residential lots was approved by the Common Council on June 2, 2010.

The Final Plat for Emerald Valley consisting of 50 residential lots was approved by the Common Council on June 6, 2007.

The subject property was annexed to the City in 2004 as part of the French Road Annexation, and a zoning classification of AG Agricultural District was assigned at that time. In 2005, a preliminary plat had been submitted for the overall property, which called for the creation of a total of 252 residential lots.

STAFF ANALYSIS

Existing Conditions: The portion of the lot to be subdivided is currently undeveloped and zoned AG Agricultural District. Rezoning #1-17 for subject site is also being presented at this March 20, 2017 Plan Commission meeting to rezone the site from AG to R-1B. The 5.995 acre area will be divided into eleven (11) single family lots.

Zoning Ordinance Review Criteria: R-1B lot development standards (Section 23-93) are as follows:

- Minimum lot area: Six thousand (6,000) square feet.
 - *The proposed average lots size is 18,000 square feet. All lots exceed this requirement.*

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- Minimum lot width: Fifty (50) feet.
 - *The proposed lots average lot width is 110 feet. All lots exceed this requirement.*
- Minimum front, side and rear yard setbacks: Twenty (20) foot front yard, Six (6) foot side yard, and Twenty-five (25) foot rear yard.
 - *Required front yard setback had been shown on the Preliminary Plat. Required setbacks will be reviewed through the building permit review process.*
- Maximum building height: Thirty-five (35) feet.
 - *This will be reviewed through the building permit review process.*
- Maximum lot coverage. Fifty percent (50%).
 - *This will be reviewed through the building permit review process.*

Compliance with the Appleton Subdivision Regulations: This subdivision complies with the Appleton Subdivision Regulations, and no variances have been requested.

Access and Traffic: The primary vehicular access to this phase is via Providence Avenue, which connects to Amethyst Drive and Bluetopaz Drive. The full 66 foot road right-of-way for Providence Avenue and 60 foot road right-of-way for width of Amethyst Drive and Bluetopaz Drive will be dedicated to the City with the Final Plat.

Surrounding Zoning and Land Uses: The surrounding area is under the jurisdiction of the City of Appleton (north, south, east and west). The uses are generally residential and agricultural in nature.

2010-2030 Comprehensive Plan: Community Development staff has reviewed this proposed subdivision and determined it is compatible with the One and Two-Family Residential uses shown on the City's 2010-2030 Comprehensive Plan Future Land Use Map.

Parks and Open Space: The Appleton Subdivision Regulations do require parkland dedication or fee in lieu for residential subdivisions. The parkland fees pursuant to Chapter 17 of the Appleton Municipal Code have been waived in exchange for parkland as illustrated in the current Emerald Valley Development Agreement

Technical Review Group Report (TRG): This item was discussed at the February 28, 2017 Technical Review Group Report meeting.

Department of Public Works Comments:

- The consultant comments for the Stormwater Management Plan review will be provided via separate cover directly to the engineer.
- A Development Agreement will be required as part of the Final Platting process.

RECOMMENDATION

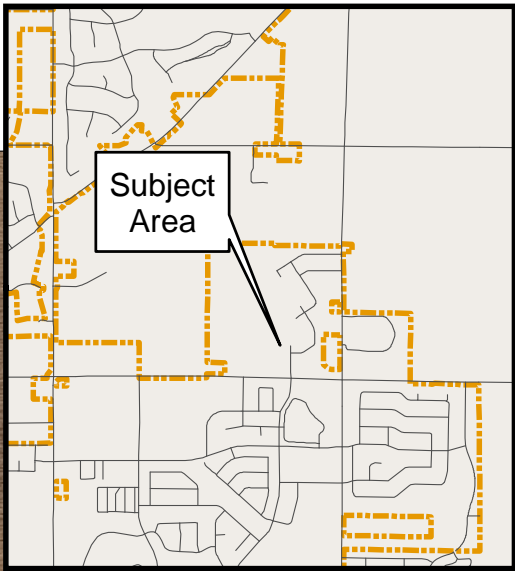
The Third Addition to Emerald Valley Preliminary Plat, **BE APPROVED** subject to the following conditions and as shown on the attached maps:

