



REPORT TO CITY PLAN COMMISSION

Plan Commission Meeting Date: February 27, 2018

Common Council Meeting Date: March 21, 2018

Item: Preliminary Plat – Fifth Addition to Emerald Valley

Case Manager: Don Harp

GENERAL INFORMATION

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

Address/Parcel #: Bluetopaz Drive & Amethyst Drive / Part of 31-1-7600-00

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

BACKGROUND

The Preliminary Plat for the Fourth Addition to Emerald Valley consisting of 15 residential lots was approved by the Common Council on July 19, 2017.

The Final Plat for the Third Addition to Emerald Valley consisting of 11 residential lots was approved by the Common Council on May 3, 2017.

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 #1-18 for subject site is also being presented at this February 27, 2018 Plan Commission meeting to rezone the site from AG to R-1B. The 8.740-acre area will be divided into twenty-three (23) single family lots.

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

- Minimum lot area: Six thousand (6,000) square feet.
 - *The proposed average lots size is 13,500 square feet. All lots exceed this requirement.*
- Minimum lot width: Fifty (50) feet.
 - *The proposed lots average lot width is 100 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 Amethyst Drive to Bluetopaz Drive. The full 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 6, 2018 Technical Review Group Report meeting.

Department of Public Works Comments:

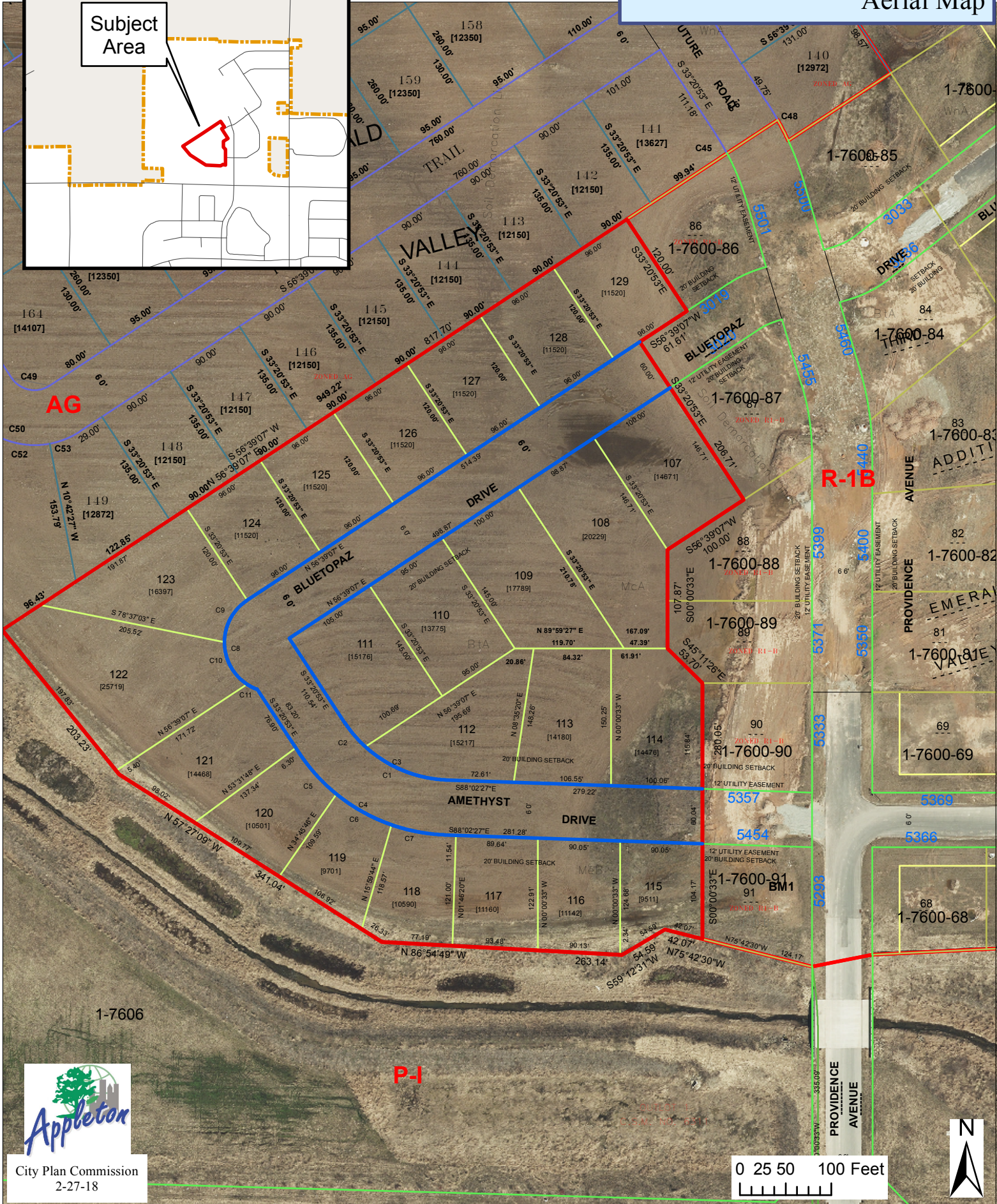
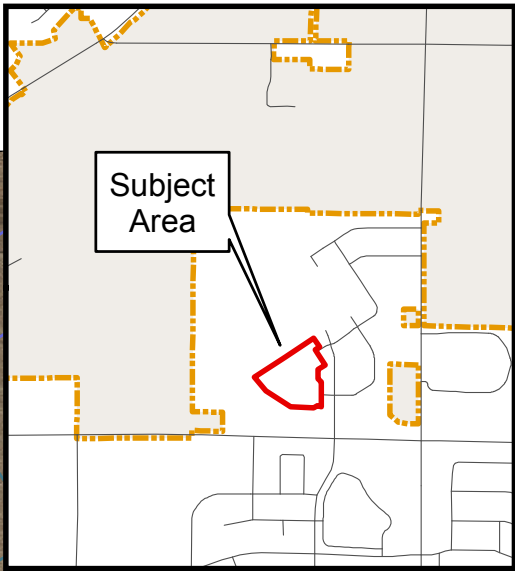
- A Development Agreement will be required as part of the Final Platting process.

