

MEMORANDUM

Date: October 8, 2025

To: City Plan Commission

From: Don Harp, Principal Planner

Subject: Preliminary Plat – Comet Ridge

GENERAL INFORMATION

Owner: Jane E. Dorn Revocable Trust

Applicant: Steve Wieckert (owner's agent)

Consulting Engineer: Jeff Schultz, P.E. – Martenson & Eisele, Inc.

Parcel Numbers: 31-6-5710-00, 31-6-5710-01, 31-6-5710-03, and 31-6-5710-02

Petitioner's Request: The owner/applicant is proposing to subdivide the property into 269 lots

and 3 outlots in phases.

Plan Commission Meeting Date: October 8, 2025

Common Council Meeting Date: October 15, 2025

BACKGROUND

April 22, 2025 – The subject area was annexed to the City.

May 21, 2025 – The subject area was rezoned from AG Agricultural District to R-1B Single-family District.

September 4, 2025 – Certified Survey Map #15-25 was approved to create two lots for the land purchase for phase 1 (eastern portion) of the Comet Ridge development.

STAFF ANALYSIS

Purpose: The purpose of a preliminary plat is to allow a preliminary review of a proposed subdivision layout before a final plat is submitted for review and approval by the City. The preliminary plat allows the City to provide early feedback to the owner/developer on the proposed layout of the subdivision and check for consistency with zoning regulations, Comprehensive Plan, Comprehensive Outdoor Recreation Plan, Trails Master Plan, Street Design Guide, policies, stormwater management and infrastructure requirements. The preliminary plat is not intended to be the final recordable map as changes may be needed based upon staff review comments.

Proposed Conditions: The preliminary plat for Comet Ridge consists of approximately 93.667 acres and includes 269 proposed residential lots. It also features two proposed outlots designated for stormwater detention, one proposed outlot for the extension of the Apple Creek Trail, and proposed dedications for the development of the street network.

Zoning Ordinance Review Criteria: R-1B Single-family District lot development standards (Section 23-93, Chapter 23 Zoning Code) are as follows:

- Minimum lot area: 6,000 square feet.
 - The proposed average lot size within this development is 8,911 square feet. All lots exceed the minimum lot area requirement, except it appears Outlot 3 does not satisfy this requirement.
- Minimum lot width: 50 feet.
 - All lots comply with this minimum requirement, except it appears Outlot 3 does not satisfy 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 has been shown on the Preliminary Plat. Required setbacks will be reviewed through the building permit review process.
- Maximum building height: Thirty-five (35) feet.
 - o 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, except for the code sections listed below.

Section 17-26(g) of the Municipal Code discourages excessive lot depth in relation to width, with a 2:1 depth-to-width ratio considered the maximum for lots 60 feet wide or greater. The proposed double frontage lots, while exceeding this ratio, are being platted with a 50-foot State Highway Building Setback Line. This results in greater lot depth compared to other proposed lots; however, the intent of Section 17-26(g) to promote uniformity, orderly layout, and adequate accessibility is satisfied despite the technical ratio being exceeded.

Outlot 3 does not satisfy the minimum 6,000 square foot lot size and minimum 50 foot lot width requirement of the R-1B Zoning District. Section 17-29(g)(1)c. of the Municipal Code, outlots dedicated for a public trail are exempt from the dimensional standards of the R-1B Zoning District.

Per Section 17-26(c)(2) of the Municipal Code, "Double frontage lots shall not be permitted except as required by the Common Council where they are desirable to provide separation of development from traffic arterials or inharmonious uses, or to overcome disadvantages of topography or situation."

Analysis: Lots 121, 221, 222, 223, 224 and 225 are double frontage lots. The creation of double frontage lots cannot be avoided because Richmond Street (STH "47") is governed by Wisconsin Department of Transportation Access Restrictions.

Analysis: The developer has proposed a potential future land division of Lot 43 to address a double frontage issue. Relocating the agricultural wetland ditch is necessary to divide Lot 43 into two lots. If a permit is approved by the Wisconsin Department of Natural Resources or Army Corps to relocate the agricultural wetland ditch, the developer will reconfigure this lot with the next phase of Comet Ridge Development. At this time, we will withhold any recommendation to grant a waiver for Lot 43 until additional information becomes available regarding the proposed ditch relocation.