1. The owner/applicant shall submit to the City the Final Plat within 36 months after the last required approval of the Preliminary Plat. If the Final Plat is not submitted within said 36 months, the City (and any other approving authority) may refuse to approve the Final Plat and shall recommence the procedure for Preliminary Plat approval or may extend the time for submission of the Final Plat.
2. The owner/applicant shall submit to the City Engineering Division for review and approval information showing how storm sewer/drainage will be developed to accommodate the proposed phasing, prior to City signatures being affixed to the Final Plat.
3. All easements, including but not limited to, storm sewers, utility, and drainage shall be shown on the Final Plat to the satisfaction of the City Engineer.
4. Grant a storm sewer easement to the City for portions of proposed storm sewer that extend west of plat limits (future Lots 137 and 138 and adjacent future Bluetopaz Drive). The easement may be via separate instrument from the plat.
5. A Development Agreement being made and entered into by and between the City of Appleton and the applicant/owner, and any amendments related thereto, prior to the issuance of any permit to commence construction of any public improvement. The Development Agreement will include a stipulation that the rear lot line berm along Lots 59-64 in Emerald Valley 2nd Addition must be constructed prior to issuance of any building permits in Emerald Valley 3rd Addition.
6. The Preliminary Plat and Rezoning #1-17 being acted on at the same Common Council meeting.
7. Prior to City signatures being affixed to the Final Plat, a revised Drainage Plan shall be submitted to the Community and Economic Development Department for Department of Public Works review showing the following:
 - a. Show lot dimensions.

- b. Provide a temporary drainage ditch that runs from the northwest corner of Lot 88 to a selected location of the storm sewer west of the plat and daylight one of the pipes to collect this flow.

- c. Provide proposed spot grade for the northeast corner of Lot 81.

Third Addition to Emerald Valley Preliminary Plat Aerial Map



Subject Area



AG

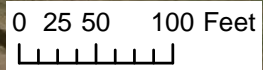
Subject Area

R-1B

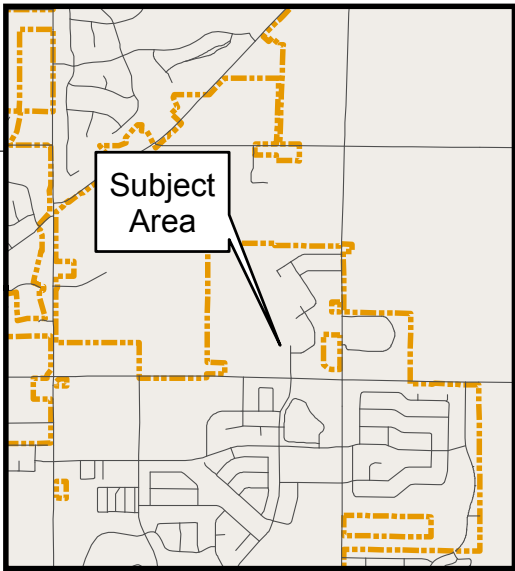
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Third Addition to Emerald Valley Preliminary Plat Zoning Map



