



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, March 27, 2018

4:00 PM

Council Chambers, 6th Floor

1. Call meeting to order
2. Roll call of membership
3. Approval of minutes from previous meeting

[18-0433](#) City Plan Minutes from 3-13-18

Attachments: [City Plan Minutes 3-13-18.pdf](#)

4. Public Hearings/Apearances

[18-0434](#) Rezoning #2-18 for the North Edgewood Estates Annexation, formerly part of Town of Grand Chute, located east of N. French Road between E. Edgewood Drive and E. Broadway Drive, including to the centerline of the adjacent right-of-way, as shown on the attached maps, from Temporary AG Agricultural District and P-I Public Institutional District to R-1B Single-Family District (Associated with Action Item #18-0435)

Attachments: [InformalPublicHearingNotice NorthEdgewoodEstates Rezoning.pdf](#)

[18-0436](#) Rezoning #3-18 for the Applewood Properties, LLC/Ronald Viaene Annexation, formerly part of Town of Grand Chute, located at 1712 E. Edgewood Drive, as shown on the attached maps, from Temporary AG Agricultural District to R-1B Single-Family District (Associated with Action Item #18-0437)

Attachments: [InformalPublicHearingNotice 1712 E Edgewood Dr Rezoning.pdf](#)

5. Action Items

- [18-0435](#) Request to approve Rezoning #2-18 for the North Edgewood Estates Annexation, formerly part of Town of Grand Chute, located east of N. French Road between E. Edgewood Drive and E. Broadway Drive, including to the centerline of the adjacent right-of-way, as shown on the attached maps, from Temporary AG Agricultural District and P-I Public Institutional District to R-1B Single-Family District
Attachments: [StaffReport NorthEdgewoodEstates Rezoning For03-27-18.pdf](#)
- [18-0437](#) Request to approve Rezoning #3-18 for the Applewood Properties, LLC/Ronald Viaene Annexation, formerly part of Town of Grand Chute, located at 1712 E. Edgewood Drive, as shown on the attached maps, from Temporary AG Agricultural District to R-1B Single-Family District
Attachments: [StaffReport Rezoning ViaeneAnnexation 3-27-18.pdf](#)
- [18-0438](#) Request to approve the Trail View Estates Final Plat as shown on the attached maps and subject to the attached conditions
Attachments: [StaffReport FinalPlat TrailViewEstates 3-27-18.pdf](#)
- [18-0439](#) Request to approve the North Edgewood Estates Preliminary Plat as shown on the attached maps and subject to the attached conditions
Attachments: [StaffReport NorthEdgewoodEstates PrePlat For03-27-18.pdf](#)
- [18-0440](#) Request to approve the Fifth Addition to Emerald Valley Final Plat as shown on the attached maps and subject to the attached conditions
Attachments: [StaffReport FinalPlat 5thAddEmeraldValley 3-27-18.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

100 North Appleton Street
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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, March 13, 2018

4:00 PM

Council Chambers, 6th Floor

1. Call meeting to order

Meeting called to order at 4:02 p.m.

2. Roll call of membership

Present: 5 - Mayor Hanna, Buetow, Uslabar, Rabec and Martin

Excused: 1 - Palm

Others present:

Jill Hendricks, Emerald Valley Estates LLC

3. Approval of minutes from previous meeting

[18-0358](#)

City Plan Minutes from 2-27-18

Attachments: [City Plan Minutes 2-27-18.pdf](#)

**Uslabar moved, seconded by Martin, that the Minutes be approved. Roll Call.
Motion carried by the following vote:**

Aye: 5 - Mayor Hanna, Buetow, Uslabar, Rabec and Martin

Excused: 1 - Palm

4. Public Hearings/Apearances

[18-0359](#)

Text amendments to Chapter 23 Zoning Ordinance of the Municipal Code relating to Article VI. Commercial Districts, Section 23-114 CBD Central Business District, as identified in the attached staff report (Associated with Action Item #18-0360)

Attachments: [InformalPublicHearingNotice_ZOTextAmendments_Sec23-114.pdf](#)

This public hearing was held, and no one spoke on the item.

[18-0361](#)

Repeal and recreate Article XIV. Signs of Chapter 23 Zoning Ordinance of the Municipal Code, as identified in the attached documents (Associated with Action Item #18-0362)

Attachments: [InformalPublicHearingNotice_ZOTextAmendments_SignCode.pdf](#)

This public hearing was held, and no one spoke on the item.

5. Action Items

[18-0363](#)

Request to approve the Fourth Addition to Emerald Valley Final Plat as shown on the attached maps and subject to the attached conditions

Attachments: [StaffReport_FinalPlat_4thAddEmeraldValley_3-13-18.pdf](#)

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

Aye: 5 - Mayor Hanna, Buetow, Uslabar, Rabec and Martin

Excused: 1 - Palm

6. Information Items

[18-0360](#)

Request to approve text amendments to Chapter 23 Zoning Ordinance of the Municipal Code relating to Article VI. Commercial Districts, Section 23-114 CBD Central Business District, as identified in the attached staff report

Attachments: [StaffReport_TextAmendment_GroundFloorResInCBD_For03-13-18.pdf](#)

Proceeds to Council on April 4, 2018.

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

Aye: 5 - Mayor Hanna, Buetow, Uslabar, Rabec and Martin

Excused: 1 - Palm

[18-0362](#)

Request to repeal and recreate Article XIV. Signs of Chapter 23 Zoning Ordinance of the Municipal Code, as identified in the attached documents

Attachments: [StaffReport_DraftTextAmendments_SignCode_3-13-18.pdf](#)
[Chapter 23-500_Sign Amendments_Marked_Verson_3-13-18_DRAFT.pdf](#)
[Chapter 23-500_Sign Amendments_Clean_Verson_3-13-18_DRAFT.pdf](#)

Proceeds to Council on April 4, 2018.

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

Aye: 5 - Mayor Hanna, Buetow, Uslabar, Rabec and Martin

Excused: 1 - Palm

7. Adjournment

Martin moved, seconded by Uslabar, that the meeting be adjourned at 4:10 p.m. Roll Call. Motion carried by the following vote:

Aye: 5 - Mayor Hanna, Buetow, Uslabar, Rabec and Martin

Excused: 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, March 27, 2018, at 4:00 P.M., in Common Council Chambers, 6th Floor, City Hall, 100 North Appleton Street, or as soon thereafter as can be heard, for the following proposed rezoning request:

COMMON DESCRIPTION:

Part of parcel #101153600 included in the “North Edgewood Estates” annexation, located east of North French Road, between East Edgewood Drive and East Broadway Drive.

Rezoning Request: A rezoning request has been initiated by the City Plan Commission, in the matter of amending Chapter Twenty-three (Zoning Ordinance) of the Municipal Code of the City of Appleton for the above-described real estate, which will be zoned temporary AG Agricultural District following annexation. A portion of French Road right-of-way, currently zoned P-I Public Institutional District, is also included this request. Pursuant to Sections 23-65(d)(1) and 23-65(e) of the Municipal Code, the City Plan Commission proposes to rezone the property to a permanent zoning classification of R-1B Single-Family District (see attached map). The R-1B District is intended to provide for and maintain residential areas characterized predominately by single-family, detached dwellings on medium sized lots while protecting residential neighborhoods from the intrusion of incompatible non-residential uses.

Purpose of the Request: To assign a permanent zoning classification following the “North Edgewood Estates” annexation and facilitate future development of single-family residential.

ALDERMANIC DISTRICT: 13 – Alderperson Kyle Lobner

You are being notified as a policy of the City of Appleton Community and Economic Development Department. This notification invites you to appear before the Appleton City Plan Commission, and you will be given an opportunity to express your views or concerns regarding the above-described request. You may also address the City Plan Commission by letter at the address below. The City Plan Commission makes a recommendation to the Common Council who makes the final decision on the matter.

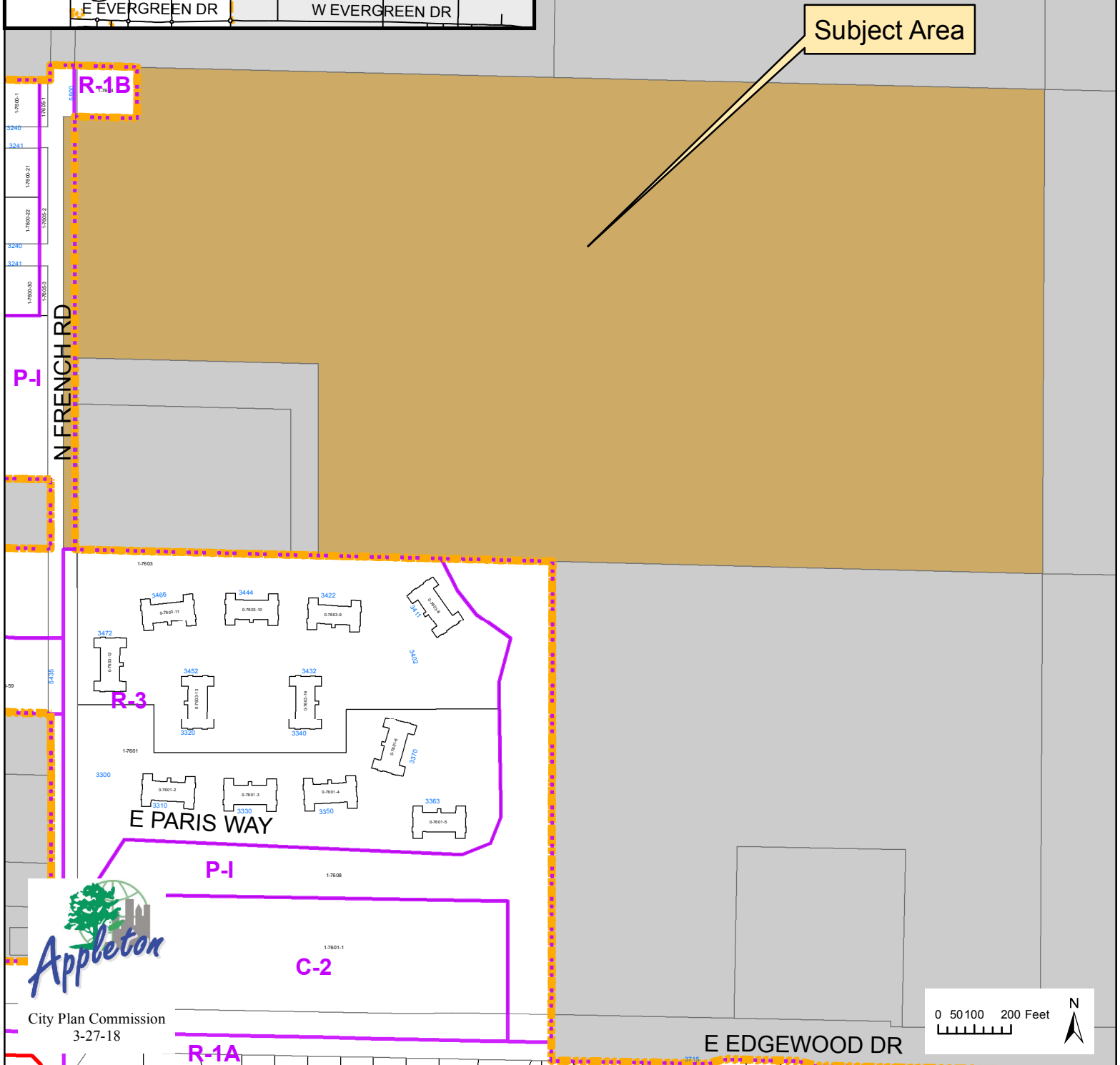
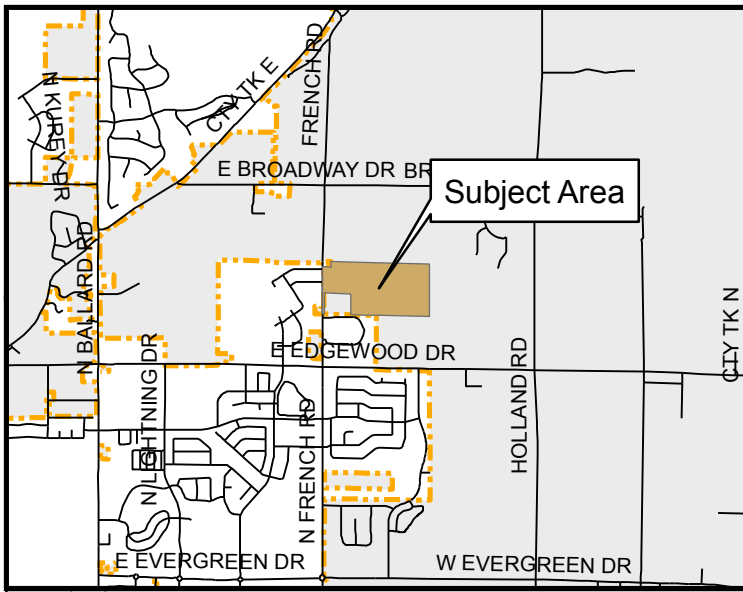
Any questions regarding this matter should be directed to David Kress, Principal Planner, in the Community and Economic Development Department at 920-832-6428.

