



REPORT TO CITY PLAN COMMISSION

Plan Commission Meeting Date: December 12, 2017

Common Council Meeting Date: January 3, 2018

Item: Preliminary Plat – Creekside Estates

Case Manager: Jessica Titel

GENERAL INFORMATION

Owner/Applicant: Pat Hietpas, Emerald Valley Estates, LLC – Owner
Jason Mroz, Apple Tree Appleton Four, LLC - Applicant

Address/Parcel #: Cherryvale Avenue / 31-1-7509-03 and 31-1-7512-73

Petitioner's Request: The owner/applicant is proposing to subdivide the properties to accommodate a 13-lot single-family subdivision.

BACKGROUND

The subject property was annexed to the City in 1997 as part of the Northeast Annexation, and a zoning classification of R-1A Single-Family District was assigned at that time. Parcel 31-1-7512-73 was rezoned from R-1A Single-Family District to R-2 Two-Family District in 2002.

In 2002, a preliminary plat for Applecreek Estates was approved and the final plat for the First Addition to Applecreek Estates was approved in 2004. The subject parcels were part of this plat. The main parcel (31-1-7509-03) was identified as future park land. Based on past actions, it was determined that the City would not accept dedication of this land as park land. The applicant is working with the City Attorney's Office to formally resolve this issue.

STAFF ANALYSIS

Existing Conditions: The properties are currently undeveloped and zoned R-1A Single-Family District and R-2 Two-Family District. Rezoning #8-17 for subject site is also being presented at the December 12, 2017 Plan Commission meeting to rezone a portion of the entire site from R-1A and R-2 to R-1B. The 9.9123 acre area will be divided into thirteen (13) single family lots and 2 outlots. Outlot 1 will be reserved for potential future development.

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

- Minimum lot area: Six thousand (6,000) square feet.
 - *All lots exceed this requirement. The proposed average lot size is 11,600 square feet.*

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- Minimum lot width: Fifty (50) feet.
 - *All lots exceed this requirement. The proposed lots average lot width is 58 feet.*
- Minimum front, side and rear yard setbacks: Twenty (20) foot front yard, Six (6) foot side yard, and Twenty-five (25) foot rear yard.
 - *Required front yard setback had been shown on the Preliminary Plat. Required setbacks will be reviewed through the building permit review process.*
- Maximum building height: Thirty-five (35) feet.
 - *This will be reviewed through the building permit review process.*
- Maximum lot coverage. Fifty percent (50%).
 - *This will be reviewed through the building permit review process.*

Compliance with the Appleton Subdivision Regulations: This subdivision complies with the Appleton Subdivision Regulations, and no variances have been requested.

Access and Traffic: The primary vehicular access to this subdivision is Cherryvale Avenue, which connects to Edgewood Drive to the north and Evergreen Drive to the south. No road dedication is needed with this plat and no new streets are proposed with this development.

Surrounding Zoning and Land Uses: The surrounding area is under the jurisdiction of the City of Appleton (north, south, east and west). The uses are generally residential and agricultural in nature. The Apple Creek drainage corridor is adjacent to the west and north subdivision boundaries.

2010-2030 Comprehensive Plan: Community Development staff has reviewed this proposed subdivision and determined it is compatible with the One and Two-Family Residential uses shown on the City's 2010-2030 Comprehensive Plan Future Land Use Map.

Parks and Open Space: The Appleton Subdivision Regulations do require parkland dedication or fee in lieu for residential subdivisions. The parkland fees pursuant to Chapter 17 of the Appleton Municipal Code are \$300 per dwelling unit. The total park fee required for this development is \$3,900.

Technical Review Group Report (TRG): This item was discussed at the November 21, 2017 Technical Review Group Report meeting.

Department of Public Works Comments:

- Continued discussions are needed regarding the location of the public utilities.
- Existing asphalt pedestrian trail encroaches onto a small portion of Outlot 2.

