



City of Appleton

100 North Appleton Street
Appleton, WI 54911-4799
www.appleton.org

Meeting Agenda - Final City Plan Commission

*Any questions about items on this meeting are to be directed to
the Community and Economic Development Department,
920-832-6468.*

Tuesday, December 8, 2020

4:00 PM

Council Chambers, 6th Floor

1. Call meeting to order
2. Roll call of membership
3. Approval of minutes from previous meeting
[20-1549](#) City Plan Minutes from 10-27-20

Attachments: [City Plan Minutes 10-27-20.pdf](#)

4. Public Hearings/Apearances

- [20-1551](#) Rezoning #10-20 to rezone 1000 North Ballard Road (Tax Id #31-1-1372-00), including to the centerline of the adjacent right-of-way and the Fox River, as shown on the attached maps, from P-I Public Institutional District to C-1 Neighborhood Mixed Use District (Associated with Action Item #20-1553)

Attachments: [InformalPublicHearingNotice 1000 N Ballard Rezoning#10-20.pdf](#)

5. Action Items

- [20-1553](#) Request to approve Rezoning #10-20 to rezone 1000 North Ballard Road (Tax Id #31-1-1372-00), including to the centerline of the adjacent right-of-way and the Fox River, as shown on the attached maps, from P-I Public Institutional District to C-1 Neighborhood Mixed Use District

Attachments: [StaffReport_TheRefuge_Rezoning_For12-8-20.pdf](#)

- [20-1554](#) Request to approve the Sixth and Seventh Additions to Emerald Valley Final Plat as shown on the attached maps and subject to the conditions in the attached staff report

Attachments: [StaffReport_6-7thAddEmeraldValley_FinalPlat_For12-8-20.pdf](#)

- [20-1555](#) Request to approve the Extraterritorial Preliminary Plat for Marsden Park located in the Town of Grand Chute as shown on the attached maps

Attachments: [StaffReport_MarsdenPark_PrePlat_For12-08-20.pdf](#)

[20-1556](#)

Request to approve the dedication of land for public right-of-way for future Sequoia Drive generally located south of Broadway Drive and east of French Road as shown on the attached maps

Attachments: [StaffReport SequoiaDr StreetDedication For12-08-20.pdf](#)

6. Information Items

7. Adjournment

Notice is hereby given that a quorum of the Common Council may be present during this meeting, although no Council action will be taken.

Reasonable Accommodations for Persons with Disabilities will be made upon Request and if Feasible.



City of Appleton

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Appleton, WI 54911-4799
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Meeting Minutes - Final City Plan Commission

*Any questions about items on this meeting are to be directed
to the Community and Economic Development Department,
920-832-6468.*

Tuesday, October 27, 2020

4:00 PM

Council Chambers, 6th Floor

1. Call meeting to order

Meeting called to order at 4:55 p.m. The meeting was delayed due to technical difficulties with Teams.

2. Roll call of membership

The members joining via Teams (Buetow and Robins) were unable to participate due to technical difficulties. Therefore, they were unable to vote on the items. Director Paula Vandehey attended in person and acted in place of Commissioner Ross Buetow. Deputy City Attorney Amanda Abshire attended in person and acted in place of Commissioner Dr. Sabrina Robins.

Present: 4 - Robins, Mayor Woodford, Fenton and Buetow

Excused: 1 - Rabec

Absent: 1 - Palm

3. Approval of minutes from previous meeting

[20-1378](#)

City Plan Minutes from 10-13-20

Attachments: [City Plan Minutes 10-13-20.pdf](#)

Fenton moved, seconded by Buetow, that the Minutes be approved. Roll Call.

Motion carried by the following vote:

Aye: 4 - Robins, Mayor Woodford, Fenton and Buetow

Excused: 1 - Rabec

Absent: 1 - Palm

4. Public Hearings/Appearances

5. Action Items

[20-1379](#)

Request to approve the Sixth and Seventh Additions to Emerald Valley Preliminary Plat as shown on the attached maps and subject to the conditions in the attached staff report

Attachments: [StaffReport_PreliminaryPlat_6-7thAddEmeraldValley_For10-27-20.pdf](#)

Robins moved, seconded by Fenton, that the Report Action Item be recommended for approval. Roll Call. Motion carried by the following vote:

Aye: 4 - Robins, Mayor Woodford, Fenton and Buetow

Excused: 1 - Rabec

Absent: 1 - Palm

[20-1380](#)

Request to approve the Trail View Estates South Final Plat as shown on the attached maps and subject to the conditions in the attached staff report

Attachments: [StaffReport_TrailViewEstatesSouth_FinalPlat_For10-27-20.pdf](#)

Fenton moved, seconded by Buetow, that the Report Action Item be recommended for approval. Roll Call. Motion carried by the following vote:

Aye: 4 - Robins, Mayor Woodford, Fenton and Buetow

Excused: 1 - Rabec

Absent: 1 - Palm

6. Information Items

7. Adjournment

Fenton moved, seconded by Buetow, that the meeting be adjourned at 5:00 p.m. Roll Call. Motion carried by the following vote:

Aye: 4 - Robins, Mayor Woodford, Fenton and Buetow

Excused: 1 - Rabec

Absent: 1 - Palm

NOTICE OF INFORMAL PUBLIC HEARING
OF THE
APPLETON CITY PLAN COMMISSION

Dear property owner(s):

The City of Appleton Plan Commission will conduct an Informal Public Hearing on Tuesday, December 8, 2020, at 4:00 P.M., or as soon thereafter as can be heard, in Common Council Chambers, 6th Floor, City Hall, 100 North Appleton Street for the following proposed rezoning request:

Rezoning Request: The City of Appleton received a request from the property owner, Fox River Environmental Education Alliance Inc., to rezone the following property from P-I Public Institutional District to C-1 Neighborhood Mixed Use District (map attached):

- 1000 North Ballard Road (Parcel Number: 31-1-1372-00) (a/k/a The Refuge Foundation for the Arts)

Purpose of the Request: The owner is seeking this request to utilize the C-1 Neighborhood Mixed Use zoning district standards for future site improvements. The C-1 Neighborhood Mixed Use District is intended to provide for mixed use areas, including a range of commercial and residential uses. Development is intended to be pedestrian-oriented, with businesses and services that are part of the fabric of the neighborhood and allow residents to meet daily needs on foot, bicycle, and public transit. Development standards provide added flexibility to encourage redevelopment along commercial corridors, without being detrimental to established residential neighborhoods.

ALDERMANIC DISTRICT: 2 – Alderperson Vered Meltzer

You are being notified as a policy of the City of Appleton Community and Economic Development Department. This notification invites you to express your views or concerns regarding the above-described request. The Plan Commission meeting is open to the public; however, considering the COVID-19 Health Emergency, you are strongly encouraged to consider sharing any feedback with Plan Commission members via written letter, email or phone call instead of appearing in person. Please contact Don Harp, Principal Planner, in the Community and Economic Development Department at 920-832-6466 or by email at don.harp@appleton.org

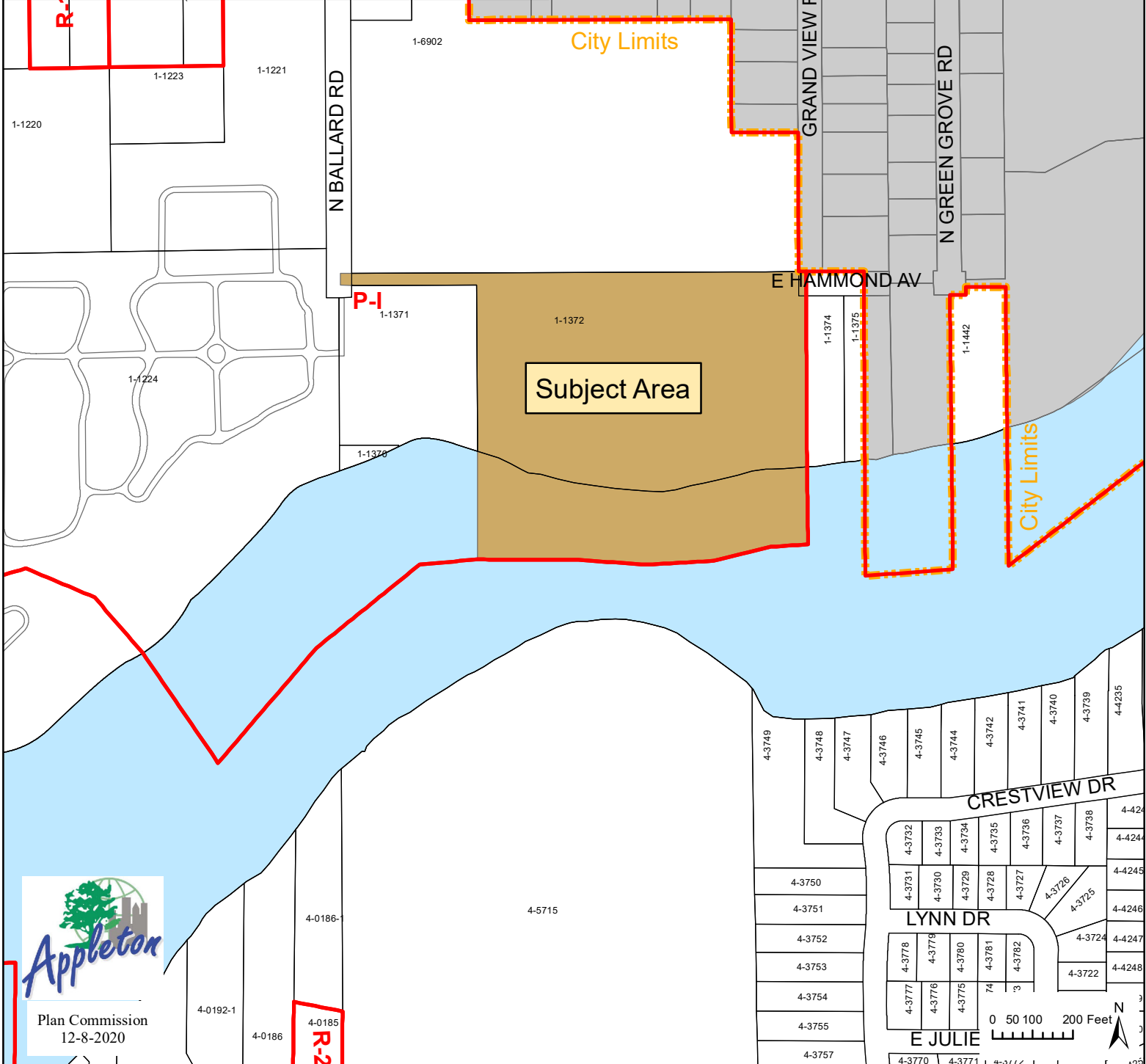
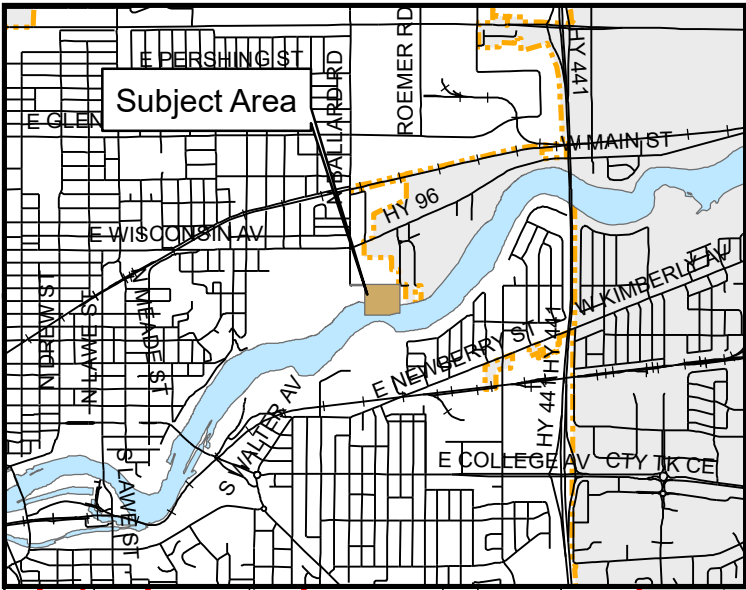
Alternatively, you can also contact the Mayor's Office at mayor@appleton.org and your comments will be forwarded to the Plan Commission. The City Plan Commission makes a recommendation to the Common Council who makes the final decision on the matter.

CITY PLAN COMMISSION

COMMUNITY & ECONOMIC DEVELOPMENT
CITY HALL - 100 NORTH APPLETON STREET
APPLETON, WISCONSIN 54911-4799
920-832-6468

Reasonable accommodations for persons with disabilities will be made upon request and if feasible.

Rezoning
 1000 North Ballard Road
 P-I Public Institutional District to
 C-1 Neighborhood Mixed Use District
 Zoning Map



Plan Commission
 12-8-2020

R-2

Rezoning
1000 North Ballard Road
P-I Public Institutional District to C-1 Neighborhood Mixed Use District
Aerial Map

N BALLARD RD

GRAND VIEW RD

Subject Area



City Plan Commission
12-8-2020





REPORT TO PLAN COMMISSION

Plan Commission Informal Public Hearing Meeting Date: December 8, 2020

Common Council Public Hearing Meeting Date: January 6, 2021

Item: Rezoning #10-20 – 1000 North Ballard Road from P-I Public Institutional District to C-1 Neighborhood Mixed Use District

Case Manager: Don Harp, Principal Planner

GENERAL INFORMATION

Property Owner/Applicant: The Fox River Environmental Education Alliance (The Refuge Foundation for the Arts Inc.), owner / Dennis Ruedinger, applicant

Address/Parcel #: 1000 North Ballard Road (Parcel Number: 31-1-1372-00)

Petitioner's Request: The property owner is requesting a zoning change from P-I Public Institutional District to C-1 Neighborhood Mixed Use District. The owner is seeking this request to utilize the C-1 Neighborhood Mixed Use zoning district standards to allow for the continued use of the site by individuals who produce music (songwriting/recording), artists who utilize space for (painting, glass blowing, drawing, sculpting, etc.) and facilitate future site improvements to accommodate movie production studio and temporary housing for film crews (individuals) on site for 1-3 week periods.

BACKGROUND

From 1934 to 2014, the Monte Alverno Retreat and Spirituality Center was operated by the Detroit-based Province of St. Joseph of the Capuchin Order.

In 2014, the Fox River Environmental Education Alliance, Inc. purchased the property. The Refuge Foundation for the Arts is a non-profit organization who occupies the site and offers space for musicians to write, produce, and record music and artists to create art of their choice.