RECOMMENDATION

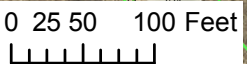
The Fifth Addition to Emerald Valley Preliminary Plat, **BE APPROVED** subject to the following conditions and as shown on the attached maps:

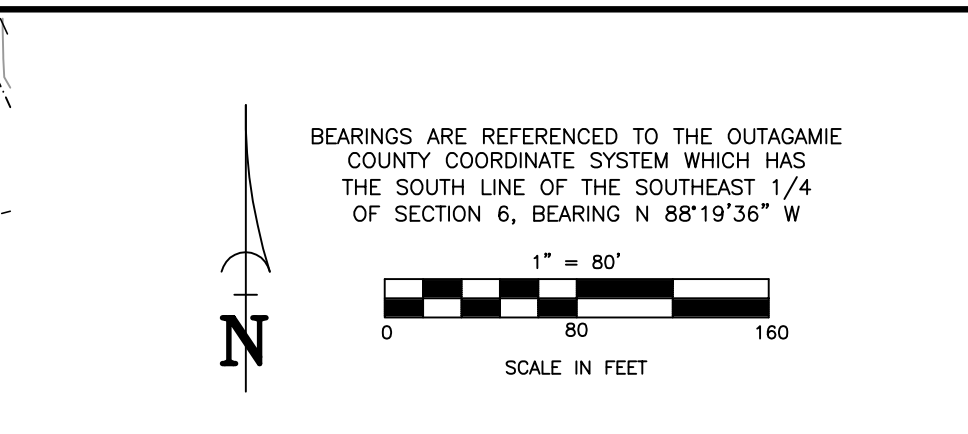
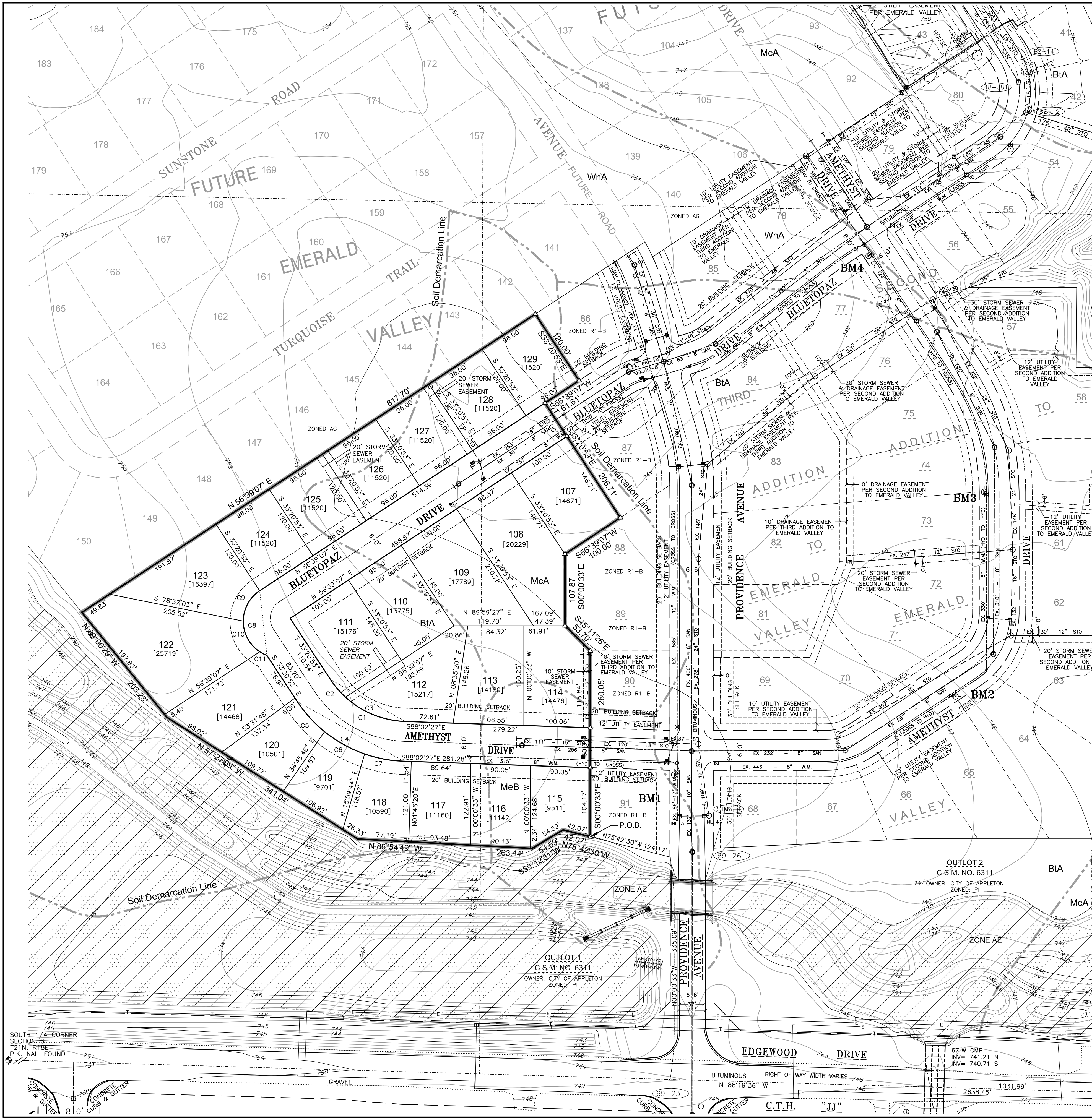
1. The owner/applicant shall submit to the City the Final Plat within 36 months after the last required approval of the Preliminary Plat. If the Final Plat is not submitted within said 36 months, the City (and any other approving authority) may refuse to approve the Final Plat and shall recommence the 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. All easements, including but not limited to, storm sewers, utility, and drainage that are required by separate document outside of the boundaries of the Final Plat shall be reviewed and approved by the City Engineer prior to City signatures being affixed by the Final 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.
6. The Preliminary Plat and Rezoning #1-18 being acted on at the same Common Council meeting.

