



REPORT TO CITY PLAN COMMISSION

Plan Commission Meeting Date: June 26, 2018

Common Council Meeting Date: July 18, 2018

Item: Preliminary Plat – Cherryvale Meadows

Case Manager: David Kress

GENERAL INFORMATION

Owner/Applicant: B&H Properties, Inc. c/o Bob De Bruin

Address/Parcel #: North Cherryvale Avenue (Tax Id #31-1-6410-01)

Petitioner's Request: The applicant is proposing to subdivide the property for two-family residential development.

BACKGROUND

On November 16, 2011, Common Council adopted Ordinance 226-11, to annex the subject area from the Town of Grand Chute to the City of Appleton. At that time, a zoning classification of R-3 Multi-Family District was assigned during review of the North French Road Annexation.

On February 5, 2014, Common Council approved the dedication of public right-of-way for an extension of Cherryvale Avenue and an unnamed, east-west street adjacent to the subject area. The east-west street, which connects to nearby property located in the Village of Little Chute, was named Golden Gate Drive when a Certified Survey Map was approved by the Village in late 2017.

STAFF ANALYSIS

Existing Conditions: The subject lot to be subdivided is currently undeveloped. The area to be platted for two-family residential development totals 3.89 acres, which will be divided into six lots.

Zoning Ordinance Review Criteria: Lot development standards for the R-3 Multi-Family District (Section 23-96 of the Municipal Code) are as follows:

- Minimum lot area: 6,000 square feet for single-family dwellings.
7,000 square feet for two-story two-family dwellings.
9,000 square feet for single-story two-family dwellings.
3,000 square feet per dwelling unit for multi-family dwellings.
7,000 square feet for all other uses.
 - *The proposed lots range in size from 21,781 square feet to 41,591 square feet. All lots exceed the requirements for two-family dwellings.*
- Minimum lot width: 50 feet for single-family dwellings.
70 feet for two-family dwellings.
80 feet for all other uses.

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- *The proposed lots range in width from approximately 87 feet to 211.45 feet. All lots exceed the requirement for two-family dwellings.*
- Minimum front, side, and rear yard setbacks: 20-foot front yard (25-foot minimum on arterial street), 6-foot side yard for single and two-family dwellings (20-foot minimum for all other uses), and 35-foot rear yard.
 - *Required front yard setback is shown on the Preliminary Plat. Setbacks will be reviewed through the building permit review process.*
- Maximum building height: 35 feet for single and two-family dwellings.
45 feet or all other uses.
 - *This will be reviewed through the building permit review process.*
- Maximum lot coverage: 70%.
 - *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 modification of regulations has been requested.

Access and Traffic: Vehicular access to the subject lots is provided by Cherryvale Avenue, which is an existing collector street. Also, Golden Gate Drive provides a connection to nearby property located in the Village of Little Chute. No street right-of-way will be dedicated to the public with this subdivision.

Surrounding Zoning Classification and Land Uses:

North: R-2 Two-Family District. The adjacent land to the north is currently undeveloped.

South: Village of Little Chute. The adjacent land uses to the south are currently a mix of multi-family residential uses.

East: Village of Little Chute. The adjacent land uses to the east are currently agricultural.

West: R-3 Multi-Family District. The adjacent land uses to the west are currently agricultural.

Appleton Comprehensive Plan 2010-2030: Community and Economic Development staff has reviewed this proposal and determined it is compatible with the Multi-Family Residential designation shown on the City's *Comprehensive Plan 2010-2030* 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.

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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: Section 17-29 of the Municipal Code requires parkland dedication or fee in lieu of dedication for residential subdivisions. Since no parkland will be dedicated on the subject property, park fees will be due prior to building permits being issued for individual lots (when the exact number of dwelling units is known). For lots zoned R-3 Multi-Family District, park fees are \$150 per dwelling unit.

Technical Review Group (TRG) Report: This item was discussed at the June 5, 2018 Technical Review Group meeting.

- **Department of Public Works Comments:** The developer should be aware of the Intergovernmental Cooperation Agreement between the Village of Little Chute and City of Appleton that was approved by Common Council on June 5, 2013. This agreement clarified responsibility for provision of sanitary sewer, storm sewer, and water main utilities within the subject area.