On September 30, 2020, City staff conducted a video conference with the property owner as well as the property owner's contractor and architect to discuss the development review process in order for the owner to obtain the necessary permits to continue current uses and facilitate anticipated future uses and site improvements:

- Proposed use of the 1st and 2nd floors of the building for overnight stays (1-3) weeks for film crews, actors, actresses, musicians, etc.
- Possible installation of an in-ground swimming pool in the basement of the building.
- Demolish a garage and construct a building addition to be used as a movie/music production studio.
- Proposed construction of a loading dock area.

STAFF ANALYSIS

Existing Conditions: The 9.7 acre site consists of a 35,647 square foot two-story masonry building, a 2,400 square foot residential dwelling, a small framed dwelling unit, a 2,150 square foot masonry detached garage and an off-street parking lot.

Surrounding Zoning and Land Uses:

- North: P-I Public Institutional District – Province of St. Joseph “Retirement Home”
- South: R-1B Single-Family Residential – The Fox River, Appleton Wastewater Treatment Facility and Residential Uses
- West: P-I Public Institutional District – St. Joseph Cemetery
- East: R-1B Single-Family Residential District – Residential Use

Proposed Zoning Classification: The C-1 Neighborhood Mixed Use District is intended to provide for mixed use areas, including a range of commercial and denser residential uses. Development is intended to be pedestrian-oriented, with businesses and services that are part of the fabric of the neighborhood and allow residents to meet daily needs on foot, bicycle, and public transit. Development standards provide added flexibility to encourage redevelopment along commercial corridors, without being detrimental to established residential neighborhoods.

Development standards (Section 23-112 – C-1 Neighborhood Mixed Use District) are as follows:

- 1) *Minimum lot area. 6,000 square feet*
- 2) *Maximum lot coverage. Ninety percent (90%)*
- 3) *Minimum lot width. 40 feet*
- 4) *Minimum front yard. None*
- 5) *Minimum rear yard. 20 feet*
- 6) *Minimum side yard. None. 10 feet if abutting a residential zoned district.*
- 7) *Maximum building height. 60 feet*
- 8) *Minimum off-street parking spaces. Off-street parking and loading requirements are set forth in §23-172 of the Zoning Ordinance. The C-1 District allows the number of off-street parking and loading spaces required by §23-172 to be reduced by fifty percent (50%). The minimum required off-street parking spaces are determined by City staff during the site plan review and/or the building permit process.*

The existing site improvements located on the land area to be rezoned appear to satisfy the development standards of the C-1 Neighborhood Mixed Use District.

Appleton Comprehensive Plan 2010-2030: The City of Appleton 2010-2030 Comprehensive Plan Map identifies the subject area as future Mixed-Use designation. The proposed C-1 Neighborhood Mixed Use District rezoning is consistent with the Future Land Use Map. Listed below are related excerpts from the City’s *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 8 – Economic Development

Appleton will pursue economic development that retains and attracts talented people, brings good jobs to the area, and supports the vitality of its industrial areas, downtown, and neighborhood business districts.

Policy 9.5.1 Economic Development:

Ensure a continued adequate supply of industrial and commercial land to sustain new business development.

OBJECTIVE 10.1 Land Use:

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

OBJECTIVE 10.2 Land Use:

Encourage redevelopment to meet the demand for a significant share of future growth, and to enhance the quality of existing neighborhoods.

Standards for Zoning Map Amendments: Per Section 23-65(d)(3) of the Municipal Code, all recommendations for Official Zoning Map amendments shall be consistent with the adopted plans, goals, and policies of the City and with the intent of the Zoning Ordinance. It would appear the criteria established by Section 23-65(d)(3) Zoning Amendments has been satisfied.

Related excerpts are listed below.

- a. Prior to making a recommendation on a proposed rezoning, the Plan Commission shall make a finding to determine if the following conditions exist. No rezoning of land shall be approved prior to finding at least one of the following:
 1. The request for a zone change is in conformance with the Comprehensive Plan for the City of Appleton. *The rezoning request is in conformance with the Comprehensive Plan 2010-2030 objectives and strategies stated above.*
 2. A study submitted by the applicant that indicates that there has been an increase in the demand for land in the requested zoning district, and as a result, the supply of land within the City mapped as such on the Official Zoning Map is inadequate to meet the demands for such development.
 3. Proposed amendments cannot be accommodated by sites already zoned in the City due to lack of transportation, utilities or other development constraints, or the market to be served by the proposed use cannot be effectively served by the location of the existing zoning district(s).

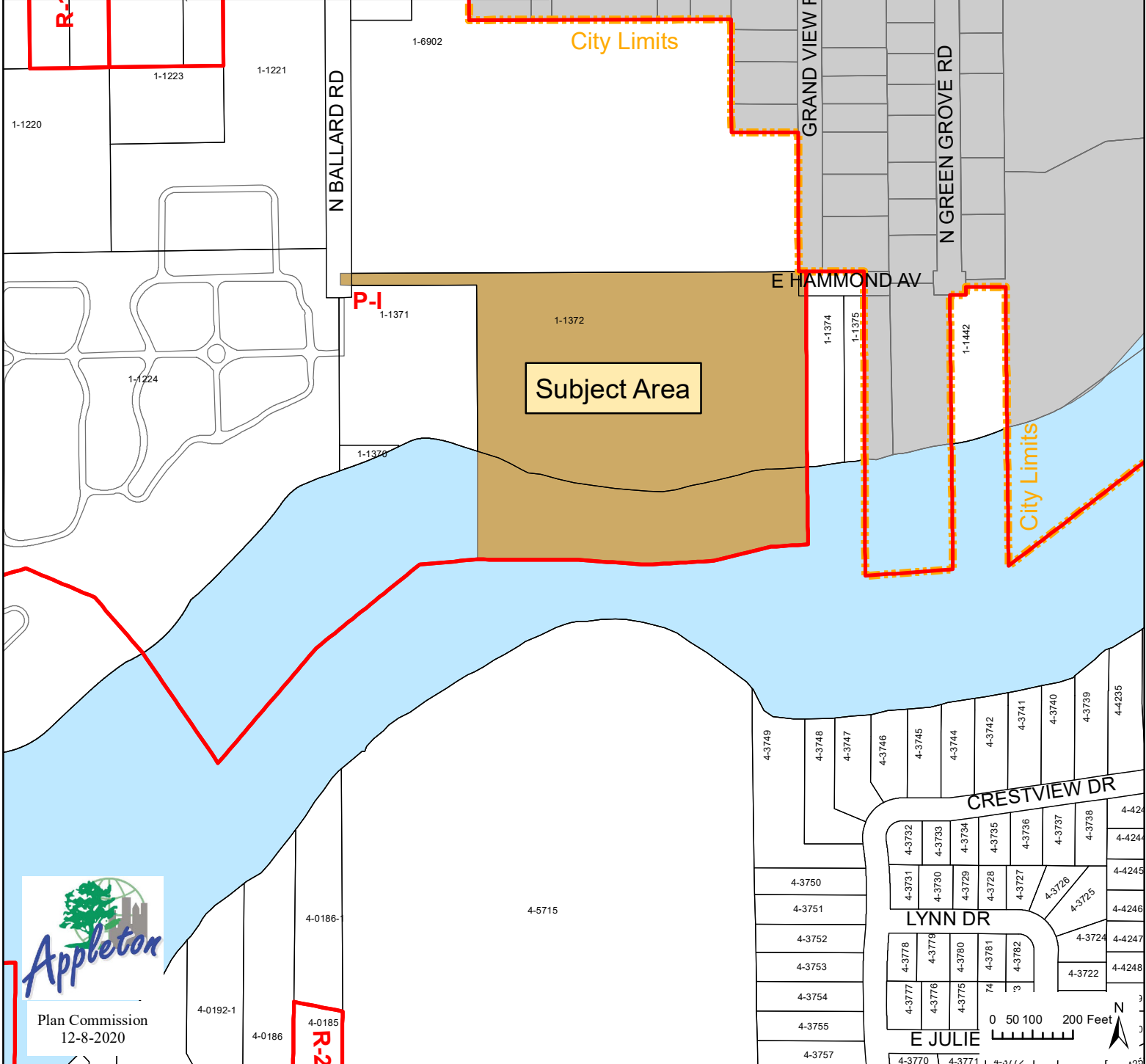
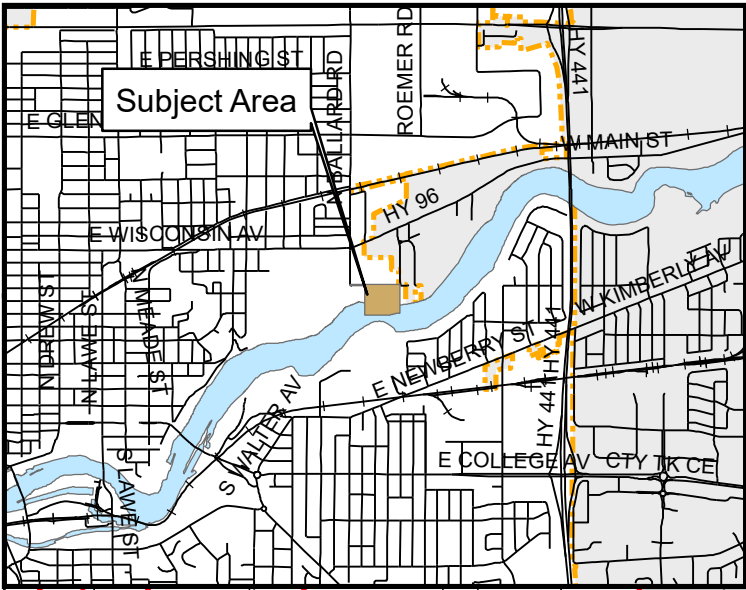
4. There is an error in the code text or zoning map as enacted.
- b. In addition to the findings required to be made by subsection (a), findings shall be made by the Plan Commission on each of the following matters based on the evidence presented:
 1. The adequacy of public facilities such as transportation, utilities and other required public services to serve the proposed site. *The subject properties are adequately served by the existing infrastructure and the transportation network.*
 2. The effect of the proposed rezoning on surrounding uses. *A mix of Single-family and Public Institutional uses are already present in this area of City. The site has been used by individuals to produce and record music and create art pieces. Therefore, the proposed rezoning request is unlikely to create adverse impacts on the surrounding uses as the C-1 Neighborhood Mixed Use District standards are intended to be compatible with established commercial, public institutional and residential uses.*

Technical Review Group Report (TRG): This item appeared on the November 17, 2020 TRG Agenda. No negative comments were received from participating departments.

RECOMMENDATION

Staff recommends, based upon the standards for map amendments as required by Section 23-65(d)(3) of the Zoning Ordinance, that Rezoning Application #10-20 to rezone 1000 North Ballard Road (Parcel Number: 31-1-1372-00) including to the centerline of the adjacent right-of-way and the Fox River from P-I Public Institutional District to C-1 Neighborhood Mixed Use District, as shown on the attached maps, **BE APPROVED.**

Rezoning
 1000 North Ballard Road
 P-I Public Institutional District to
 C-1 Neighborhood Mixed Use District
 Zoning Map



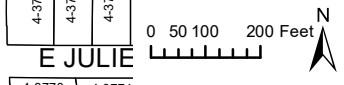
Subject Area

City Limits

City Limits



Plan Commission
 12-8-2020



Rezoning
1000 North Ballard Road
P-I Public Institutional District to C-1 Neighborhood Mixed Use District
Aerial Map

N BALLARD RD

GRAND VIEW RD

Subject Area



City Plan Commission
12-8-2020





REPORT TO CITY PLAN COMMISSION

Plan Commission Meeting Date: December 8, 2020

Common Council Meeting Date: December 16, 2020

Item: Final Plat – Sixth and Seventh Additions 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

Rezoning #8-20 and #9-20 (AG Agricultural District to R-1B Single-family District) for the Sixth and Seventh Addition to Emerald Valley was approved by the Common Council on November 4, 2020.

The Preliminary Plat for the Sixth and Seventh Addition to Emerald Valley consisting of 50 residential lots were approved by the Common Council on November 4, 2020.

The Final Plat for the Fifth Addition to Emerald Valley consisting of 23 residential lots was approved by the Common Council on April 4, 2018.

The Final Plat for the Fourth Addition to Emerald Valley consisting of 15 residential lots was approved by the Common Council on March 21, 2018.

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.

Final Plat – Sixth and Seventh Add to Emerald Valley
December 8, 2020
Page 2

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. On September 29, 2020, a concept plan for future phases of Emerald Valley subdivision showing future roads, lots and parkland was presented to the City, which called for the creation of an additional 57 residential lots and 4 outlots.

STAFF ANALYSIS

Existing/Proposed Conditions: The subject area to be subdivided is currently undeveloped. Emerald Valley Sixth Addition consists of 6.905 acres and will be divided into fifteen (15) single-family lots. Emerald Valley Seventh Addition consists of 12.680 acres and will be divided into thirty-five (35) 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 ranges from 12,670 square feet to 13,750 square feet. All lots exceed this minimum requirement.*
- Minimum lot width: Fifty (50) feet.
 - *The proposed lots average lot width is 100 feet. All lots exceed this minimum 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 Final 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.

- The lot and road layout are consistent with the Preliminary Plat.
- On November 4, 2020, the Common Council granted relief at the Preliminary Plat approval stage pursuant to Section 17-3(f) of the Municipal Code to allow Lot 154 of Emerald Valley Sixth Addition to exceed the 2 depth to 1 width ratio (proposed 2.5 to 1).

Access and Traffic: The primary vehicular access to the Emerald Valley Sixth and Seventh Addition is via Providence Avenue and Aquamarine Avenue. Turquoise Lane, Jasper Lane and Sunstone Place form a U-shaped road which will intersect with Providence Avenue. Jasper Lane will be extended into a future phase. The full 60 and 66 foot road right-of-way widths for the proposed streets will be dedicated to the City with the Final Plat.

Surrounding Zoning and Land Uses:

North: AG Agricultural District – undeveloped land
South: R-1B Single-Family District – residential uses
East: R-1B Single-Family District – residential uses
West: P-I Public Institutional District – City drainage corridor

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.

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.

OBJECTIVE 10.1 Land Use:

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

OBJECTIVE 10.4 Land Use:

Plan for compact, efficient, and fiscally responsible growth of residential, commercial, and industrial development in new neighborhoods in order to implement the principles of smart growth.

Policy 10.4.1 Continue to guide residential growth to locations either contiguous to or within presently urbanized areas. As peripheral development occurs, it should be at a compact, urban density to ensure new neighborhoods can be efficiently served by public infrastructure.

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 and on the concept plan submitted to City staff on September 29, 2020.

Technical Review Group Report (TRG): This item appeared on the November 3, 2020 TRG Agenda. No negative comments were received from participating departments.

