



REPORT TO CITY PLAN COMMISSION

Plan Commission Meeting Date: January 12, 2022

Common Council Meeting Date: January 19, 2022

Item: Extraterritorial Final Plat – Center Valley at 3800 – Town of Grand Chute

Case Manager: Don Harp, Principal Planner

GENERAL INFORMATION

Owner: Greene Development Appleton, Jim Greene

Applicant: Robert E. Lee & Associates, Troy Hewitt

Address/Parcel #: Generally located at the northeast corner of the intersection of Interstate Highway 41 and Wisconsin Avenue (S.T.H. 96) in the Town of Grand Chute – Tax Id #s 101091300 and 101091303.

Petitioner's Request: The applicant is proposing to subdivide property under Town's CR – Regional Commercial District zoning district for commercial development. The platted area is 19.379 acres, which will be divided into six (6) lots.

BACKGROUND

The Extraterritorial Preliminary Plat for Center Valley at 3800 was approved by the Plan Commission on November 10, 2021 and by the Common Council on November 17, 2021.

The subject area is within the City's extraterritorial plat approval jurisdiction, which includes the unincorporated area within three miles of the City or where extraterritorial jurisdictions overlap; the overlapping area is divided by a line whose points are equidistant from the boundaries of each municipality. This plat is located with the three-mile extraterritorial plat approval jurisdiction limit.

STAFF ANALYSIS

Purpose of Extraterritorial Plat Approval: The purpose of extraterritorial plat approval jurisdiction is to help the City influence the development pattern of areas outside the City boundaries that may be annexed to the City in the future. The current Intermunicipal Boundary Agreement with the Town of Grand Chute indicates the subject site is located outside of the City's annexation area.

Existing Conditions: The subject site is developed with WG&R Furniture (Lot 5) and REI Co-op (Lot 1). No buildings exist on proposed Lots 2, 3, 4 and 6. Access to the development will be obtained from Westhill Boulevard.

Surrounding Land Uses: The surrounding area is under the jurisdiction of the Town of Grand Chute. The nearby uses are generally commercial in nature.

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Comparison Between Final Plat and Preliminary Plat: The Final Plat is consistent with the Preliminary Plat layout in terms of the shape, size, and location of the lots.

Comprehensive Plan 2010-2030: Community & Economic Development staff has reviewed the City's *Comprehensive Plan 2010-2030* and determined this proposed subdivision is outside the City of Appleton's growth area.