RECOMMENDATION

The Cherryvale Meadows Preliminary Plat, as shown on the attached maps, **BE APPROVED** subject to the following conditions:

1. The owner/applicant shall submit to the City the Final Plat within 36 months after the last required approval of the Preliminary Plat. If the Final Plat is not submitted within said 36 months, the City (and any other approving authority) may refuse to approve the Final Plat and shall recommence the procedure for Preliminary Plat approval or may extend the time for submission of the Final Plat.

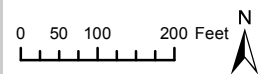
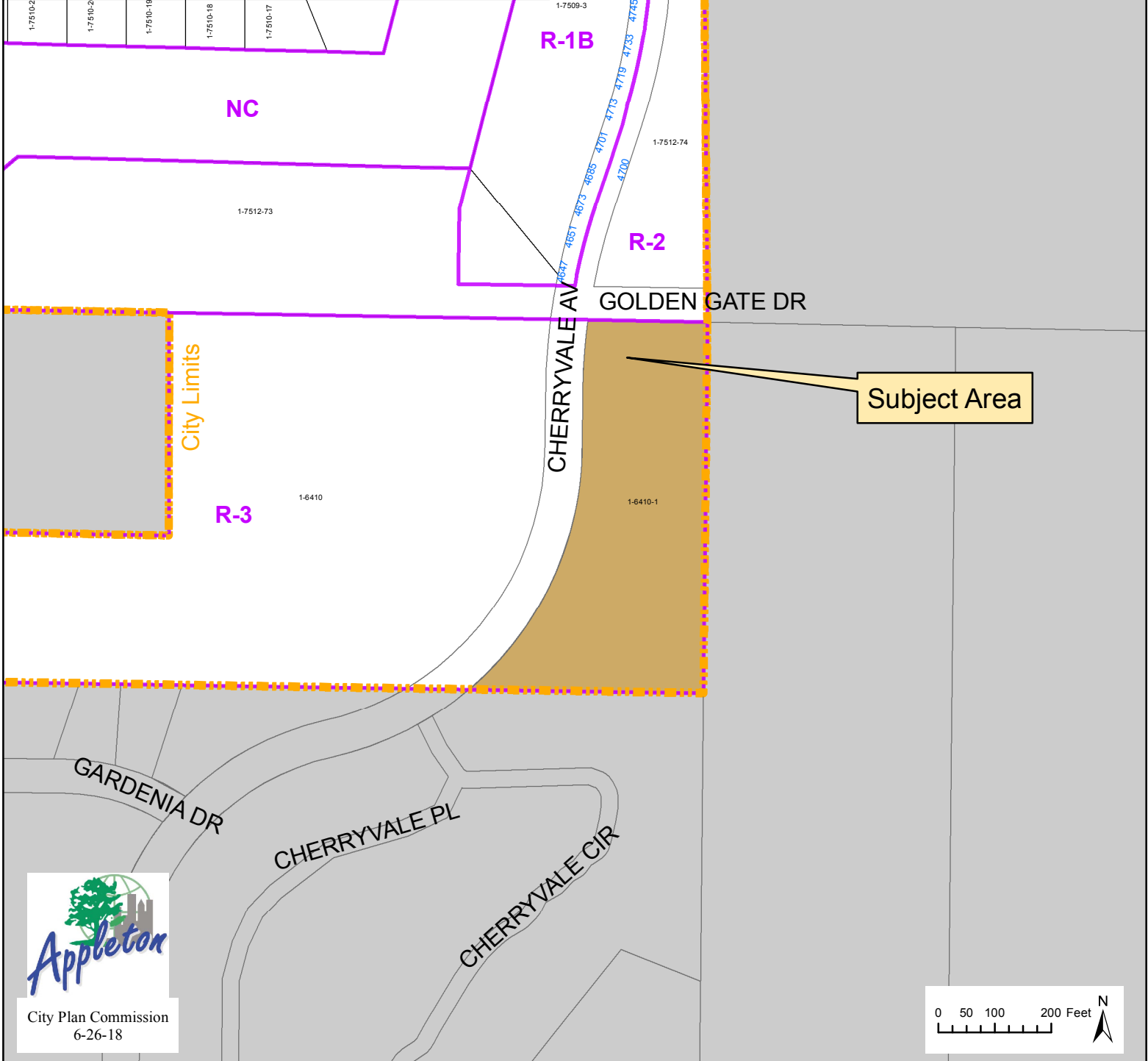
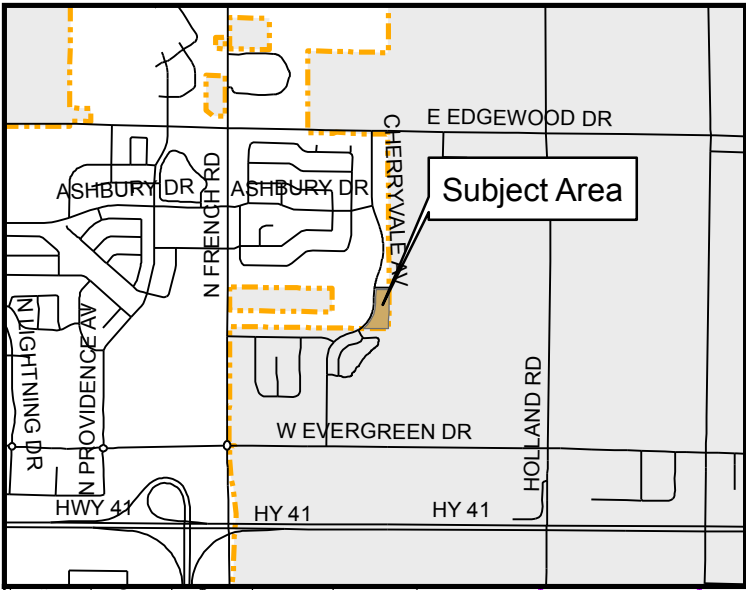
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2. Per Section 17-7(b)(4) of the Municipal Code, show the location and names of any adjacent subdivisions and unplatted lands. Lot 2 CSM 6315 shown south of the Preliminary Plat boundary is incorrect.
3. Per Section 17-7(b)(10) of the Municipal Code, show existing zoning on and adjacent to the proposed subdivision. The nearby parcel west of Cherryvale Avenue is shown as AG Agricultural District, but it is currently zoned R-3 Multi-Family District.
4. Park fees shall be paid to the City of Appleton Finance Department prior to building permits being issued for individual lots. For lots zoned R-3 Multi-Family District, park fees are \$150 per dwelling unit.
5. Per Section 17-7(b)(3) of the Municipal Code, show the location, width, and names of all existing and proposed streets and easements within the exterior boundaries of the plat or immediately adjacent thereto. The right-of-way width for Golden Gate Drive is labeled as 66', but that does not match the right-of-way dedicated by CSM 6782. Also, the 10' utility easement shown measures at approximately 12'.
6. 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. Technical comments on the Drainage Plan and Feasibility Plan were provided to Davel Engineering & Environmental, Inc. on June 14, 2018.
7. Development is subject to conditions of the Intergovernmental Cooperation Agreement between the Village of Little Chute and City of Appleton that was approved by Common Council on June 5, 2013.
8. Development is subject to conditions of the Land Dedication Agreement between B&H Properties, Inc. and the City of Appleton that was approved by Common Council on June 5, 2013.