Pursuant to Section 17-3(f) of the Municipal Code, when the Common Council finds that extraordinary hardship or injustice will result from strict compliance with this ordinance, it may vary the terms thereof to the extent deemed necessary and proper to grant relief, provided that the modification meets the following three standards:

- (1) The modification is due to physical features of the site or its location.
- (2) The modification is the least deviation from this ordinance which will mitigate the hardship.
- (3) The modification is not detrimental to the public interest and is in keeping with the general spirit and intent of this ordinance.

Based upon the above analysis for the double frontage lots, it would appear the standards established by Section 17-3(f) Modification of Regulations have been met.

Street Names and Prefixes: All proposed street names shall satisfy Section 16-36 of the Municipal Code, the City Street Name Policy and Outagamie County 911 Service regulations. The final review of following recommendations from the City and County GIS staff will occur at the Final Plat Review stage.

- Ductile Lane west of Clayhill Drive will need to change to Ductile Court.
- The street name Jane Court exists in Winnebago County. To avoid confusion for 911 emergency service calls, a new street name for this court will need to be proposed.
- The street name Garks Drive could cause confusion 911 emergency service calls, a new street name for this court will need to be proposed.

Surrounding Zoning and Land Uses: The surrounding zoning and uses (north, south, east, and west) are generally residential in nature with a small portion being commercial.

North: City of Appleton. R-1B Single-family District. The adjacent land use to the north is undeveloped land. Town of Grand Chute. The adjacent land uses to the north are residential and undeveloped land.

South: City of Appleton. R-1B Single-family and R-2 Two-family District. The adjacent land uses to the south are residential, stormwater detention pond and lift station.

East: City of Appleton. R-1B Single-family District. The adjacent land uses to the east are residential and public trail.

West: Town of Grand Chute. The adjacent land uses to the west are residential and commercial.

Appleton Comprehensive Plan 2010-2030: The City of Appleton 2010-2030 Comprehensive Plan Map identifies the subject area as future one/two family residential, multifamily residential, public park and open space and ponds/water. The proposed preliminary plat appears to be consistent with the following goals and objectives of the *Comprehensive Plan 2010-2030*.

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 5.3 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.

7.1 OBJECTIVE: Provide a pattern of development that minimizes impacts to municipal services and utilities.

OBJECTIVE 10.1 Land Use:

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

Chapter 18 Park and Recreation Mater Plan

- 18.1 OBJECTIVE: Identify land for acquisition, or opportunities to share facilities, to provide adequate access to parks in developed parts of Appleton where there are no existing parks.
- 18.3 OBJECTIVE: Develop the City's park system as an interconnected network of sites linked by greenways and trails.
- 18.6 OBJECTIVE: Plan, design, and develop additional parks and recreational facilities that meet current and emerging needs of the community.

Dedication of Public Parks and/or Trails or Payment Fee in Lieu Thereof:

The Appleton Subdivision Regulations require parkland dedication or fee in lieu thereof for dwelling units proposed in a plat. As a result, the City will collect a park fee in the amount of \$1,100.00 per dwelling unit proposed within the Comet Ridge subdivision from the landowner upon the issuance of a building permit pursuant to Section 17-29(f) of the Municipal Code.

Development Review Team (DRT) Report: This item appeared on the September 2, 2025 Development Review Team agenda.

Comments pertaining to stormwater management, drainage, erosion control, utilities, street design, parkland dedication, plat layout and other technical requirements have been received from participating departments and captured in the stipulations found below. Staff comments have been submitted to the applicant by a separate email from staff.