RECOMMENDATION

The Final Plat for the Sixth and Seventh Addition to Emerald Valley, **BE APPROVED** subject to the following conditions and as shown on the attached maps:

1. All requirements from the City of Appleton Department of Public Works, Engineering Division shall be met to the satisfaction of the City Engineer prior to the City affixing signatures on the Final Plat.
2. A Development Agreement is required between the City and applicant that identifies the duties and responsibilities with respect to development of the subject land.
3. The following streets within the Final Plat are to be classified as follows:
 - a. Aquamarine Avenue: Local Street
 - b. Providence Avenue: Collector Street
 - c. Sunstone Place: Local Street
 - d. Turquoise Lane: Local Street
 - e. Jasper Lane: Local Street
4. The Final Plat shall be recorded within 12 months from the approval date of the last approving authority and within 36 months from the approval date of the first approving authority. Failure to do so requires the subdivider to recommence the entire procedure for Final Plat approval.

**SUBDIVISION MONUMENT PLACEMENT
WAIVER REQUEST**

1. This is a request for a waiver of the requirements of §236.15 of the Wisconsin Statutes and Chapter 17 of the Appleton Municipal Code relating to the placement of survey monuments.
2. This request is for a waiver of the monument placement requirements. It is requesting a waiver of said requirements for Lots 130 through 144 in Sixth Addition to Emerald Valley, City of Appleton, Outagamie County, Wisconsin.
3. The lots previously mentioned will not be monumented for the following reason(s):
 Extensive grading to prepare the site for construction
4. The City Engineer may require a stand-by letter of credit at the rate of \$500 per lot for each lot not being monumented.
5. Temporary monuments shall be placed at all points of curvature (PCs), points of tangency (PTs), block corners, at 100-foot intervals along curved right-of-way lines and at any rear yard lot corners that will have City utilities installed nearby. The minimum acceptable temporary monument at all block corners shall be a metal spike of at least 8" in length and a metal fence post or carsonite marker placed nearby to protect the block corner. Spikes, nails, wood stakes, lath, are examples of acceptable temporary monuments. Temporary monuments will not be required for the time period that the lots and streets of the development remain in an undeveloped condition, but must be in place at least 10 days prior to the start date of the installation of any underground utilities or street grading. The City of Appleton reserves the right to request additional temporary monuments at any time that it deems necessary to facilitate the inspection and installation of City utilities and the accurate record keeping thereof.
6. Abutting newly built streets will not be officially opened by the City and no building permits will be issued for the above-mentioned lots, not being monumented, prior to the City of Appleton receiving a current monumentation certification indicating these lots have been monumented.
7. Monument waiver language for the affected lots shall be shown on the face of the proposed Final Plat.
8. Pursuant to §17-3(e), Appleton Municipal Code, all monuments shall be in place within one (1) year of the granting of the waiver by the City Engineer. Failure of the Applicant to complete the monumenting of the entire plat within the previously mentioned one (1) year period of time, shall permit the City of Appleton to contract for the work being performed and to charge the stand-by letter of credit for the cost of said work, or, if no stand-by letter of credit has been required, the costs may be assessed against the property as a special charge.

APPLICANT:

By: Robert DeBruin

Printed Name: Robert DeBruin

Company Name: Emerald Valley Estates LLC

Address: 2100 Freedom Road
Little Chute, WI 54140

Telephone: 920-687-7070

Date: 10/24/2020

APPROVED BY (City of Appleton):

By: Ross Buetow

Printed Name: Ross Buetow

Title: Deputy Director / City Engineer

Department: Public Works

Date: 10/27/20

J:\ENGINEERING\FORMS\Subdivision Monument Placement Waiver (7-09-07).doc

cc: Community Development, Applicant, City Surveyor, City Inspections Dept. and DPW project Engineer

**SUBDIVISION MONUMENT PLACEMENT
WAIVER REQUEST**

1. This is a request for a waiver of the requirements of §236.15 of the Wisconsin Statutes and Chapter 17 of the Appleton Municipal Code relating to the placement of survey monuments.
2. This request is for a waiver of the monument placement requirements. It is requesting a waiver of said requirements for Lots 145 through 179 in Seventh Addition to Emerald Valley, City of Appleton, Outagamie County, Wisconsin.
3. The lots previously mentioned will not be monumented for the following reason(s):
 Extensive grading to prepare the site for construction
4. The City Engineer may require a stand-by letter of credit at the rate of \$500 per lot for each lot not being monumented.
5. Temporary monuments shall be placed at all points of curvature (PCs), points of tangency (PTs), block corners, at 100-foot intervals along curved right-of-way lines and at any rear yard lot corners that will have City utilities installed nearby. The minimum acceptable temporary monument at all block corners shall be a metal spike of at least 8" in length and a metal fence post or carsonite marker placed nearby to protect the block corner. Spikes, nails, wood stakes, lath, are examples of acceptable temporary monuments. Temporary monuments will not be required for the time period that the lots and streets of the development remain in an undeveloped condition, but must be in place at least 10 days prior to the start date of the installation of any underground utilities or street grading. The City of Appleton reserves the right to request additional temporary monuments at any time that it deems necessary to facilitate the inspection and installation of City utilities and the accurate record keeping thereof.
6. Abutting newly built streets will not be officially opened by the City and no building permits will be issued for the above-mentioned lots, not being monumented, prior to the City of Appleton receiving a current monumentation certification indicating these lots have been monumented.
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8. Pursuant to §17-3(e), Appleton Municipal Code, all monuments shall be in place within one (1) year of the granting of the waiver by the City Engineer. Failure of the Applicant to complete the monumenting of the entire plat within the previously mentioned one (1) year period of time, shall permit the City of Appleton to contract for the work being performed and to charge the stand-by letter of credit for the cost of said work, or, if no stand-by letter of credit has been required, the costs may be assessed against the property as a special charge.

APPLICANT:

By: Robert DeBruin

Printed Name: Robert DeBruin

Company Name: Emerald Valley Estates LLC

Address: 2100 Freedom Road

Little Chute, WI 54140

Telephone: 920-687-7070

Date: 10/24/2020

APPROVED BY (City of Appleton):

By: Ross Buetow

Printed Name: Ross Buetow

Title: Deputy Director / City Engineer

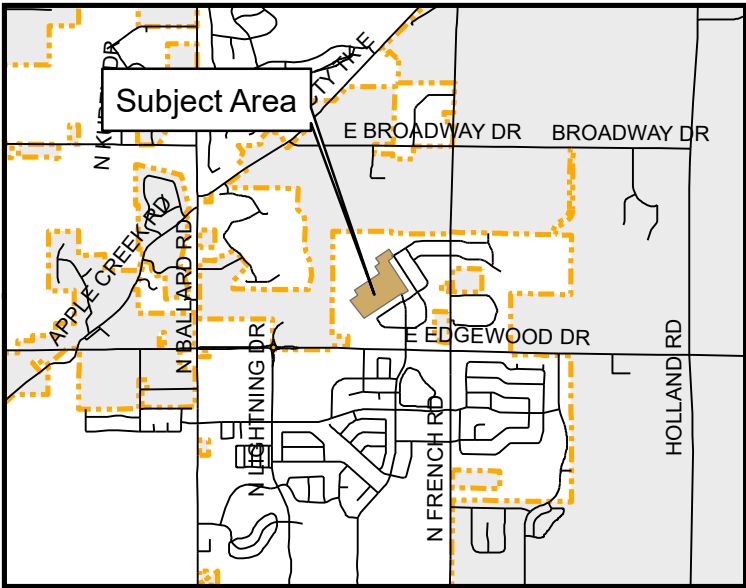
Department: Public Works

Date: 10/27/20

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cc: Community Development, Applicant, City Surveyor, City Inspections Dept. and DPW project Engineer

Final Plat 6th and 7th Addition to Emerald Valley Zoning Map



AG

City Limit

OFFICIALLY MAPPED PROVIDENCE AVE

R-1B

Subject Area

R-2

P-1

P-1

N PROVIDENCE AV

E BLUETOPAZ DR

E EDGEWOOD DR



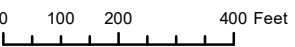
City Plan Commission
12-8-2020

PD/R-1A

C-1

NC

PD/C



1-7301-3

Final Plat
6th and 7th Addition to Emerald Valley
Aerial Map



Subject Area

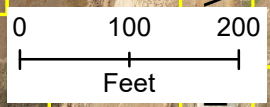
OFFICIALLY MAPPED PROVIDENCE AVE

E AQUAMARINE

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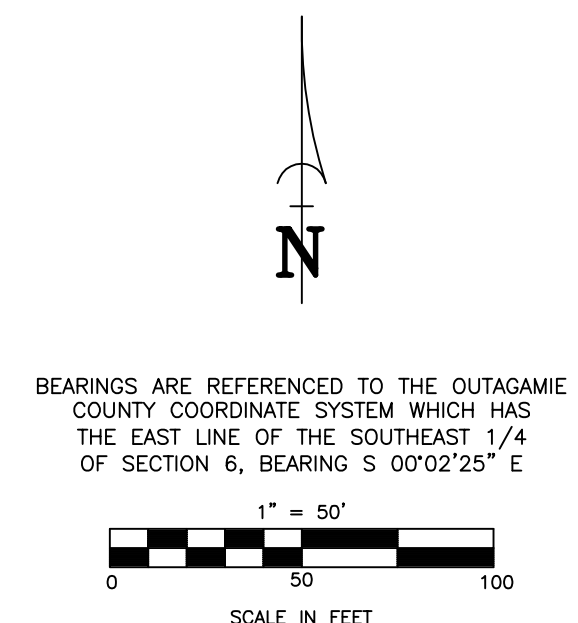
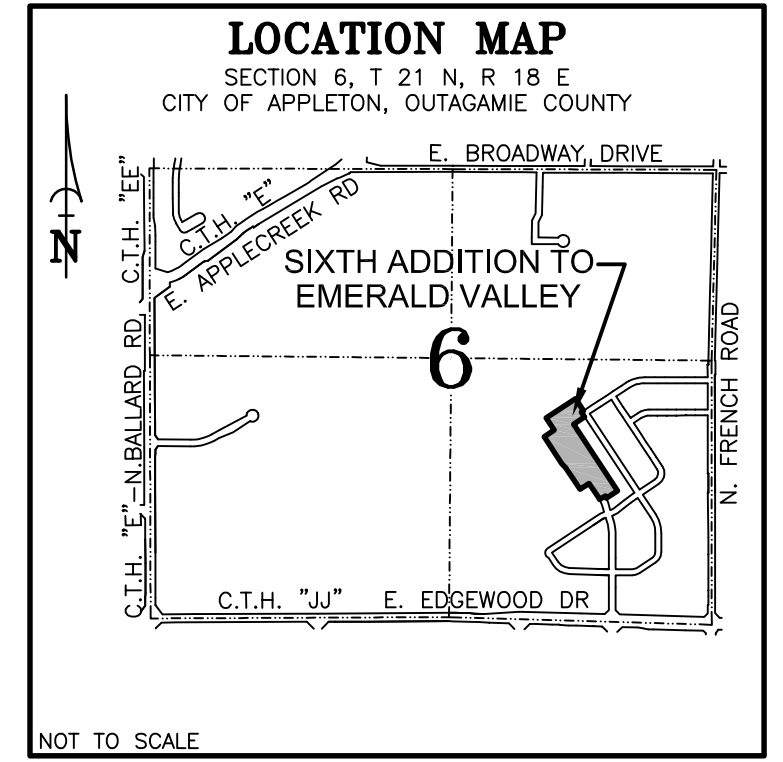
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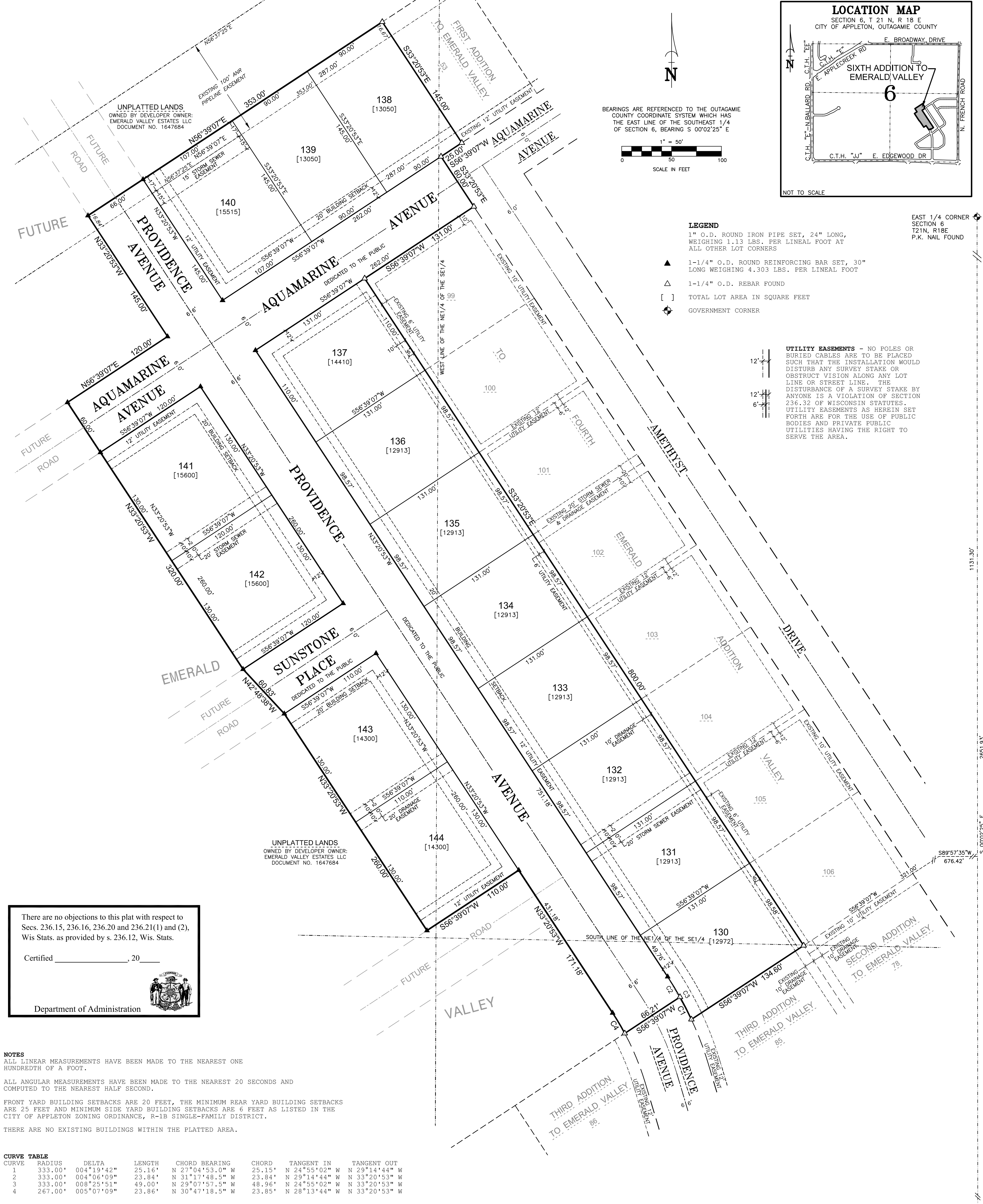
SIXTH ADDITION TO EMERALD VALLEY

PART OF THE NORTHWEST 1/4, NORTHEAST 1/4 AND THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4,
SECTION 6, TOWNSHIP 21 NORTH, RANGE 18 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN



- LEGEND**
- ▲ 1" O.D. ROUND IRON PIPE SET, 24" LONG, WEIGHING 1.13 LBS. PER LINEAL FOOT AT ALL OTHER LOT CORNERS
 - △ 1-1/4" O.D. REBAR FOUND
 - [] TOTAL LOT AREA IN SQUARE FEET
 - ◆ GOVERNMENT CORNER

UTILITY EASEMENTS - NO POLES OR BURIED CABLES ARE TO BE PLACED SUCH THAT THE INSTALLATION WOULD DISTURB ANY SURVEY STAKE OR OBSTRUCT VISION ALONG ANY LOT LINE OR STREET LINE. THE DISTURBANCE OF A SURVEY STAKE BY ANYONE IS A VIOLATION OF SECTION 236.32 OF WISCONSIN STATUTES. UTILITY EASEMENTS AS HEREIN SET FORTH ARE FOR THE USE OF PUBLIC BODIES AND PRIVATE PUBLIC UTILITIES HAVING THE RIGHT TO SERVE THE AREA.