Cherryvale Meadows Preliminary Plat Zoning Map



Cherryvale Meadows Preliminary Plat Aerial Map



Subject Area

City Limits

City Limits

CHERRYVALE AV

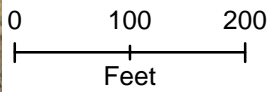
GOLDEN GATE DR

CHERRYVALE CIR

CHERRYVALE PL

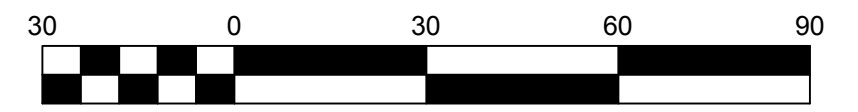


City Plan Commission
6-26-18



Cherryvale Meadows

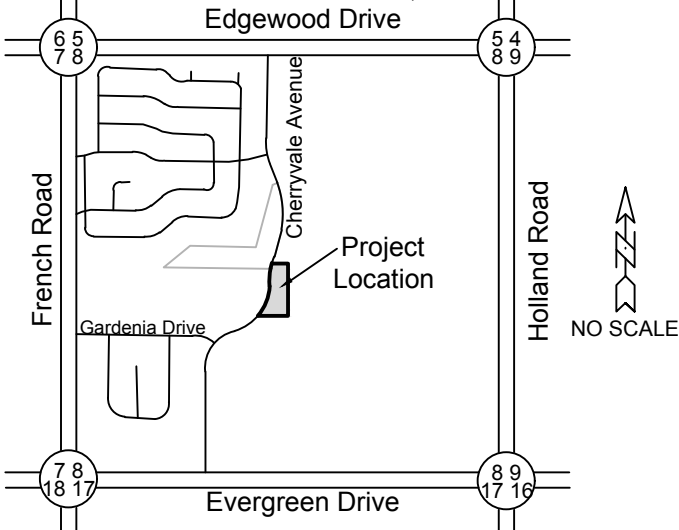
Part of Lot 2 CSM 3566 lying east of Cherryvale Avenue as described in CSM 6782, located in the Northeast 1/4 of the Southwest 1/4 of Section 08, Township 21 North, Range 18 East, City of Appleton, Outagamie County, Wisconsin



Bearings are referenced to the Outagamie County coordinate system
Bearings are referenced to the North line of the Southwest 1/4, Section 8, T21N, R18E, Referenced as S88°59'32"E, base on the Outagamie County Coordinate System.

LOCATION MAP

W 1/2 SEC 8, T 21 N, R 18 E,
CITY OF APPLETON
OUTAGAMIE COUNTY, WI
Edgewood Drive