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.

North Edgewood Estates Annexation
Rezoning
Temporary AG Agricultural District and
P-I Public Institutional District to
R-1B Single-Family District
Zoning Map



City Plan Commission
3-27-18

North Edgewood Estates Annexation
Rezoning
Temporary AG Agricultural District and
P-I Public Institutional District to
R-1B Single-Family District
Aerial Map

Subject Area

City Limits

N FRENCH RD

E PARIS WAY

City Limits

E EDGEWOOD DR



City Plan Commission
3-27-18

0 100 200
Feet



NOTICE OF INFORMAL PUBLIC HEARING
OF THE
APPLETON CITY PLAN COMMISSION

The City of Appleton Plan Commission will conduct an Informal Public Hearing on Tuesday, March 27, 2018, at 4:00 P.M., in Common Council Chambers, 6th Floor, City Hall, 100 North Appleton Street, or as soon thereafter as can be heard, for the following proposed rezoning request:

The City of Appleton Plan Commission is initiating this rezoning to rezone 1712 E. Edgewood Drive from temporary AG Agricultural District to R-1B Single-Family District. The R-1B district is intended to provide for and maintain residential areas characterized predominately by single-family, detached dwellings on medium sized lots while protecting residential neighborhoods from the intrusion of incompatible non-residential uses.

Purpose of the Rezoning: Assign zoning classification to a newly annexed property.

ALDERMANIC DISTRICT: 7 – Alderperson Kathy Plank

You are being notified as a policy of the City of Appleton Community and Economic Development Department. This notification invites you to appear before the Appleton City Plan Commission, and you will be given an opportunity to express your views or concerns regarding the above-described request. You may also address the City Plan Commission by letter at the address below. The City Plan Commission makes a recommendation to the Common Council who makes the final decision on the matter.

Any questions regarding this matter should be directed to Don Harp, Principal Planner, in the Community and Economic Development Department at 920-832-6466.

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.

1712 E. Edgewood Dr
Annexation Rezoning
Temporary AG-Agricultural District to
R-1B Single-family District

City Limits

Subject Parcel

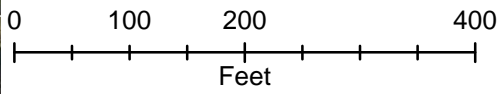
E EDGEWOOD DR

HOLIDAY DR

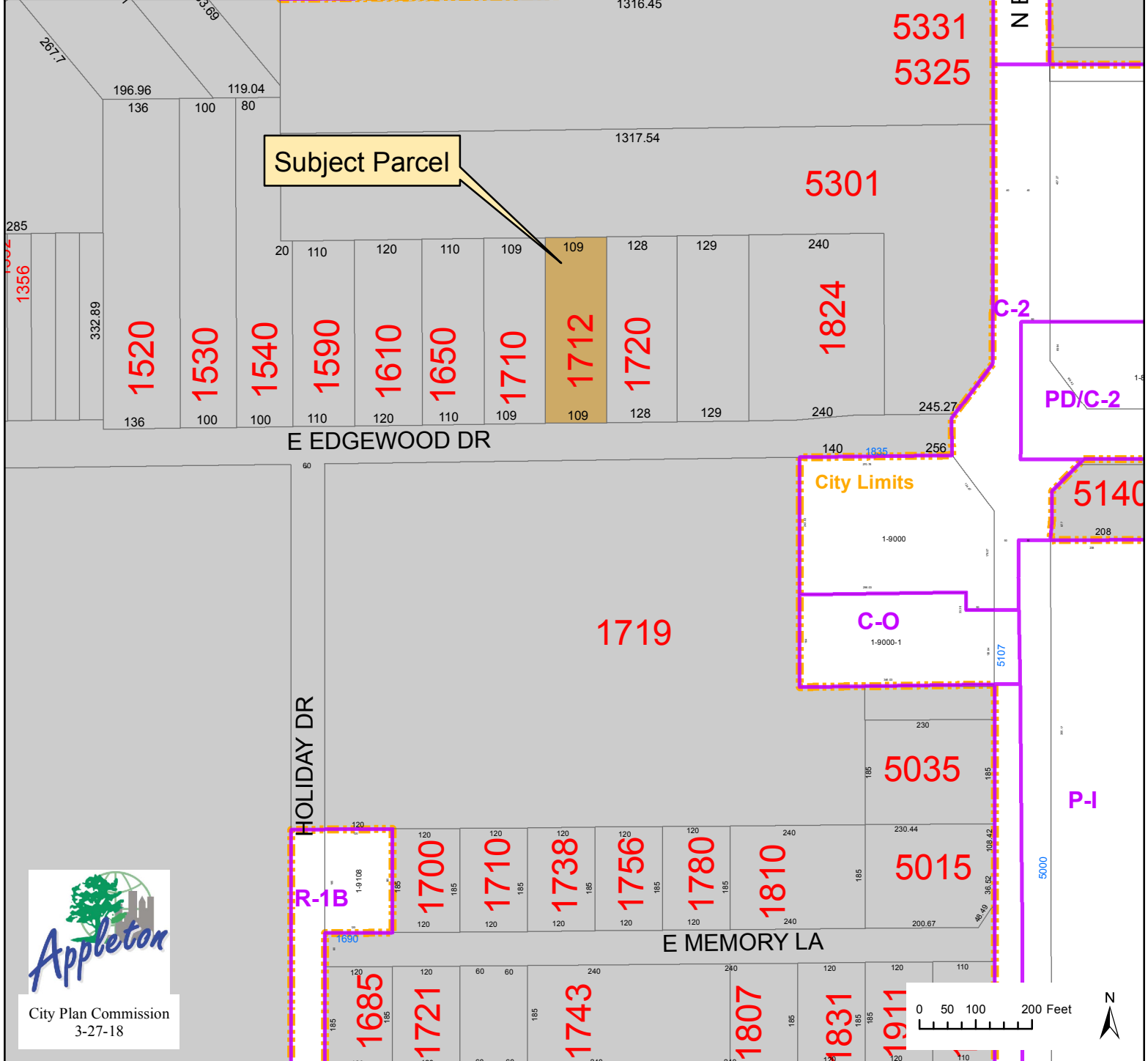
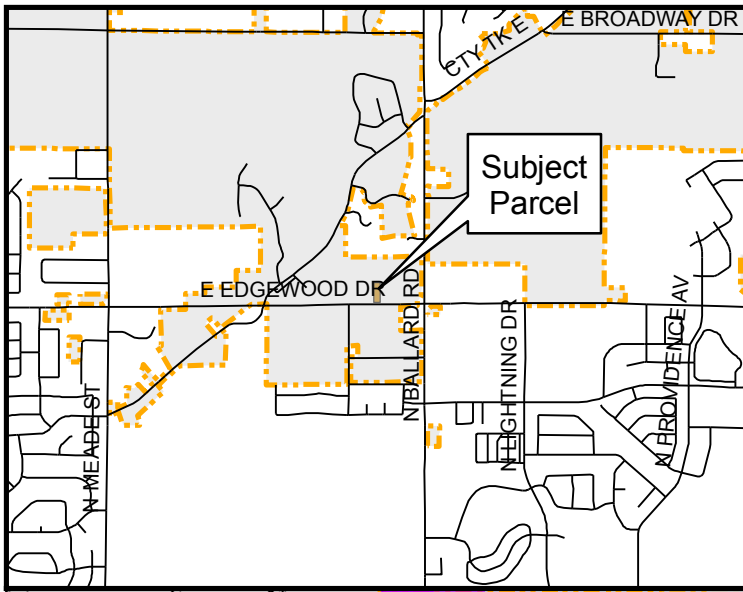
City Limits



City Plan Commission
3-27-18



1712 E. Edgewood Dr
Annexation Rezoning
Temporary AG-Agricultural District to
R-1B Single-family District



City Plan Commission
3-27-18



REPORT TO CITY PLAN COMMISSION

Plan Commission Informal Hearing Meeting Date: March 27, 2018

Common Council Public Hearing Meeting Date: April 18, 2018 (Public Hearing on Rezoning)

Item: Rezoning #2-18 – North Edgewood Estates

Case Manager: David Kress

GENERAL INFORMATION

Owners: North Edgewood Estates Development, LLC c/o Kurt Coenen
Wisconsin Electric Power Company c/o James Raabe

Applicant: City of Appleton Plan Commission

Address/Parcel: North French Road (Tax Id #31-1-7609-00 and #31-1-7610-00, formerly part of Town of Grand Chute Tax Id #101153600)

Petitioner's Request: To assign a permanent zoning classification to newly annexed property, pursuant to Section 23-65(e) of the Municipal Code, from temporary AG Agricultural District to R-1B Single-Family District. A portion of the adjacent French Road right-of-way, currently zoned P-I Public Institutional District, is also included this request. The request is being made to facilitate future development of single-family residential.

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 subject land. The Development Agreement is contingent upon the property being annexed to the City of Appleton.

On March 21, 2018, Common Council adopted Ordinance 32-18, to annex the subject area from the Town of Grand Chute to the City of Appleton. The property was officially annexed to the City on March 27, 2018 at 12:01 a.m. During review of the North Edgewood Estates Annexation, the Plan Commission initiated a rezoning for the subject property, from temporary AG Agricultural District to a permanent zoning classification of R-1B Single-Family District.

The North Edgewood Estates Preliminary Plat, to subdivide parcel #31-1-7609-00 into 45 lots and two outlots, is also being presented at this March 27, 2018 Plan Commission meeting.

STAFF ANALYSIS

Existing Site Conditions: The subject parcels are approximately 72.263 acres in size and located east of North French Road, between East Edgewood Drive and East Broadway Drive. North French Road is

classified as an arterial street on the City's Arterial/Collector Plan. Currently, the parcels are undeveloped, and there is a navigable stream that bisects the subject area.