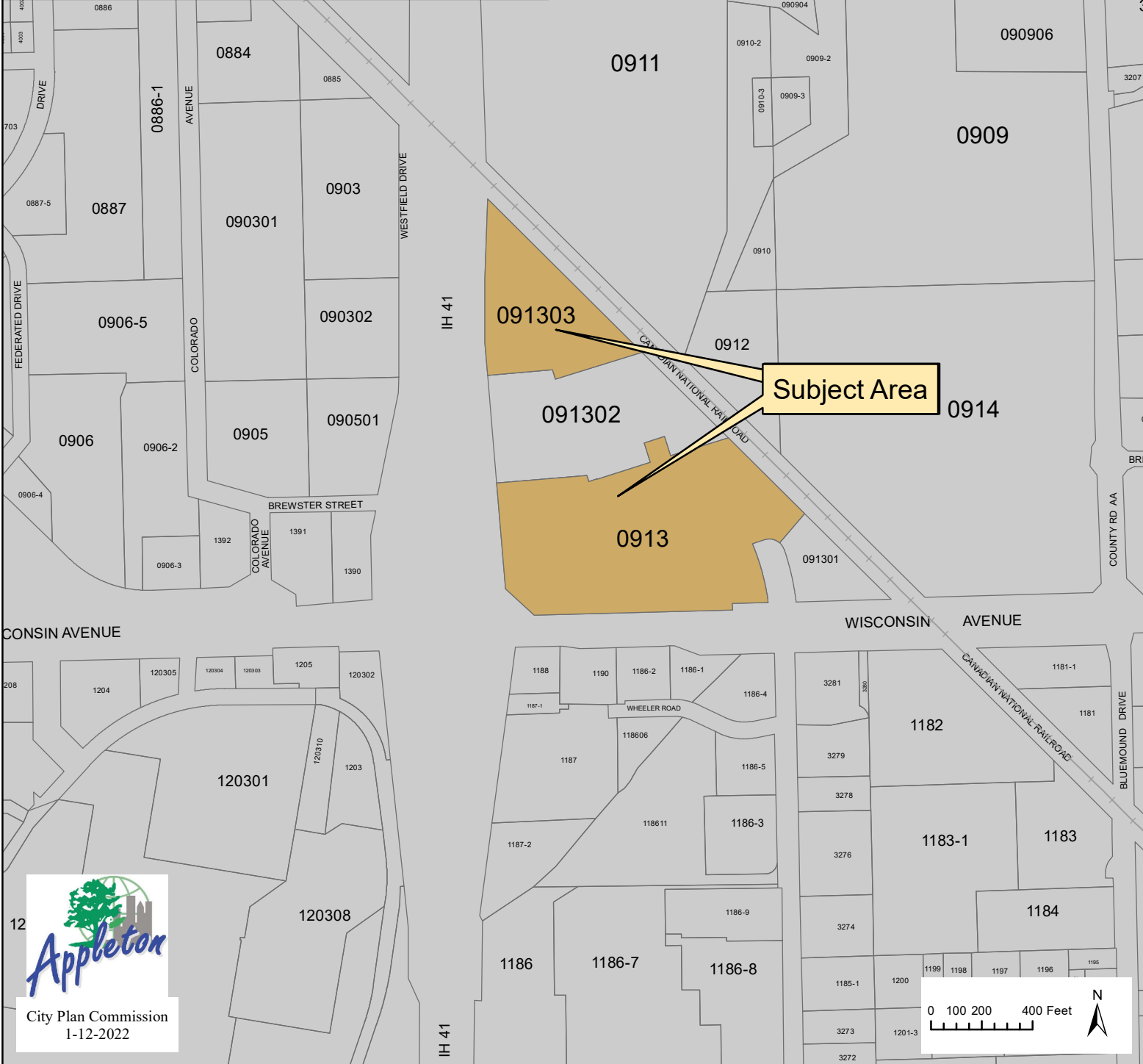
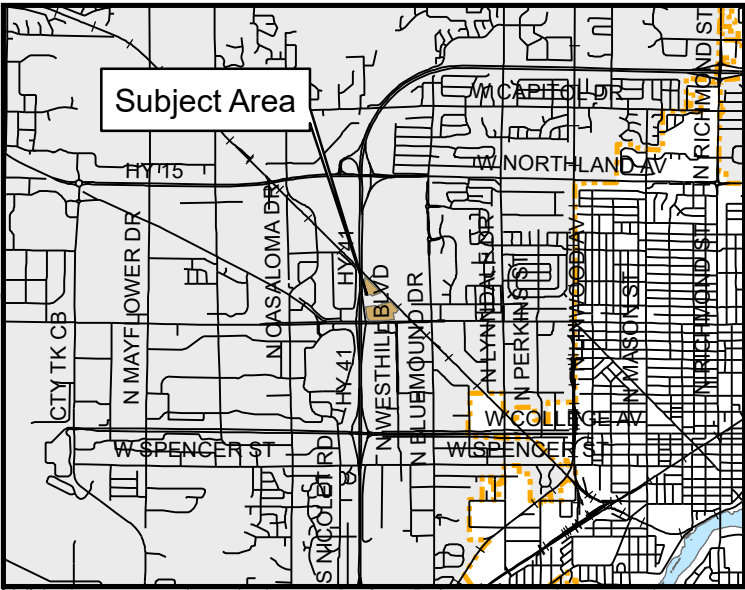
Review Criteria: Community & Economic Development staff has reviewed the Extraterritorial Final Plat in accordance with the City of Appleton Zoning Ordinance requirements for commercial developments. The lot sizes and lot widths for the lots in this Town of Grand Chute subdivision exceed minimum City of Appleton Zoning Ordinance requirements for commercial developments.

Technical Review Group (TRG) Report: This item was included on the December 7, 2021 Technical Review Group agenda. No negative comments were received from participating departments.

RECOMMENDATION

Based on the above, staff recommends that the Center Valley at 3800 Extraterritorial Final Plat, located in the Town of Grand Chute, as shown on the attached maps, **BE APPROVED**.

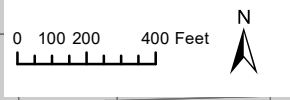
Extraterritorial Final Plat
Center Valley At 3800
Town of Grand Chute
Vicinity Map



Subject Area



City Plan Commission
1-12-2022



Extraterritorial Final Plat
Center Valley At 3800
Town of Grand Chute
Aerial Map



Subject Area

HWY 41

HWY 41

HWY 41 ON RAMP

RAMP

W WISCONSIN AV

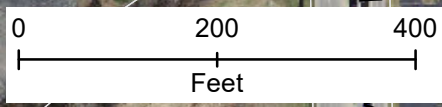
WHEELER RD

W WISCONSIN AV

N WEST ST



City Plan Commission
1-12-2022



CENTER VALLEY AT 3800

ALL OF LOT 1 AND ALL OF LOT 3 OF VOLUME 47 OF CERTIFIED SURVEY MAPS, PAGE 7676, MAP NUMBER 7676, DOCUMENT NUMBER 2152310, BEING PART OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4, PART OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4, AND PART OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4, ALL LOCATED IN SECTION 20, TOWNSHIP 21 NORTH, RANGE 17 EAST, TOWN OF GRAND CHUTE, OUTAGAMIE COUNTY, WISCONSIN