FUTURE ACTIONS

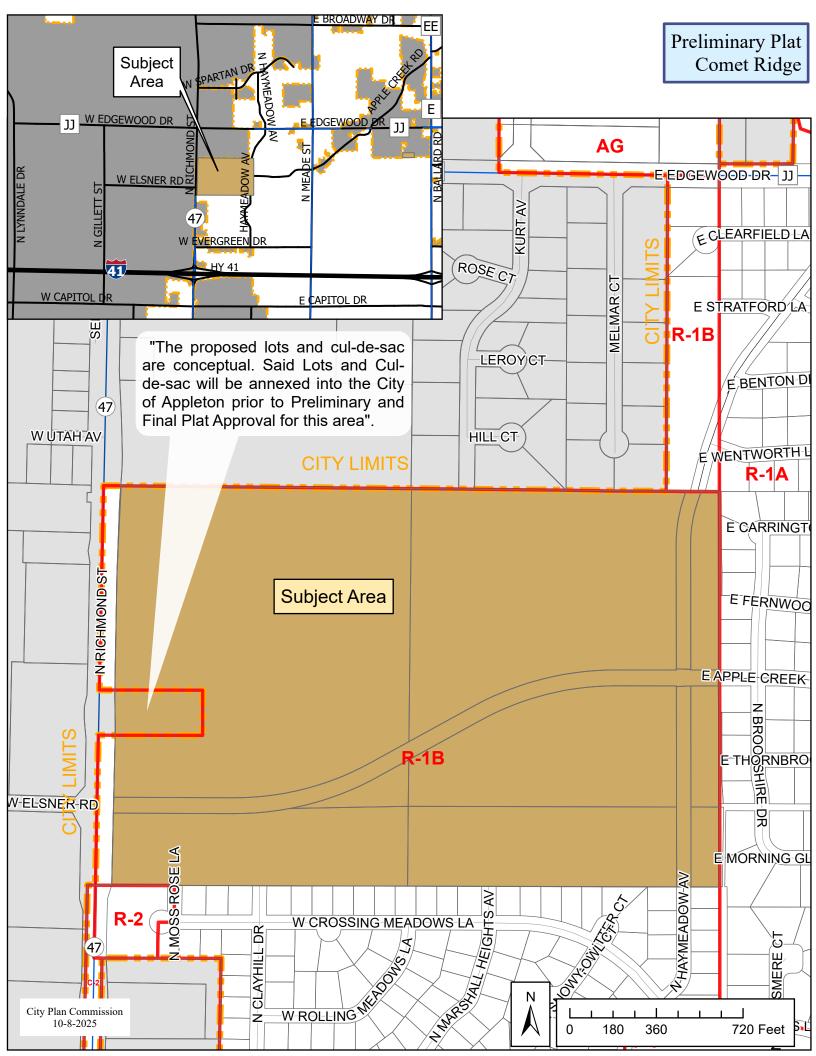
An approved Preliminary Plat shall be deemed an expression of approval or conditional approval of the plat layout and used as a guide in the preparation of the Final Plat which will be subject to further consideration by the Plan Commission and Common Council.

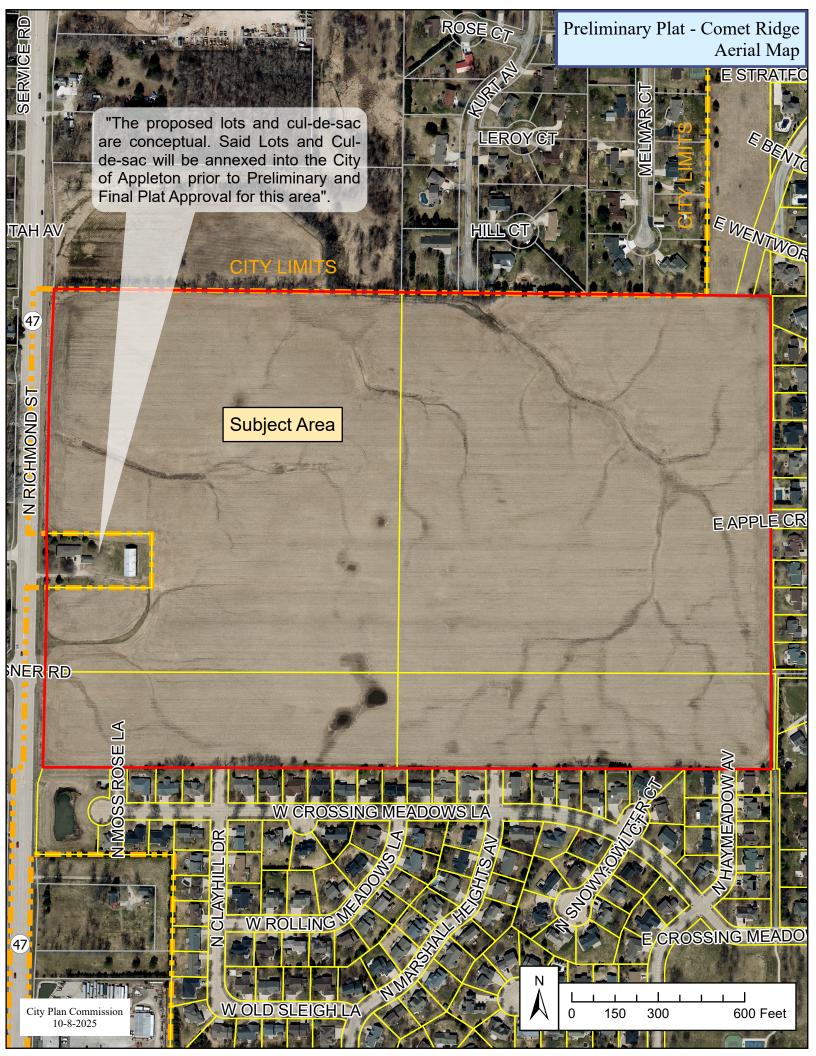
The Final Plat materials shall be submitted within 36 months of last required approving authority of the Preliminary Plat, pursuant to Section 17-6(d) of the Municipal Code.