Surrounding Zoning Classification and Land Uses:

North: Town of Grand Chute. The adjacent land uses to the north are currently agricultural.

South: R-3 Multi-Family District, P-I Public Institutional District, and Town of Grand Chute. The adjacent land uses to the south are currently a mix of multi-family residential and agricultural uses.

East: Town of Vandenbroek. The adjacent land uses to the east are currently agricultural.

West: R-1B Single-Family District, P-I Public Institutional District, and Town of Grand Chute. The adjacent land uses to the west are currently a mix of single-family residential and institutional uses, including an existing utility substation.

Proposed Zoning Classification: The purpose of the R-1B Single-Family District is to provide for and maintain residential areas characterized predominately by single-family, detached dwellings on medium sized lots while protecting residential neighborhoods from the intrusion of incompatible non-residential uses. The development standards for the R-1B District are listed below:

- 1) ***Minimum lot area:*** 6,000 square feet.
- 2) ***Maximum lot coverage:*** 50%.
- 3) ***Minimum lot width:*** 50 feet.
- 4) ***Minimum front yard:*** 20 feet (25 feet on arterial street).
- 5) ***Minimum rear yard:*** 25 feet.
- 6) ***Minimum side yard:*** 6 feet.
- 7) ***Maximum building height:*** 35 feet.

Zoning Ordinance Review Criteria: Per Section 23-65(e) of the Municipal Code, a temporary zoning classification is assigned to newly annexed territory, with permanent zoning taking place following the annexation process. All territory annexed to the City is assigned a zoning classification as recommended by Plan Commission. The Plan Commission shall consider the following criteria in selection of an appropriate zoning district for the annexed land:

- The existing land uses within the territory to be annexed;
- The surrounding land uses that exist on adjacent properties regardless of municipal boundary lines;
- The comprehensive plan of the City.

In this case, the Plan Commission initiated a rezoning for the subject property, from temporary AG Agricultural District to a permanent zoning classification of R-1B Single-Family District. A rezoning initiated directly by Plan Commission is processed in accordance with Section 23-65(d), Zoning Map Amendments, which includes review and action by the Common Council. If approved, any future

development would need to conform to the R-1B District zoning regulations listed above and other sections of the Zoning Ordinance.

Appleton Comprehensive Plan 2010-2030: The City of Appleton *Comprehensive Plan 2010-2030* identifies this area for future One and Two-Family Residential and Public/Institutional uses. The proposed R-1B Single-Family District zoning classification 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 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.

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. 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 goals and objectives stated above and the Future Land Use Map, which identifies this area for future One and Two-Family Residential and Public/Institutional uses.*

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. *City sanitary sewer and water infrastructure is already installed along North French Road. The improvements needed to connect to City utilities in this area are identified and described in the recently-approved North Edgewood Estates Development Agreement.*
 2. The effect of the proposed rezoning on surrounding uses. *Single-family residential uses are already located to the west of the subject site. Properties to the north and east of the subject area primarily consist of vacant, undeveloped land. Therefore, the proposed rezoning request is unlikely to create adverse impacts in the surrounding neighborhood.*

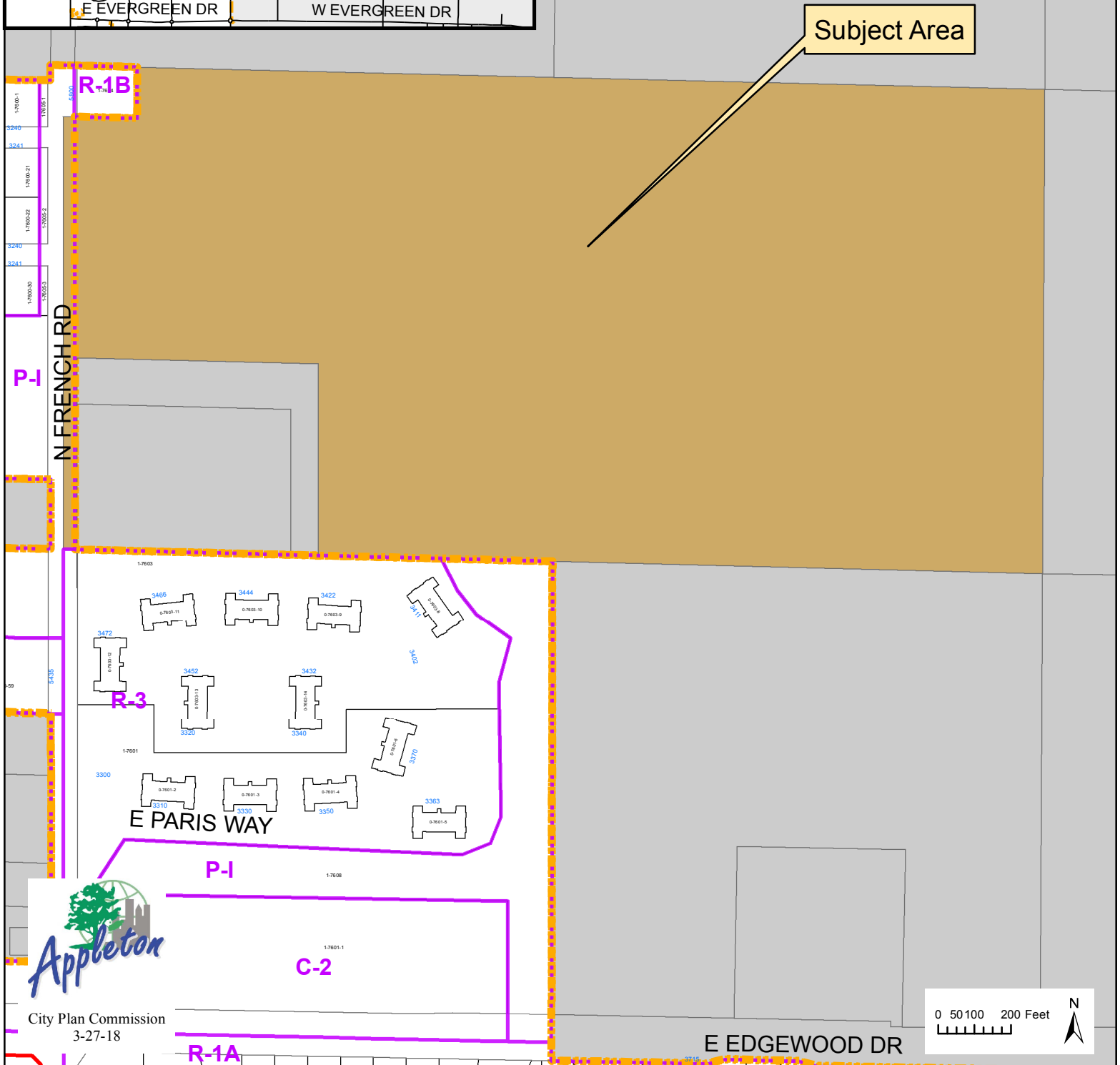
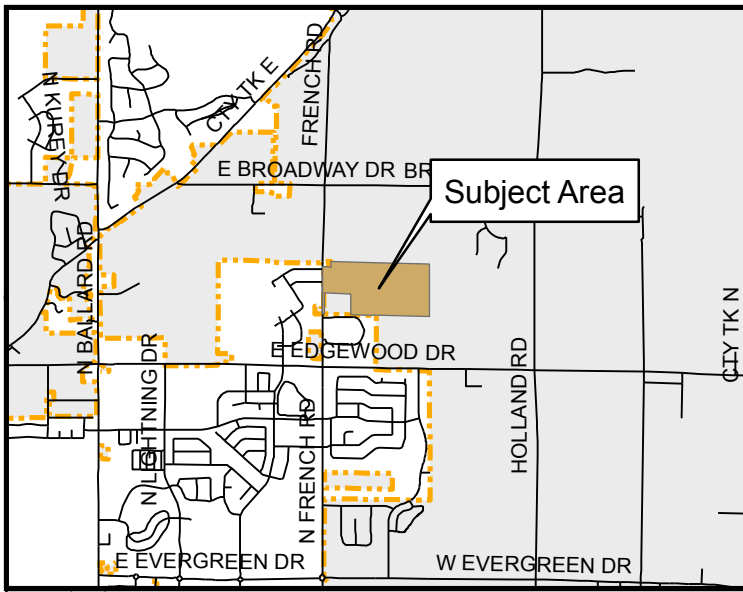
Review Criteria: Based upon the above analysis, it would appear the criteria established by Section 23-65(d)(3) Zoning Amendments has been satisfied.

Technical Review Group (TRG) Report: This item was discussed at the January 23, 2018 Technical Review Group meeting. No negative comments were received from participating departments.

RECOMMENDATION

Staff recommends, based upon the standards for zoning map amendments as required by Section 23-65(d)(3) of the Zoning Ordinance, that Rezoning Application #2-18 to rezone the subject parcel located on North French Road (Tax Id #31-1-7609-00 and #31-1-7610-00, formerly part of Town of Grand Chute Tax Id #101153600) from temporary AG Agricultural District and P-I Public Institutional District to R-1B Single-Family District, including to the centerline of the adjacent right-of-way and as shown on the attached map, **BE APPROVED**.

North Edgewood Estates Annexation
Rezoning
Temporary AG Agricultural District and
P-I Public Institutional District to
R-1B Single-Family District
Zoning Map



City Plan Commission
3-27-18

North Edgewood Estates Annexation
Rezoning
Temporary AG Agricultural District and
P-I Public Institutional District to
R-1B Single-Family District
Aerial Map

Subject Area

City Limits

N FRENCH RD

E PARIS WAY

City Limits

E EDGEWOOD DR



City Plan Commission
3-27-18

0 100 200
Feet



PART OF PARCEL: 101153600

Description of lands to be rezoned from temporary AG Agricultural District and P-I Public Institutional District to R-1B Single-Family District:

Part of Lot One (1) and part of Lot Two (2) of **CERTIFIED SURVEY MAP NUMBER 4228** filed in Volume 23 of Certified Survey Maps on Page 4228 as Document Number 1448301 in the Outagamie County Register of Deeds Office, located in the North One-Half (N ½) of the Southwest Quarter (SW ¼) of Section 5, Township 21 North, Range 18 East, Town of Grand Chute, Outagamie County, Wisconsin, containing 72.263 Acres of land m/l and being described by:

Commencing at the Southwest corner of said Section 5;

Thence North 00° 02' 25" West 1325.97 feet along the West line of the SW ¼ of said Section 5 to the South line of Certified Survey Map No. 4228;

Thence South 88° 34' 21" East 33.01 feet coincident to the South line of said Certified Survey Map No. 4228 to the Point of Beginning;

Thence North 00° 02' 25" West 1185.99 feet to a North line of said Certified Survey Map No. 4228;

Thence South 88° 35' 21" East 171.05 feet coincident to a North line of said Certified Survey Map No. 4228;

Thence North 00° 02' 25" West 140.00 feet coincident to a West line of said Certified Survey Map No. 4228;

Thence South 88° 35' 21" East 2486.15 feet coincident to the North line of said Certified Survey Map No. 4228 to the East line of said Certified Survey Map No. 4228;

Thence South 00° 16' 55" West 1326.58 feet coincident to the East line of said Certified Survey Map No. 4228 to the South line of said Certified Survey Map No. 4228;

Thence North 88° 34' 21" West 1982.54 feet coincident to the South line of said Certified Survey Map No. 4228;

Thence North 00° 02' 25" West 525.18 feet;

Thence North 88° 34' 11" West 660.22 feet to a point 40.00 feet East of, as measured at a right angle to, the West line of the Southwest ¼ of said Section 5;

Thence South 00° 02' 25" East 525.21 feet to the South line of said Certified Survey Map No. 4228;

Thence North 88° 34' 21" West 7.00 feet coincident to the South line of said Certified Survey Map No. 4228 to the point of beginning. Including to the centerline of the adjacent right-of-way.