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

NOTES

ALL LINEAR MEASUREMENTS HAVE BEEN MADE TO THE NEAREST ONE HUNDREDTH OF A FOOT.

ALL ANGULAR MEASUREMENTS HAVE BEEN MADE TO THE NEAREST 20 SECONDS AND COMPUTED TO THE NEAREST HALF SECOND.

FRONT YARD BUILDING SETBACKS ARE 20 FEET, THE MINIMUM REAR YARD BUILDING SETBACKS ARE 25 FEET AND MINIMUM SIDE YARD BUILDING SETBACKS ARE 6 FEET AS LISTED IN THE CITY OF APPLETON ZONING ORDINANCE, R-1B SINGLE-FAMILY DISTRICT.

THERE ARE NO EXISTING BUILDINGS WITHIN THE PLATTED AREA.

CURVE	RADIUS	DELTA	LENGTH	CHORD BEARING	CHORD	TANGENT IN	TANGENT OUT
1	333.00'	004°13'42"	25.16'	N 27°04'53.0" W	25.15'	N 24°55'02" W	N 29°14'44" W
2	333.00'	004°06'09"	23.84'	N 31°17'48.5" W	23.84'	N 29°14'44" W	N 33°20'53" W
3	333.00'	008°25'51"	49.00'	N 29°07'57.5" W	48.96'	N 24°55'02" W	N 33°20'53" W
4	267.00'	005°07'09"	23.86'	N 30°47'18.5" W	23.85'	N 28°13'44" W	N 33°20'53" W

Martenson & Eisele, Inc.
1377 Midway Road
Menasha, WI 54952
www.martenson-eisele.com
info@martenson-eisele.com
920.731.0381 1.800.236.0381

SOUTHEAST CORNER
SECTION 6
T21N, R18E
P.K. NAIL FOUND

Drawing No. 1-0534-010 6th Add.
Sheet 1 of 2
This Instrument drawn by: Amy Sedar

SIXTH ADDITION TO EMERALD VALLEY

PART OF THE NORTHWEST 1/4, NORTHEAST 1/4 AND THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4,
SECTION 6, TOWNSHIP 21 NORTH, RANGE 18 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN

SURVEYOR'S CERTIFICATE

I, GARY A. ZAHNINGER, PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY:

THAT I HAVE SURVEYED, DIVIDED, AND MAPPED SIXTH ADDITION TO EMERALD VALLEY, AT THE DIRECTION OF EMERALD VALLEY ESTATES LLC, PART OF THE NORTHWEST 1/4, NORTHEAST 1/4 AND THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4, SECTION 6, TOWNSHIP 21 NORTH, RANGE 18 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN, MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST 1/4 CORNER OF SAID SECTION 6; THENCE SOUTH 00 DEGREES 02 MINUTES 25 SECONDS EAST, ALONG THE EAST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION, A DISTANCE OF 1131.30 FEET; THENCE SOUTH 99 DEGREES 57 MINUTES 35 SECONDS WEST, A DISTANCE OF 674.42 FEET; THENCE SOUTH 56 DEGREES 39 MINUTES 07 SECONDS WEST, ALONG THE NORTH LINE OF THE SECOND ADDITION TO EMERALD VALLEY, A DISTANCE OF 321.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 56 DEGREES 39 MINUTES 07 SECONDS WEST, ALONG THE NORTH LINE OF THE THIRD ADDITION TO EMERALD VALLEY, A DISTANCE OF 134.60 FEET; THENCE 25.16 FEET ALONG AN ARC OF A CURVE TO THE LEFT, ALONG THE EASTERLY RIGHT-OF-WAY LINE OF PROVIDENCE AVENUE, SAID CURVE HAVING A RADIUS OF 333.00 FEET AND A CHORD THAT BEARS NORTH 27 DEGREES 04 MINUTES 53.0 SECONDS WEST, 25.15 FEET; THENCE SOUTH 56 DEGREES 39 MINUTES 07 SECONDS WEST, ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF PROVIDENCE AVENUE, A DISTANCE OF 66.21 FEET; THENCE 23.86 FEET ALONG AN ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 267.00 FEET AND A CHORD THAT BEARS NORTH 30 DEGREES 47 MINUTES 18.5 SECONDS WEST, 23.85 FEET; THENCE NORTH 33 DEGREES 20 MINUTES 53 SECONDS WEST, 171.18 FEET; THENCE SOUTH 56 DEGREES 39 MINUTES 07 SECONDS WEST, 110.00 FEET; THENCE NORTH 33 DEGREES 20 MINUTES 53 SECONDS WEST, 260.00 FEET; THENCE NORTH 42 DEGREES 48 MINUTES 38 SECONDS WEST, 60.83 FEET; THENCE NORTH 33 DEGREES 20 MINUTES 53 SECONDS WEST, 320.00 FEET; THENCE NORTH 56 DEGREES 39 MINUTES 07 SECONDS EAST, 120.00 FEET; THENCE NORTH 33 DEGREES 20 MINUTES 53 SECONDS WEST, 145.00 FEET; THENCE NORTH 56 DEGREES 39 MINUTES 07 SECONDS EAST, 353.00 FEET TO THE NORTHWEST CORNER OF LOT 53 OF THE FIRST ADDITION TO EMERALD VALLEY; THENCE SOUTH 33 DEGREES 20 MINUTES 53 SECONDS EAST, ALONG THE WESTERLY LINE OF SAID LOT 53, A DISTANCE OF 145.00 FEET; THENCE SOUTH 56 DEGREES 39 MINUTES 07 SECONDS WEST, ALONG THE NORTHWESTERLY RIGHT-OF-WAY LINE OF AQUAMARINE AVENUE, A DISTANCE OF 25.00 FEET; THENCE SOUTH 33 DEGREES 20 MINUTES 53 SECONDS EAST, ALONG THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF AQUAMARINE AVENUE, A DISTANCE OF 60.00 FEET; THENCE SOUTH 56 DEGREES 39 MINUTES 07 SECONDS WEST, ALONG THE NORTHWESTERLY LINE OF LOT 99 OF THE FOURTH ADDITION TO EMERALD VALLEY, A DISTANCE OF 131.00 FEET; THENCE SOUTH 33 DEGREES 20 MINUTES 53 SECONDS EAST, ALONG THE SOUTHWESTERLY LINE OF THE FOURTH ADDITION TO EMERALD VALLEY, A DISTANCE OF 800.00 FEET TO THE POINT OF BEGINNING. CONTAINING 300,775 SQUARE FEET [6.905 ACRES].

THAT SUCH PLAT IS A CORRECT REPRESENTATION OF ALL EXTERIOR BOUNDARIES OF THE LAND SURVEYED AND THE SUBDIVISION THEREOF MADE.

THAT I HAVE MADE SUCH LAND DIVISION AND PLAT BY THE DIRECTION OF THE OWNERS SHOWN HEREIN.

THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF CHAPTER 236 OF THE WISCONSIN STATUTES, AND THE SUBDIVISION REGULATIONS OF THE CITY OF APPLETON IN SURVEYING, DIVIDING AND MAPPING THE SAME.

GIVEN UNDER MY HAND THIS 26TH DAY OF OCTOBER, 2020.

GARY A. ZAHNINGER, PROFESSIONAL LAND SURVEYOR S-2098

CORPORATE OWNER'S CERTIFICATE OF DEDICATION

EMERALD VALLEY ESTATES LLC, DULY ESTABLISHED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF WISCONSIN, AS OWNER, DOES HEREBY CERTIFY THAT SAID EMERALD VALLEY ESTATES LLC, CAUSED THE LAND DESCRIBED ON THIS PLAT TO BE SURVEYED, DIVIDED, MAPPED AND DEDICATED ALL AS SHOWN AND REPRESENTED ON THIS PLAT.

EMERALD VALLEY ESTATES LLC, FURTHER CERTIFIES THAT THIS PLAT IS REQUIRED BY S.236.10 OR S.236.12 TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL OR OBJECTION:

DEPARTMENT OF ADMINISTRATION
CITY OF APPLETON

WITNESS THE HAND AND SEAL OF SAID OWNER(S) THIS _____ DAY OF _____, 20____.

ROBERT DEBRUIN - MEMBER

PAT HIETPAS - MEMBER

STATE OF WISCONSIN)
) SS
OUTAGAMIE COUNTY)

PERSONALLY CAME BEFORE ME THIS _____ DAY OF _____, 20____,
THE ABOVE OWNER(S) TO ME KNOWN TO BE THE PERSON(S) , WHO EXECUTED THE FOREGOING
INSTRUMENT AND ACKNOWLEDGE THE SAME.

NOTARY PUBLIC

MY COMMISSION EXPIRES _____

DRAINAGE EASEMENT PROVISIONS

AN EASEMENT FOR DRAINAGE IS HEREBY GRANTED BY EMERALD VALLEY ESTATES LLC, GRANTOR, TO

CITY OF APPLETON, GRANTEE,

THE GRANTOR, THEIR RESPECTIVE LESSEES, SUCCESSORS, HEIRS OR ASSIGNS, SHALL HAVE FULL USE AND ENJOYMENT OF THE PROPERTY REFERENCED ABOVE PROVIDED THAT SUCH USE DOES NOT INTERFERE WITH GRANTEE'S RIGHT TO INSTALL, REPLACE, OPERATE, MAINTAIN AND REPAIR SAID DRAINAGEWAY AND ASSOCIATED APPURTENANCES. IT IS FURTHER AGREED THAT AFTER MAINTAINING, REPAIRING, REPLACING OR RELOCATING OF SAID DRAINAGEWAY AND ASSOCIATED APPURTENANCES GRANTEE SHALL RESTORE UNIMPROVED SURFACES SUCH AS GRASS, GRAVEL AND DIRT ON SAID PROPERTY, AS CLOSELY AS POSSIBLE, TO THE CONDITION PREVIOUSLY EXISTING. GRANTEE SHALL NOT BE REQUIRED TO RESTORE OR COMPENSATE FOR ANY IMPROVEMENTS OR IMPROVED SURFACES SUCH AS, BUT NOT LIMITED TO, CURB AND GUTTER, HARD PAVEMENTS, TREES, SHRUBS AND LANDSCAPING, DISTURBED AS A RESULT OF THE MAINTENANCE ACTIVITIES DESCRIBED HEREIN. GRANTEE DOES HEREBY AGREE TO COMPENSATE FULLY FOR ANY DAMAGE CAUSED DIRECTLY OR INDIRECTLY FROM SAID MAINTENANCE, REPAIR, REPLACEMENT OR RELOCATION OF SAID DRAINAGEWAY AND ASSOCIATED APPURTENANCES, THAT OCCUR OUTSIDE OF THE ABOVE DESCRIBED EASEMENT AREA. BUILDINGS OR ANY OTHER TYPE OF STRUCTURE OR IMPEDIMENT TO DRAINAGE SHALL NOT BE PLACED OVER GRANTEE'S FACILITIES OR IN, UPON OR OVER THE PROPERTY WITHIN THE LINES MARKED "DRAINAGE EASEMENT". GRANTEE AGREES THAT IT SHALL GIVE TIMELY NOTICE TO THE GRANTOR OF ROUTINE MAINTENANCE WORK. GRANTOR SHALL MAINTAIN GROUND SURFACE AND VEGETATION SO AS NOT TO IMPEDE DRAINAGE.

STORM SEWER EASEMENTS PROVISION

AN EASEMENT FOR STORM SEWER IS HEREBY GRANTED BY EMERALD VALLEY ESTATES LLC, GRANTOR, TO

CITY OF APPLETON, GRANTEE,

THE GRANTOR, THEIR RESPECTIVE LESSEES, SUCCESSORS, HEIRS OR ASSIGNS, SHALL HAVE FULL USE AND ENJOYMENT OF THE PROPERTY REFERENCED ABOVE PROVIDED THAT SUCH USE DOES NOT INTERFERE WITH GRANTEE'S RIGHT TO INSTALL, REPLACE, OPERATE, MAINTAIN AND REPAIR SAID STORM SEWER AND ASSOCIATED APPURTENANCES. IT IS FURTHER AGREED THAT AFTER MAINTAINING, REPAIRING, REPLACING OR RELOCATING OF SAID STORM SEWER AND ASSOCIATED APPURTENANCES GRANTEE SHALL RESTORE UNIMPROVED SURFACES SUCH AS GRASS, GRAVEL AND DIRT ON SAID PROPERTY, AS CLOSELY AS POSSIBLE, TO THE CONDITION PREVIOUSLY EXISTING. GRANTEE SHALL NOT BE REQUIRED TO RESTORE OR COMPENSATE FOR ANY IMPROVEMENTS OR IMPROVED SURFACES SUCH AS, BUT NOT LIMITED TO, CURB AND GUTTER, HARD PAVEMENTS, TREES, SHRUBS AND LANDSCAPING, DISTURBED AS A RESULT OF THE MAINTENANCE ACTIVITIES DESCRIBED HEREIN. GRANTEE DOES HEREBY AGREE TO COMPENSATE FULLY FOR ANY DAMAGE CAUSED DIRECTLY OR INDIRECTLY FROM SAID MAINTENANCE, REPAIR, REPLACEMENT OR RELOCATION OF SAID STORM SEWER AND ASSOCIATED APPURTENANCES, THAT OCCUR OUTSIDE OF THE ABOVE DESCRIBED EASEMENT AREA. BUILDINGS OR ANY OTHER TYPE OF STRUCTURE SHALL NOT BE PLACED OVER GRANTEE'S FACILITIES OR IN, UPON OR OVER THE PROPERTY WITHIN THE LINES MARKED "STORM SEWER EASEMENT" GRANTEE AGREES THAT IT SHALL GIVE TIMELY NOTICE TO THE GRANTOR OF ROUTINE MAINTENANCE WORK.

