



REPORT TO CITY PLAN COMMISSION

Plan Commission Meeting Date: March 27, 2018

Common Council Meeting Date: April 4, 2018

Item: Final Plat – Trail View Estates (former Creekside Estates)

Case Manager: Jessica Titel

GENERAL INFORMATION

Owner/Applicant: Pat Hietpas, Emerald Valley Estates, LLC – Owner/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 14-lot single-family subdivision.

BACKGROUND

The Final Plat for Creekside Estates was approved by the Plan Commission on January 23, 2018 and the Common Council on February 7, 2018. The Final Plat was never recorded and a revised plat for Trail View Estates was submitted for re-approval. The lot layout is the same as approved with Creekside Estates; however, Outlot 2 on the Creekside Estates plat was converted to Lot 14 to be used as a single-family lot. The original Creekside Estates Plat included 13 single-family lots and the Trail View Estates includes 14 single-family lots.

The Preliminary Plat for Creekside Estates consisting of 13 residential lots was approved by the Plan Commission on December 12, 2017 and the Common Council on January 17, 2018. Because the lot configuration for Trail View Estates is generally consistent with the Creekside Estates Preliminary Plat, only Final Plat review and approval is needed for Trail View Estates.

Rezoning #8-17 (R-1A Single-Family District and R-2 Two-Family District to R-1B Single-Family District) for Creekside Estates was approved by the Plan Commission on December 12, 2017 and by the Common Council on January 17, 2018.

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 worked with the City Attorney's Office to formally resolve this issue. A Quit Claim Deed had been recorded.

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.

STAFF ANALYSIS

Existing Conditions: The properties are currently undeveloped and zoned R-1B Single-Family District. The 9.9123 acre area will be divided into fourteen (14) single-family lots and 2 outlots. Outlot 1 will be reserved for potential future development. Outlot 2 will be dedicated to the City for the existing trail.

Comparison Between Final Plat and Preliminary Plat: The Final Plat is consistent with the Preliminary Plat layout for these fourteen (14) lots in terms of shape, size, and location. The preliminary plat included 13 single-family lots and 2 outlots. The final plat converts one of the outlots to a single-family lot, providing a total 14 single-family lots with the Final Plat.

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.*
- 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.

Final Plat – Trail View Estates

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2010-2030 Comprehensive Plan: Community & Economic 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 \$4,200.