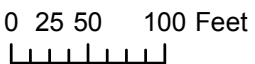
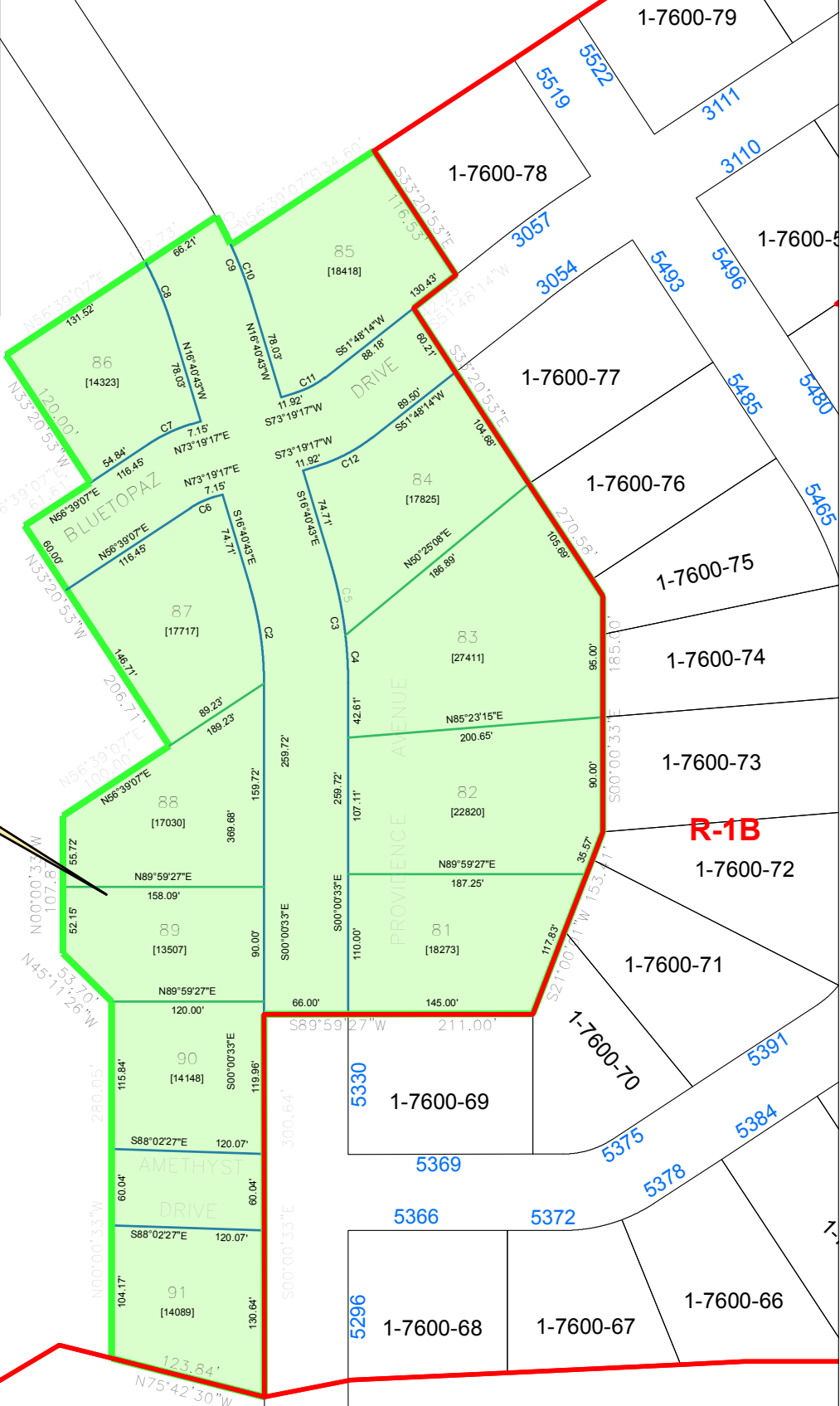
