

## **REPORT TO CITY PLAN COMMISSION**

Plan Commission Meeting Date: June 23, 2020

**Common Council Meeting Date:** July 1, 2020

**Item:** Extraterritorial Final Plat – Investors Park – Town of Grand

Chute

Case Manager: Jessica Titel, Principal Planner

#### **GENERAL INFORMATION**

Owner: ABS 1, LLC

**Applicant:** Bryan Pfeffer – Robert E. Lee & Associates

**Address/Parcel #:** Generally located north of Interstate Highway 41, east of North Gillett Street and south of planned extension of Evergreen Drive in the Town of Grand Chute – Tax Id #10-1-0625-02

**Petitioner's Request:** The applicant is proposing to subdivide property under Town's CP and AGD zoning districts for commercial development. The area is 17.683 acres, which will be divided into five lots (3 lots and 2 outlots).

### **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. The Preliminary Plat appeared before the Town Board on May 5, 2020 and the May 12, 2020 Outagamie County Zoning Committee meeting. The Preliminary Plat was approved by Common Council on May 20, 2020. The Final Plat must also be reviewed and approved by the Town of Grand Chute and Outagamie County.

### STAFF ANALYSIS

**Existing Conditions:** This is undeveloped land located in the Town of Grand Chute, generally located north of Interstate Highway 41, east of North Gillett Street and south of planned extension of Evergreen Drive. Floodplain and delineated wetlands exist on the property. Access to the development will be obtained from extended Evergreen Drive and planned Investors Court. Access to Interstate Highway 41 is restricted pursuant to the access restriction clause identified on the plat

**Comparison between Final Plat and Preliminary Plat:** The Final Plat is similar to the Preliminary Plat in terms of its general configuration.

**Surrounding Zoning and Land Uses:** The surrounding area is under the jurisdiction of the Town of Grand Chute. The nearby uses are generally residential and commercial in nature. The surrounding zoning is the County's AGD General Agricultural District and CP Planned Commercial District.

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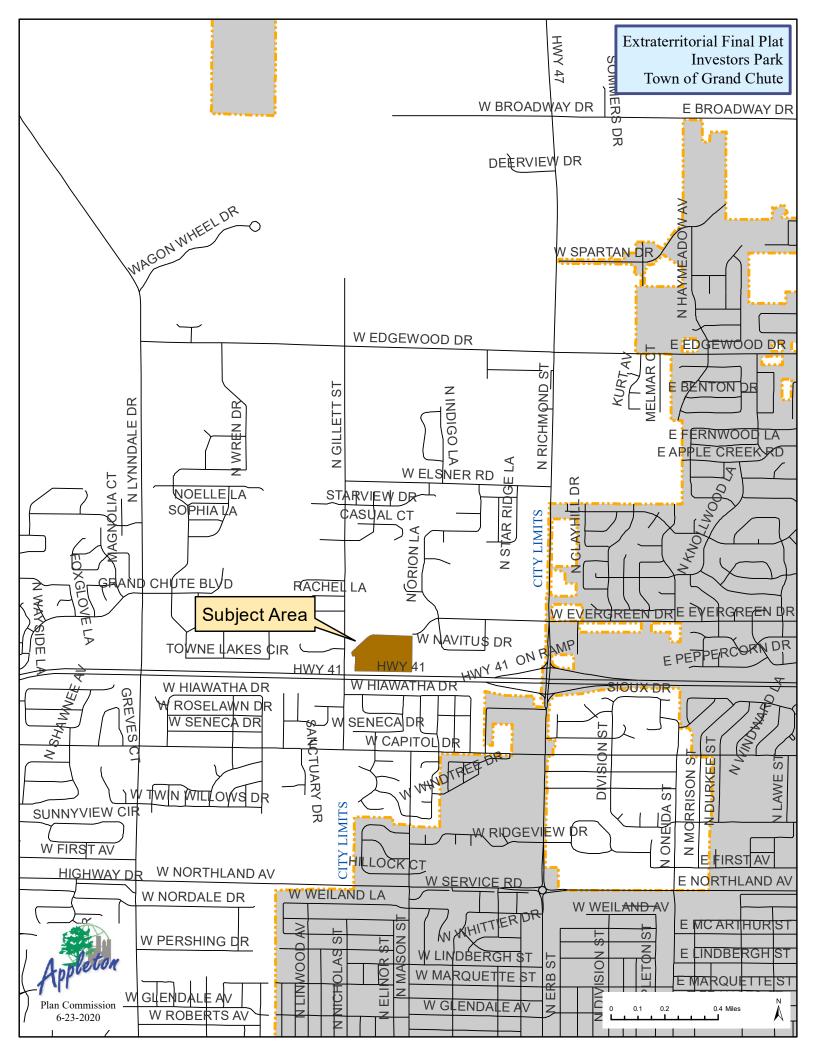
Comprehensive Plan 2010-2030: Community & Economic Development staff has reviewed the City's *Comprehensive Plan 2010-2030* and determined this proposed subdivision is outside the City of Appleton's growth area.

