



# MEMORANDUM

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TO: Finance Committee

FROM: Kara Homan, AICP, Director of Community & Economic Development  
Danielle Block, PE, Director of Public Works

DATE: October 23, 2023

RE: Development Agreement – 4<sup>th</sup> Addition to Clearwater Creek

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The Final Plat for the 4<sup>th</sup> Addition to Clearwater Creek was approved by the Appleton Common Council on October 4, 2023. As a condition of that approval, the [staff memo](#) (condition #2, pg 4) outlined that a Development Agreement is required prior to issuance of any permit to commence grading and/or construction of any public improvement.

With this development, the City initiated a new approach to negotiating development agreements, with the Community & Economic Development Director leading negotiations and internally coordinating with the City Attorney's office and Public Works Director/Department. This development agreement used the Attorney's office template for Development Agreements as a basis, and ensured the development agreement did not provide any fiscal/administrative contribution beyond standard policy from the City - aligning with the City's debt reduction strategy. Unlike prior development agreements for earlier phase(s) of Clearwater Creek, this agreement does not waive the City's administrative fees, and ensures the cost of temporary asphalt is borne by the developer (not the City). It also extends the City's continued ability to store soil stockpiles (to be used for future street extensions) on the developer's land through 2030. The developer has confirmed they are agreeable to the agreement's language as drafted.

**Staff Recommendation:**

The Directors of CED and DPW recommend **APPROVAL** of the 4th Addition to Clearwater Creek Development Agreement.