SURVEYOR'S CERTIFICATE

I, Troy E. Hewitt, Professional Land Surveyor, hereby certify that by the order and under the direction of the owners listed hereon, I have surveyed, divided and mapped a parcel of land being all of Lot 1 and all of Lot 3 of Volume 47 of Certified Survey Maps, Page 7676, Map Number 7676, Document Number 2152310, being part of the Northwest 1/4 of the Southeast 1/4, part of the Southwest 1/4 of the Southeast 1/4, and part of the Southeast 1/4 of the Southeast 1/4, all located in Section 20, Township 21 North, Range 17 East, Town of Grand Chute, Outagamie County, Wisconsin.

Said parcel contains 844,130 Square Feet (19.379 Acres) of land more or less. Subject to easements and restrictions of record.

That the within map is a true and correct representation of the exterior boundaries of the land surveyed and the division of that land and that I have fully complied with the provisions of Chapter 236 of the Wisconsin Statutes in the surveying, dividing and mapping of the same.

Troy E. Hewitt PLS #2831 Date
ROBERT E. LEE & ASSOCIATES, INC.

OWNER'S CERTIFICATE

Greene Development-Appleton, LLC, a limited liability corporation duly organized and by virtue of the laws of the State of Wisconsin, as the property owner, does hereby certify that said limited liability caused the land described on this plat to be surveyed, divided and mapped as represented on this plat.

Greene Development-Appleton, LLC does further certify that this plat is required by s.236.10 or s.236.12 to be submitted to the following for approval or objection:

TOWN OF GRAND CHUTE
CITY OF APPLETON
OUTAGAMIE COUNTY DEVELOPMENT AND LAND SERVICES
DEPARTMENT OF ADMINISTRATION

Dated this _____ day of _____, 2021.

By _____

Print Name _____

Title _____ Date _____

STATE OF WISCONSIN) COUNTY) SS

Personally came before me this _____ day of _____, 2021, the above named officer of said limited liability company to me known to be the persons who executed the foregoing instrument and to me known to be such officer of said limited liability company, and acknowledged that they executed the foregoing instrument as such officer as the deed of said limited liability company, by its authority.

_____, Notary Public,
_____, Wisconsin

My commission expires _____

UTILITY EASEMENT PROVISIONS

An easement for electric, natural gas, communications, water, sanitary and storm sewer service is hereby granted by

GREENE DEVELOPMENT APPLETON, Grantor, to

WISCONSIN ELECTRIC POWER COMPANY and WISCONSIN GAS, LLC, Wisconsin corporations doing business as We Energies, Grantee,

AT&T, Grantee,
TIME WARNER CABLE, Grantee
TOWN OF GRAND CHUTE, Grantee

their respective successors and assigns, to construct, install, operate, repair, maintain and replace from time to time, facilities used in connection with overhead and underground transmission and distribution of electricity and electric energy, natural gas, water, sanitary and storm sewer, telephone and cable TV facilities for such purposes as the same is now or may hereafter be used, all in, over, under, across, along and upon the property shown within those areas on the plat designated as "Utility Easement Areas" and the property designated on the plat for streets and alleys, whether public or private, together with the right to install service connections upon, across within and beneath the surface of each lot to serve improvements, thereon, or on adjacent lots; also the right to trim or cut down trees, brush and roots as may be reasonably required incident to the rights herein given, and the right to enter upon the subdivided property for all such purposes. The Grantees agree to restore or cause to have restored, the property, as nearly as is reasonably possible, to the condition existing prior to such entry by the Grantees or their agents. This restoration, however, does not apply to the initial installation of said underground and/or above ground electric facilities, natural gas facilities, water facilities, sanitary and storm sewer facilities or telephone and cable TV facilities or to any trees, brush or roots which may be removed at any time pursuant to the rights herein granted. Structures shall not be placed over Grantees' facilities or in, upon or over the property within the lines marked "Utility Easement Areas" without the prior written consent of Grantees. After installation of any such facilities, the grade of the subdivided property shall not be altered by more than four inches without written consent of grantees.

The grant of easement shall be binding upon and inure to the benefit of the heirs, successors and assigns of all parties hereto.

TOWN OF GRAND CHUTE CERTIFICATE

Approved by the Town of Grand Chute this _____ day of _____, 2021.