THE GRANT OF EASEMENTS SHALL BE BINDING UPON AND INURE TO THE BENEFIT OF THE HEIRS, SUCCESSORS AND ASSIGNS OF ALL PARTIES HERETO.

ROBERT DEBRUIN - MEMBER

PAT HIETPAS - MEMBER

UTILITY EASEMENT PROVISIONS

AN EASEMENT FOR ELECTRIC, NATURAL GAS, AND COMMUNICATIONS SERVICE IS HEREBY GRANTED BY EMERALD VALLEY ESTATES LLC, GRANTORS, TO

WISCONSIN ELECTRIC POWER COMPANY, A WISCONSIN CORPORATION DOING BUSINESS AS WE ENERGIES, GRANTEE,
WISCONSIN BELL, INC. D/B/A AT&T WISCONSIN, A WISCONSIN CORPORATION, GRANTEE, AND
TIME WARNER ENTERTAINMENT COMPANY, L.P., 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, 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, 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.

ROBERT DEBRUIN - MEMBER

PAT HIETPAS - MEMBER

COMMON COUNCIL RESOLUTION:

RESOLVED, THAT SIXTH ADDITION TO EMERALD VALLEY, IN THE CITY OF APPLETON, IS HEREBY APPROVED BY THE COMMON COUNCIL OF THE CITY OF APPLETON.

ON THIS _____ DAY OF _____, 20____.

JACOB A. WOODFORD, CITY MAYOR

I HEREBY CERTIFY THAT THE FOREGOING IS A COPY OF A RESOLUTION ADOPTED BY THE COMMON COUNCIL OF THE CITY OF APPLETON.

KAMI LYNCH, CITY CLERK

DATE

CITY TREASURER'S CERTIFICATE:

I, ANTHONY D. SAUCERMAN, BEING THE DULY QUALIFIED AND ACTING FINANCE DIRECTOR OF THE CITY OF APPLETON, DO HEREBY CERTIFY THAT IN ACCORDANCE WITH THE RECORDS IN MY OFFICE, THERE ARE NO UNPAID TAXES OR UNPAID SPECIAL ASSESSMENTS AS OF _____ ON ANY OF THE LAND INCLUDED IN SIXTH ADDITION TO EMERALD VALLEY.

ANTHONY D. SAUCERMAN, CITY FINANCE DIRECTOR

DATE

COUNTY TREASURER'S CERTIFICATE:

I, _____, BEING THE DULY ELECTED, QUALIFIED AND ACTING TREASURER OF THE COUNTY OF OUTAGAMIE, DO HEREBY CERTIFY THAT THE RECORDS IN MY OFFICE SHOW NO UNREDEEMED TAX SALES AND NO UNPAID TAXES OR UNPAID SPECIAL ASSESSMENTS AS OF _____ AFFECTING THE LANDS INCLUDED IN SIXTH ADDITION TO EMERALD VALLEY.

DATE _____

SIGNED _____

COUNTY TREASURER

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

Martenson & Eisele, Inc.

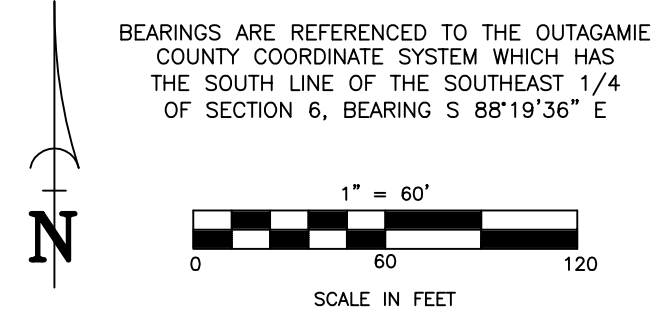
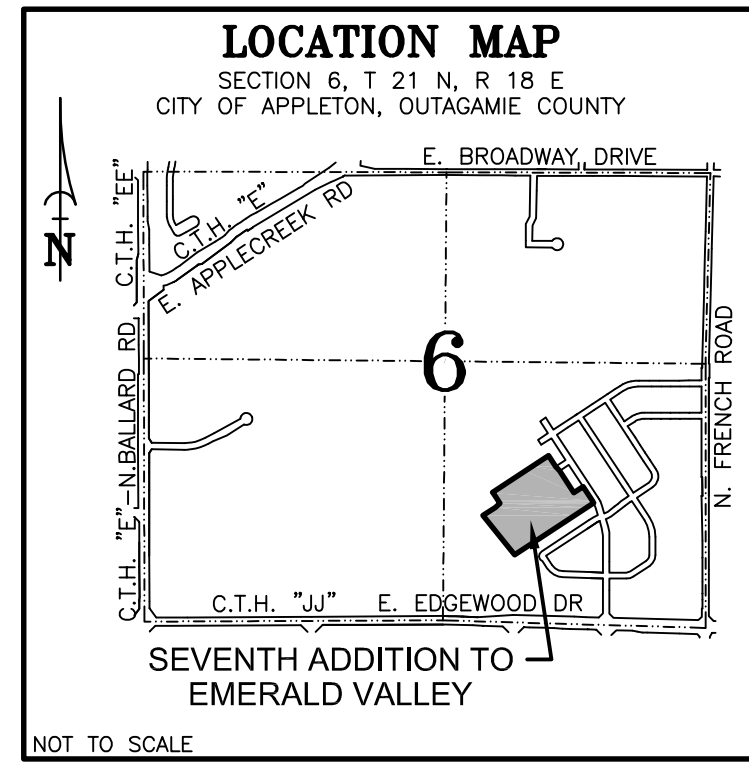
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920.731.0381 1.800.236.0381

Planning
Environmental
Surveying
Engineering
Architecture

Drawing No. 1-0534-010 6th Add.
Sheet 2 of 2
This Instrument drawn by: Amy Sedlar

SEVENTH ADDITION TO EMERALD VALLEY

PART OF THE NORTHWEST 1/4, NORTHEAST 1/4, SOUTHWEST 1/4 AND THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4, SECTION 6, TOWNSHIP 21 NORTH, RANGE 18 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN



- LEGEND**
- 1" O.D. ROUND IRON PIPE SET, 24" LONG, WEIGHING 1.13 LBS. PER LINEAL FOOT AT ALL OTHER LOT CORNERS
 - ▲ 1-1/4" O.D. ROUND REINFORCING BAR SET, 30" LONG WEIGHING 4.303 LBS. PER LINEAL FOOT
 - 1" O.D. ROUND IRON PIPE FOUND
 - △ 1-1/4" O.D. REBAR FOUND
 - [] TOTAL LOT AREA IN SQUARE FEET
 - ◆ GOVERNMENT CORNER

UTILITY EASEMENTS - NO POLES OR BURIED CABLES ARE TO BE PLACED SUCH THAT THE INSTALLATION WOULD DISTURB ANY SURVEY STAKE OR OBSTRUCT VISION ALONG ANY LOT LINE OR STREET LINE. THE DISTURBANCE OF A SURVEY STAKE BY ANYONE IS A VIOLATION OF SECTION 236.32 OF WISCONSIN STATUTES. UTILITY EASEMENTS AS HEREIN SET FORTH ARE FOR THE USE OF PUBLIC BODIES AND PRIVATE PUBLIC UTILITIES HAVING THE RIGHT TO SERVE THE AREA.

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

NOTES

ALL LINEAR MEASUREMENTS HAVE BEEN MADE TO THE NEAREST ONE HUNDREDTH OF A FOOT.

ALL ANGULAR MEASUREMENTS HAVE BEEN MADE TO THE NEAREST 20 SECONDS AND COMPUTED TO THE NEAREST HALF SECOND.

FRONT YARD BUILDING SETBACKS ARE 20 FEET, THE MINIMUM REAR YARD BUILDING SETBACKS ARE 25 FEET AND MINIMUM SIDE YARD BUILDING SETBACKS ARE 6 FEET AS LISTED IN THE CITY OF APPLETON ZONING ORDINANCE, R-1B SINGLE-FAMILY DISTRICT.

THERE ARE NO EXISTING BUILDINGS WITHIN THE PLATTED AREA.

CURVE TABLE

CURVE	RADIUS	DELTA	LENGTH	CHORD BEARING	CHORD	TANGENT IN	TANGENT OUT
1	270.00'	001°39'06"	7.78'	S 32°31'20.0" E	7.78'	S 31°41'47" E	S 33°20'53" E
2	267.00'	005°39'09"	23.86'	N 30°47'18.5" W	23.85'	N 28°13'44" W	N 33°20'53" W
3	30.00'	090°00'00"	47.12'	S 78°20'53.0" E	42.43'	S 33°20'53" E	N 56°39'07" E
4	90.00'	090°00'00"	141.37'	S 78°20'53.0" E	127.28'	S 33°20'53" E	N 56°39'07" E
5	90.00'	022°38'26"	35.56'	N 67°58'20.0" E	35.33'	N 79°17'33" E	N 56°39'07" E
6	90.00'	035°51'39"	55.81'	S 82°56'37.5" E	54.92'	S 65°10'48" E	N 79°17'33" E
7	90.00'	031°49'55"	50.00'	S 49°15'50.5" E	49.36'	S 33°20'53" E	E 65°10'48" E

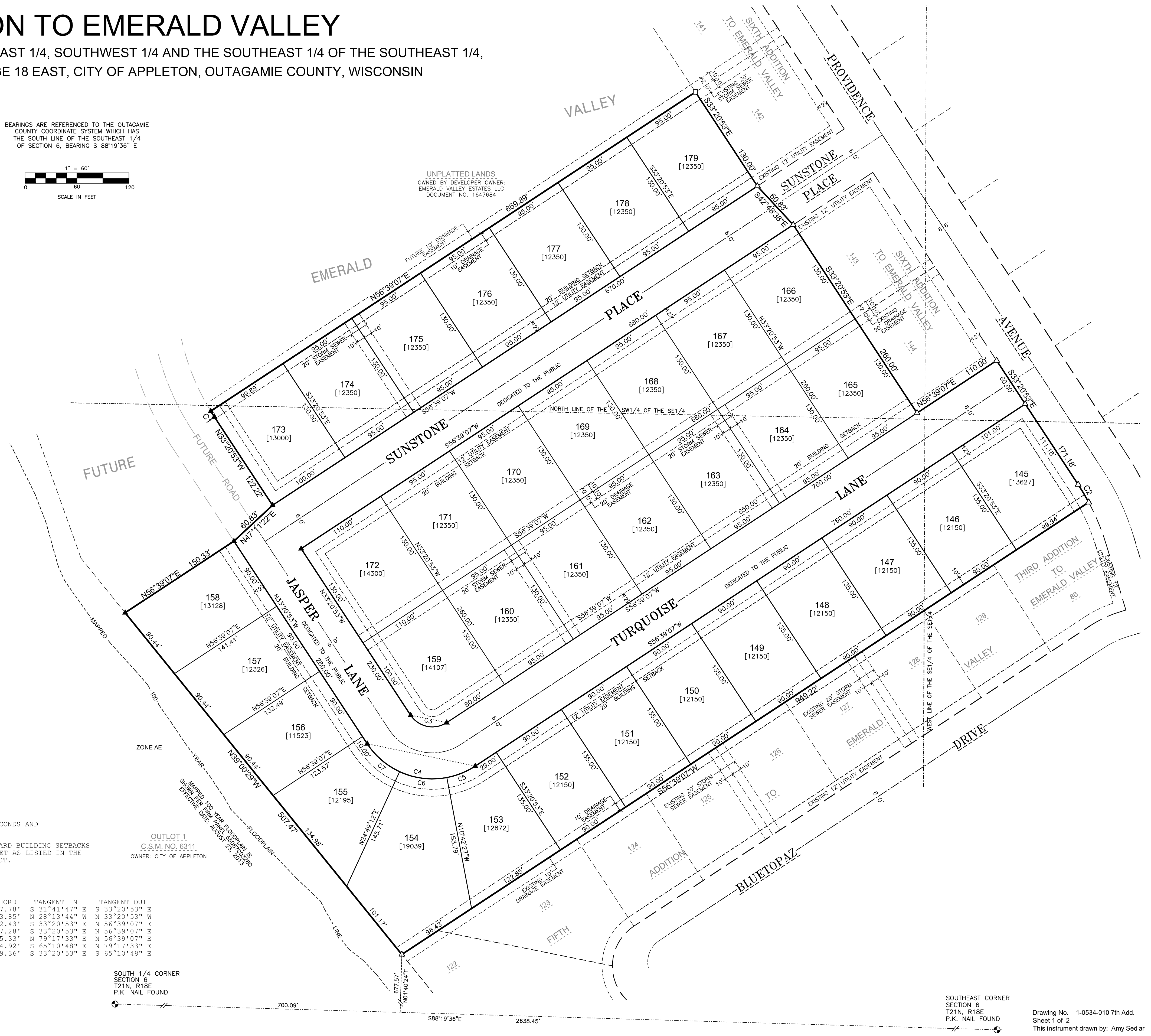
Martenson & Eisele, Inc.
 1377 Midway Road
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 www.martenson-eisele.com
 info@martenson-eisele.com
 920.731.0381 1.800.236.0381

Planning
 Environmental
 Surveying
 Engineering
 Architecture

SOUTH 1/4 CORNER SECTION 6 T21N, R18E P.K. NAIL FOUND

SOUTHEAST CORNER SECTION 6 T21N, R18E P.K. NAIL FOUND

Drawing No. 1-0534-010 7th Add.
 Sheet 1 of 2
 This instrument drawn by: Amy Sedlar