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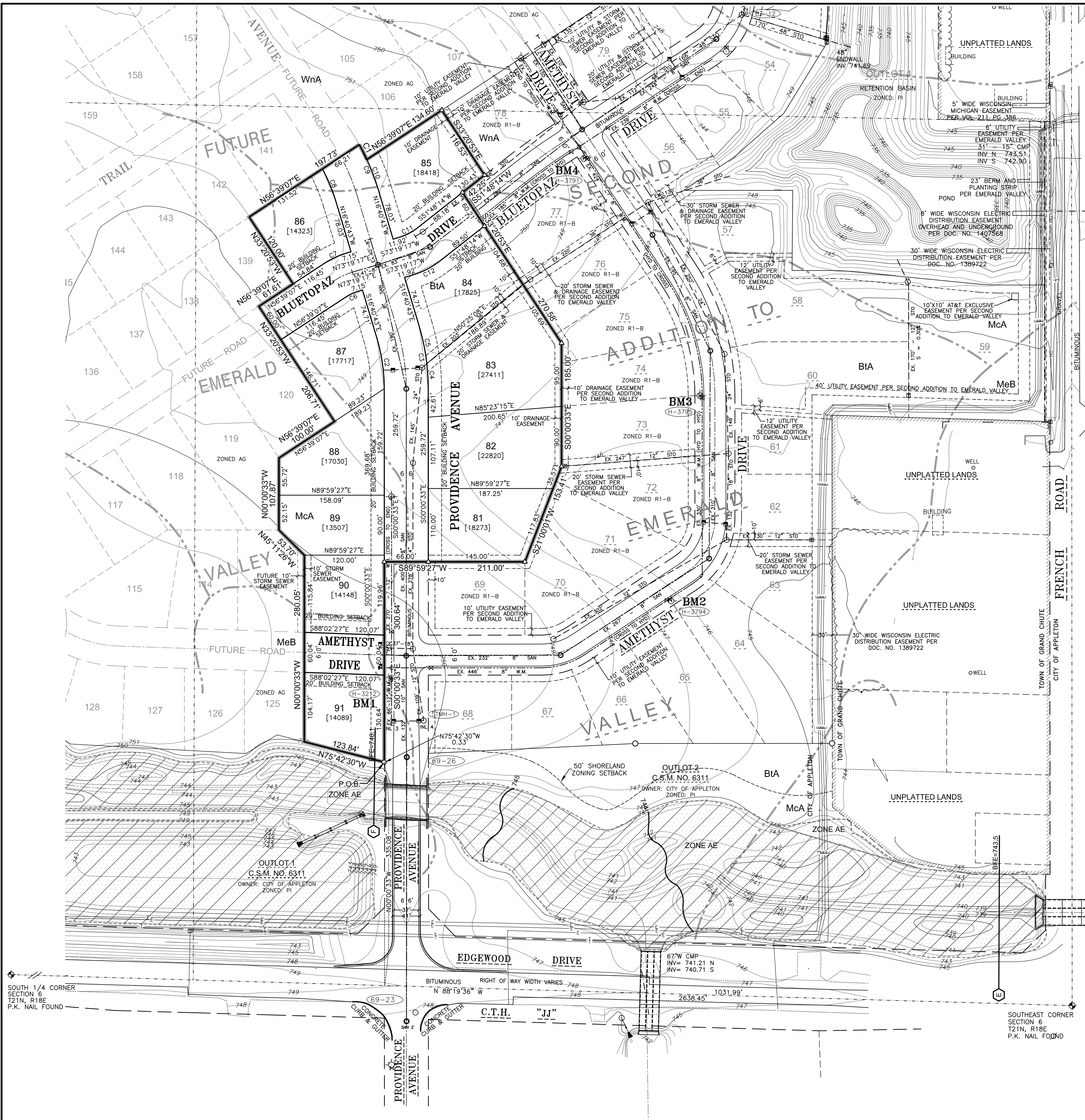
Subject Area