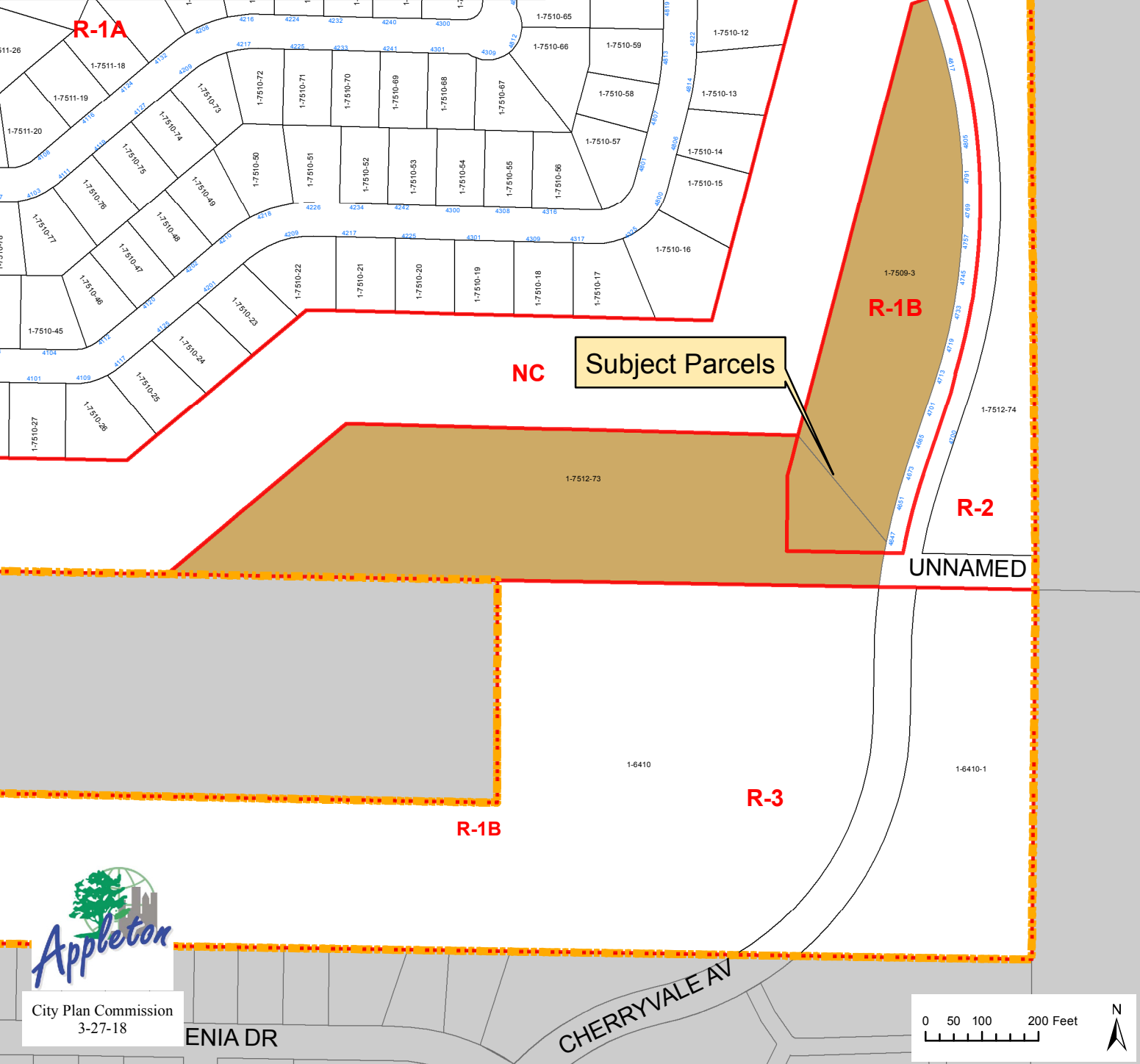
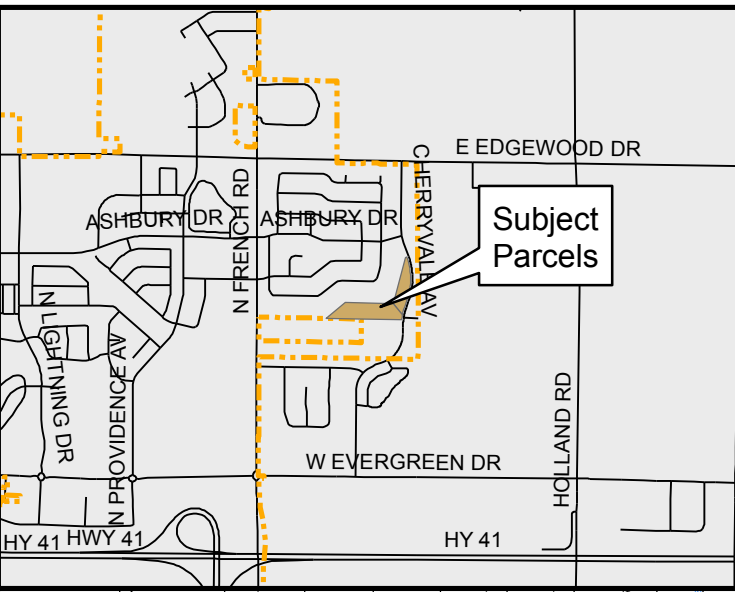
Technical Review Group Report (TRG): This item was discussed at the March 6, 2018 Technical Review Group Report meeting. No negative comments were received from participating departments.