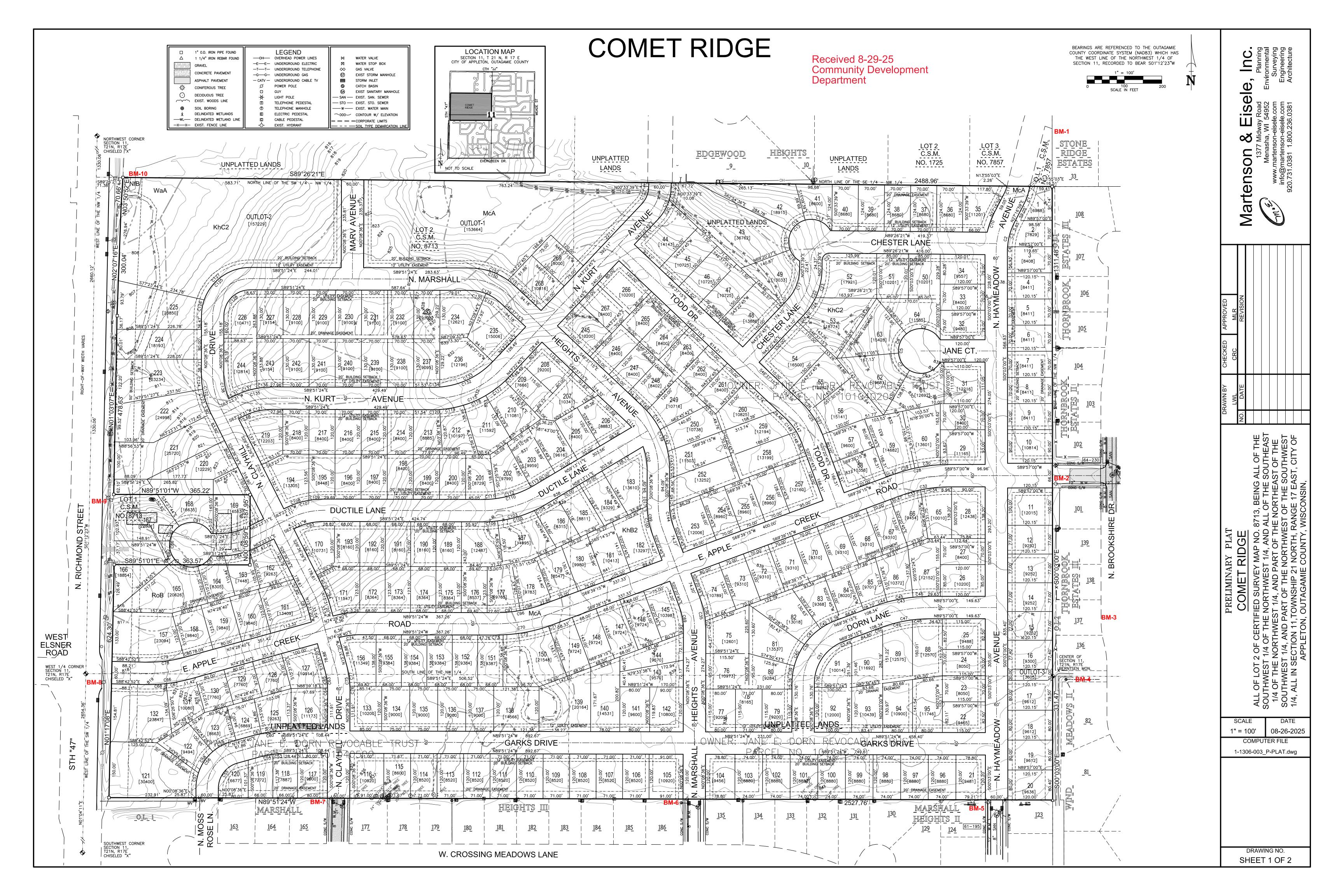
RECOMMENDATION

The Preliminary Plat for Comet Ridge, **BE APPROVED** subject to the following conditions and as shown on the attached maps:

- 1. Grant relief from the double frontage lot requirements for proposed Lots 121, 221, 222, 223, 224 and 225 per Section 17-26(c)(2) of the Municipal Code and as stated in the staff report.
- 2. Identify Outlot 3 being dedicated to the public for public trail purpose, add a note on the final plat "Dedicated to the public for public trail".
- 3. The Preliminary Plat comments and conditions, including but not limited to, the preliminary plat, street names, drainage plan, engineering plans, traffic, stormwater & environmental, public trail design and grading provided by the Department of Public Works, Engineering Division, Parks and Recreation Department, and Community Development Department dated October 2, 2025 shall be addressed by owner/applicant to the satisfaction of the respective City staff prior to City staff accepting and filing the final plat with the City Clerk's Office.
- 4. The Erosion & Sediment Control Plan and permit shall be approved for each phase of the development by the Erosion Control Inspector prior to construction.
- 5. A Development Agreement is required between the City and owner/developer that identifies the duties and responsibilities with respect to the development of the subject land. The applicant and owner, Community Development Director, Public Works Director, City Engineer, City Attorney, and other applicable staff shall discuss the preparation