AG

R-1B

P-I





BEARINGS ARE REFERENCED TO THE OUTAGAMIE COUNTY COORDINATE SYSTEM WHICH HAS THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SECTION 6, BEARING N 88°19'36\" W

SCALE IN FEET

1\" = 80'

BENCHMARK DATA		
I.D.	DESCRIPTION	ELEVATION
BM1	HYDRANT ELEVATION ON TOP SHOULDER, CITY NO. 3212	754.45
BM2	HYDRANT ELEVATION ON TOP SHOULDER, CITY NO. 3794	752.51
BM3	HYDRANT ELEVATION ON TOP SHOULDER, CITY NO. 3795	752.73
BM4	HYDRANT ELEVATION ON TOP SHOULDER, CITY NO. 3791	752.64

BENCHMARKS ARE ON CITY OF APPLETON DATUM

CURVE TABLE							
CURVE	RADIUS	DELTA	LENGTH	CHORD BEARING	CHORD	TANGENT IN	TANGENT OUT
1	333.00'	004°19'42\"	25.16'	S 27°04'53.0\" E	25.15'	N 24°55'02\" W	N 29°14'44\" W
2	267.00'	016°40'10\"	77.68'	N 08°20'38.0\" W	77.41'	N 00°00'33\" W	N 16°40'43\" W
3	333.00'	017°40'10\"	96.88'	N 08°20'38.0\" W	96.54'	N 00°00'33\" W	N 16°40'43\" W
4	333.00'	006°30'18\"	37.81'	N 03°15'42.0\" W	37.79'	N 00°00'33\" W	N 06°30'51\" W
5	333.00'	010°09'52\"	59.08'	N 11°35'47.0\" W	59.00'	N 06°30'51\" W	N 16°40'43\" W
6	70.00'	016°40'10\"	20.37'	S 64°59'11.5\" W	20.29'	S 73°19'17\" W	S 56°39'06\" W
7	130.00'	016°40'10\"	37.82'	S 64°59'12.0\" W	37.69'	S 73°19'17\" W	S 56°39'07\" W
8	267.00'	011°33'01\"	53.82'	N 22°27'13.5\" W	53.73'	N 16°40'43\" W	N 28°13'44\" W
9	333.00'	012°34'01\"	73.04'	N 22°27'13.5\" W	72.89'	N 16°40'43\" W	N 29°14'44\" W
10	333.00'	008°14'19\"	47.88'	N 20°44'52.5\" W	47.84'	N 16°40'43\" W	N 24°55'02\" W
11	70.00'	021°31'03\"	26.29'	N 62°33'45.5\" E	26.13'	N 73°19'17\" E	N 51°48'14\" E
12	130.00'	021°31'03\"	48.82'	N 62°33'45.5\" E	48.54'	N 73°19'17\" E	N 51°48'14\" E

SUPPLEMENTARY DATA

GROSS AREA [261,163 SQ. FT.] 5.995 ACRES

ROAD AREA [65,602 SQ. FT.] 1.506 ACRES

NET SUBDIVISION AREA [195,561 SQ. FT.] 4.489 ACRES

LINERAL FEET OF ROAD 16,204' LINERAL FT.

AVERAGE LOT SIZE 18,000 SQ. FT.

TYPICAL LOT SIZE 110' x 130'

NUMBER OF LOTS 11

PRESENT ZONING AG

FUTURE ZONING R1-B

LOT AREA MINIMUM = 6,000 SQ. FT.

FRONT YARD SETBACK = 20 FT.

SIDE YARD SETBACK = 6 FT.

REAR YARD SETBACK = 25 FT.

MINIMUM LOT WIDTH = 50 FT.

NOTES

THE OWNER/SUBDIVIDER HAS NOTICE OR KNOWLEDGE OF ANY ENVIRONMENTAL PROBLEM (THE EXISTENCE OF HAZARDOUS OR TOXIC SUBSTANCES) OF ANY SORT ON THE PROPERTY BEING TRANSFERRED. THE OWNER/SUBDIVIDER UNDERSTANDS THAT IT WILL PAY FOR ANY COSTS TO REMEDY ANY ENVIRONMENTAL PROBLEMS ENCOUNTERED DURING THE CONSTRUCTION OF ANY OF THE PUBLIC IMPROVEMENTS REQUIRED BY THE CITY ON THE PLAT OR IN THE DEVELOPER'S AGREEMENT. THE OWNER/SUBDIVIDER UNDERSTANDS THAT THEY SHALL BE INDIVIDUALLY RESPONSIBLE FOR ANY ENVIRONMENTAL PROBLEM FOUND ON THE LAND, TRANSFERRED TO THE CITY ON THE PLAT DURING THE CONSTRUCTION OF ROADS OR OTHER DEDICATIONS AND AGREE TO HOLD THE CITY HARMLESS UNTIL CONSTRUCTION, INSTALLATION OR GRADING IS COMPLETE.

A DRAINAGE PLAN HAS BEEN FILED WITH THE DEPARTMENT OF PLANNING, ZONING & SANITATION OFFICE. MAINTENANCE OF ALL DRAINAGE WAYS AND ASSOCIATED STRUCTURES WITHIN THE SUBDIVISION OR SERVING THE SUBDIVISION IS THE SOLE RESPONSIBILITY OF THE PROPERTY OWNERS OF THE SUBDIVISION.

UPON FAILURE OF THE PROPERTY OWNERS TO PERFORM MAINTENANCE OF THE DRAINAGE WAYS AND ASSOCIATED STRUCTURES, THE CITY RETAINS THE RIGHT TO PERFORM MAINTENANCE AND/OR REPAIRS WHICH SHALL BE EQUALLY ASSESSED AMONGST THE PROPERTY OWNERS OF THE SUBDIVISION WITH A DRAINAGE COVENANT.

LOT LINE GRADES ESTABLISHED BY THE DRAINAGE PLAN FOR THIRD ADDITION TO EMERALD VALLEY ARE MANDATORY. IT IS THE RESPONSIBILITY OF THE LOT OWNER TO COMPLY WITH THESE ESTABLISHED ELEVATIONS.