RECOMMENDATION

The Trail View Estates Final Plat, **BE APPROVED** subject to the following conditions and as shown on the attached maps:

1. Provide a revised Stormwater Management Plan (SWMP) that includes the changes made since the original Creekside Estates submittal and addresses outstanding comments from the original submittal as well. Additional comments may result from the SWMP review.
2. Provide a revised Drainage Plan.
3. All easements, including but not limited to, storm sewers, utility, and drainage shall be shown on the Final Plat to the satisfaction of the City Engineer.
4. All requirements from the City of Appleton Public Works Department, Engineering Division, shall be met to the satisfaction of the City Engineer prior to the City affixing signatures on the Final Plat.
5. Park fees of \$4,200 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.
6. The legal instruments creating a property owner's association for the ownership or maintenance of common lands in the subdivision shall be provided to Planning after the Final Plat is recorded.

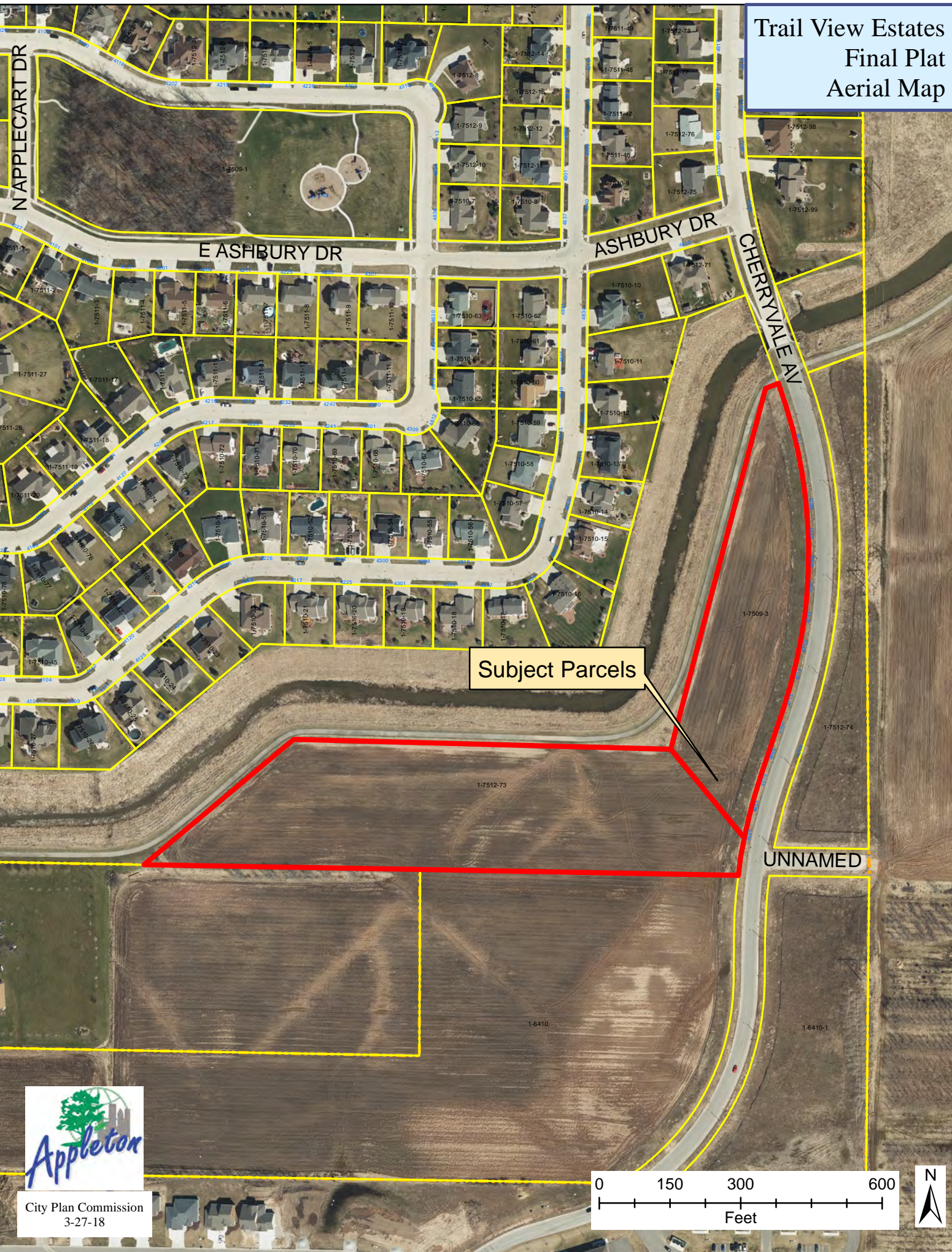
Trail View Estates Final Plat Zoning Map