and process of this agreement. City signatures will not be affixed to the Final Plat until the Development Agreement is executed by the owner/developer. All improvements for the Comet Ridge Plat shall be completed under the terms and conditions of said development agreement.
- 6. City signatures shall not be affixed to the Final Plat until objecting authorities, including but not limited to, the Department of Administration review and notify the City that they do not object to the Final Plat.
- 7. All approvals and permits for development must be obtained from all appropriate regulatory agencies prior to construction.
- 8. 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.







108.15' S 88°42'52" E N 74°28'40" E 106.26' S 88°42'52" E N 74°46'24" E 1.91' N 74°46'24" E N 74°28'40" E 32.84' N 15°31'20" W N 26°36'29" W 106.41' S 89°51'24" E N 63°23'31" E 24.00' N 69°22'23" E N 63°23'31" E 24.00' N 69°52'23" E N 69°22'23" E 12.96' S 89°51'24" E N 86°54'54" E N 86°54'54" E 60.00' N 30°08'36" E N 29°51'24" W 45.28' N 74°28'40" E N 30°08'36" E 64.57' S 09°44'15" W S 40°25'05" E 50.86' S 00°08'36" W S 40°25'05" E 46.70' S 55°32'16" W S 09°44'15" W 88.19' N 29°51'24" W S 55°32'16" W 88.19' N 29°51'24" W S 63°23'31" E 78.65' N 89°51'24" W S 63°23'31" E

6.13' 54.43' 77.28' 31.83' 45.95' 132.63' 25.89' 108.22'

54.66' 77.96' 31.87' 46.09' 135.83' 25.91' 109.92'

CURVE TABLE

EXISTING SANITARY SCHEDULE STRUCTURE STRUCTURE ID# | RIM ELEVATION | INVERT ELEVATION DEPTH (FT.) 61-195 845.25 8" S = 834.2910.96 8" N = 825.6664-230 837.92 12.34 8" E = 825.658" S = 825.58