UTILITY EASEMENTS, LOCATIONS AND WIDTHS WILL BE SHOWN ON THE FINAL PLAT.

CONTOURS ARE ONE FOOT INTERVALS AND BASED ON CITY OF APPLETON DATUM.

LEGAL DESCRIPTION

PART OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4, SECTION 6, TOWNSHIP 21 NORTH, RANGE 18 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN, MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 6; THENCE NORTH 88 DEGREES 19 MINUTES 36 SECONDS WEST, ALONG THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION, A DISTANCE OF 1031.99 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 33 SECONDS WEST, ALONG THE WEST RIGHT-OF-WAY LINE OF PROVIDENCE AVENUE AND ITS SOUTHERLY EXTENSION, A DISTANCE OF 335.08 FEET; THENCE NORTH 75 DEGREES 42 MINUTES 30 SECONDS WEST, CONTINUING ALONG THE WEST RIGHT-OF-WAY LINE OF PROVIDENCE AVENUE, A DISTANCE OF 0.33 FEET TO THE POINT OF BEGINNING; THENCE NORTH 75 DEGREES 42 MINUTES 30 SECONDS WEST, ALONG THE NORTH LINE OF CERTIFIED SURVEY MAP NO. 6311, A DISTANCE 123.84 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 33 SECONDS WEST, 280.05 FEET; THENCE NORTH 45 DEGREES 11 MINUTES 26 SECONDS WEST, 53.70 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 33 SECONDS WEST, 107.87 FEET; THENCE NORTH 56 DEGREES 39 MINUTES 07 SECONDS EAST, 100.00 FEET; THENCE NORTH 33 DEGREES 20 MINUTES 53 SECONDS WEST, 206.71 FEET; THENCE NORTH 56 DEGREES 39 MINUTES 07 SECONDS EAST, 61.61 FEET; THENCE NORTH 33 DEGREES 20 MINUTES 53 SECONDS WEST, 120.00 FEET; THENCE NORTH 56 DEGREES 39 MINUTES 07 SECONDS EAST, 197.73 FEET; THENCE NORTH 33 DEGREES 20 MINUTES 53 SECONDS WEST, 25.16 FEET ALONG AN ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 333.00 FEET AND A CHORD THAT BEARS SOUTH 27 DEGREES 04 MINUTES 53.0 SECONDS EAST, 25.15 FEET; THENCE NORTH 56 DEGREES 39 MINUTES 07 SECONDS EAST, 134.60 FEET; THE FOLLOWING SEVEN CALLS ARE ALONG THE WEST LINE OF THE SECOND ADDITION TO EMERALD VALLEY:

THENCE SOUTH 33 DEGREES 20 MINUTES 53 SECONDS EAST, 116.53 FEET;

THENCE SOUTH 51 DEGREES 48 MINUTES 14 SECONDS WEST, 42.25 FEET;

THENCE SOUTH 33 DEGREES 20 MINUTES 53 SECONDS EAST, 270.58 FEET;

THENCE SOUTH 00 DEGREES 00 MINUTES 33 SECONDS EAST, 185.00 FEET;

THENCE SOUTH 21 DEGREES 00 MINUTES 01 SECONDS WEST, 153.41 FEET;

THENCE SOUTH 89 DEGREES 59 MINUTES 27 SECONDS WEST, 211.00 FEET;