REPORT TO CITY PLAN COMMISSION

Plan Commission Informal Hearing Meeting: March 27, 2018

Common Council Public Hearing Meeting: April 18, 2018

Item: Rezoning #3-18 - 1712 E. Edgewood Drive

Case Manager: Don Harp

GENERAL INFORMATION

Owner/Applicant: Applewood Properties, LLC / Ronald Viaene / City of Appleton Plan Commission

Address/Parcel: 1712 E. Edgewood Drive (Town of Grand Chute Tax Id. 101006406)

Petitioner's Request: To assign zoning classification to newly annexed property pursuant to Section 23-65(e) from Temporary AG Agricultural District to R-1B Single-Family District.

BACKGROUND

The subject property was included in the 1712 E. Edgewood Drive Annexation which was approved by the Plan Commission on February 13, 2018 and was annexed to the City on March 27, 2018 after Common Council action. The subject property was annexed to the City with a Temporary AG Agricultural District zoning classification. The Plan Commission initiated the process to rezone the subject property from Temporary AG Agricultural District to R-1B Single-Family District at the February 13, 2018 meeting.

The property was officially annexed to the City on March 27, 2018 at 12:01 a.m.

STAFF ANALYSIS

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.

Surrounding Zoning Classification and Current Land Uses (Town of Grand Chute):

North: Zoning: RSF, Single-Family Residential District
Current Land Use – Outdoor Storage

South: Zoning: RSF, Single-Family Residential District
Current Land Use – Residential

Rezoning #3-18 - 1712 E. Edgewood Drive
March 27, 2018
Page 2

East: Zoning: RSF, Single-Family Residential District
Current Land Use – Residential

West: Zoning: RSF, Single-Family Residential District
Current Land Use – Residential

Appleton Comprehensive Plan 2010-2030: The City of Appleton 2010-2030 Comprehensive Plan Map identifies this parcel for future Single-Family/Two-Family residential land uses. The proposed R-1B Single-Family District zoning classification is consistent with the *Comprehensive Plan 2010-2030* Future Land Use Map. Listed below are excerpt from the City's Comprehensive Plan 2010-2030.

Goal 1 – Community Growth (Chapter 10)

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 (Chapter 5)

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.

5.1 OBJECTIVE: Continue efforts to ensure an adequate supply of housing affordable to all income levels in the community.

5.3 OBJECTIVE: 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.

OBJECTIVE 10.1 Land Use:

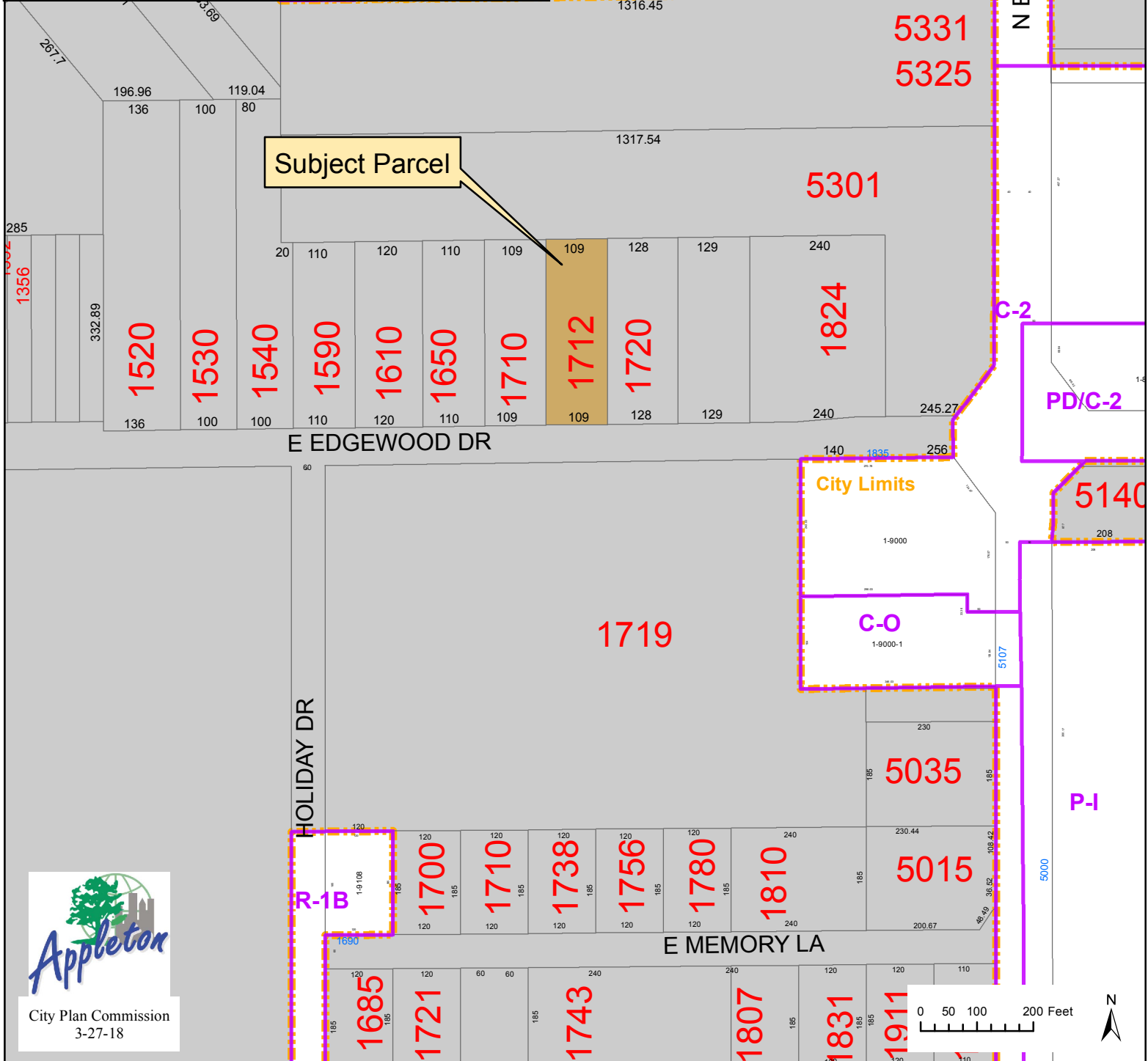
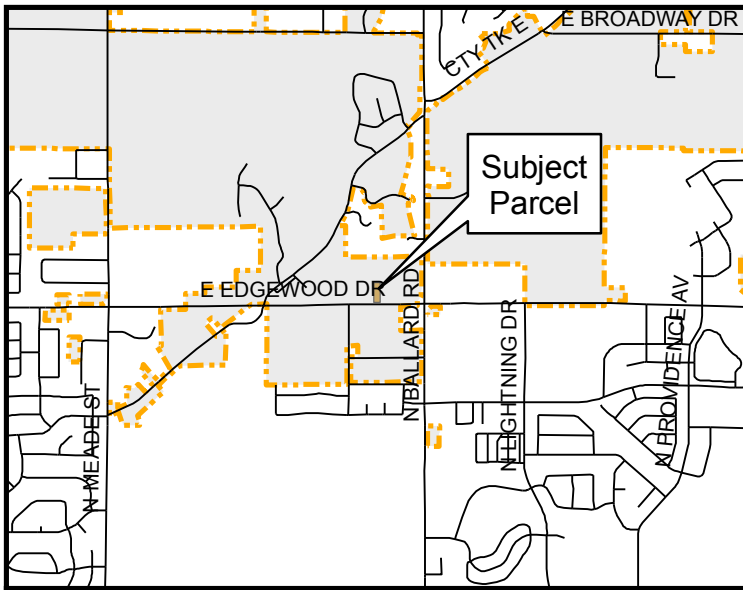
Provide an adequate supply of suitable land meeting the demand for development of various land uses.

Technical Review Group (TRG) Report: This item was discussed at the January 23, 2018 Technical Review Group meeting. 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 #3-18 to rezone the subject property from Temporary AG Agricultural District to R-1B Single-Family District as shown on the attached maps, **BE APPROVED**.

1712 E. Edgewood Dr
Annexation Rezoning
Temporary AG-Agricultural District to
R-1B Single-family District



City Plan Commission
3-27-18

1712 E. Edgewood Dr
Annexation Rezoning
Temporary AG-Agricultural District to
R-1B Single-family District

City Limits

Subject Parcel

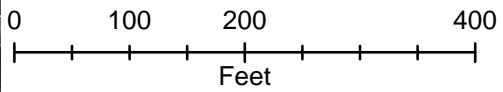
E EDGEWOOD DR

HOLIDAY DR

City Limits



City Plan Commission
3-27-18





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.

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.

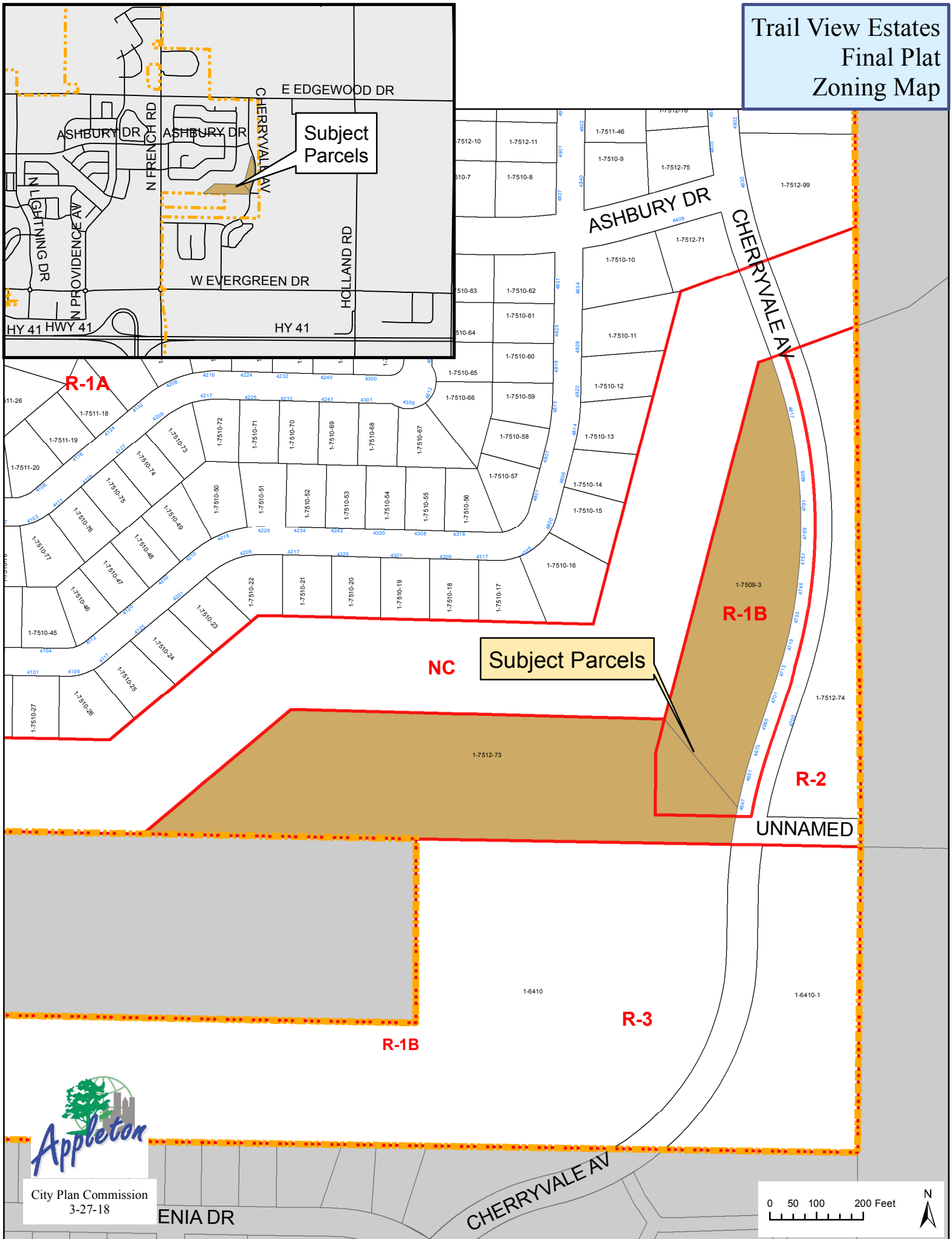
Technical Review Group Report (TRG): This item was discussed at the March 6, 2018 Technical Review Group Report meeting. No negative comments were received from participating departments.