City Plan Commission
3-27-18



Trail View Estates Final Plat Aerial Map

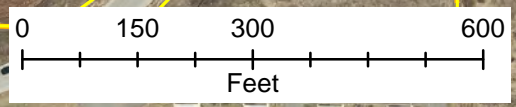


Subject Parcels

UNNAMED



City Plan Commission
3-27-18

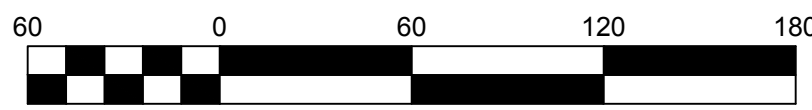
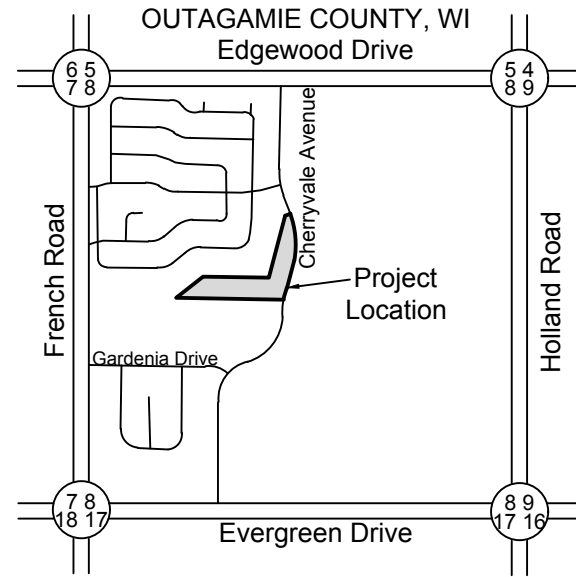


Trail View Estates

All of Lot 273 and lands designated "Lands to be Dedicated the City for Park, all being part of First Addition to Applecreek 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 08, T21N, R18E, to bear S88°59'32"E, base on the Outagamie County Coordinate System.

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



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

CURVE TABLE							
Curve	Radius	Chord Direction	Chord Length	Arc Length	Central Angle	Tangent Bearing-in	Tangent Bearing-out
C1	1039.18'	S 00°52'46" E	689.17'	702.46'	38°43'51"	S 20°14'42" E	S 18°29'09" W
C2	1039.18'	S 17°07'22" W	49.44'	49.44'	2°43'34"	S 15°45'35" W	S 18°29'09" W
C3	1039.18'	S 14°06'19" W	60.00'	60.01'	3°18'32"	S 12°27'03" W	S 15°45'35" W
C4	1039.18'	S 10°47'33" W	60.14'	60.15'	3°18'59"	S 09°08'04" W	S 12°27'03" W
C5	1039.18'	S 07°31'21" W	58.46'	58.47'	3°13'26"	S 05°54'38" W	S 09°08'04" W
C6	1039.18'	S 04°17'04" W	58.98'	58.99'	3°15'08"	S 02°39'30" W	S 05°54'38" W
C7	1039.18'	S 01°00'44" W	59.71'	59.71'	3°17'32"	S 00°38'03" E	S 02°39'30" W
C8	1039.18'	S 02°18'24" E	60.66'	60.67'	3°20'43"	S 03°58'45" E	S 00°38'03" E
C9	1039.18'	S 05°41'09" E	61.89'	61.90'	3°24'46"	S 07°23'32" E	S 03°58'45" E
C10	1039.18'	S 13°49'07" E	232.62'	233.11'	12°51'10"	S 20°14'42" E	S 07°23'32" E
C11	1105.18'	S 12°52'39" W	216.01'	216.36'	11°12'59"	S 18°29'09" W	S 07°16'09" W
C12	1105.18'	S 12°06'23" W	65.46'	65.47'	3°23'38"	S 13°48'12" W	S 10°24'34" W
C13	1105.18'	S 15°18'26" W	58.00'	58.01'	3°00'27"	S 16°48'39" W	S 13°48'12" W
C14	1105.18'	S 17°38'54" W	32.31'	32.31'	1°40'30"	S 18°29'09" W	S 16°48'39" W
C15	1105.18'	S 08°50'22" W	60.56'	60.57'	3°08'25"	S 10°24'34" W	S 07°16'09" W