**Review Criteria:** Community & Economic Development staff has reviewed the Extraterritorial Final Plat in accordance with the City of Appleton Zoning Ordinance requirements for commercial developments. The lot sizes and lot widths for the lots in this Town of Grand Chute subdivision exceed minimum City of Appleton Zoning Ordinance requirements for commercial developments.

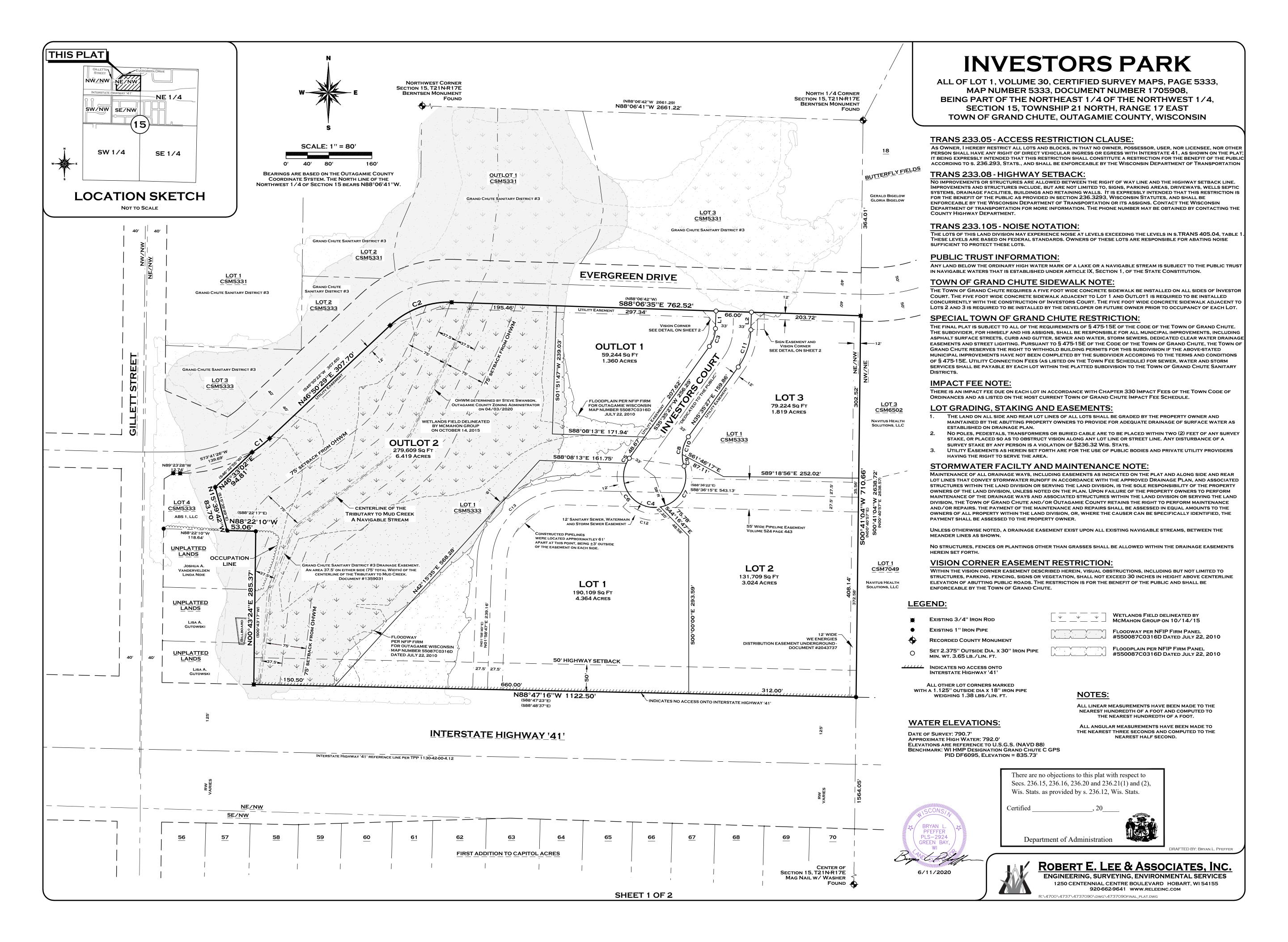
**Technical Review Group (TRG) Report:** This item was included on the June 2, 2020 Technical Review Group agenda. No negative comments were received from participating departments.