RECOMMENDATION

The Creekside Estates Preliminary Plat, **BE APPROVED** subject to the following conditions and as shown on the attached maps:

1. The owner/applicant shall submit to the City the Final Plat within 36 months after the last required approval of the Preliminary Plat. If the Final Plat is not submitted within said 36 months, the City (and any other approving authority) may refuse to approve the Final Plat and shall recommence the procedure for Preliminary Plat approval or may extend the time for submission of the Final Plat.
2. All easements, including but not limited to, storm sewers, utility, and drainage shall be shown on the Final Plat to the satisfaction of the City Engineer. Easements as currently shown on the preliminary plat may require modifications prior to approval by the City Engineer.
3. A Development Agreement being made and entered into by and between the City of Appleton and the applicant/owner, and any amendments related thereto, prior to the issuance of any permit to commence construction of any public improvement.
4. Applicant shall continue discussions with the Department of Public Works regarding locations of all public utilities. Final approval is required by DPW prior to City signatures being affixed to the Final Plat.
5. Complete and submit a stormwater utility service application to the Community and Economic Development with the Final Plat for the City of Appleton Public Works Department, Engineering Division review and approval.
6. Submit a Stormwater Permit Application with Stormwater Management Plan and supporting documentation (e.g. wetland delineation report) to the City of Appleton Public Works Department, Engineering Division. Additional comments may result from City consultant review of those items.
7. Show all elevations on the Final Plat to City Datum (NAVD 29). Provide a note on the Final Plat that identifies the conversion factor used to convert from FIS elevations (NGVD88) to City Datum.
8. A small portion of an existing city-owned asphalt pedestrian trail is located on Outlot 2. Applicant shall continue discussions with Staff to either deed the land to the City or provide an easement to encompass the trail.
9. Applicant/Owner shall continue to work with the City's Attorney's office to remove the previous park land dedication. This shall be resolved to the satisfaction of the City's Attorney's Office prior to City signatures being affixed to the Final Plat.
10. A note shall be placed on the final plat noting ownership, use and maintenance of all outlots.

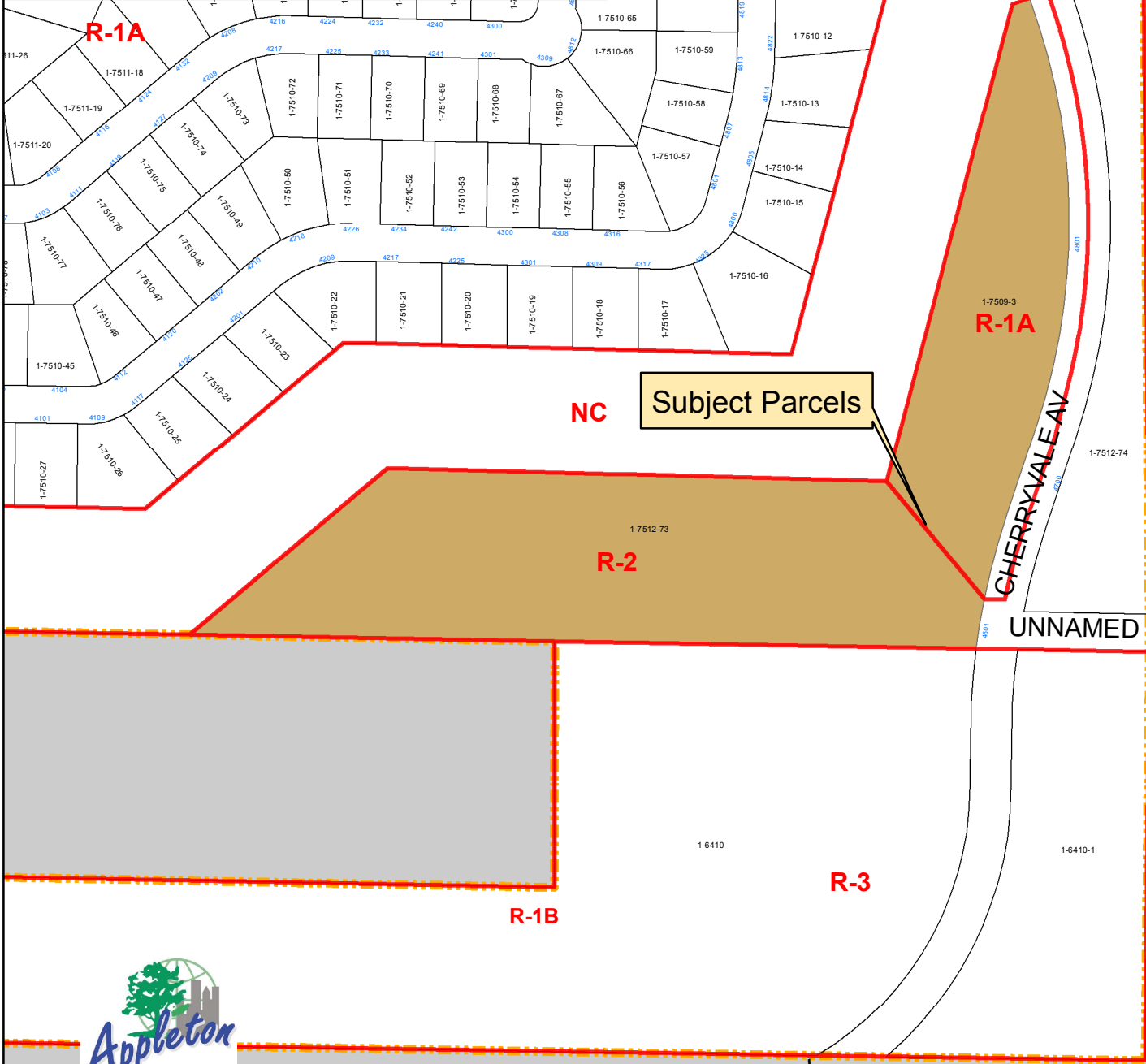
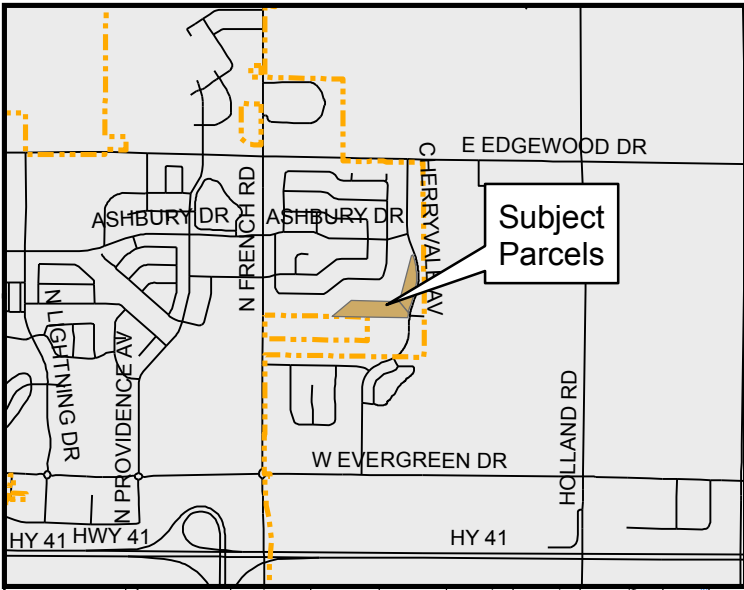
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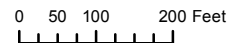
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11. Park fees of \$3,900 shall be paid to the City of Appleton Finance Department prior to the City signatures being affixed to the Final Plat, unless otherwise stated in the Development Agreement.
12. Show 100-year floodplain limits and elevations.
13. The Preliminary Plat and Rezoning #8-17 being acted on at the same Common Council meeting.