RECOMMENDATION

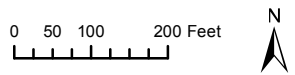
The Trail View Estates Final Plat, **BE APPROVED** subject to the following conditions and as shown on the attached maps:

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



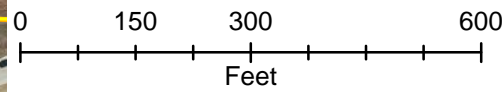
City Plan Commission
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Trail View Estates
Final Plat
Aerial Map

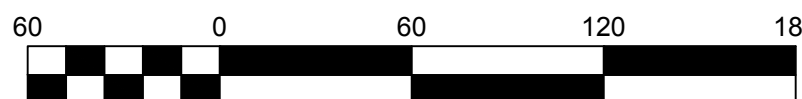
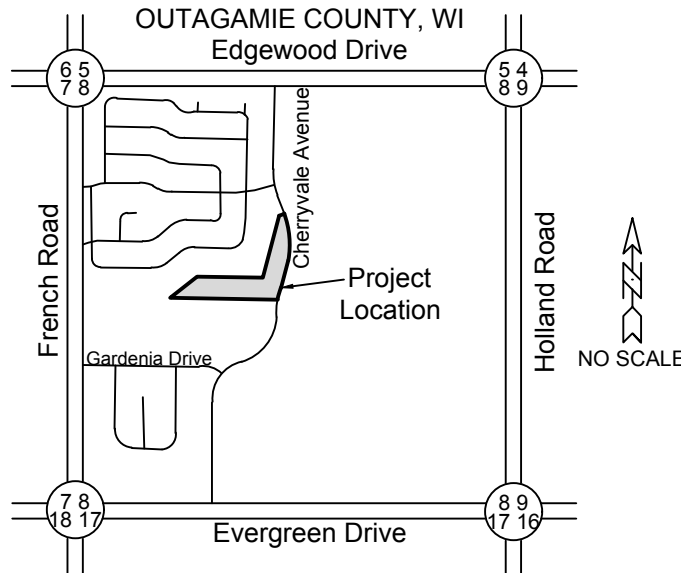


City Plan Commission
3-27-18



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

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

Revision Date: Feb 27, 2018

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

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

NOTES

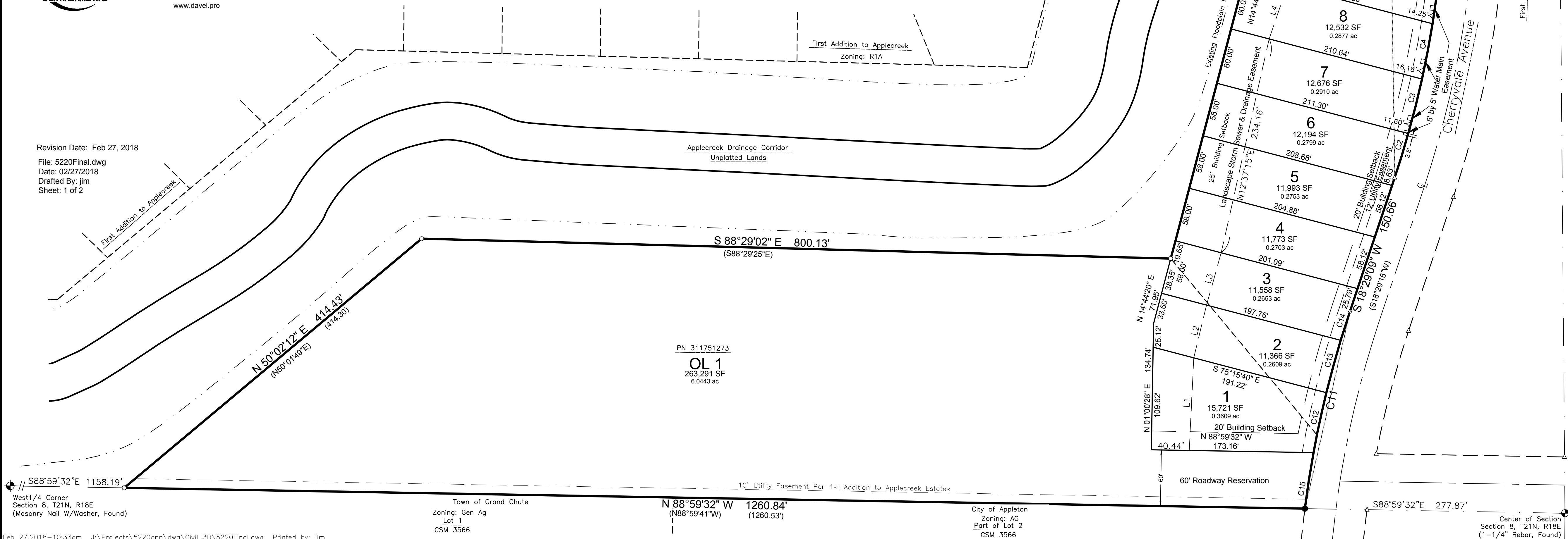
- All linear measurements have been made to the nearest one hundredth of a foot.
- All angular measurements have been made to the nearest 20 seconds and computed to the nearest half seconds.
- Outlot 1 will be owned by the current ownership group with all rights, privileges and responsibilities of said 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

- △ 1/4" 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

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'



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

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.

_____, My Commission Expires _____

Notary Public, Wisconsin

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
Revision Date: Feb 27, 2018



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



REPORT TO CITY PLAN COMMISSION

Plan Commission Meeting Date: March 27, 2018

Common Council Meeting Date: April 18, 2018

Item: Preliminary Plat – North Edgewood Estates

Case Manager: David Kress

GENERAL INFORMATION

Owner/Applicant: North Edgewood Estates Development, LLC c/o Kurt Coenen

Address/Parcel #: North French Road (Tax Id #31-1-7609-00, formerly part of Town of Grand Chute Tax Id #101153600)

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

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 subject land. The Development Agreement is contingent upon the property being annexed to the City of Appleton.

On March 21, 2018, Common Council adopted Ordinance 32-18, to annex the subject area from the Town of Grand Chute to the City of Appleton. The property was officially annexed to the City on March 27, 2018 at 12:01 a.m. During review of the North Edgewood Estates Annexation, the Plan Commission initiated a rezoning for the subject property, from temporary AG Agricultural District to a permanent zoning classification of R-1B Single-Family District. Rezoning #2-18 is also being presented at this March 27, 2018 Plan Commission meeting and needs to be approved in order for the Preliminary Plat to be approved.

STAFF ANALYSIS

Existing Conditions: The subject lot to be subdivided is currently undeveloped. The area to be platted for single-family residential development totals 24.5715 acres, which will be divided into 45 lots and two outlots.

Zoning Ordinance Review Criteria: Lot development standards (Section 23-93 of the Municipal Code) are as follows:

- Minimum lot area: Six thousand (6,000) square feet.
 - *The proposed lots range in size from 4,113 square feet to 155,075 square feet. Outlot 1 (4,113 square feet) does not meet the lot area requirement. All other lots exceed this requirement.*

Preliminary Plat – North Edgewood Estates

Page 2

March 27, 2018

- Minimum lot width: Fifty (50) feet.
 - *The proposed lots range in width from 30 feet to approximately 199 feet. Outlot 2 (30 feet) does not meet the lot width requirement. All other lots exceed this requirement.*
- Minimum front, side, and rear yard setbacks: Twenty (20) foot front yard (twenty-five (25) foot minimum on arterial street), Six (6) foot side yard, and Twenty-five (25) foot rear yard.
 - *Required front yard setback shown on the Preliminary Plat, except on Lots 16, 17, 27, and Outlot 1 along North French Road. 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, except for the proposed minimum lot area for Outlot 1 and proposed minimum lot width for Outlot 2.

Zoning and subdivision regulations are typically written to deal with buildable sites, not sites for incidental features like a stormwater pond. The lot area and lot width deviation requests for Outlot 1 and Outlot 2, respectively, represent an effort to establish buildable lots while accounting for environmental limitations and stormwater needs. Buildings are not anticipated for Outlots 1 and 2.

Per Section 17-3(f) of the Municipal Code, when the Common Council finds that extraordinary hardship or injustice will result from strict compliance with this ordinance, it may vary the terms thereof to the extent deemed necessary and proper to grant relief, provided that the modification meets the following three standards:

- (1) The modification is due to physical features of the site or its location. *Yes, the existing configuration of Aquamarine Avenue and Rubyred Drive, west of French Road, impact the location of future street connections to the subject property near Outlot 1. Also, the existing site topography and wetlands influence the location of the proposed stormwater pond on Outlot 2. These physical features contribute to the challenges of designing Outlots 1 and 2 to satisfy the requirements of the R-1B District.*
- (2) The modification is the least deviation from this ordinance which will mitigate the hardship. *Yes, granting relief on Outlots 1 and 2 allow the other proposed lots to exceed the minimum lot area and lot width requirements.*
- (3) The modification is not detrimental to the public interest and is in keeping with the general spirit and intent of this ordinance. *Yes, the proposed lots are similar in size and shape to those already located in the surrounding neighborhood, including similar outlots immediately west of French Road.*

Access and Traffic: Vehicular access to the subject lots is provided by an existing arterial street, French Road, which connects to extensions of Aquamarine Avenue and Rubyred Drive. The 60-foot wide street right-of-way for Aquamarine Avenue and Denali Trail and the 70-foot wide street right-of-way for

Preliminary Plat – North Edgewood Estates

Page 3

March 27, 2018

Rubyred Drive will be dedicated to the public with the Final Plat. However, the City's street name policy does not allow for the street suffix "Trail" in the proposed Denali Trail.

Surrounding Zoning Classification and Land Uses:

North: Town of Grand Chute. The adjacent land uses to the north are currently agricultural.