LINE TABLE		
Line	Bearing	Length
L1	N 02°46'16" E	99.04'
L2	N 13°35'34" E	58.01'
L3	N 15°41'52" E	58.00'
L4	N 18°51'29" E	60.16'
L5	N 13°09'31" E	58.02'
L6	N 10°42'58" E	58.14'
L7	N 15°41'49" E	58.01'
L8	N 12°56'17" E	58.03'

NOTES

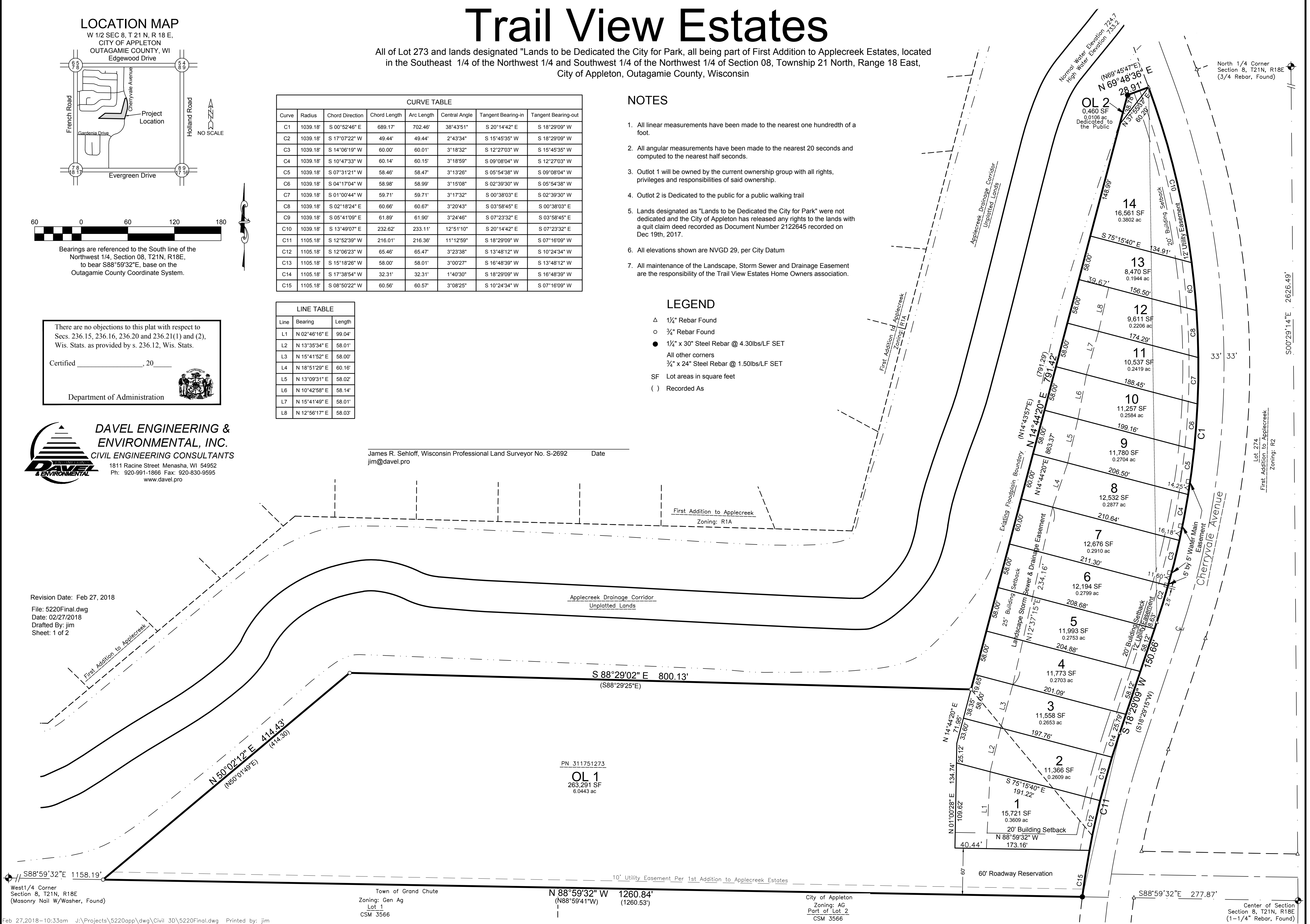
- All linear measurements have been made to the nearest one hundredth of a foot.
- All angular measurements have been made to the nearest 20 seconds and computed to the nearest half seconds.
- Outlot 1 will be owned by the current ownership group with all rights, privileges and responsibilities of said ownership.
- Outlot 2 is Dedicated to the public for a public walking trail
- Lands designated as "Lands to be Dedicated the City for Park" were not dedicated and the City of Appleton has released any rights to the lands with a quit claim deed recorded as Document Number 2122645 recorded on Dec 19th, 2017.
- All elevations shown are NVGD 29, per City Datum
- All maintenance of the Landscape, Storm Sewer and Drainage Easement are the responsibility of the Trail View Estates Home Owners association.