Creekside Estates Preliminary Plat Zoning Map



City Plan Commission
12-12-17



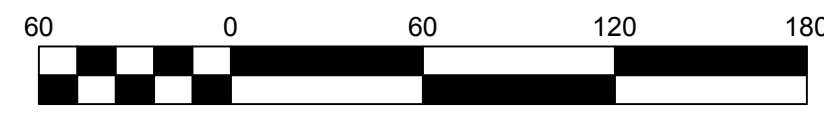
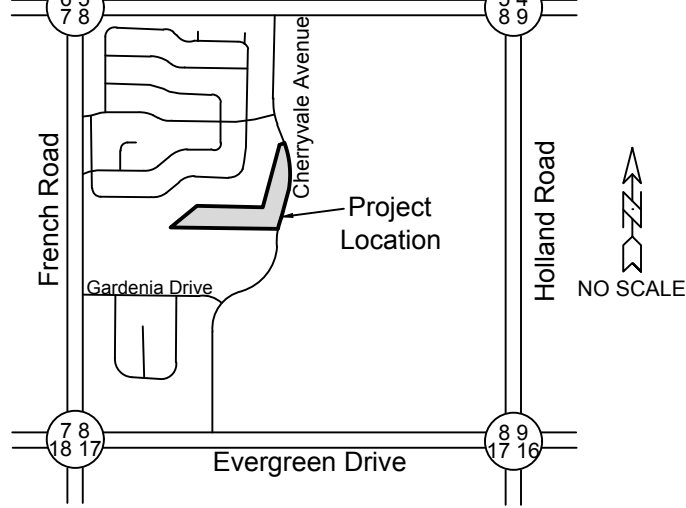
Preliminary Plat of

Creekside Estates

All of Lot 273 and lands designated "Lands to be Dedicated the City for Park, all being part of First Addition to Apple Creek Estates, located in the Southeast 1/4 of the Northwest 1/4 and Southwest 1/4 of the Northwest 1/4 of Section 08, Township 21 North, Range 18 East, City of Appleton, Outagamie County, Wisconsin