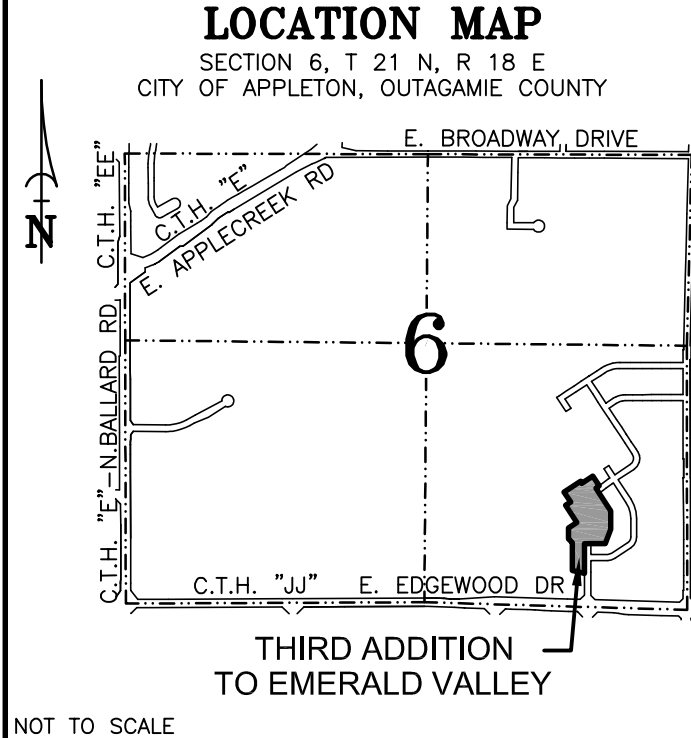
THENCE SOUTH 00 DEGREES 00 MINUTES 33 SECONDS EAST, 300.64 FEET TO THE POINT OF BEGINNING. CONTAINING 261,163 SQUARE FEET (5.995 ACRES).

SURVEYOR'S CERTIFICATE

I, GARY A. ZAHNINGER, HEREBY CERTIFY THAT THIS PRELIMINARY PLAT IS A CORRECT REPRESENTATION OF ALL EXISTING LAND DIVISIONS AND FEATURES, AND THAT I HAVE COMPLIED WITH THE PROVISIONS OF THE CITY OF APPLETON SUBDIVISION ORDINANCE.

DATED THIS THE 17TH DAY OF FEBRUARY, 2017

GARY A. ZAHNINGER, PROFESSIONAL LAND SURVEYOR NO. S-2098



SOIL TYPES LOCATED WITHIN SUBDIVISION

BIA - BRIGGSVILLE SILT LOAM

McA - MANAWA SILTY CLAY LOAM

WnA - WINNECONNE SILTY CLAY LOAM

OWNER AND DEVELOPER

BOB DEBRIN
EMERALD VALLEY ESTATES, LLC
2100 FREEDOM ROAD
LITTLE CHUTE, WI 54140
PHONE: 920-731-8111

OBJECTING AND APPROVING AUTHORITIES

DEPARTMENT OF ADMINISTRATION
CITY OF APPLETON

TOPOGRAPHIC LEGEND	
	MAPPED FLOODWAY
	MAPPED 100 YEAR FLOOD
	CONTOUR W/ ELEVATION
	SOIL BORING
	INFILTRATION SOIL BORING
	TOPSOIL DEPTH
	CONIFEROUS TREE
	DECIDUOUS TREE
	EXIST. WOODS LINE
	MAPPED WETLANDS
	OVERHEAD POWER LINES
	UNDERGROUND ELECTRIC
	UNDERGROUND TELEPHONE
	UNDERGROUND GAS
	UNDERGROUND CABLE TV
	EXIST. FENCE LINE
	SPOT ELEVATION
	EXIST. HYDRANT
	POWER POLE
	GUY
	LIGHT POLE
	TELEPHONE PEDESTAL
	ELECTRIC PEDESTAL
	CABLE PEDESTAL
	WATER VALVE
	GAS VALVE
	WATER STOP BOX
	EXIST. STORM MANHOLE
	STORM INLET
	YARD DRAIN
	EXIST. SANITARY MANHOLE
	EXIST. SAN. SEWER
	EXIST. WATER MAN
	EXIST. SPOT ELEVATION
	1\" x 24\" IRON PIPE FOUND
	1-1/4\" IRON PIPE FOUND

Martenson & Eisele, Inc.

1377 Midway Road
Menasha, WI 54952
www.martenson-eisele.com
info@martenson-eisele.com
920.731.0381 1.800.236.0381

Planning
Environmental
Surveying
Engineering
Architecture

NO.	DATE	DRAWN BY	CHECKED	APPROVED	
				GAZ	REVISION

THIRD ADDITION TO EMERALD VALLEY

PART OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4, SECTION 6, TOWNSHIP 21 NORTH, RANGE 18 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN

SCALE 1\" = 80'

DATE FEB 2017

COMPUTER FILE

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