



## REPORT TO CITY PLAN COMMISSION

**Plan Commission Meeting Date:** September 8, 2014

**Common Council Meeting Date:** September 17, 2014

**Item:** Preliminary Plat - Second Addition to Emerald Valley

**Case Manager:** Don Harp

### GENERAL INFORMATION

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

**Parcel #:** 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 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 #7-14 for subject site is also being presented at this September 8, 2014 Plan Commission meeting to rezone the site from Ag to R-1B. The area to be platted for single family development is 10.957 acres which will be divided into 28 lots.

**Zoning Ordinance Review Criteria:** Lot development standards (Section 23-93) are as follows:

- Minimum lot area: Six thousand (6,000) square feet.
  - *The proposed lots range in size from 10,980 square feet to 15,515 square feet. All lots exceed this requirement.*
- Minimum lot width: Fifty (50) feet.
  - *The proposed lots range in width from 90 feet to 131 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.

## **Preliminary Plat Second Addition to Emerald Valley**

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- *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 vehicular access to this phase is via Aquamarine Avenue and Calmes Drive, which connects to Rubyred Drive and then to French Road. Bluetopaz Drive, Amethyst Drive and Aquamarine Avenue will be designated as local streets with a 60 foot Road Right-of-Way. The full 60 foot Road Right-of-Way width of these public streets 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 August 26, 2014 Technical Review Group Report meeting.

- **Fire Department Comments:** This development (Phase I, II and III) is served by a single fire apparatus road, which is not acceptable when one- or two-family dwelling residential developments exceed 30 dwelling units. According to the Appleton Fire Department, a second qualifying fire apparatus road is required pursuant to the International Fire Code Section D107.
- **Engineering Division Comments:** The Engineering Division reviewed the Preliminary Plat and accompanying Engineering Feasibility Report and recommends the following:
  - *During Final Plat review, the owner/applicant provides information showing how storm sewer/drainage will be developed to accommodate the proposed phasing.*



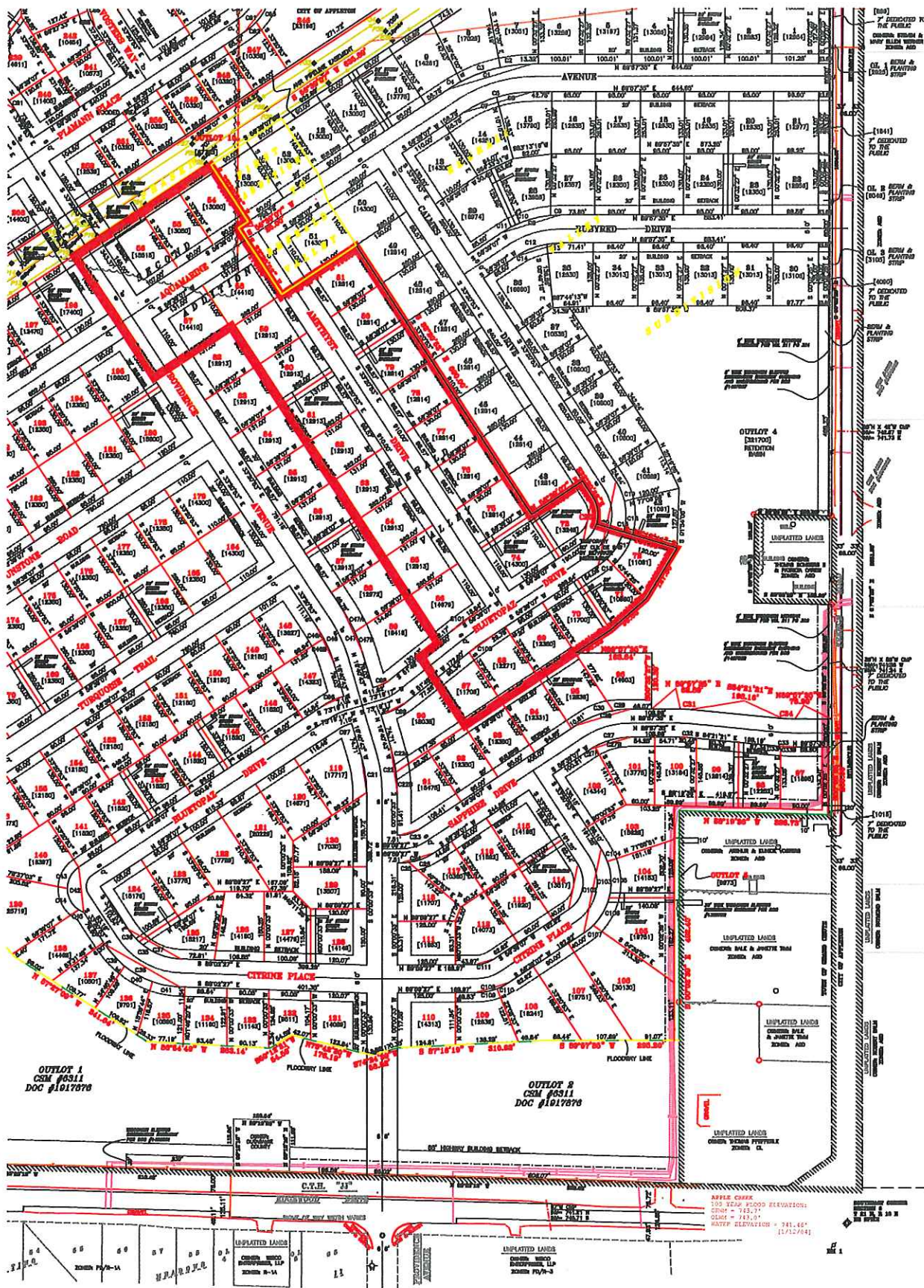
**RECOMMENDATION**

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The Second Addition to Emerald Valley Preliminary Plat, **BE APPROVED** subject to the following conditions:

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 work with the Fire Chief to ensure emergency vehicles have sufficient access to the proposed lots pursuant to technical comments set forth in the Fire Department comments section of the Staff Report, prior to final plat approval.
3. 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.
4. All roads ending at Phase lines shall have turnarounds meeting the Fire Department needs.
5. All easements including but not limited to temporary cul-de-sacs, water mains, sewer mains, storm sewers, drainage, and second qualifying fire apparatus road shall be shown on the final plat to the satisfaction of the City Engineer and Fire Chief.
6. 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.





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Second Addition to Emerald Valley  
 Preliminary Plat

City Plan Commission  
 Appleton, Wisconsin  
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