



CITY OF APPLETON

MEMORANDUM

Date: February 5, 2026

To: Finance Committee

From: Kara Homan, AICP, Director of Community Development
Laura Jungwirth, PE, Director of Public Works

Subject: Request to approve Development Agreement for Comet Ridge Development
(North Appleton Properties, LLC)

Background

The Final Plat for Phase 1 of Comet Ridge was approved by the Appleton Common Council on December 17, 2025 (Action Item 25-[1543](#)). As a condition of that approval (condition #5 of the staff memo), a Development Agreement ("DA") is required prior to city signatures being placed on the Final Plat. Execution of the DA is required before the Final Plat can be recorded and before any lots may be sold.

This development agreement was drafted in close collaboration with the City Attorney's office. A few provisions in this DA differ from those of recent past and are highlighted for your attention:

- The Letter of Credit/Financial Guarantee requirement has been reduced from 125% to 120%, to align with a recent change in Wis. Stats. [236.13\(2\)\(am\)](#).
- Provisions related to the City and Developer's responsibility and financial contributions for the North Sanitary Sewer Project, connecting this development to gravity sewer in Spartan Drive. This is a win-win provision as it provides gravity sewer not just to this property, but capacity to serve properties to the north in the city's future growth area.
- Requiring the installation of 10-foot side paths in concrete (related to the Apple Creek trail extension) at the time of home construction by the builder/property owner. Developer will install gravel base at time of subdivision development so buyers will know a side path is adjacent to their home. This aligns with the city's existing sidewalk installation practices (tied to new home permit), but integrates our new complete streets policy into this DA and building permit practices. We view this as a win-win provision for city and developer.
- Provisions for City ownership and maintenance of the Outlot 3 stormwater pond *only* if regional in nature, and other conditions are met.
- New language regarding developer's responsibility and obligations related to USPS Cluster Mailbox Units, to reflect USPS mail delivery policy shift and continue to absolve the City from providing and maintaining mailboxes.
- Contemplation of using this DA framework as a basis for all future phases of development occurring within 5 years, recognizing City and Developer will need to initiate DA amendments as development proceeds to reflect scope of future phases and corresponding cost estimates / financial guarantees.

- A Property Owners' signature line was added to reflect current dual ownership of the development area – North Appleton Properties, LLC and the Jane E. Dorn Revocable Trust.

The developer has confirmed he is agreeable to the agreement's language as drafted.

Recommendation:

The Directors of Community Development and Public Works recommend the attached Development Agreement for Comet Ridge Development (North Appleton Properties, LLC) **BE APPROVED.**