LEGEND

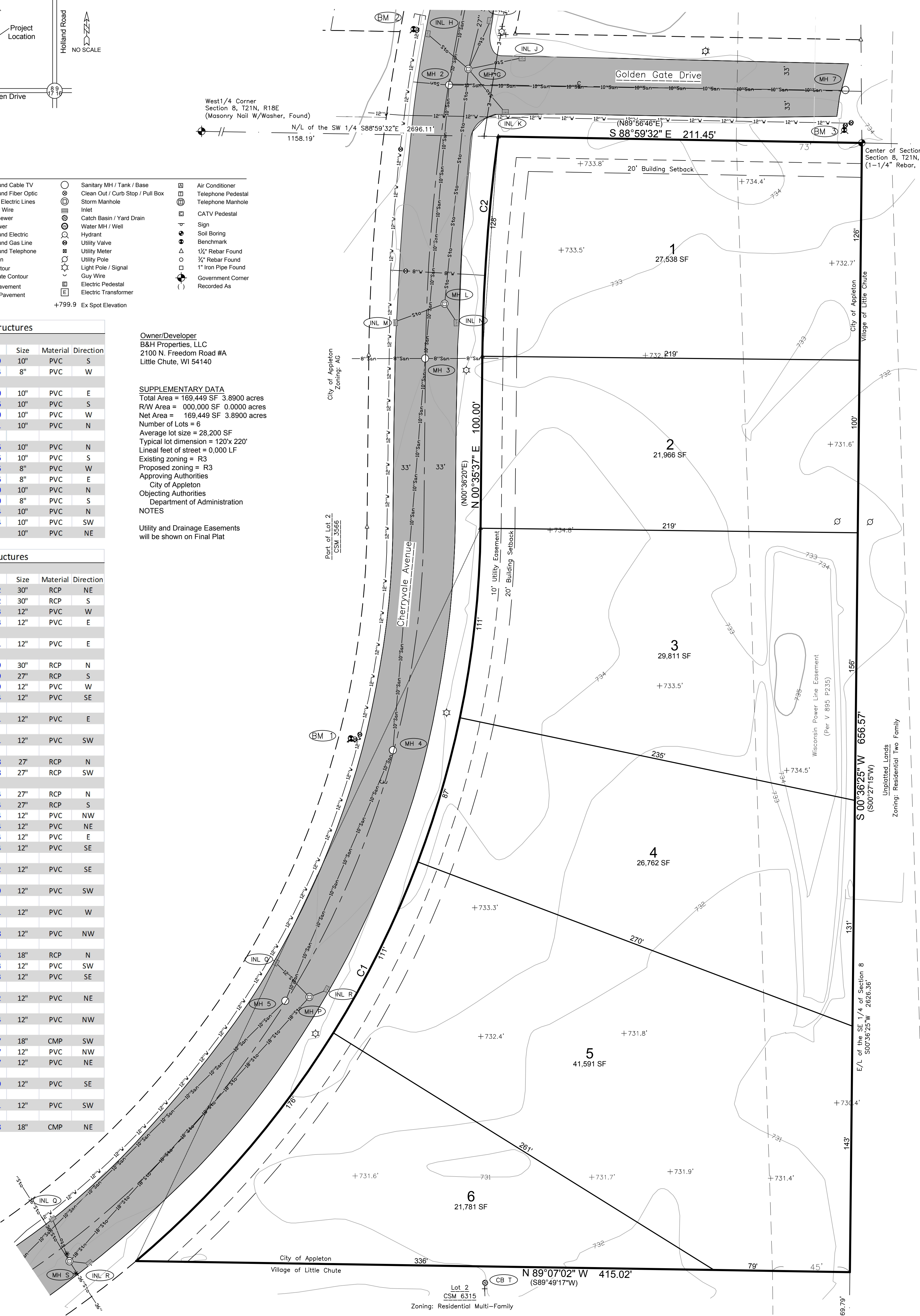
CATV	Underground Cable TV	○	Sanitary MH / Tank / Base	□	Air Conditioner
FO	Underground Fiber Optic	○	Clean Out / Curb Stop / Pull Box	□	Telephone Pedestal
OH	Overhead Electric Lines	○	Storm Manhole	□	Telephone Manhole
UW	Utility Guy Wire	○	Inlet	□	CATV Pedestal
San	Sanitary Sewer	○	Catch Basin / Yard Drain	○	Sign
Sto	Storm Sewer	○	Water MH / Well	○	Soil Boring
E	Underground Electric	○	Hydrant	○	Benchmark
G	Underground Gas Line	○	Utility Valve	○	1/2" Rebar Found
T	Underground Telephone	○	Utility Meter	○	3/4" Rebar Found
W	Water Main	○	Utility Pole	○	1" Iron Pipe Found
000	Index Contour	○	Light Pole / Signal	○	Government Corner
799	Intermediate Contour	○	Guy Wire	○	Recorded As
	Asphalt Pavement	○	Electric Pedestal	○	
	Concrete Pavement	○	Electric Transformer	○	
	Gravel	○	Ex Spot Elevation	○	

Owner/Developer
B&H Properties, LLC
2100 N. Freedom Road #A
Little Chute, WI 54140

SUPPLEMENTARY DATA
Total Area = 169,449 SF 3.8900 acres
R/W Area = 000,000 SF 0.0000 acres
Net Area = 169,449 SF 3.8900 acres
Number of Lots = 6
Average lot size = 28,200 SF
Typical lot dimension = 120'x 220'
Lineal feet of street = 0,000 LF
Existing zoning = R3
Proposed zoning = R3
Approving Authorities
City of Appleton
Objecting Authorities
Department of Administration
NOTES
Utility and Drainage Easements will be shown on Final Plat