South: R-3 Multi-Family District, P-I Public Institutional District, and Town of Grand Chute. The adjacent land uses to the south are currently a mix of multi-family residential and institutional uses, including an existing utility substation.

East: Included in Rezoning #2-18, to rezone the subject area from temporary AG Agricultural District to a permanent zoning classification of R-1B Single-Family District. The adjacent land uses to the east are currently agricultural.

West: R-1B Single-Family District, P-I Public Institutional District, and Town of Grand Chute. The adjacent land uses to the west are currently a mix of single-family residential and institutional uses.

Appleton Comprehensive Plan 2010-2030: Community and Economic Development staff has reviewed this proposal and determined it is compatible with the One and Two-Family Residential and Public/Institutional designations 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.

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 the City signing the Final Plat, which is consistent with the North Edgewood Estates Development Agreement.

Technical Review Group Report (TRG): This item was discussed at the March 6, 2018 Technical Review Group Report meeting.

- **Fire Department Comments:** Based upon the information provided by other City departments regarding the City's commitment and timetable for a second, qualifying access roadway, we feel there is sufficient documentation to allow the exception D107.1.2 of the International Fire Code regarding this development.

RECOMMENDATION

The North Edgewood Estates 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.
2. In order to match CSM 7488, it appears an additional 1" Iron Pipe Found monument is missing on Lot 42 (the point between L6 and L7 from CSM 7488). The additional dimension also needs to be shown accordingly. Address these items on the Final Plat.
3. Per Section 17-7(b)(4) of the Municipal Code, show the location of abutting lot lines and names of any adjacent subdivisions and unplatted lands. Lot 2 CSM 4511 shown south of Outlot 2 is incorrect. Lot 1 CSM 4429 shown north of the Preliminary Plat boundary is also incorrect.
4. Indicate access control restrictions along North French Road for Lots 16, 17, and 27, as well as Outlot 1.
5. The Preliminary Plat and Rezoning #2-18 being acted on at the same Common Council meeting.
6. Park fees of \$13,500 (\$300 per lot) shall be paid to the City of Appleton Finance Department prior to City signatures being affixed to the Final Plat.
7. Add a note on the Final Plat identifying ownership, use, and maintenance obligations of Outlots 1 and 2.

Preliminary Plat – North Edgewood Estates

Page 5

March 27, 2018

8. Grant relief from the minimum lot width requirement for Outlot 2 and the minimum lot area requirement for Outlot 1, per Section 17-3(f) of the Municipal Code and as stated previously in the staff report.
9. The owner/applicant shall work with the Town of Grand Chute to resolve the issue with the existing 40' Drainage Maintenance Easement per CSM 4228, likely by getting a release from the Town. The owner/applicant shall also work with the City of Appleton Department of Public Works to create a similar easement, with the City as grantee, on the Final Plat.
10. Utilize a different street suffix on the Final Plat, as the City's street name policy does not allow for the street suffix "Trail" shown in the proposed Denali Trail.
11. Illustrate the front yard setback along North French Road, per Section 17-7(b)(24) of the Municipal Code. The R-1B Single Family District requires a minimum 25-foot front yard setback on arterial streets.
12. A Stormwater Permit application with Stormwater Management Plan (SWMP) is required but has not been submitted for review and approval. Revisions to the plat, drainage plan, and storm sewer design may be required based on that review. Final Plat approval will not be granted until a Stormwater Permit has been issued, and all corresponding plat requirements have been met.
13. The plat identifies a 75' setback from the ordinary high water mark of the navigable stream. However, Section 23-754(a) of the Municipal Code states the following requirements: There shall be established a shoreland setback area of at least fifty (50) feet from the ordinary high water mark.
14. The following shoreland zoning notes shall be provided on the Final Plat:
 - a. A person who owns shoreland property that contains vegetation, shall maintain that vegetation in a vegetative buffer zone along the entire shoreline of the property and extending thirty-five (35) inland from the ordinary high water mark of a navigable water (Sec. 23-754(c)).
 - b. If the vegetation in a vegetative buffer zone contains invasive species or dead or diseased vegetation the owner of the shoreland property may remove the vegetation, except that if the owner removes all of the vegetation in the vegetative buffer zone, the owner shall establish a vegetative buffer zone with new vegetation (Sec. 23-754(d)).
 - c. The person who is required to maintain or establish a vegetative buffer zone may remove all of the vegetation in a part of that zone in order to establish a viewing or access corridor that is no more than thirty (30) feet wide for every one hundred (100) feet of shoreland frontage and that extends no more than thirty-five (35) feet inland from the ordinary high water mark (Sec. 23-754(e)).
15. 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.

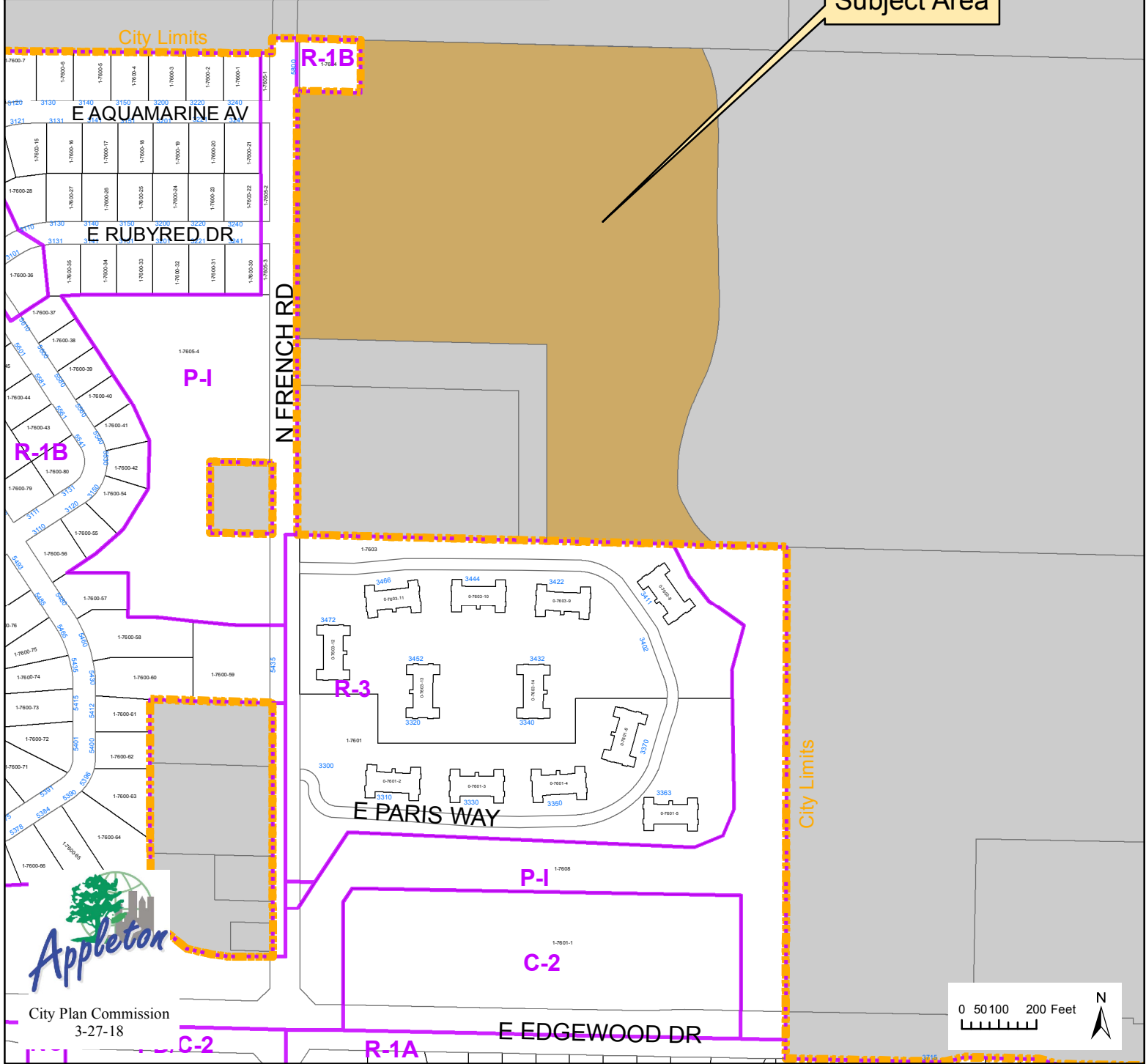
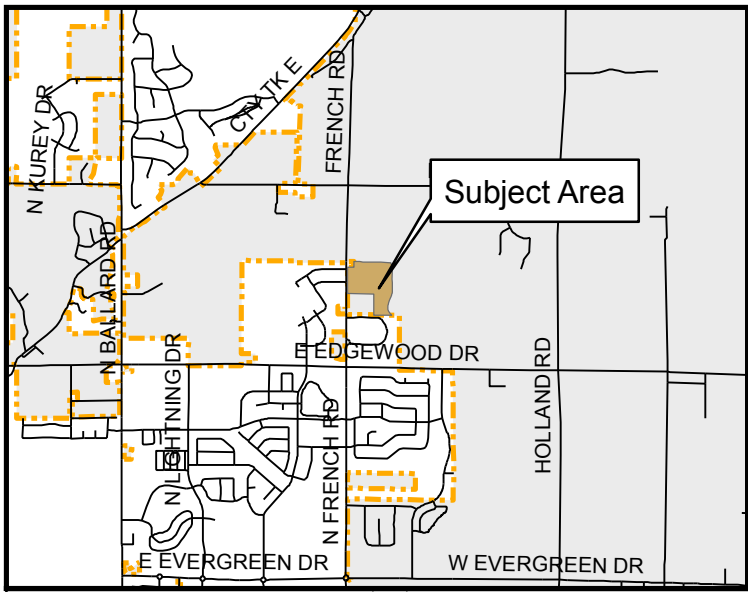
Preliminary Plat – North Edgewood Estates

Page 6

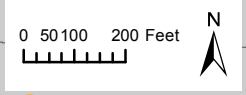
March 27, 2018

16. The listed City of Appleton hydrant elevations match exactly what our records indicate so if the “conversion to City Datum is 0.04’ then the listed hydrant benchmarks should be adjusted by 0.04’. As a reference, the City of Appleton has been updating benchmark elevations to NAVD 88 datum, and we have NAVD 88 datum elevations on the listed hydrants. The numbers are as follows:
 - a. “BM 1” = 750.169
 - b. “BM 2” = 747.039
 - c. “BM 3” = 748.243