## **RECOMMENDATION**

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







## **SURVEYOR'S CERTIFICATE:**

I, BRYAN L. PFEFFER, PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT BY THE ORDER AND UNDER THE DIRECTION OF ABS 1, LLC, I HAVE SURVEYED, DIVIDED AND MAPPED A PARCEL OF LAND BEING ALL OF LOT 1, VOLUME 30, CERTIFIED SURVEY MAPS, PAGE 5333, MAP NUMBER 5333, DOCUMENT NUMBER 1705908, BEING PART OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4, SECTION 15, TOWNSHIP 21 NORTH, RANGE 17 EAST, TOWN OF GRAND CHUTE, OUTAGAMIE COUNTY, WISCONSIN.

SAID PARCEL CONTAINS 770,273 SQUARE FEET (17.683 ACRES) OF LAND MORE OR LESS.

THAT THE WITHIN MAP IS A TRUE AND CORRECT REPRESENTATION OF THE EXTERIOR BOUNDARIES OF THE LAND SURVEYED AND THE DIVISION OF THAT LAND AND THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF CHAPTER 236 OF THE WISCONSIN STATUTES IN THE SURVEYING, DIVIDING AND MAPPING OF THE SAME.

BRYAN L. PFEFFER	PLS #2924	Da <sup>-</sup>
ROBERT E. LEE & AS	SOCIATES, INC.	

## **OWNER'S CERTIFICATE OF DEDICATION**

ABS 1, LLC, A LIMITED LIABILITY COMPANY DULY ORGANIZED 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.