EXISTING STORM SCHEDULE			
STRUCTURE ID#	RIM ELEVATION	INVERT ELEVATION	STRUCTURE DEPTH (FT.)
AD-170A	835.92	10" SE = 831.87	4.05
AD-170	836.36	10" NW/SE = 831.65 12" S = 830.32	6.04
AD-170B	835.96	10" SW = 831.91	4.05
AD-350	838.26	12" S =	
AD-360	841.10	12" E = 836.95	4.15
AD-178B	841.05	12" W = 836.77 12" SE = 836.70	4.35
AD-178	841.27	12" NW = 836.48 12" S = 835.26 10" NE = 836.48	6.01
AD-178A	841.06	10" SW = 837.21	3.85
AD-352	840.65	12" S =	
AD-354		12" S =	
AD-166B	844.54	10" SE = 840.94	3.60
AD-166	844.97	10" NW/NE = 840.32 12" S = 838.92	6.05
AD-166A	844.57	10" SW = 841.07	3.50
AD-303	840.93	12" E = 837.83	
AQ-118	836.72	12" N = 833.82	
AQ-18	837.86	18" N = 830.66 12" NE = 831.66 12" E = 830.95 12" SE = 832.31 12" S = 831.86	7.20
AQ-18B	837.56	12" SW = 832.76	4.80
AQ-18C	837.60	12" SE =	
AQ-115	837.41	12" E = 834.46	

DENOTIFIANT DATA			
I.D.	DESCRIPTION:	ELEVATION:	
ВМ1	TOP OF HYDRANT #2757	843.06	
ВМ2	TOP OF HYDRANT #2474	841.19	
ВМЗ	TOP OF HYDRANT #2473	843.82	
BM4	TOP OF HYDRANT #2476	846.26	
ВМ5	TOP OF HYDRANT #2374	848.10	
ВМ6	TOP OF HYDRANT #2437	844.66	
ВМ7	TOP OF HYDRANT #2431	839.28	
ВМ8	MAG NAIL PP# 01-00192, SE CORNER ELSNER ROAD	821.19	
ВМ9	MAG PP# 01-00196 E/O HOUSE# 4700	816.18	
BM10	CHISEL SQUARE, NE CORNER CONC BOX CULVERT	808.20	
BENCHMARKS ARE ON CITY OF APPLETON DATUM (NAVD 88)			

BENCHMARK DATA

NORTHEAST AND NORTHWEST 1/4 OF THE SOUTHWEST 1/4, ALL IN SECTION 11, TOWNSHIP 21 NORTH, RANGE 17 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN, MORE FULLY DESCRIBED AS COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 11; THENCE SOUTH 01 DEGREE 12 MINUTES 23 SECONDS WEST, ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION,

ALL OF LOT 2 OF CERTIFIED SURVEY MAP NO. 8713, BEING PART OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4, AND ALL OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4, AND PART OF THE

1330.06 FEET; THENCE SOUTH 89 DEGREES 26 MINUTES 21 SECONDS EAST, A DISTANCE OF 71.38 FEET TO A POINT ON THE EAST RIGHT-OF-WAY OF NORTH RICHMOND STREET (S.T.H. "47), ALSO BEING THE POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 26 MINUTES 21 SECONDS EAST, ALONG THE NORTH LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION, A DISTANCE OF 2488.96 FEET; THENCE SOUTH 00 DEGREES 03 MINUTES 00 SECONDS EAST, ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF SAID SECTION, A DISTANCE OF 1311.48 FEET TO THE CENTER CORNER OF SECTION 11; THENCE SOUTH 00 DEGREES 03 MINUTES 00 SECONDS EAST, ALONG THE EAST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION, A DISTANCE OF 331.47 FEET; THENCE NORTH 89 DEGREES 51 MINUTES 24 SECONDS WEST, ALONG THE NORTH LINE OF MARSHALL HEIGHTS II AND MARSHALL HEIGHTS III, A DISTANCE OF 2527.76 FEET TO A POINT ON THE EAST RIGHT-OF-WAY OF NORTH RICHMOND STREET (S.T.H. "47"); THENCE NORTH 01 DEGREE 17 MINUTES 08 SECONDS EAST, ALONG THE EAST RIGHT-OF-WAY OF NORTH RICHMOND STREET (S.T.H. "47"), A DISTANCE OF 624.30 FEET; THENCE SOUTH 89 DEGREES 51 MINUTES 01 SECOND EAST, ALONG THE SOUTH LINE OF LOT 1 OF CERTIFIED SURVEY MAP NO. 8713, A DISTANCE OF 363.57 FEET; THENCE NORTH 00 DEGREES 08 MINUTES 59 SECONDS EAST, ALONG THE EAST LINE OF LOT 1 OF CERTIFIED SURVEY MAP NO. 8713, A DISTANCE OF 187.95 FEET; THENCE NORTH 89 DEGREES 51 MINUTES 01 SECOND WEST, ALONG THE NORTH LINE OF LOT 1 OF CERTIFIED SURVEY MAP NO. 8713, A DISTANCE OF 365.22 FEET TO A POINT ON THE EAST RIGHT-OF-WAY OF NORTH RICHMOND STREET (S.T.H. "47"); THENCE NORTH 01 DEGREE 03 MINUTES 07 SECONDS EAST, ALONG THE EAST RIGHT-OF-WAY OF NORTH RICHMOND STREET (S.T.H. "47"), A DISTANCE OF 478.63 FEET; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY NORTH 02 DEGREES 07 MINUTES 16 SECONDS EAST, A DISTANCE OF 300.04 FEET; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY NORTH 03 DEGREES 50 MINUTES 52 SECONDS EAST, A