SEVENTH ADDITION TO EMERALD VALLEY

PART OF THE NORTHWEST 1/4, NORTHEAST 1/4, SOUTHWEST 1/4 AND THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4, SECTION 6, TOWNSHIP 21 NORTH, RANGE 18 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN

SURVEYOR'S CERTIFICATE

I, GARY A. ZHRINGER, PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY:

THAT I HAVE SURVEYED, DIVIDED, AND MAPPED SEVENTH ADDITION TO EMERALD VALLEY, AT THE DIRECTION OF EMERALD VALLEY ESTATES LLC, PART OF THE NORTHWEST 1/4, NORTHEAST 1/4, SOUTHWEST 1/4 AND THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4, SECTION 6, TOWNSHIP 21 NORTH, RANGE 18 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN, MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION 6; THENCE SOUTH 88 DEGREES 19 MINUTES 36 SECONDS EAST, ALONG THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION, A DISTANCE OF 700.09 FEET; THENCE NORTH 01 DEGREES 40 MINUTES 24 SECONDS EAST, A DISTANCE OF 677.57 FEET TO THE POINT OF BEGINNING; THENCE NORTH 39 DEGREES 00 MINUTES 29 SECONDS WEST, ALONG THE NORTHERLY LINE OF CERTIFIED SURVEY MAP NO. 6311, A DISTANCE OF 507.47 FEET; THENCE NORTH 56 DEGREES 39 MINUTES 07 SECONDS EAST, 150.33 FEET; THENCE NORTH 47 DEGREES 11 MINUTES 22 SECONDS EAST, 60.83 FEET; THENCE NORTH 33 DEGREES 20 MINUTES 53 SECONDS WEST, 122.22 FEET; THENCE 7.78 FEET ALONG AN ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 270.00 FEET AND A CHORD THAT BEARS NORTH 32 DEGREES 31 MINUTES 20.0 SECONDS WEST, 7.78 FEET; THENCE NORTH 56 DEGREES 39 MINUTES 07 SECONDS EAST, 669.89 FEET; THENCE THE FOLLOWING SIX(6) CALLS ARE ALONG THE WESTERLY LINE OF THE SIXTH ADDITION TO EMERALD VALLEY:
THENCE SOUTH 33 DEGREES 20 MINUTES 53 SECONDS EAST, 130.00 FEET;
THENCE SOUTH 42 DEGREES 48 MINUTES 38 SECONDS EAST, 60.83 FEET;
THENCE SOUTH 33 DEGREES 20 MINUTES 53 SECONDS EAST, 260.00 FEET;
THENCE NORTH 56 DEGREES 39 MINUTES 07 SECONDS EAST, 110.00 FEET;
THENCE SOUTH 33 DEGREES 20 MINUTES 53 SECONDS EAST, 171.18 FEET;
THENCE 23.86 FEET ALONG AN ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 267.00 FEET AND A CHORD THAT BEARS SOUTH 30 DEGREES 47 MINUTES 18.5 SECONDS EAST, 23.85 FEET;
THENCE SOUTH 56 DEGREES 39 MINUTES 07 SECONDS WEST, ALONG THE NORTHERLY LINES OF THE THIRD ADDITION TO EMERALD VALLEY AND FIFTH ADDITION TO EMERALD VALLEY, A DISTANCE OF 949.22 FEET THE POINT OF BEGINNING. CONTAINING 552,321 SQUARE FEET [12.680 ACRES].

THAT SUCH PLAT IS A CORRECT REPRESENTATION OF ALL EXTERIOR BOUNDARIES OF THE LAND SURVEYED AND THE SUBDIVISION THEREOF MADE.

THAT I HAVE MADE SUCH LAND DIVISION AND PLAT BY THE DIRECTION OF THE OWNERS SHOWN HEREIN.

THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF CHAPTER 236 OF THE WISCONSIN STATUTES, AND THE SUBDIVISION REGULATIONS OF THE CITY OF APPLETON IN SURVEYING, DIVIDING AND MAPPING THE SAME.

GIVEN UNDER MY HAND THIS 26TH DAY OF OCTOBER, 2020.

GARY A. ZHRINGER, PROFESSIONAL LAND SURVEYOR S-2098

CORPORATE OWNER'S CERTIFICATE OF DEDICATION

EMERALD VALLEY ESTATES LLC, DULY ESTABLISHED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF WISCONSIN, AS OWNER, DOES HEREBY CERTIFY THAT SAID EMERALD VALLEY ESTATES LLC, CAUSED THE LAND DESCRIBED ON THIS PLAT TO BE SURVEYED, DIVIDED, MAPPED AND DEDICATED ALL AS SHOWN AND REPRESENTED ON THIS PLAT.

EMERALD VALLEY ESTATES LLC, FURTHER CERTIFIES THAT THIS PLAT IS REQUIRED BY S.236.10 OR S.236.12 TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL OR OBJECTION:

DEPARTMENT OF ADMINISTRATION
CITY OF APPLETON

WITNESS THE HAND AND SEAL OF SAID OWNER(S) THIS _____ DAY OF _____, 20__.

ROBERT DEBRUIN - MEMBER PAT HIETPAS - MEMBER

STATE OF WISCONSIN)
) SS
OUTAGAMIE COUNTY)

PERSONALLY CAME BEFORE ME THIS _____ DAY OF _____, 20__,
THE ABOVE OWNER(S) TO ME KNOWN TO BE THE PERSON(S), WHO EXECUTED THE FOREGOING
INSTRUMENT AND ACKNOWLEDGE THE SAME.

NOTARY PUBLIC
MY COMMISSION EXPIRES _____

UTILITY EASEMENT PROVISIONS

AN EASEMENT FOR ELECTRIC, NATURAL GAS, AND COMMUNICATIONS SERVICE IS HEREBY GRANTED BY EMERALD VALLEY ESTATES LLC, GRANTORS, TO

WISCONSIN ELECTRIC POWER COMPANY, A WISCONSIN CORPORATION DOING BUSINESS AS WE ENERGIES, GRANTEE,
WISCONSIN BELL, INC. D/B/A AT&T WISCONSIN, A WISCONSIN CORPORATION, GRANTEE, AND
TIME WARNER ENTERTAINMENT COMPANY, L.P., 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, 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 GRANTEE AGREES 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 GRANTEE 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, 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 GRANTEE'S FACILITIES OR IN, UPON OR OVER THE PROPERTY WITHIN THE LINES MARKED "UTILITY EASEMENT AREAS" WITHOUT THE PRIOR WRITTEN CONSENT OF GRANTEE. 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 GRANTEE. THE GRANT OF EASEMENT SHALL BE BINDING UPON AND INURE TO THE BENEFIT OF THE HEIRS, SUCCESSORS AND ASSIGNS OF ALL PARTIES HERETO.

ROBERT DEBRUIN - MEMBER

PAT HIETPAS - MEMBER

DRAINAGE EASEMENT PROVISIONS

AN EASEMENT FOR DRAINAGE IS HEREBY GRANTED BY EMERALD VALLEY ESTATES LLC, GRANTOR, TO

CITY OF APPLETON, GRANTEE,

THE GRANTOR, THEIR RESPECTIVE LESSEES, SUCCESSORS, HEIRS OR ASSIGNS, SHALL HAVE FULL USE AND ENJOYMENT OF THE PROPERTY REFERENCED ABOVE PROVIDED THAT SUCH USE DOES NOT INTERFERE WITH GRANTEE'S RIGHT TO INSTALL, REPLACE, OPERATE, MAINTAIN AND REPAIR SAID DRAINAGEWAY AND ASSOCIATED APPURTENANCES. IT IS FURTHER AGREED THAT AFTER MAINTAINING, REPAIRING, REPLACING OR RELOCATING OF SAID DRAINAGEWAY AND ASSOCIATED APPURTENANCES GRANTEE SHALL RESTORE UNIMPROVED SURFACES SUCH AS GRASS, GRAVEL AND DIRT ON SAID PROPERTY, AS CLOSELY AS POSSIBLE, TO THE CONDITION PREVIOUSLY EXISTING. GRANTEE SHALL NOT BE REQUIRED TO RESTORE OR COMPENSATE FOR ANY IMPROVEMENTS OR IMPROVED SURFACES SUCH AS, BUT NOT LIMITED TO, CURB AND GUTTER, HARD PAVEMENTS, TREES, SHRUBS AND LANDSCAPING, DISTURBED AS A RESULT OF THE MAINTENANCE ACTIVITIES DESCRIBED HEREIN. GRANTEE DOES HEREBY AGREE TO COMPENSATE FULLY FOR ANY DAMAGE CAUSED DIRECTLY OR INDIRECTLY FROM SAID MAINTENANCE, REPAIR, REPLACEMENT OR RELOCATION OF SAID DRAINAGEWAY AND ASSOCIATED APPURTENANCES, THAT OCCUR OUTSIDE OF THE ABOVE DESCRIBED EASEMENT AREA. BUILDINGS OR ANY OTHER TYPE OF STRUCTURE OR IMPEDIMENT TO DRAINAGE SHALL NOT BE PLACED OVER GRANTEE'S FACILITIES OR IN, UPON OR OVER THE PROPERTY WITHIN THE LINES MARKED "DRAINAGE EASEMENT". GRANTEE AGREES THAT IT SHALL GIVE TIMELY NOTICE TO THE GRANTOR OF ROUTINE MAINTENANCE WORK. GRANTOR SHALL MAINTAIN GROUND SURFACE AND VEGETATION SO AS NOT TO IMPEDE DRAINAGE.

STORM SEWER EASEMENTS PROVISION

AN EASEMENT FOR STORM SEWER IS HEREBY GRANTED BY EMERALD VALLEY ESTATES LLC, GRANTOR, TO

CITY OF APPLETON, GRANTEE,

THE GRANTOR, THEIR RESPECTIVE LESSEES, SUCCESSORS, HEIRS OR ASSIGNS, SHALL HAVE FULL USE AND ENJOYMENT OF THE PROPERTY REFERENCED ABOVE PROVIDED THAT SUCH USE DOES NOT INTERFERE WITH GRANTEE'S RIGHT TO INSTALL, REPLACE, OPERATE, MAINTAIN AND REPAIR SAID STORM SEWER AND ASSOCIATED APPURTENANCES. IT IS FURTHER AGREED THAT AFTER MAINTAINING, REPAIRING, REPLACING OR RELOCATING OF SAID STORM SEWER AND ASSOCIATED APPURTENANCES GRANTEE SHALL RESTORE UNIMPROVED SURFACES SUCH AS GRASS, GRAVEL AND DIRT ON SAID PROPERTY, AS CLOSELY AS POSSIBLE, TO THE CONDITION PREVIOUSLY EXISTING. GRANTEE SHALL NOT BE REQUIRED TO RESTORE OR COMPENSATE FOR ANY IMPROVEMENTS OR IMPROVED SURFACES SUCH AS, BUT NOT LIMITED TO, CURB AND GUTTER, HARD PAVEMENTS, TREES, SHRUBS AND LANDSCAPING, DISTURBED AS A RESULT OF THE MAINTENANCE ACTIVITIES DESCRIBED HEREIN. GRANTEE DOES HEREBY AGREE TO COMPENSATE FULLY FOR ANY DAMAGE CAUSED DIRECTLY OR INDIRECTLY FROM SAID MAINTENANCE, REPAIR, REPLACEMENT OR RELOCATION OF SAID STORM SEWER AND ASSOCIATED APPURTENANCES, THAT OCCUR OUTSIDE OF THE ABOVE DESCRIBED EASEMENT AREA. BUILDINGS OR ANY OTHER TYPE OF STRUCTURE SHALL NOT BE PLACED OVER GRANTEE'S FACILITIES OR IN, UPON OR OVER THE PROPERTY WITHIN THE LINES MARKED "STORM SEWER EASEMENT" GRANTEE AGREES THAT IT SHALL GIVE TIMELY NOTICE TO THE GRANTOR OF ROUTINE MAINTENANCE WORK.

THE GRANT OF EASEMENTS SHALL BE BINDING UPON AND INURE TO THE BENEFIT OF THE HEIRS, SUCCESSORS AND ASSIGNS OF ALL PARTIES HERETO.

ROBERT DEBRUIN - MEMBER

PAT HIETPAS - MEMBER

COMMON COUNCIL RESOLUTION:

RESOLVED, THAT SEVENTH ADDITION TO EMERALD VALLEY, IN THE CITY OF APPLETON, IS HEREBY APPROVED BY THE COMMON COUNCIL OF THE CITY OF APPLETON.

ON THIS _____ DAY OF _____, 20__.

JACOB A. WOODFORD, CITY MAYOR

I HEREBY CERTIFY THAT THE FOREGOING IS A COPY OF A RESOLUTION ADOPTED BY THE COMMON COUNCIL OF THE CITY OF APPLETON.

KAMI LYNCH, CITY CLERK DATE

CITY TREASURER'S CERTIFICATE:

I, ANTHONY D. SAUCERMAN, BEING THE DULY QUALIFIED AND ACTING FINANCE DIRECTOR OF THE

CITY OF APPLETON, DO HEREBY CERTIFY THAT IN ACCORDANCE WITH THE RECORDS IN MY OFFICE, THERE

ARE NO UNPAID TAXES OR UNPAID SPECIAL ASSESSMENTS AS OF _____ ON ANY OF THE

LAND INCLUDED IN SEVENTH ADDITION TO EMERALD VALLEY.

ANTHONY D. SAUCERMAN, CITY FINANCE DIRECTOR DATE

COUNTY TREASURER'S CERTIFICATE:

I, _____, BEING THE DULY ELECTED, QUALIFIED AND ACTING

TREASURER OF THE COUNTY OF OUTAGAMIE, DO HEREBY CERTIFY THAT THE RECORDS IN MY OFFICE

SHOW NO UNREDEEMED TAX SALES AND NO UNPAID TAXES OR UNPAID SPECIAL ASSESSMENTS AS

OF _____ AFFECTING THE LANDS INCLUDED IN SEVENTH ADDITION TO EMERALD VALLEY.

DATE _____ SIGNED _____ COUNTY TREASURER

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

Martenson & Eisele, Inc.

1377 Midway Road Planning
Menasha, WI 54952 Environmental
www.martenson-eisele.com Surveying
info@martenson-eisele.com Engineering
920.731.0381 1.800.236.0381 Architecture

Drawing No. 1-0534-010 7th Add.
Sheet 2 of 2
This instrument drawn by: Amy Sedlar



REPORT TO CITY PLAN COMMISSION

Plan Commission Meeting Date: December 8, 2020

Common Council Meeting Date: December 16, 2020

Item: Extraterritorial Preliminary Plat – Marsden Park – Town of Grand Chute

Case Manager: David Kress, Principal Planner

GENERAL INFORMATION

Owner: Michael and Karen Marsden

Applicant: Rubble Development, LLC c/o Glen Scherwinski

Address/Parcel #: Generally located west of Gillett Street and south of Starview Drive in the Town of Grand Chute – Tax Id #101036111

Petitioner's Request: The applicant is proposing to subdivide property under the Town's RSF Single-Family Residential District. The area is 5.12 acres in size and would be divided into two lots.