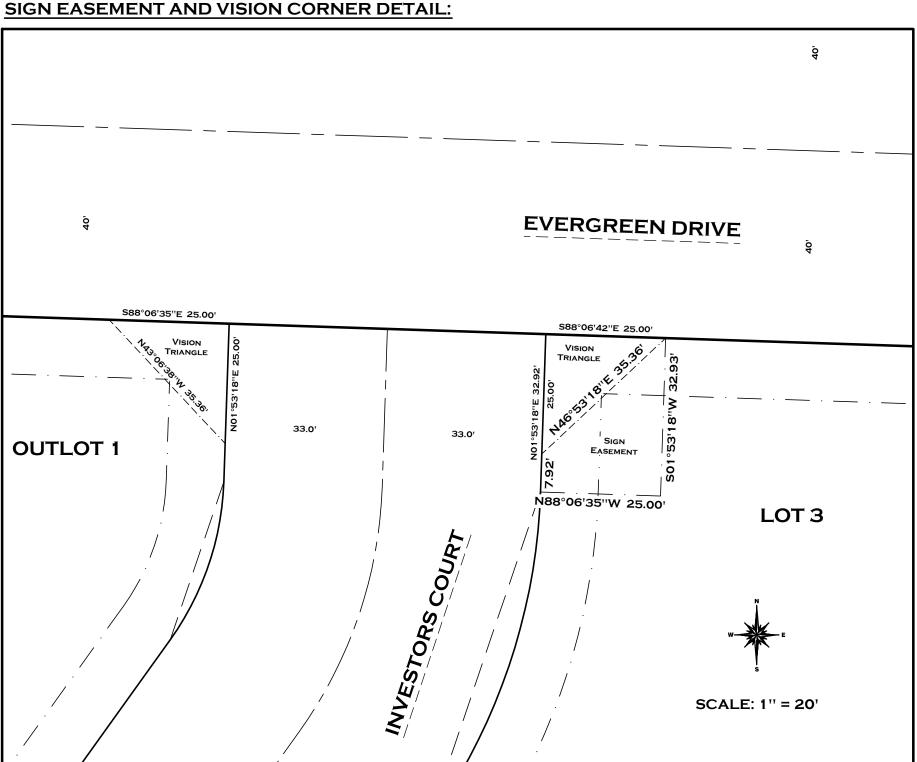
ABS, LLC, DOES FURTHER CERTIFY THAT THIS PLAT IS REQUIRED BY \$.236.10 OR \$.236.12 TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL OR OBJECTION:

TOWN OF GRAND CHUTE CITY OF APPLETON

OUTAGAMIE COUNTY AGRICULTURE, EXTENSION EDUCATION, ZONING AND LAND CONSERVATION COMMITTEE DEPARTMENT OF ADMINISTRATION DEPARTMENT OF TRANSPORTATION

DATED THIS DAY OF	, 2020.
IN THE PRESENCE OF ABS 1, LLC	
BY	-
PRINT NAME	-
TITLEDATE	
STATE OF WISCONSIN)COUNTY) SS	
PERSONALLY CAME BEFORE ME THIS DAY PROPERTY OWNER(S) TO ME KNOWN TO BE THE PACKNOWLEDGED THE SAME.	OF, 2020, THE ABOVE NAMED PERSON WHO EXECUTED THE FOREGOING INSTRUMENT AND
NOTARY PUBLIC, WISCONSIN  MY COMMI	SSION EXPIRES

# CION EACEMENT AND VICION CODNED DETAIL.



## **UTILITY EASEMENT PROVISIONS:**

AN EASEMENT FOR ELECTRIC, NATURAL GAS, AND COMMUNICATIONS SERVICE IS HEREBY GRANTED BY

ABS1, LLC, GRANTOR, TO
WISCONSIN ELECTRIC POWER COMPANY AND WISCONSIN GAS, LLC, WISCONSIN CORPORATIONS

DOING BUSINESS AS WE ENERGIES, GRANTEE,
WISCONSIN BELL INC.. D/B/A/ AT&T WISCONSIN, A WISCONSIN CORPORATION, GRANTEE, AND

SPECTRUM, 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, THERON, 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.