Fifth Addition to Emerald Valley Preliminary Plat Aerial Map



City Plan Commission
2-27-18





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
1	140.00'	054°41'34"	133.64'	S 60°41'40.0" E	128.62'
2	140.00'	014°15'04"	34.82'	S 40°28'25.0" E	34.73'
3	140.00'	040°26'30"	98.22'	S 07°49'12.0" E	96.78'
4	200.00'	054°41'34"	190.92'	S 60°41'40.0" E	183.75'
5	200.00'	017°36'53"	61.49'	S 42°09'19.5" E	61.25'
6	200.00'	019°52'31"	69.38'	S 60°54'01.5" E	69.03'
7	200.00'	017°12'10"	60.05'	S 79°26'22.0" E	59.82'
8	55.00'	126°01'07"	120.97'	S 06°21'26.5" E	98.02'
9	55.00'	056°29'38"	54.23'	S 28°24'18.0" W	52.06'
10	55.00'	056°56'04"	54.53'	S 28°18'33.0" E	52.43'
11	55.00'	012°35'25"	12.09'	S 63°04'17.5" E	12.06'

SUPPLEMENTARY DATA

GROSS AREA [380,700 SQ. FT.] 8.740 ACRES
 ROAD AREA [56,877 SQ. FT.] 1.535 ACRES
 NET SUBDIVISION AREA [313,823 SQ. FT.] 7.205 ACRES
 AVERAGE LOT SIZE 1,099 LINEAL FT.
 TYPICAL LOT SIZE 100' x 135'
 NUMBER OF LOTS 23
 PRESENT ZONING R1-B
 FUTURE ZONING ZONE AE

OWNER AND DEVELOPER
 BOB DEBROIN
 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

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 CONSTRUCTION OF ANY OF THE PUBLIC IMPROVEMENTS REQUIRED BY THE CITY 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 FIFTH ADDITION TO EMERALD VALLEY ARE MANDATORY. IT IS THE RESPONSIBILITY OF THE LOT OWNER TO COMPLY WITH THESE ESTABLISHED ELEVATIONS.

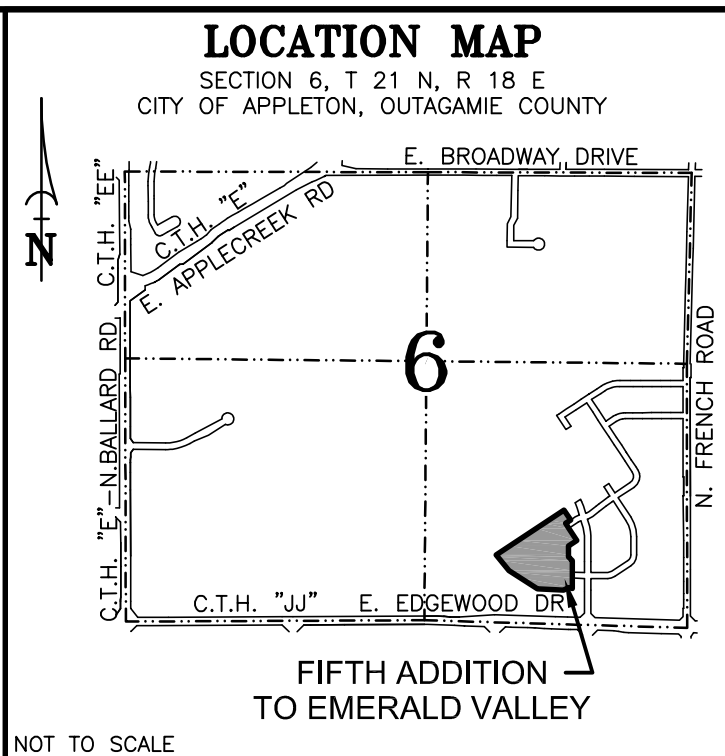
UTILITY EASEMENTS, LOCATIONS AND WIDTHS WILL BE SHOWN ON THE FINAL PLAT.
 CONTOURS ARE ONE FOOT INTERVALS AND BASED ON CITY OF APPLETON DATUM.