BACKGROUND

The subject area is within the City's extraterritorial plat approval jurisdiction, which includes the unincorporated area within three miles of the City, as described in the Subdivision Ordinance. The Preliminary Plat must also be reviewed and approved by the Town of Grand Chute and Outagamie County. This item is on track to go to the Town Board on December 15, 2020, and it has not yet appeared before the County Zoning Committee.

STAFF ANALYSIS

Existing Conditions: This is undeveloped land located in the Town of Grand Chute, west of Gillett Street. Delineated wetlands and a stormwater pond exist on the property. Access to the development would be obtained from Starview Drive.

Surrounding Zoning and Land Uses: The surrounding area is under the jurisdiction of the Town of Grand Chute, and the nearby uses are generally residential in nature. The surrounding zoning is the Town's RSF Single-Family Residential District and AGD General Agricultural District.

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

Review Criteria: Community and Economic Development staff has reviewed the Extraterritorial Preliminary Plat in accordance with the City of Appleton Subdivision Ordinance, as well as Zoning Ordinance requirements for single-family residential developments. Proposed Lot 1 is 3.25 acres and proposed Lot 2 is 1.87 acres in size. The lot sizes and lot widths for the proposed lots in this Town of Grand Chute subdivision exceed minimum City of Appleton Zoning Ordinance requirements.

Extraterritorial Preliminary Plat – Marsden Park – Town of Grand Chute

December 8, 2020

Page 2

Additional Comments: Several issues do not impact the City, but may warrant consideration from the Town of Grand Chute and/or Outagamie County:

- The recorded as dimension shown along the western plat boundary (509.45') does not match recorded CSM 6026.
- The adjacent lot to the south is incorrectly labeled as Lot 2 CSM 6026. It is Lot 1 CSM 6026.
- In the legend, the wetland symbol appears to be labeled as gravel.

Technical Review Group (TRG) Report: This item appeared on the November 17, 2020 TRG agenda. No negative comments were received from participating departments.

RECOMMENDATION

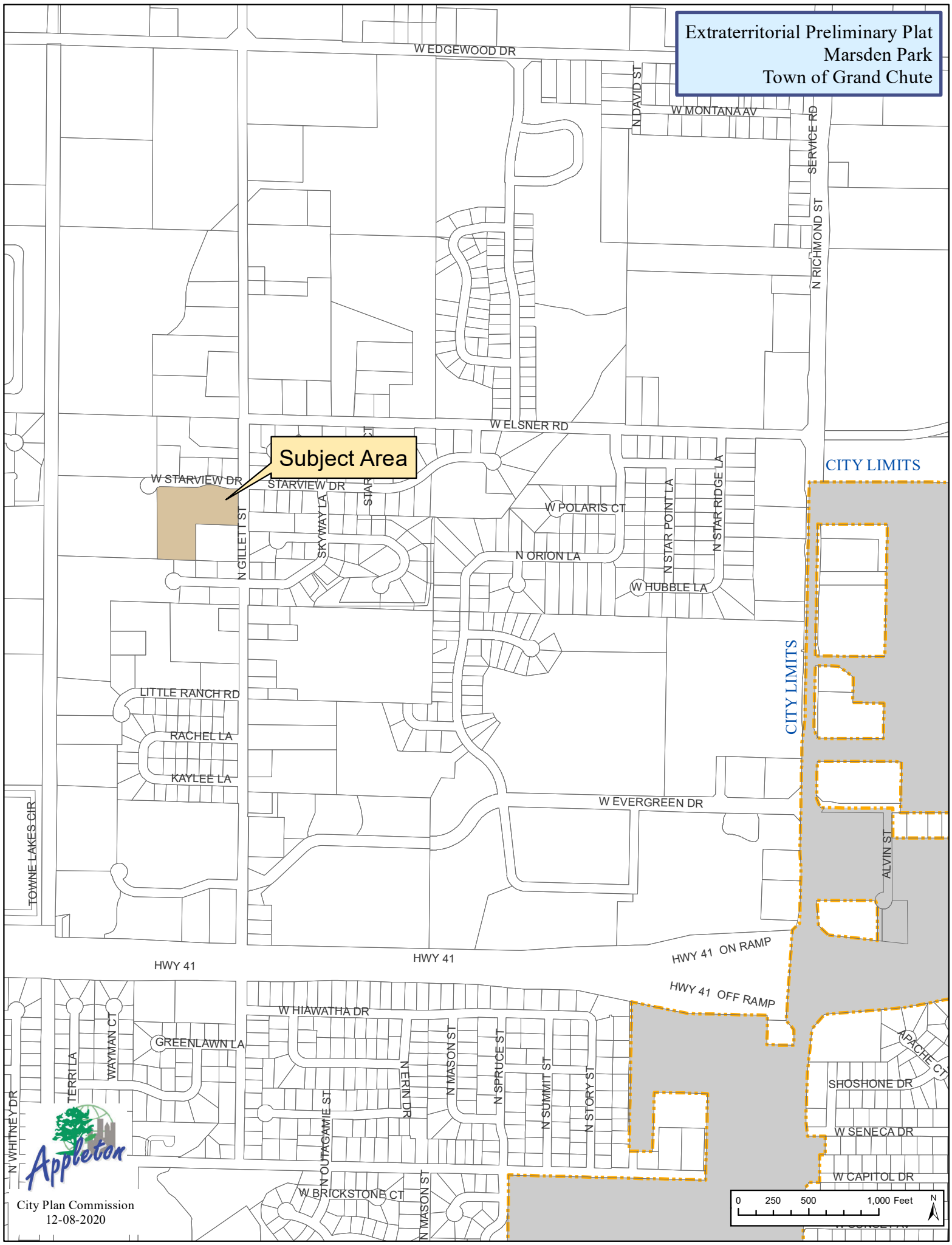
Based on the above, staff recommends that the Extraterritorial Preliminary Plat – Marsden Park located in the Town of Grand Chute, as shown on the attached maps, **BE APPROVED**.

Extraterritorial Preliminary Plat
Marsden Park
Town of Grand Chute

Subject Area

CITY LIMITS

CITY LIMITS



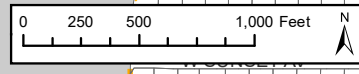
TOWNE LAKES CIR

HWY 41

HWY 41

HWY 41 ON RAMP

HWY 41 OFF RAMP



Extraterritorial Preliminary Plat
Marsden Park
Town of Grand Chute
Aerial Map

Subject Area

W STARVIEW DR

STARVIEW DR

CASUAL CT

WHISPERING PINE CT

SKYWAY LA

N GILLET ST

SKY CT

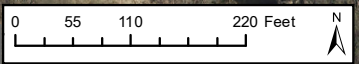
SKYWAY CT

CITY LIMITS

CITY LIMITS



City Plan Commission
12-08-2020

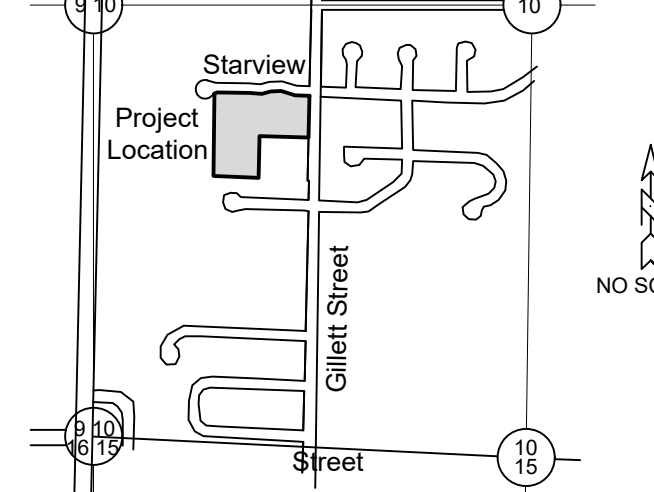


Preliminary Plat of Marsden Park

All of Lot 2, Certified Survey Map 6026, being part of the Northwest 1/4 of the Southwest 1/4 of Section 10, Township 21 North, Range 17 East, Town of Grand Chute, Outagamie County, Wisconsin

LOCATION MAP

SW 1/4 SEC 10, T 21 N, R 17 E,
TOWN GRAND CHUTE
OUTAGAMIE COUNTY, WI



Bearings are referenced to the West line of the Southwest 1/4, Section 10, T21N, R17E, assumed to bear N00°50'37"W, base on the Outagamie County Coordinate System.

BENCHMARKS (NAVD 88)

- BM 0 NGS Monument(6095)
N R/W of E Edgewood Dr.
Elev 835.70'
- BM 1 Fire Hydrant, Tag Bolt
N R/W W Starview Dr.
Elev 803.55'
- BM 2 Fire Hydrant, Tag Bolt
±300' SE of BM 1, S R/W W Starview Dr.
Elev 802.23'
- BM 3 Fire Hydrant, Tag Bolt
SE cor. W Starview Dr. and N Gillet St.
Elev 800.74'

LINE TABLE

Line	Bearing	Length
L1	N 72°28'13" E (N72°28'48"E)	30.52'

CURVE TABLE

Curve	Radius	Chord Direction	Recorded As	Chord Length	Arc Length	Central Angle	Tangent Bearing-in	Tangent Bearing-out
C1	25.00'	N 66°31'44" E	(N66°31'57"E)	21.14'	21.83'	50°01'33"	N 41°30'58" E	S 88°27'29" E
C2	136.00'	N 82°00'22" E	(N88°00'57"E)	45.06'	45.27'	19°04'18"	S 88°27'29" E	N 72°28'13" E
C3	136.00'	N 87°51'05" E		17.51'	17.52'	7°22'51"	S 88°27'29" E	N 84°09'39" E
C4	136.00'	N 78°18'56" E		27.70'	27.75'	11°41'27"	N 84°09'39" E	N 72°28'13" E
C5	150.00'	N 89°10'27" E	(N89°11'02"E)	86.23'	87.46'	33°24'28"	N 72°28'13" E	S 74°07'19" E
C6	136.00'	S 81°17'24" E	(S81°16'49"E)	33.94'	34.03'	14°20'10"	S 74°07'19" E	S 88°27'29" E

Storm Structures

Structure	#	Rim	Inv	Size	Material	Direction
INL A	A	801.09	796.42	12"	HDPE	E
			796.63	8"	PVC	NW
			796.54	12"	PVC	S
INL B	B	801.04	796.71	12"	PVC	N
			795.45	12"	RCP	N
MH C	C	799.26	795.05	18"	RCP	SE
			795.31	18"	RCP	W
			795.45	12"	RCP	N
INL D	D	797.80	795.12	12"	RCP	S
			795.80	4"	PVC	NW
INL E	E	797.76	795.01	12"	RCP	N
			795.07	15"	RCP	SW
CB F	F	797.46	795.25	12"	HDPE	E
			795.02	12"	PVC	W
CB G	G	798.22	793.97	12"	PVC	E
			795.02	12"	PVC	W
INL H	H	797.19	793.78	12"	PVC	W

Sanitary Structures

Structure	#	Rim	Inv	Size	Material	Direction
MH 1	1	801.91	791.88	8"	PVC	E
			790.29	8"	PVC	W
MH 2	2	799.94	790.29	8"	PVC	E
			790.29	8"	PVC	W
MH 3	3	798.24	789.55	8"	PVC	E
			789.55	8"	PVC	W

SUPPLEMENTARY DATA

Total Area = 223,117 SF 5.1221 acres
 Number of Lots = 2
 Lineal feet of street = No new Street
 Existing zoning = RSF
 Proposed zoning = RSF
 Approving Authorities
 Town of Grand Chute
 City of Appleton (extraterritorial)
 Objecting Authorities
 Department of Administration
 NOTES

Utility and Drainage Easements will be shown on Final Plat

LEGEND

- CATV— CATV
- FD— FD
- OH— OH
- UH— UH
- San— San
- Sto— Sto
- E— E
- G— G
- T— T
- W— W
- 800
- 799
- Underground Cable TV
- Underground Fiber Optic
- Overhead Electric Lines
- Utility Guy Wire
- Sanitary Sewer
- Storm Sewer
- Underground Electric
- Underground Gas Line
- Underground Telephone
- Water Main
- Culvert
- Index Contour
- Intermediate Contour
- Sanitary MH / Tank / Base
- Clean Out / Curb Stop / Pull Box
- Storm Manhole
- Inlet
- Catch Basin / Yard Drain
- Hydrant
- Utility Meter
- Utility Pole
- Light Pole / Signal
- Guy Wire
- Electric Pedestal
- Electric Transformer
- Air Conditioner
- Telephone Pedestal
- Telephone Manhole
- CATV Pedestal
- Gas Regulator
- 1 1/2" Rebar Found
- 3/4" Rebar Found
- Government Corner
- Recorded As
- Benchmark
- Asphalt Pavement
- Concrete Pavement
- Gravel
- Gravel

SURVEYOR'S CERTIFICATE

I, James R. Sehoff, hereby certify that this Preliminary Plat is a correct representation of all existing land divisions and features, and that I have complied with the preliminary plat requirements for the Town Grand Chute and Outagamie County.

James R. Sehoff, P.L.S. No. S-2692 Date

DAVEL ENGINEERING & ENVIRONMENTAL, INC.
 CIVIL ENGINEERING CONSULTANTS
 1811 Racine Street Menasha, WI 54952
 Ph: 920-991-1866 Fax: 920-830-9595
 www.davel.pro

File: 6057Plat.dwg
 Date: 11/05/2020
 Drafted By: jim
 Sheet: 1 of 1



REPORT TO CITY PLAN COMMISSION

Plan Commission Meeting Date: December 8, 2020

Common Council Meeting Date: December 16, 2020

Item: Dedication of Public Right-of-Way for Sequoia Drive

Case Manager: David Kress, Principal Planner

GENERAL INFORMATION

Owner/Applicant: City of Appleton c/o Tom Kromm

Location: Generally located south of Broadway Drive and east of French Road

Petitioner's Request: The applicant is requesting a dedication of land for public right-of-way for Sequoia Drive.

BACKGROUND

On January 17, 2018, Common Council approved the North Edgewood Estates Development Agreement to set forth the City and developer duties and responsibilities with respect to development of the land located south of the subject area. An amended development agreement was approved by Common Council on April 22, 2020. Based on this Development Agreement, the City is responsible for acquiring land and constructing a second access point to the Phase II development area. The proposed segment of Sequoia Drive is intended to fulfill this condition of the Development Agreement.