LOCATION MAP

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



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

SUPPLEMENTARY DATA

Total Area = 431,779 SF 9.9123 acres
R/W Area = 000,000 SF 0.0000 acres
Net Area = 431,779 SF 9.9123 acres
Number of Lots = 13 Lots & 2 Outlots
Average lot size = 11,600 SF
Typical lot dimension = 58' x 200'
Lineal feet of street = 0,000 LF
Existing zoning = R1A
Proposed zoning = R1B
Approving Authorities
City of Appleton
Objecting Authorities
Department of Administration

NOTE:
Utility and Drainage Easements will be shown on Final Plat

Owner
Emerald Valley Estates, LLC
1718 Vanzeeland Ct
Little Chute, WI 54140

Developer
Appletree Appleton Four, LLC
C/O Jason Mroz
3410 Indigo Bluff Drive
Green Bay WI 54311

BENCHMARKS (NAVD 88 per City Benchmarks)

- BM 1 Fire Hydrant 3703, Top Shoulder
±350' S of the S/L of the 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 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 Stubb 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

LEGEND

- | | | | | | |
|--------------------|-------------------------|---|----------------------------------|-------------------|--------------------|
| —CATV— CATV | Underground Cable TV | ○ | Sanitary MH / Tank / Base | □ | Air Conditioner |
| —FO— FO | Underground Fiber Optic | ○ | Clean Out / Curb Stop / Pull Box | □ | Telephone Pedestal |
| —OH— OH | Overhead Electric Lines | ○ | Storm Manhole | □ | Telephone Manhole |
| —UGW— UGW | Utility Guy Wire | ○ | Inlet | □ | CATV Pedestal |
| —San— San | Sanitary Sewer | ○ | Catch Basin / Yard Drain | ○ | Sign |
| —Sto— Sto | Storm Sewer | ○ | Water MH / Well | ○ | Soil Boring |
| —E— E | Underground Electric | ○ | Hydrant | ○ | Benchmark |
| —G— G | Underground Gas Line | ○ | Utility Valve | ○ | 1/2" Rebar Found |
| —T— T | Underground Telephone | ○ | Utility Meter | ○ | 3/4" Rebar Found |
| —W— W | Water Main | ○ | Utility Pole | ○ | 1" Iron Pipe Found |
| —800— | Index Contour | ○ | Light Pole / Signal | ○ | Government Corner |
| —799— | Intermediate Contour | ○ | Guy Wire | ○ | Recorded As |
| —Flood Plain | Flood Plain | ○ | Electric Pedestal | ○ | |
| —Asphalt Pavement | Asphalt Pavement | ○ | Electric Transformer | ○ | |
| —Concrete Pavement | Concrete Pavement | ○ | | ○ | |
| —Gravel | Gravel | ○ | | ○ | |
| | | ○ | +799.9 | Ex Spot Elevation | |