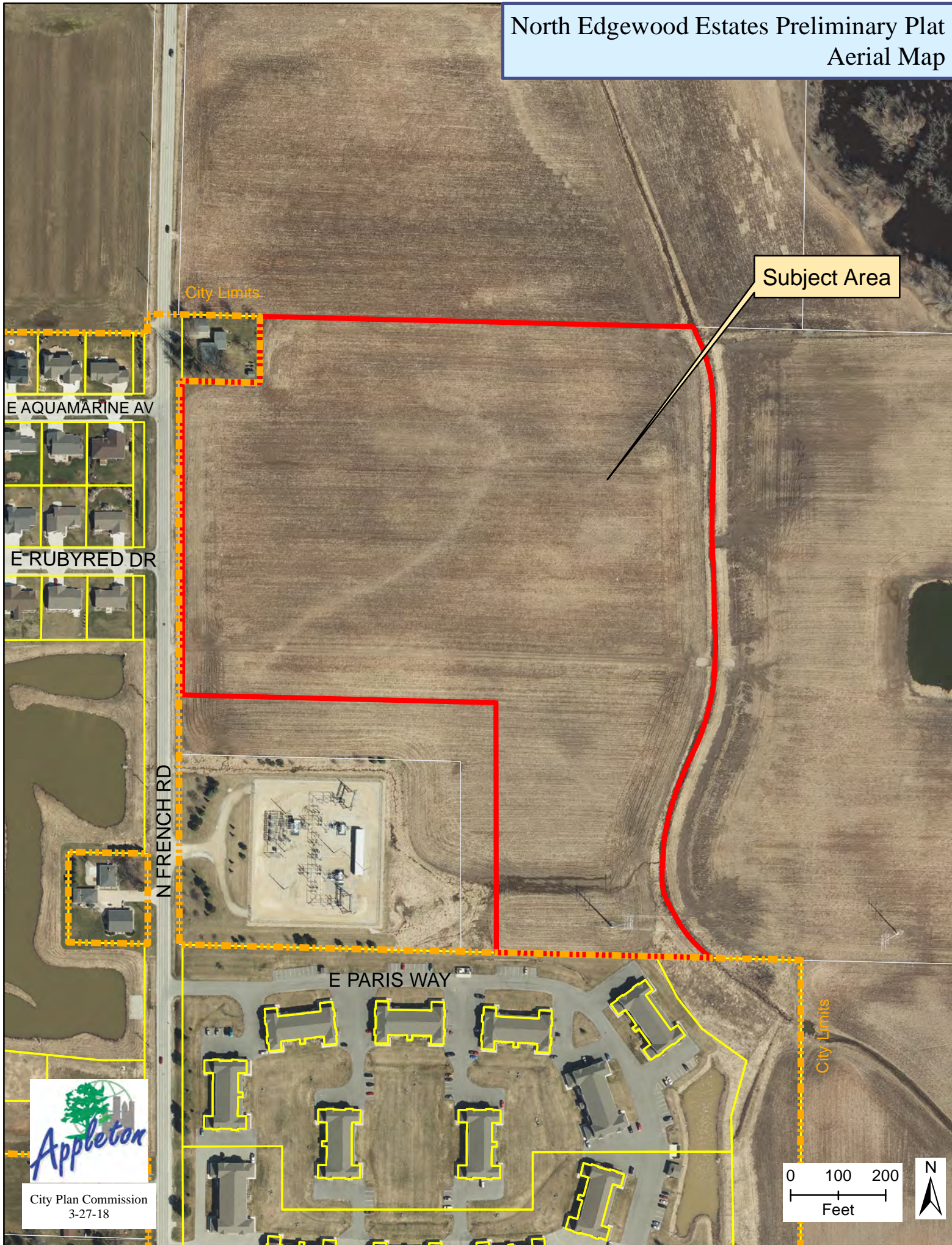
North Edgewood Estates Preliminary Plat Zoning Map



City Plan Commission
3-27-18



North Edgewood Estates Preliminary Plat
Aerial Map



Subject Area

City Limits

E AQUAMARINE AV

E RUBYRED DR

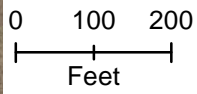
N FRENCH RD

E PARIS WAY

City Limits



City Plan Commission
3-27-18

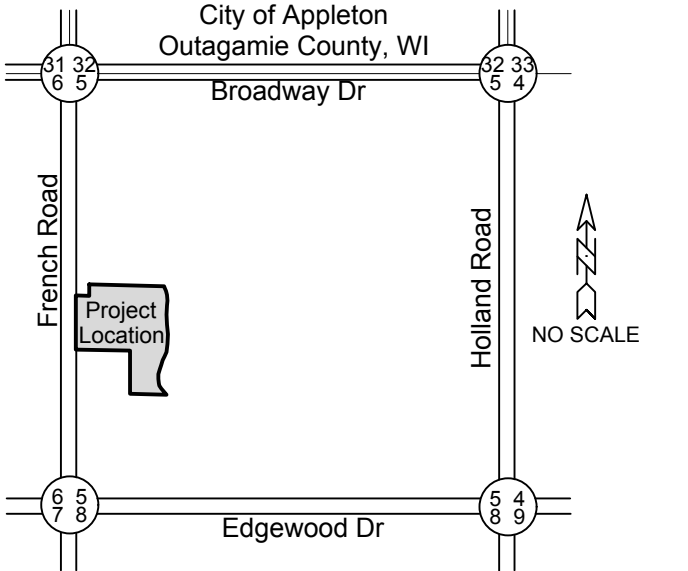


Preliminary Plat of North Edgewood Estates

All of Lot 2 of CSM 7488, being part of the Northwest 1/4 of the Southwest 1/4 Section 5, Township 21 North, Range 18 East, City of Appleton, Outagamie County, Wisconsin

LOCATION MAP

SEC 5, T 21 N, R 18 E,
City of Appleton
Outagamie County, WI



Owner/Developer
North Edgewood Estates, LLC
c/o Kurt Coenen
3117 E Canvasback Lane
Appleton, WI 54913

SUPPLEMENTARY DATA

Total Area = 1,070,335 SF 24.5715 acres
R/W Area = 172,703 SF 3.9647 acres
Net Area = 897,632 SF 20.6068 acres
Number of Lots = 45
Average lot size = 16,500 SF
Typical lot dimension = 87'x 160'
Lineal feet of street = 2,833 LF
Existing zoning = R1B
Proposed zoning = R1B
Approving Authorities
City of Appleton
Objecting Authorities
Department of Administration

Note:
Impervious areas that are made to drain to the storm sewer can be located within the protective area.

LEGEND

—CATV—CATV—	Underground Cable TV	○	Sanitary MH / Tank / Base	▽	Sign
—FO—FO—	Underground Fiber Optic	○	Clean Out / Curb Stop / Pull Box	▽	Post / Guard Post
—OH—OH—	Overhead Electric Lines	⊗	Storm Manhole	□	1" Iron Pipe Found
.....	Utility GUY Wire	⊗	Inlet	⊗	Government Corner
—San—San—	Sanitary Sewer	⊗	Catch Basin / Yard Drain	⊗	Soil Boring
—Sto—Sto—	Storm Sewer	⊗	Water MH / Well	⊗	Benchmark
—E—E—	Underground Electric	⊗	Hydrant	⊗	Asphalt Pavement
—G—G—	Underground Gas Line	⊗	Utility Valve	⊗	Concrete Pavement
—T—T—	Underground Telephone	⊗	Utility Meter	⊗	Gravel
—W—W—	Water Main	⊗	Electric Pedestal	⊗	Wetlands
—○—○—○—	Fence - Steel	⊗	Telephone Pedestal	⊗	
	Culvert	⊗	CATV Pedestal	⊗	
800	Index Contour	⊗	Gas Regulator	⊗	
799	Intermediate Contour	⊗	Ex Spot Elevation	⊗	
.....	Floodway per FIRM 55087C0328D Dated 7/22/2010	⊗		⊗	
—OHW—	Ordinary High Water Mark	⊗		⊗	

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
jim@davel.pro

Date _____



**DAVEL ENGINEERING &
ENVIRONMENTAL, INC.**

L ENGINEERING CONSULTANTS

1811 Racine Street Menasha, WI 54952
Ph. 920.824.1888 F. 920.824.8785

71-1866 Fax: 920-8
www.davel.pro

File: 5032Plat.dwg
Date: 02/27/2014
Drafted By: katie
Sheet: 1 of 1

2/27/2018 12:00 PM J:\Projects\5032coe\dwg\Civil 3D\5032Plat.dwg Printed by: katie



REPORT TO CITY PLAN COMMISSION

Plan Commission Meeting Date: March 27, 2018

Common Council Meeting Date: April 4, 2018

Item: Final Plat – Fifth Addition to Emerald Valley

Case Manager: Don Harp

GENERAL INFORMATION

Owner/Applicant: Robert DeBruin, Emerald Valley Estates, LLC – owner/applicant

Address/Parcel #: Bluetopaz Drive & Amethyst Drive / Part of 31-1-7600-00

Petitioner's Request: The owner/applicant is proposing to subdivide property under a multi-phased approach.

BACKGROUND

The Preliminary Plat for the Fifth Addition to Emerald Valley consisting of 23 residential lots was approved by the Common Council on March 21, 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.

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. In 2005, a preliminary plat had been submitted for the overall property, which called for the creation of a total of 252 residential lots.

STAFF ANALYSIS

Existing Conditions: The portion of the lot to be subdivided is currently undeveloped and zoned R-1B Single-Family District. The 8.740-acre area will be divided into twenty-three (23) 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 is 13,500 square feet. All lots exceed this requirement.*
- Minimum lot width: Fifty (50) feet.
 - *The proposed lots average lot width is 100 feet. All lots exceed this 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 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 phase is via Providence Avenue, which connects Amethyst Drive to Bluetopaz Drive. The full 60-foot road right-of-way for width of Amethyst Drive and Bluetopaz Drive will be dedicated to the City with the Final Plat.

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.

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 have been waived in exchange for parkland as illustrated in the current Emerald Valley Development Agreement.

Technical Review Group Report (TRG): This item was discussed at the March 6, 2018 Technical Review Group Report meeting.

Department of Public Works Comments:

- A Development Agreement will be required as part of the Final Platting process.

RECOMMENDATION

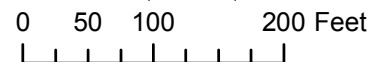
The Fifth Addition to Emerald Valley Final Plat, **BE APPROVED** subject to the following conditions and as shown on the attached maps:

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. 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.
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.