On October 21, 2020, Common Council adopted Ordinance 104-20 to annex the subject area (formerly parts of Town of Grand Chute Tax Id #101153201 and #101153500 and Town of Vandebroek Tax Id #200012500 and 200012700) to the City as the Sequoia Drive Annexation. The property was officially annexed to the City on October 27, 2020. The owner did not request a rezoning with the annexation petition, so the temporary AG Agricultural District was assigned for this area. If the temporary zoning classification is not amended within 90 days, the zoning reverts to AG Agricultural District, per Section 23-65(e) of the Municipal Code.

A Certified Survey Map (CSM) was recently submitted to dedicate the subject area for public roadway purposes. The CSM, currently under review, is subject to the acceptance of the public right-of-way dedication by Plan Commission and Common Council.

STAFF ANALYSIS

Public Right-of-Way Dedication: Approximately 3.325 acres (144,840 square feet) of land is included in the proposed right-of-way dedication. As shown on the attached exhibit map, the right-of-way for Sequoia Drive would be 70 feet wide in this area.

Street Classification: This portion of Sequoia Drive will be classified as a collector street.

Street Dedication – Sequoia Drive
December 8, 2020
Page 2

Surrounding Zoning Classification and Land Uses:

North: Existing Broadway Drive right-of-way is immediately north of the subject area.

South: R-1B Single-Family District. The adjacent land use to the south is currently agricultural; however, the Preliminary Plat for North Edgewood Estates 2 was approved earlier this year.

East: Town of Vandebroek. The adjacent land use to the east is currently agricultural.

West: Town of Grand Chute. The adjacent land use to the west is currently agricultural.

Comprehensive Plan 2010-2030: The City of Appleton *Comprehensive Plan 2010-2030* identifies this area for future One and Two-Family Residential uses. The proposed public right-of-way dedication is consistent with the following goal and objectives of the *Comprehensive Plan 2010-2030*.

Goal 4 – Transportation

Appleton will support a comprehensive transportation network that provides viable options for pedestrian, bicycle, highway, rail, and air transportation, both locally and within the region.

OBJECTIVE 6.1 Transportation:

Plan for the safe and efficient movement of vehicles on local and regional roads.

OBJECTIVE 6.8 Transportation:

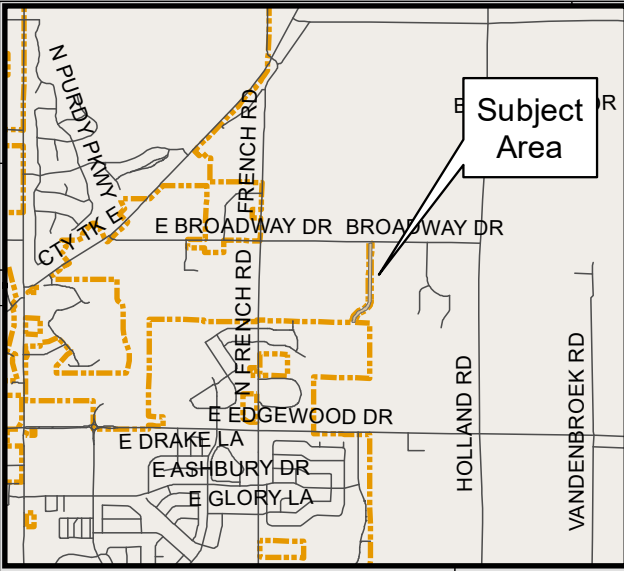
Implement transportation improvements which also support the City's desired land use, housing, and neighborhood goals, objectives, and policies.

Technical Review Group (TRG) Report: This item appeared on the November 17, 2020 TRG agenda. No negative comments were received from participating departments.

RECOMMENDATION

Staff recommends the dedication of land for public right-of-way for Sequoia Drive, as shown on the attached maps, **BE APPROVED**.

Sequoia Drive Street Right of Way Dedication Zoning Map

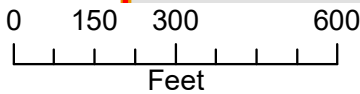
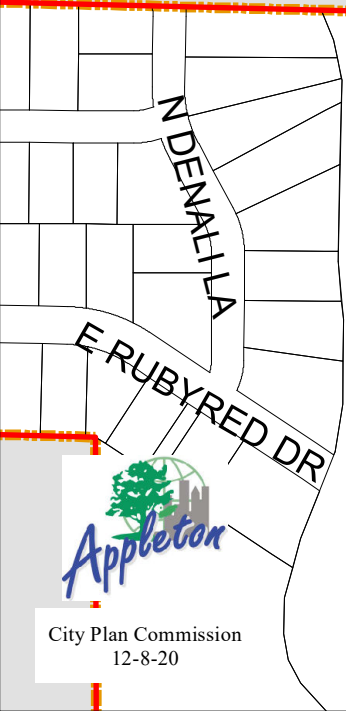


Area to be Dedicated

SEQUOIA DR **AG**

BROADWAY DR

R-1B



Sequoia Drive
Street Right of Way Dedication
Aerial Map

BROADWAY DR

SEQUOIA DR

Area to be Dedicated

N DENALI LA

E RUBYRED DR



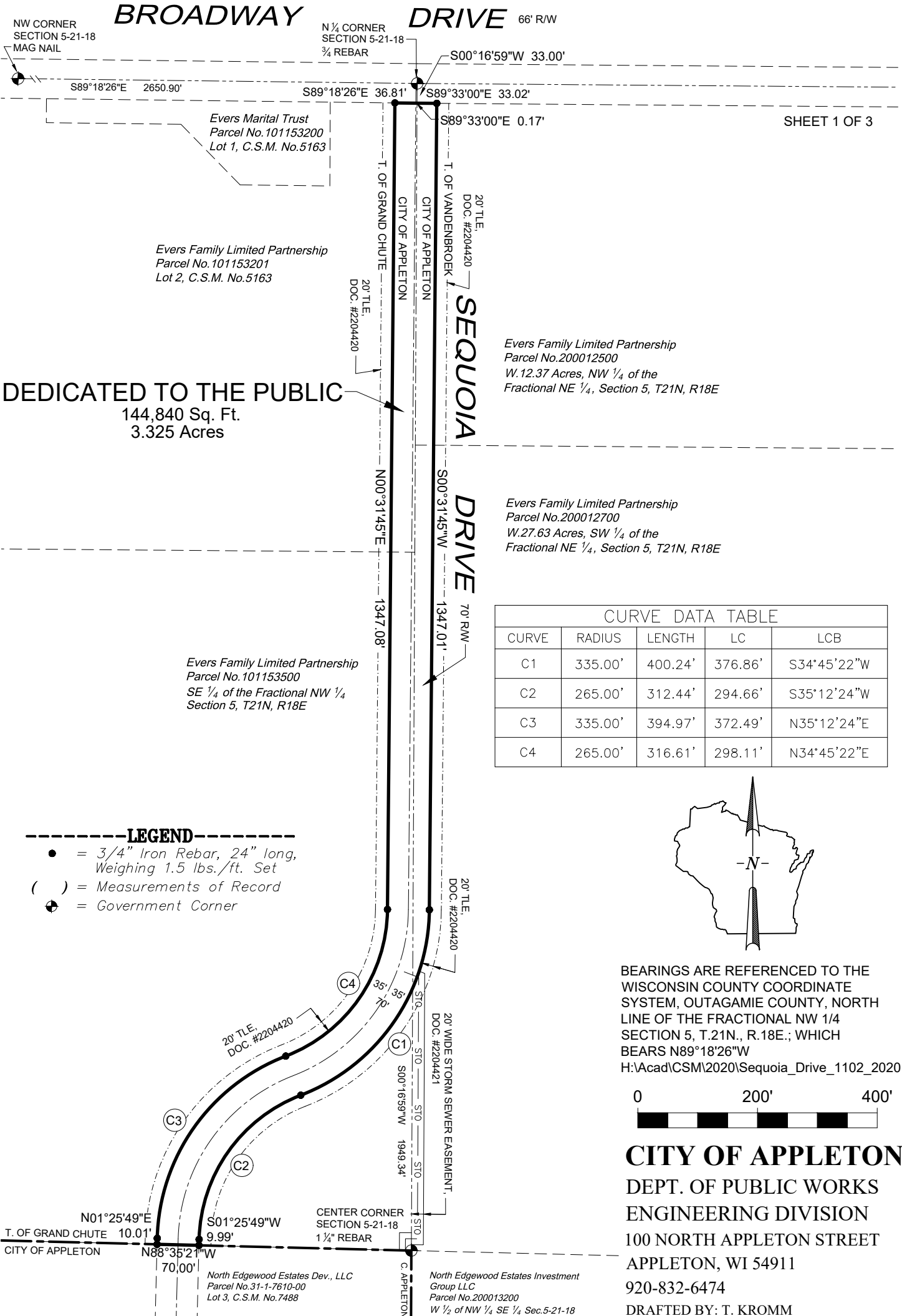
City Plan Commission
12-8-20



RECEIVED
 NOV 3 2020
 CITY OF APPLETON
 COMM/ECON DEV

CERTIFIED SURVEY MAP NO. _____

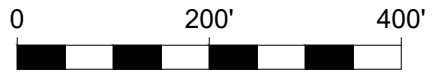
Part of Lot 2 of Certified Survey Map No. 5163 filed in Volume 29 of Certified Survey Maps on Page 5163 as Document No. 1676059, a part of the East 1/2 of the Fractional Northwest 1/4 and a part of the West 40 Acres of the Fractional Northeast 1/4 of Section 5, Township 21 North, Range 18 East, City of Appleton, Outagamie County, Wisconsin.



SHEET 1 OF 3

DEDICATED TO THE PUBLIC
 144,840 Sq. Ft.
 3.325 Acres

BEARINGS ARE REFERENCED TO THE WISCONSIN COUNTY COORDINATE SYSTEM, OUTAGAMIE COUNTY, NORTH LINE OF THE FRACTIONAL NW 1/4 SECTION 5, T.21N., R.18E., WHICH BEARS N89°18'26"W
 H:\Acad\CSM\2020\Sequoia_Drive_1102_2020



CITY OF APPLETON
 DEPT. OF PUBLIC WORKS
 ENGINEERING DIVISION
 100 NORTH APPLETON STREET
 APPLETON, WI 54911
 920-832-6474
 DRAFTED BY: T. KROMM

CERTIFIED SURVEY MAP NO. _____

A part of Lot 2 of Certified Survey Map No. 5163 filed in Volume 29 of Certified Survey Maps on Page 5163 as Document No.1676059, a part of the East ½ of the Fractional Northwest ¼ and a part of the West 40 Acres of the Fractional Northeast ¼ of Section 5, Township 21 North, Range 18 East, City of Appleton, Outagamie County, Wisconsin.

SURVEYOR'S CERTIFICATE:

SHEET 2 OF 3

A part of Lot 2 of Certified Survey Map No. 5163 filed in Volume 29 of Certified Survey Maps on Page 5163 as Document No.1676059, a part of the East ½ of the Fractional Northwest ¼ and a part of the West 40 Acres of the Fractional Northeast ¼ of Section 5, Township 21 North, Range 18 East, City of Appleton, Outagamie County, Wisconsin, containing 3.3251 Acres (144,840 sq. ft.) of land and being more fully described by:

Commencing at the N ¼ corner of said Section 5;
Thence South 00°16'59" West 33.00 feet along the West line of the Fractional NE ¼ of said Section 5 to the Point of Beginning;
Thence South 89°33'00" East 33.02 feet along the South line of Broadway Drive;
Thence South 00°31'45" West 1,347.01 feet;
Thence Southwesterly 400.24 feet along the arc of curve to the right having a radius of 335.00 feet and the chord of which bears South 34°45'22" West 376.86 feet;
Thence Southwesterly 312.44 feet along the arc of a curve to the left having a radius of 265.00 feet and the chord of which bears South 35°12'24" West 294.66 feet;
Thence South 01°25'49" West 9.99 feet;
Thence North 88°35'21" West 70.00 feet;
Thence North 01°25'49" East 10.01 feet;
Thence Northeasterly 394.97 feet along the arc of curve to the right having a radius of 335.00 feet and the chord of which bears North 35°12'24" East 372.49 feet;
Thence Northeasterly 316.61 feet along the arc of a curve to the left having a radius of 265.00 feet and the chord of which bears North 34°45'22" East 298.11 feet;
Thence North 00°31'45" East 1,347.08 feet;
Thence South 89°18'26" East 36.81 feet;
Thence South 89°33'00" East 0.17 feet to the point of beginning.
Said lands subject to all easements and restrictions of record.

That I have fully complied with the provisions of Chapter 236.34 of the Wisconsin Statutes and the City of Appleton subdivision ordinance in surveying, dividing and mapping the same. That this map is a correct representation of all exterior boundaries of the land surveyed and the division thereof.

Dated this _____ day of _____, 2020.

Wisconsin Professional Land Surveyor: Thomas M. Kromm

This Certified Survey Map does not have an assigned tax parcel number and is entirely road right of way.

All of the land in this Certified Survey Map is Zoned AG.
The adjoining property is in the Town of Grand Chute and the Town of Vandebroek.

This Certified Survey Map is contained within the property described in the following recorded instrument: Document #2204420.

The property owner of record is the City of Appleton.

CERTIFIED SURVEY MAP NO. _____

A part of Lot 2 of Certified Survey Map No. 5163 filed in Volume 29 of Certified Survey Maps on Page 5163 as Document No.1676059, a part of the East 1/2 of the Fractional Northwest 1/4 and a part of the West 40 Acres of the Fractional Northeast 1/4 of Section 5, Township 21 North, Range 18 East, City of Appleton, Outagamie County, Wisconsin.

CORPORATE OWNER’S CERTIFICATE:

SHEET 3 OF 3

City of Appleton, a municipal corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, hereby certify that we caused the land above to be surveyed, divided, mapped and dedicated all as shown and represented on this map.

Mayor Date

City Clerk Date

STATE OF WISCONSIN)
) SS
OUTAGAMIE COUNTY)

Personally came before me on this ____ day of _____, 2020, the above named owners to me known to be the persons who executed the foregoing instrument and acknowledged the same.

Notary

My commission expires _____

TREASURER’S CERTIFICATE:

I, being the duly elected, qualified and acting treasurer, do hereby certify that there are no unpaid taxes or unpaid special assessments on of the lands included in this Certified Survey Map as of:

City Treasurer Date

County Treasurer Date

CITY OF APPLETON APPROVAL:

Approved by the City of Appleton on this ____ day of _____.

Mayor

City Clerk