SURVEYOR'S CERTIFICATE

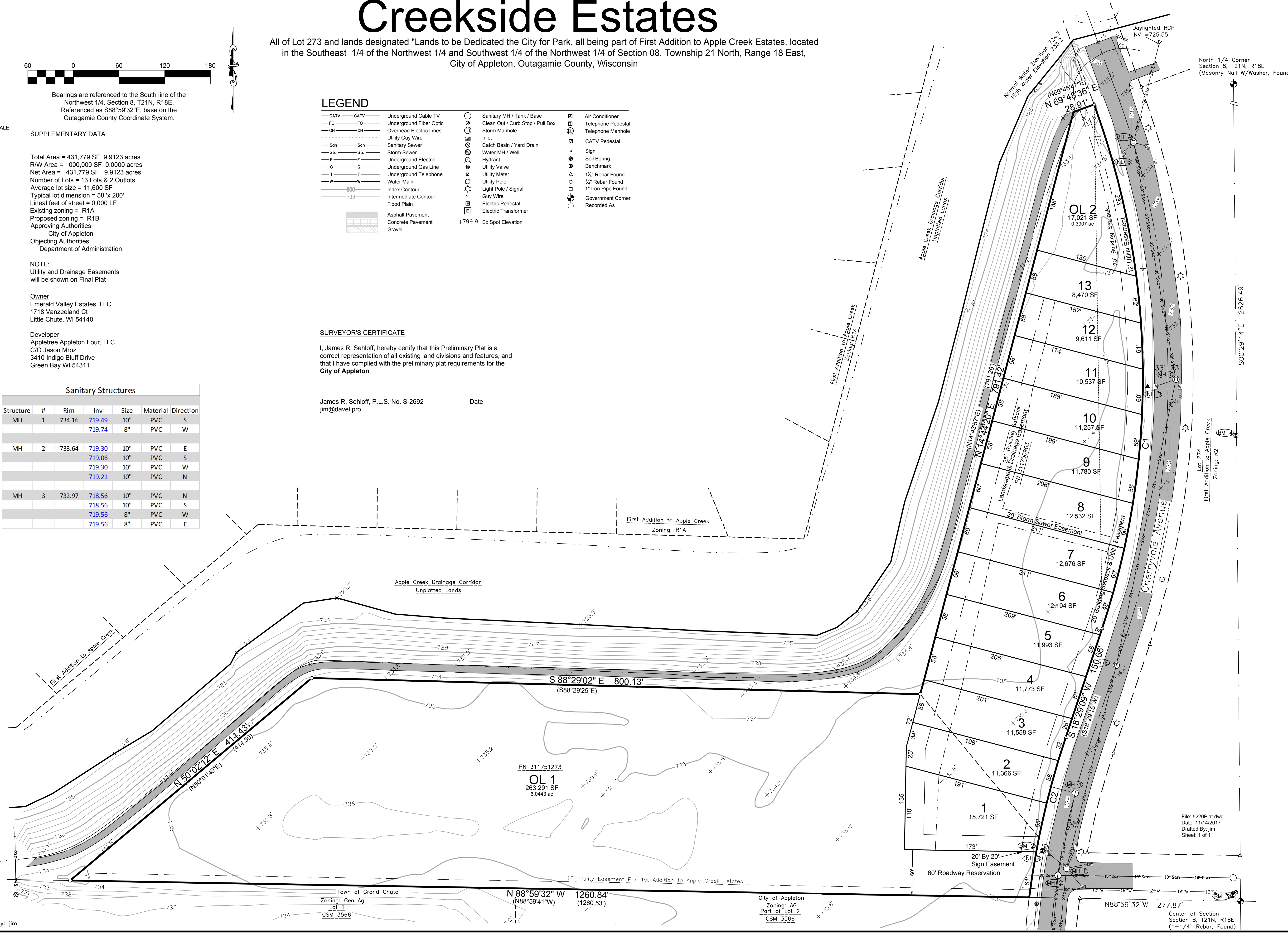
I, James R. Sehloff, hereby certify that this Preliminary Plat is a correct representation of all existing land divisions and features, and that I have complied with the preliminary plat requirements for the City of Appleton.

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

| Storm Structures | | | | | | |
|------------------|--------|--------|------|----------|-----------|--|
| Structure # | Rim | Inv | Size | Material | Direction | |
| MH 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 | 734.11 | 730.41 | 12" | PVC | E | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| MH 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 | 731.99 | 728.91 | 12" | PVC | E | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| MH E | 734.28 | 726.88 | 27" | RCP | N | |
| | | 726.88 | 27" | RCP | S | |
| | | | | | | |
| | | | | | | |
| MH F | 733.64 | 727.34 | 27" | RCP | N | |
| | | 727.34 | 21" | RCP | S | |
| | | 728.34 | 12" | PVC | NW | |
| | | 728.84 | 12" | PVC | NE | |
| INL G | 733.32 | 729.92 | 12" | PVC | SE | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

| Sanitary Structures | | | | | | |
|---------------------|--------|--------|------|----------|-----------|--|
| Structure # | Rim | Inv | Size | Material | Direction | |
| MH 1 | 734.16 | 719.49 | 10" | PVC | S | |
| | | 719.74 | 8" | PVC | W | |
| | | | | | | |
| MH 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 | 732.97 | 718.56 | 10" | PVC | N | |
| | | 718.56 | 10" | PVC | S | |
| | | 719.56 | 8" | PVC | W | |
| | | 719.56 | 8" | PVC | E | |

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



West 1/4 Corner
Section 8, T21N, R18E
(Masonry Nail W/Washer, Found)
N88°59'32"W 1158.19'

Town of Grand Chute
Zoning: Gen Ag
Lot 1
CSM 3566

N 88°59'32" W 1260.84'
(N88°59'41"W)
(1260.53')

City of Appleton
Zoning: AG
Part of Lot 2
CSM 3566

N88°59'32"W 277.87'
Center of Section
Section 8, T21N, R18E
(1-1/4" Rebar, Found)

File: 5220Plat.dwg
Date: 11/14/2017
Drafted By: jim
Sheet: 1 of 1