## **CURVE TABLE**

CURVE#	DELTA	RADIUS	LENGTH	CHORD DIRECTION	CHORD LENGTH	TANGENT BEARING	SECOND TANGENT BEARING
	(9°55'55'')		(41.60')	(S51°48'22.5"W)			
C1	9°55'58''	240.00	41.61'	N51°48'28"E	41.55'	N56°46'27"E	N46° 50' 29"E
	(45°02'46'')		(125.79')	(S69°21'45''W)			
C2	45°02'56''	160.00'	125.80'	N69°21'57"E	122.58'	S88°06'35''E	N46° 50' 29"E
СЗ	33°42'09''	60.00'	35.29'	S18°44'22.5"W	34.79'	S01°53'18''W	S35° 35' 27''W
C4	234°48'41"	58.00'	237.70'	S81°48'53.5"E	102.98'	S35°35'27''W	N19° 13' 13''W
C5	10°42'17''	58.00'	10.84'	S30°14'19''W	10.82'	S35°35'27''W	S24° 53' 11"W
C6	125°19'16''	58.00'	126.86'	S37°46'27''E	103.04'	S24°53'11"W	N79° 33′ 55″E
<b>C7</b>	98°47'08''	58.00'	100.00	N30°10'21"E	88.07'	N79°33'55"E	N19° 13' 13''W
C8	54°48'41''	60.00'	57.40'	N08°11'06.5"E	55.23'	N19°13'13''W	N35° 35' 27"E
С9	21°07'38''	60.00'	22.12'	N08°39'24''W	22.00'	N01°54'24"E	N19° 13' 13''W
C10	33°41'03"	60.00'	35.28'	N18°44'55.5"E	34.77'	N35°35'27''E	N01° 54' 24"E
C11	33°42'09''	126.00'	74.12'	N18°44'22.5"E	73.05'	N35°35'27''E	N01° 53' 18"E
C12	67°26'31''	82.00'	96.52'	N77°21'32.5"W	91.04'	N43°38'17''W	S68° 55' 12''W
				(N46°41'09''E)			
C13	89°24'58''	137.00'	213.80'	N46°41'16"E	192.76'	S88°36'15''E	N01° 58' 47"E

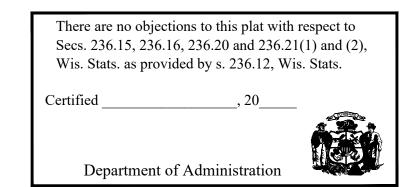
# LINE TABLE

LINE#	LENGTH	DIRECTION
L1	32.93'	S01°53'18"W
L2	32.93'	N01°53'18"E

# INVESTORS PARK

ALL OF LOT 1, VOLUME 30, CERTIFIED SURVEY MAPS, PAGE 5333, MAP NUMBER 5333, DOCUMENT NUMBER 1705908, BEING PART OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4, SECTION 15, TOWNSHIP 21 NORTH, RANGE 17 EAST TOWN OF GRAND CHUTE, OUTAGAMIE COUNTY, WISCONSIN

APPROVED BY THE TOWN OF C			, 2020.	
DAVID SCHOWALTER CHAIRPERSON	DATE	Angie Cain Town Clerk	DATE	
CITY OF APPLETO APPROVED BY THE COMMON O			DAY OF	, 2020.
JAKE WOODFORD MAYOR	DATE	KAMI LYNCH CITY CLERK	DATE	
THIS DAY OF	E COUNTY AGRICULT	URE, EXTENSION EDUCA	TION, ZONING AND LAND CONSEI	RVATION COMMITT
STEVE SWANSON ZONING ADMINISTRATOR				
TOWN OF GRAND	CHUTE TREA	ASURER'S CER	TIFICATE:	
	E WITH THE RECORDS	S IN MY OFFICE, THERE AR	WN OF GRAND CHUTE, DO HEREI RE NO UNREDEEMED TAX SALES A IN THIS PLAT.	
JULIE WAHLEN TOWN OF GRAND CHUTE TRE	ASURER	DATE		
	QUALIFIED AND ACTIN	G TREASURER OF OUTAG	AMIE COUNTY, DO HEREBY CERTI	
THAT IN ACCORDANCE WITH T TAXES, OR SPECIAL ASSESSME			REDEEMED TAX SALES AND UNPA PLAT.	AID
TRENTON WOELFUL		DATE		





**OUTAGAMIE COUNTY TREASURER** 