Jason Van Eperen Date
Chairperson

CITY OF APPLETON CERTIFICATE

Approved by the Common Council of the City of Appleton this _____ day of _____, 2021.

Jake Woodford Date
Mayor

OUTAGAMIE COUNTY CERTIFICATE

Approved by the Outagamie County Agriculture, Extension Education, Zoning and Land Conservation Committee

this _____ day of _____, 2021.

Jason Pausma Date
Senior Planner

TOWN OF GRAND CHUTE TREASURER'S CERTIFICATE

I, being the duly elected, qualified and acting Treasurer of the Town of Grand Chute, do hereby certify that in accordance with the records in my office, there are no unredeemed tax sales and unpaid taxes, or special assessments on and of the land included in this plat.

Julie Wahlen Date
Town of Grand Chute Treasurer

OUTAGAMIE COUNTY TREASURER'S CERTIFICATE

I, being the duly elected, qualified and acting Treasurer of Outagamie County, do hereby certify that in accordance with the records in my office, there are no unredeemed tax sales and unpaid taxes, or special assessments on and of the land included in this plat.

Trenton Woelfel Date
Outagamie County Treasurer

TRANS 233.05 - ACCESS RESTRICTION CLAUSE

As Owner, I hereby restrict all lots and blocks (except existing driveway on Lot 5), in that no owner, possessor, user, nor licensee, nor other person shall have any right of direct vehicular ingress or egress with IH 41 or STH 96, as shown on the plat; it being expressly intended that this restriction shall constitute a restriction for the benefit of the public according to s. 236.293, Stats., and shall be enforceable by the Wisconsin Department of Transportation

TRANS 233.08 - HIGHWAY SETBACK

No improvements or structures are allowed between the right of way line and the highway setback line. Improvements and structures include, but are not limited to, signs, parking areas, driveways, wells, septic systems, drainage facilities, buildings and retaining walls. It is expressly intended that this restriction is for the benefit of the public as provided in section 236.293, Wisconsin Statutes, and shall be enforceable by the Wisconsin Department of Transportation or its assigns. Contact the Wisconsin Department of Transportation for more information. The phone number may be obtained by contacting the County Highway Department.

PUBLIC TRUST INFORMATION

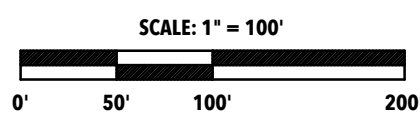
Any land below the ordinary high water mark of a lake or a navigable stream is subject to the public trust in navigable waters that is established under article IX, Section 1, of the State Constitution.

Curve Table							
Curve #	Delta	Radius	Length	Chord	Chord	Tangent	Second
				Direction	Length	Bearing	Bearing
C1	58°08'56"	60.50'	61.40'	N78°19'36"W	58.80'	N49°15'08"W	S72°35'57"W
C2	15°11'32"	910.00'	241.29'	S15°06'51"E	240.58'	N07°31'05"W	N22°42'37"W

Line Table			Line Table		
Line #	Length	Direction	Line #	Length	Direction
L1	53.11'	S72°35'57"W	L6	38.96'	N17°26'06"W
L2	25.00'	S01°30'10"E	L7	25.51'	N33°58'18"E
L3	24.75'	S17°26'06"E	L8	21.13'	N03°04'35"E
L4	35.42'	N72°33'54"E	L9	44.29'	S75°25'29"W
L5	0.67'	S17°26'06"E			

LEGEND

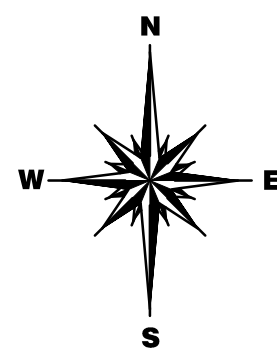
- County PLSS Monument
- Existing 1" Iron Pipe
- Existing 3/4" Iron Rod
- Wetlands delineated by Martenson & Eisele, Inc. and concurred by the DNR on 12/14/16
- 75' Setback from ordinary high water mark
- 100 Year Floodplain per FIRM Map Number 55087C0314D Effective Date July 22, 2010
- No Access
- Floodplain Cross Section
- All other lot corners marked with a 1.125" outside dia x 18" iron pipe weighing 1.38 lbs/lin. ft.



Bearings are referenced to the Outagamie County Coordinate System. The south line of the Southeast 1/4 bears N88°29'50"E.

All linear measurements have been made to the nearest hundredth of a foot and computed to the nearest hundredth of a foot.

All angular measurements have been made to the nearest three seconds and computed to the nearest half second.



There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2), Wis. Stats. as provided by s. 236.12, Wis. Stats.

Certified _____, 20 _____

Department of Administration