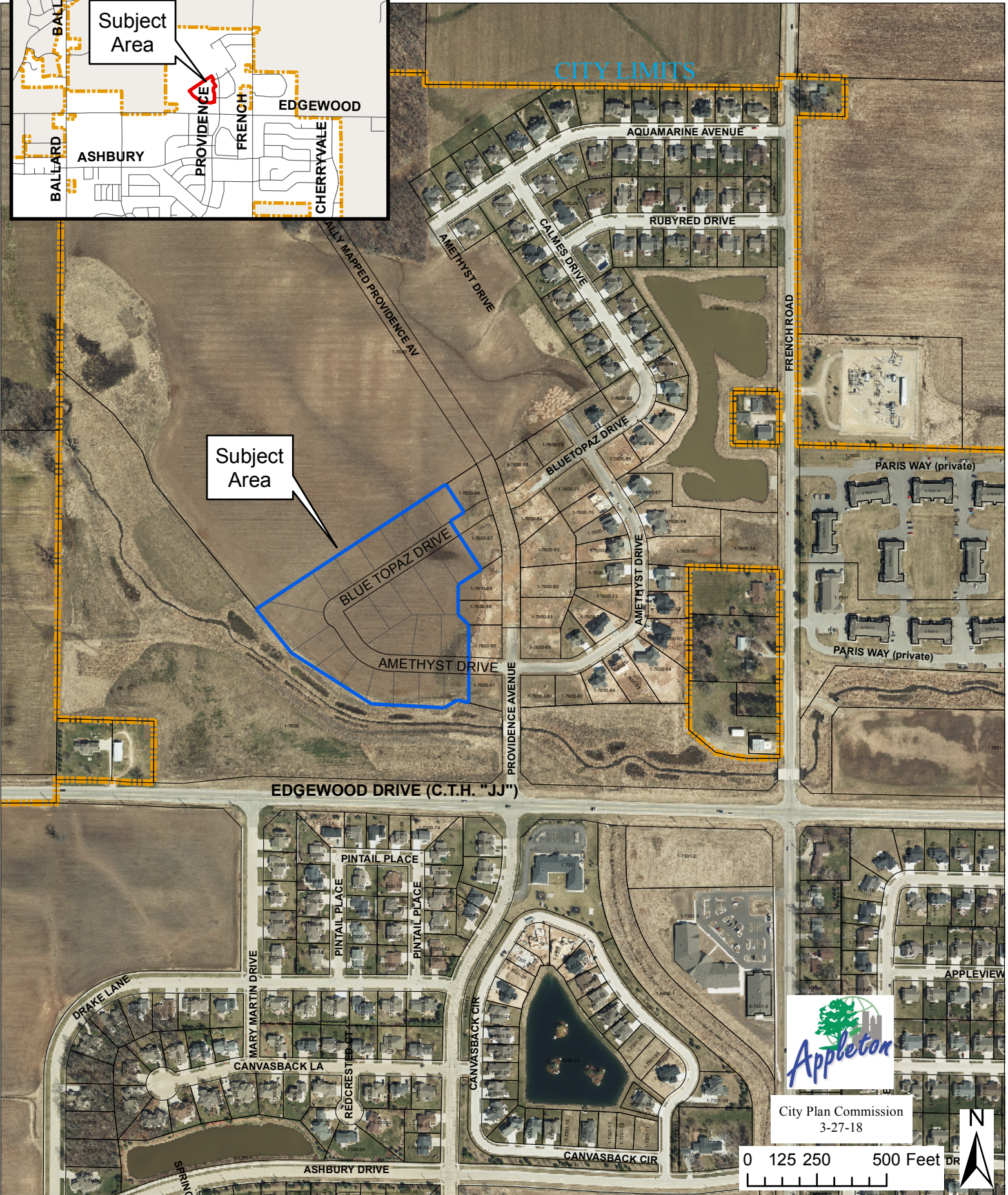
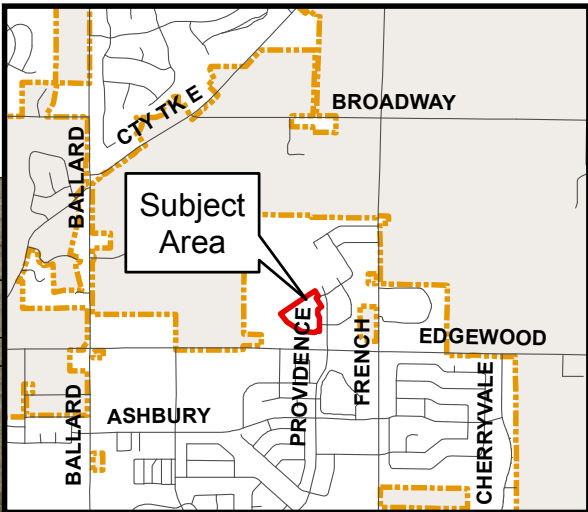
A map of the study area, showing the location of the subject area. The map includes a grid of streets and a red outline indicating the subject area. A callout box labeled "Subject Area" points to the red outline.

R-1B

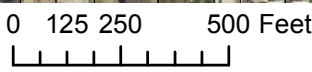
P-I



Fifth Addition to Emerald Valley
Final Plat
Aerial Photo

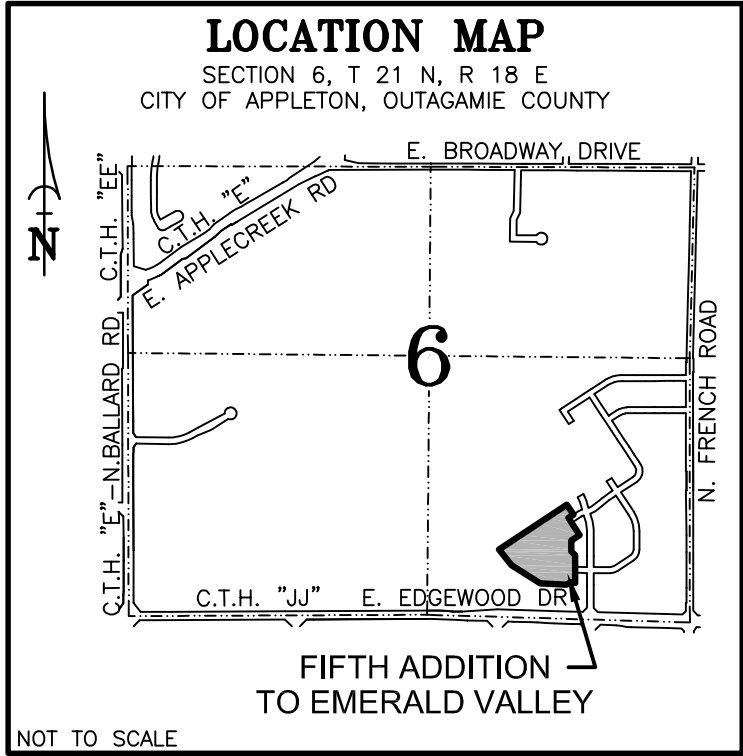


City Plan Commission
3-27-18



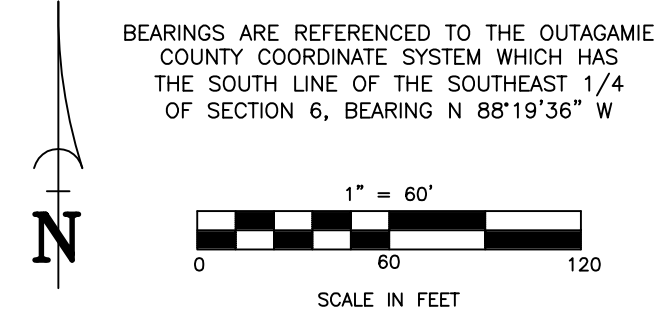
FIFTH ADDITION TO EMERALD VALLEY

PART OF THE SOUTHWEST 1/4 AND 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
 - 1-1/4" O.D. REBAR FOUND
 - 3/4" 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.



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	140.00'	054°41'34"	133.64'	N 60°41'40.0" W	128.62'	S 33°20'53" E	S 88°02'27" E
2	140.00'	014°15'04"	34.82'	N 40°28'25.0" W	34.73'	S 33°20'53" E	S 47°35'57" E
3	140.00'	040°26'30"	98.82'	N 67°49'12.0" W	96.78'	S 47°35'57" E	S 88°02'27" E
4	200.00'	054°41'34"	190.92'	N 60°41'40.0" W	183.75'	S 33°20'53" E	S 88°02'27" E
5	200.00'	017°36'53"	61.49'	N 42°09'19.5" W	61.25'	S 33°20'53" E	S 50°57'46" E
6	200.00'	019°52'31"	69.38'	N 60°54'01.5" W	69.03'	S 50°57'46" E	S 70°50'17" E
7	200.00'	017°12'10"	60.05'	N 79°26'22.0" W	59.82'	S 70°50'17" E	S 88°02'27" E
8	55.00'	126°01'07"	120.97'	N 06°21'26.5" W	98.02'	S 56°39'07" W	S 69°22'00" E
9	55.00'	056°29'38"	54.23'	N 28°24'18.0" E	52.06'	S 56°39'07" W	S 00°09'29" E
10	55.00'	056°56'04"	54.65'	N 28°18'33.0" W	52.43'	S 00°09'29" W	S 56°46'35" E
11	55.00'	012°35'25"	12.09'	N 63°04'17.5" W	12.06'	S 56°46'35" E	S 69°22'00" E

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
Menasha, WI 54952
www.martenson-eisele.com
Info@martenson-eisele.com
920.731.0381 1.800.236.0381

Planning
Environmental
Surveying
Engineering
Architecture

Drawing No. 1-0534-007
Sheet 1 of 2
This instrument drawn by: Amy Sedlar

FIFTH ADDITION TO EMERALD VALLEY

PART OF THE SOUTHWEST 1/4 AND 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. ZAHRLINGER, PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY:

THAT I HAVE SURVEYED, DIVIDED, AND MAPPED FIFTH ADDITION TO EMERALD VALLEY, AT THE DIRECTION OF EMERALD VALLEY ESTATES LLC, PART OF THE 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 SOUTHEAST CORNER OF SAID SECTION 6; THENCE NORTH 88 DEGREES 19 MINUTES 36 SECONDS WEST, ALONG THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION, A DISTANCE OF 1031.99 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 33 SECONDS WEST, ALONG THE WEST RIGHT-OF-WAY LINE OF PROVIDENCE AVENUE, A DISTANCE OF 335.08 FEET; THENCE NORTH 75 DEGREES 42 MINUTES 30 SECONDS WEST, ALONG THE NORTH LINE OF CERTIFIED SURVEY MAP NO. 6311, A DISTANCE OF 124.17 FEET TO THE POINT OF BEGINNING; THE FOLLOWING FIVE CALLS ARE ALONG THE NORTH LINE OF CERTIFIED SURVEY MAP NO. 6311: THENCE NORTH 75 DEGREES 42 MINUTES 30 SECONDS WEST, 42.07 FEET; THENCE SOUTH 59 DEGREES 12 MINUTES 31 SECONDS WEST, 54.59 FEET; THENCE NORTH 86 DEGREES 54 MINUTES 49 SECONDS WEST, 263.14 FEET; THENCE NORTH 57 DEGREES 27 MINUTES 09 SECONDS WEST, 341.04 FEET; THENCE NORTH 39 DEGREES 00 MINUTES 29 SECONDS WEST, 203.23 FEET; THENCE NORTH 56 DEGREES 39 MINUTES 07 SECONDS EAST, 817.70 FEET; THE FOLLOWING SEVEN CALLS ARE ALONG THE WEST LINE OF THE THRD ADDITION TO EMERALD VALLEY: THENCE SOUTH 33 DEGREES 20 MINUTES 53 SECONDS EAST, 120.00 FEET; THENCE SOUTH 56 DEGREES 39 MINUTES 07 SECONDS WEST, 61.61 FEET; THENCE SOUTH 33 DEGREES 20 MINUTES 53 SECONDS EAST, 206.71 FEET; THENCE SOUTH 56 DEGREES 39 MINUTES 07 SECONDS WEST, 100.00 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 33 SECONDS EAST, 107.87 FEET; THENCE SOUTH 45 DEGREES 11 MINUTES 26 SECONDS EAST, 53.70 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 33 SECONDS EAST, 280.05 FEET TO THE POINT OF BEGINNING. CONTAINING 380,700 SQUARE FEET [8.740 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 FEBRUARY, 2018.

GARY A. ZAHRLINGER, 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 , 2018.

ROBERT DEBRUIN - MEMBER

PAT HIETPAS - MEMBER

STATE OF WISCONSIN)
) SS
OUTAGAMIE COUNTY)

PERSONALLY CAME BEFORE ME THIS DAY OF , 2018,
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 GRANTEES' 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 GRANTEES' 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 FIFTH 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 , 2018.

TIMOTHY HANNA, 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 FIFTH 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 FIFTH 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
Menasha, WI 54952
www.martenson-eisele.com
Info@martenson-eisele.com
920.731.0381 1.800.236.0381
Planning
Environmental
Surveying
Engineering
Architecture

Drawing No. 1-0534-007
Sheet 2 of 2
This instrument drawn by: Amy Sedlar