DISTANCE OF 70.66 FEET TO THE POINT OF BEGINNING. CONTAINING 4,080,760 SQUARE FEET MORE

OR LESS [93.681 ACRES]. SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.

[4,080,760 SQ.FT.] 93.681 ACRES

[918,660 SQ.FT.] 21.090 ACRES

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

16,114 LINEAL FT.

8,911 SQ.FT.

269

NET SUBDIVISION AREA [3,162,100 SQ.FT.] 72.591 ACRES

120' x 70'

R1-B

SOIL TYPES LOCATED WITHIN SUBDIVISION

KhC2 - KEWAUNEE SILT LOAM McA - MANAWA SILTY CLAY LOAM KhB2 - KEWAUNEE SILT LOAM WaA - WAINOLA LOAMY FINE SAND ROB - ROUSSEAU LOAMY FINE SAND NfB - NICHOLS VERY FINE SAND LOAM

NORTH APPLETON PROPERTIES, LLC

NORTHAPPLETONPROPERTIES@GMAIL.COM

OBJECTING AND APPROVING AUTHORITIES DEPARTMENT OF ADMINISTRATION

OWNER AND DEVELOPER

CITY OF APPLETON OUTAGAMIE COUNTY TOWN OF GRAND CHUTE

SUPPLEMENTARY DATA

LINEAL FEET OF ROAD

AVERAGE LOT SIZE

TYPICAL LOT SIZE

NUMBER OF LOTS

PRESENT ZONING

FUTURE ZONING

NOTES:

GROSS AREA ROAD AREA

ATTN: GREG GAUERKE 4226 E. APPLESEED DR. APPLETON WI 54913 (920)-213-4550

> 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 _____ DAY OF _____, 2025

> > CHRISTOPHER R. CLEARY,

PROFESSIONAL LAND SURVEYOR NO. S-2551

SURVEYOR'S CERTIFICATE I, CHRISTOPHER R. CLEARY, HEREBY CERTIFY THAT THIS PRELIMINARY PLAT

• LOTS ILLUSTRATED WITHIN LOT 1 OF CSM NO.8713 LOCATED WITHIN THE TOWN OF GRAND CHUTE ARE ILLUSTRATED AS CONCEPTUAL. AT THE TIME OF LOT 1 OF CSM NO.8713 PARCELING, SAID LOT WILL BE ANNEXED INTO THE CITY OF APPLETON AND BE PLATTED WITH THIS CONCEPTUAL LAYOUT.

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

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

• LOT LINE GRADES ESTABLISHED BY THE DRAINAGE PLAN FOR THE DEVELOPMENT ARE MANDATORY. IT IS THE RESPONSIBILITY OF THE LOT OWNER TO COMPLY WITH THESE ESTABLISHED ELEVATIONS.

• 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.

• 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.

SCALE

1" = 100'

COMPUTER FILE

1-1306-003_P-PLAT.dwg

DRAWING NO. SHEET 2 OF 2

DATE

08-26-2025