Sanitary Structures					
Structure	#	Rim	Inv	Size	Material Direction
MH 1	1	734.16	719.49	10"	PVC S
			719.74	8"	PVC W
MH 2	2	733.64	719.30	10"	PVC E
			719.06	10"	PVC S
			719.30	10"	PVC W
			719.21	10"	PVC N
MH 3	3	732.97	718.56	10"	PVC N
			718.56	10"	PVC S
			719.56	8"	PVC W
			719.56	8"	PVC E
MH 4	4	733.60	717.80	10"	PVC N
			717.80	8"	PVC S
			717.80	8"	PVC S
			717.80	8"	PVC S
MH 5	5	732.94	717.34	10"	PVC N
			717.34	10"	PVC SW
MH 6	6	731.95	10"	PVC	NE

Storm Structures					
Structure	#	Rim	Inv	Size	Material Direction
MH A	A	734.87	725.72	30"	RCP NE
			725.72	30"	RCP S
			727.73	12"	PVC W
			727.73	12"	PVC E
INL B	B	734.11	730.41	12"	PVC E
MH C	C	732.39	726.29	30"	RCP N
			726.29	27"	RCP S
			727.59	12"	PVC W
			727.64	12"	PVC SE
INL D	D	731.99	728.91	12"	PVC E
INL E	E	732.06	728.01	12"	PVC SW
MH F	F	734.28	726.88	27"	RCP N
			726.88	27"	RCP SW
MH G	G	733.64	727.34	27"	RCP N
			727.34	27"	RCP S
			728.34	12"	PVC NW
			728.84	12"	PVC NE
			728.84	12"	PVC E
INL H	H	733.32	729.92	12"	PVC SE
			729.92	12"	PVC SE
			729.92	12"	PVC SE
			729.92	12"	PVC SE
INL I	I	732.19	728.89	12"	PVC SW
INL J	J	732.31	728.51	12"	PVC W
INL K	K	731.58	727.48	12"	PVC NW
MH L	L	723.63	718.73	18"	RCP N
			718.73	12"	PVC SW
			718.73	12"	PVC SE
INL M	M	734.22	730.22	12"	PVC NE
			730.22	12"	PVC NE
			730.22	12"	PVC NE
			730.22	12"	PVC NE
INL N	N	732.24	728.34	12"	PVC NW
			728.34	12"	PVC NW
			728.34	12"	PVC NW
MH P	P	732.57	726.87	18"	CMP SW
			727.57	12"	PVC NW
			727.57	12"	PVC NE
INL Q	Q	732.19	729.19	12"	PVC SE
INL R	R	732.31	727.71	12"	PVC SW
MH S	S	731.88	725.08	18"	CMP NE



SURVEYOR'S CERTIFICATE

I, James R. Sehloff, 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 City of Appleton.

James R. Sehloff, P.L.S. No. S-2692 Date
jim@davel.pro

BENCHMARKS (NAVD 88 per City Benchmarks)

- BM 1 Fire Hydrant 3703, Top Shoulder
±350' S of the S/L of the NW 1/4 of Sec 8-21-18
West Right of way of Cherryvale
Elev 737.03
- BM 2 Fire Hydrant 3701, Top Shoulder
±62' N of the S/L of the NW 1/4 of Sec 8-21-18
West Right of way of Cherryvale
Elev 737.39
- BM 3 Fire Hydrant 3702, Top Shoulder
±257' E of BM 2, S. Right of way of Stub Road
Elev 737.82
- BM 4 Mag Nail in West Face of Utility Pole #75-14
±605' N of BM 3, ±58' E of Cherryvale Right of way
Elev 732.59

DISCLAIMER

Davel Engineering, Inc. provides no guarantee to the accuracy of the data provided. User of said data assumes all risks associated with said use and releases Davel Engineering, Inc. from any and all liabilities and damages resulting from said use.

CURVE TABLE										
Curve	Radius	Chord Direction	(Recorded)	Chord Length	(Recorded)	Arc Length	(Recorded)	Central Angle	Tangent Bearing-in	Tangent Bearing-out
C1	566.00'	N 25°10'16"E	(N25°11'34"E)	470.83'	(471.00')	485.59'	(485.78')	49°09'18"	N 49°44'56"E	N 00°35'37"E
C2	1038.86'	N 04°07'40"E	(N04°08'09"E)	128.07'	(127.98')	128.16'	(128.06')	7°04'05"	N 00°35'37"E	N 07°39'42"E

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