LEGEND

- △ 1 1/4" Rebar Found
- 3/4" Rebar Found
- 1 1/4" x 30" Steel Rebar @ 4.30lbs/LF SET
- All other corners
3/4" x 24" Steel Rebar @ 1.50lbs/LF SET
- SF Lot areas in square feet
- () Recorded As

James R. Sehloff, Wisconsin Professional Land Surveyor No. S-2692 Date _____
jim@davel.pro

Revision Date: Feb 27, 2018
File: 5220Final.dwg
Date: 02/27/2018
Drafted By: jim
Sheet: 1 of 2



West 1/4 Corner
Section 8, T21N, R18E
(Masonry Nail W/Washer, Found)

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

S88°59'32"E 277.87'

Center of Section
Section 8, T21N, R18E
(1-1/4" Rebar, Found)

Trail View Estates

All of Lot 273 and lands designated "Lands to be Dedicated the City for Park, all being part of First Addition to Applecreek 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

Surveyor's Certificate

I, James R. Sehloff, Professional land surveyor, hereby certify: That in full compliance with the provisions of Chapter 236 of the Wisconsin Statutes and the subdivision regulations of the City of Appleton, and under the direction of Emerald Valley Estates, LLC, owner of said land, I have surveyed divided and mapped Trail View Estates; that such plat correctly represents all exterior boundaries and the subdivision of the land surveyed; and that this land is all of Lot 273 and lands designated "Lands to be Dedicated the City for Park, all being part of First Addition to Applecreek 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, containing 431,779 Square Feet (9.9128 Acres) of land more or less, described as follows:

Commencing at the West 1/4 corner of Section 08; thence along the South line of the Northwest 1/4 of said Section 08, S88°59'32"E 1158.19 feet to the Southwest corner of Lot 273, First Addition to Applecreek Estates, being the point of beginning; thence, along the West line of said Lot 273, N50°02'12"E, 414.43 feet to the Northwest corner of said Lot 273; thence along the North line of said Lot 273, S88°29'02"E, 800.13 feet to the Northeast corner of said Lot 273; thence, along lands designated "Lands to be Dedicated the City for Park" N14°44'20"E, 791.42 feet; thence, continuing along said lands, N69°48'36"E 28.91 feet to a point on said West right of way line of Cherryvale Avenue; thence, along said West right of way line, 702.64 feet along the arc of a curve to the right with a radius of 1039.18 feet and a chord of 689.17 feet which bears S00°52'46"E; thence, continuing along said West right of way line, S18°29'09"W, 150.66 feet; thence, continuing along said West right of way line, 216.36 feet along the arc of a curve to the left with a radius of 1105.18 feet and a chord of 216.01 feet which bears S12°52'39"W to said South line of the Northwest 1/4; thence along said South line N88°59'32"W 1260.84 feet to the point of beginning, subject to all easements, and restrictions of record.

Given under my hand this ____ day of _____, 20____.

James R. Sehloff, Wisconsin Professional Land Surveyor No. S-2692

Utility Easement Provisions

An easement for electric, natural gas, and communications service is hereby granted by

Emerald Valley Estates, LLC, Grantor, to:

Wisconsin Electric Power Company and Wisconsin Gas, LLC, Wisconsin corporations doing business as We Energies, Grantee, SBC, Grantee, and Time Warner Cable, 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.

Emerald Valley Estates, LLC

Managing Member Date

print name

Title

Owner's Certificate

Emerald Valley Estates, LLC, a limited liability company duly organized and existing under and by virtue of the laws of the State of Wisconsin, as the property owner, does hereby certify that said limited liability company caused the land described on this plat to be surveyed, divided, mapped and dedicated as represented on this plat.

Emerald Valley Estates, LLC, does further certify this plat is required by s.236.10 or s.236.12 to be submitted to the following for approval or objection:

City of Appleton
Department of Administration

Dated this ____ day of _____, 20____.

In the presence of: Emerald Valley Estates, LLC

By _____

print name _____

Title _____

State of Wisconsin)

County) ss

Personally came before me this ____ day of _____, 20____, the above the property owner(s) to me known to be the persons who executed the foregoing instrument and acknowledge the same.

Notary Public, Wisconsin My Commission Expires _____

Watermain Easement Provisions

An easement for Watermain is hereby granted by:

Emerald Valley Estates, LLC, Grantor, to:

THE 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 watermain and associated appurtenances. It is further agreed that after maintaining, repairing, replacing or relocating of said watermain 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 watermain and associated appurtenances, that occur outside of the above described easement area. Buildings or any other type of structure shall not be placed over Grantees' facilities or in, upon or over the property within the lines marked "watermain easement" Grantee agrees that it shall give timely notice to the Grantor of routine maintenance work.

The grant of easement shall be binding upon and inure to the benefit of the heirs, successors and assigns of all parties hereto.

Emerald Valley Estates, LLC

Managing Member Date

print name

Title

City of Appleton Approval

Resolved, that the plat of Trail View Estates, in the City of Appleton, Outagamie County, Emerald Valley Estates, LLC, owners, is hereby approved by the Common Council of the City of Appleton.

Mayor Date

I hereby certify that the foregoing is a copy of a resolution adopted by the the Common Council of the City of Appleton.

Clerk Date

Treasurer's Certificate

We, being the duly elected, qualified and acting Treasurer's of the City of Appleton and Outagamie County, do hereby certify that in accordance with the records in our office, there are no unredeemed tax sales and unpaid taxes, or special assessments on and of the land included in this plat.

City Treasurer Date


County Treasurer Date

This Final Plat is contained wholly within the property described in the following recorded instruments:

the property owner of record:	Recording Information:	Parcel Number(s):
Emerald Valley Estates, LLC	Doc No. 2092715	31-1-7512-73 & 31-1-7509-03

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 

File: 5220Final.dwg
Date: 02/27/2018
Drafted By: jim
Sheet: 2 of 2
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