LEGAL DESCRIPTION
 PART OF THE SOUTHWEST 1/4 AND THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4, SECTION 6, TOWNSHIP 21 NORTH, RANGE 18 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN, MORE FULLY DESCRIBED AS FOLLOWS:
 COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 6; THENCE NORTH 88 DEGREES 19 MINUTES 36 SECONDS WEST, ALONG THE SOUTH LINE OF THE SOUTHWEST 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, A DISTANCE OF 335.09 FEET; THENCE NORTH 75 DEGREES 42 MINUTES 30 SECONDS WEST, ALONG THE NORTH LINE OF CERTIFIED SURVEY MAP NO. 6311, A DISTANCE OF 124.17 FEET TO THE POINT OF BEGINNING;
 THE FOLLOWING SEVEN CALLS ARE ALONG THE NORTH LINE OF CERTIFIED SURVEY MAP NO. 6311:
 THENCE NORTH 75 DEGREES 42 MINUTES 30 SECONDS WEST, 42.07 FEET;
 THENCE SOUTH 59 DEGREES 12 MINUTES 31 SECONDS WEST, 54.59 FEET;
 THENCE NORTH 86 DEGREES 54 MINUTES 49 SECONDS WEST, 263.14 FEET;
 THENCE NORTH 57 DEGREES 27 MINUTES 09 SECONDS WEST, 341.04 FEET;
 THENCE NORTH 39 DEGREES 00 MINUTES 29 SECONDS WEST, 203.23 FEET;
 THENCE NORTH 56 DEGREES 39 MINUTES 07 SECONDS EAST, 817.70 FEET;
 THE FOLLOWING SEVEN CALLS ARE ALONG THE WEST LINE OF THE THIRD ADDITION TO EMERALD VALLEY:
 THENCE SOUTH 33 DEGREES 20 MINUTES 53 SECONDS EAST, 120.00 FEET;
 THENCE SOUTH 56 DEGREES 39 MINUTES 07 SECONDS WEST, 61.61 FEET;
 THENCE SOUTH 33 DEGREES 20 MINUTES 53 SECONDS EAST, 206.71 FEET;
 THENCE SOUTH 56 DEGREES 39 MINUTES 07 SECONDS WEST, 100.00 FEET;
 THENCE SOUTH 00 DEGREES 00 MINUTES 33 SECONDS EAST, 107.87 FEET;
 THENCE SOUTH 45 DEGREES 11 MINUTES 26 SECONDS EAST, 53.70 FEET;
 THENCE SOUTH 00 DEGREES 00 MINUTES 33 SECONDS EAST, 280.05 FEET TO THE POINT OF BEGINNING. CONTAINING 380,700 SQUARE FEET [8.740 ACRES].

SURVEYOR'S CERTIFICATE
 I, GARY A. ZHRINGER, 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 30TH DAY OF JANUARY, 2018

CHRISTOPHER R. CLEARY, PROFESSIONAL LAND SURVEYOR NO. S-2551



SOIL TYPES LOCATED WITHIN SUBDIVISION
 BIA - BRIGGSVILLE SILT LOAM
 McA - MANAWA SILT LOAM
 MeB - MANISTEE LOAMY FINE SAND

OWNER AND DEVELOPER
 BOB DEBROIN
 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

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 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

DRAWN BY	GRC	DATE	NO.	CHECKED	AMS	GAZ	APPROVED	
							REVISION	DATE

FIFTH ADDITION TO EMERALD VALLEY
 PART OF THE SOUTHWEST 1/4 AND THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4, SECTION 6, TOWNSHIP 21 NORTH, RANGE 18 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN

SCALE 1" = 80'
 DATE JAN 2018
 COMPUTER FILE
 1-0534-007pp.dwg
 DRAWING NO.
 1-0534-007

TOPOGRAPHIC LEGEND

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