



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, April 13, 2021

4:00 PM

Council Chambers, 6th Floor

1. Call meeting to order
2. Roll call of membership
3. Approval of minutes from previous meeting
[21-0421](#) City Plan Minutes from 3-23-21

Attachments: [City Plan Minutes 3-23-21.pdf](#)

4. Public Hearings/Apearances

- [21-0422](#) The street discontinuance to vacate portions of West Prospect Avenue and South Douglas Street public right-of-way, generally located near the intersection of these streets, and adopt the Initial Resolution and exhibit map (Associated with Action Item #21-0423)

Attachments: [InformalPublicHearingNotice ProspectAvDouglasSt StreetVacation.pdf](#)

5. Action Items

- [21-0423](#) Request to approve the street discontinuance to vacate portions of West Prospect Avenue and South Douglas Street public right-of-way, generally located near the intersection of these streets, and adopt the Initial Resolution and exhibit map

Attachments: [StaffReport_ProspectAvDouglasSt_StreetVacation_For04-13-21.pdf](#)

- [21-0424](#) Request to approve detachment of territory from the City of Appleton to the Village of Harrison, per the Intergovernmental Cooperation Agreement, for a portion of Coop Road, generally located north of Midway Road, described in the attached petition and shown on the attached maps

Attachments: [StaffReport_CoopRd_Detachment_For04-13-21.pdf](#)

- [21-0425](#) Request to approve the Apple Ridge 2 Final Plat as shown on the attached maps and subject to the conditions in the attached staff report

Attachments: [StaffReport_FinalPlat_AppleRidge2_For4-13-21.pdf](#)

[21-0426](#) Request to approve the Apple Fields Preliminary Plat as shown on the attached maps and subject to the conditions in the attached staff report

Attachments: [StaffReport PreliminaryPlat Apple Fields For4-13-21.pdf](#)

6. Information Items

[21-0427](#) Reminder of meeting date/time change to Wednesday of the week following Council at 3:30 p.m.

[21-0428](#) Virtual community input meeting on Proposed Downtown Streetscape Design Guide on April 15, 2021 from 6:00 - 8:00 p.m.

Attachments: [Downtown Streetscape Design Community Input Press Release.pdf](#)
[Downtown Streetscape Design Community Input Invite.pdf](#)

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

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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 23, 2021

4:00 PM

Council Chambers, 6th Floor

1. Call meeting to order

Meeting called to order at 4:01 p.m.

2. Roll call of membership

Dr. Robins arrived at 4:05 p.m.

Present: 7 - Palm, Robins, Mayor Woodford, Fenton, Buetow, Dane and Uitenbroek

Others present:

William Kloehn, 1834 Palisades Drive

Ann Kloehn, 1834 Palisades Drive

Pete Neuberger, P.E., Department of Public Works

3. Approval of minutes from previous meeting

[21-0309](#)

City Plan Minutes from 3-9-21

Attachments: [City Plan Minutes 3-9-21.pdf](#)

Uitenbroek moved, seconded by Fenton, that the Minutes be approved. Roll Call. Motion carried by the following vote:

Aye: 6 - Palm, Mayor Woodford, Fenton, Buetow, Dane and Uitenbroek

Absent: 1 - Robins

4. **Public Hearings/Appearances**

[21-0330](#)

Repealing and recreating Article X of Chapter 23 of the Municipal Code relating to Floodplain Zoning and the Official Map, as identified in the attached staff report, per the request of the Department of Public Works, Engineering Division (Associated with Action Item #21-0311)

Attachments: [InformalPublicHearingNotice_FloodplainOrdRepeal-Recreate.pdf](#)

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

5. Action Items

[21-0311](#)

Request to approve repealing and recreating Article X of Chapter 23 of the Municipal Code relating to Floodplain Zoning and the Official Map, as identified in the attached staff report, per the request of the Department of Public Works, Engineering Division

Attachments: [StaffReport_TextAmendments_FloodplainOrd_For3-23-21.pdf](#)

Proceeds to Council on April 21, 2021.

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

Aye: 6 - Palm, Mayor Woodford, Fenton, Buetow, Dane and Uitenbroek

Absent: 1 - Robins

[21-0310](#)

Detachment of territory from the City of Appleton to the Village of Fox Crossing, per the request of the property owners, Ann Kloehn, William Kloehn and Julie Lapkoff, located at 1834 Palisades Drive (Tax Id #31-4-9003-00, 31-4-9004-00 and 31-4-9005-00)

Attachments: [StaffReport_Detachment_Kloehn_WPalisadesDr_For3-23-21.pdf](#)

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

Aye: 7 - Palm, Robins, Mayor Woodford, Fenton, Buetow, Dane and Uitenbroek

6. Information Items

7. Adjournment

Buetow moved, seconded by Uitenbroek, that the meeting be adjourned at 4:13 p.m. Roll Call. Motion carried by the following vote:

Aye: 7 - Palm, Robins, Mayor Woodford, Fenton, Buetow, Dane and Uitenbroek

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, April 13, 2021, 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 purpose of considering the following proposed Street Vacation (discontinuance of a portion of public street right-of-way).

LEGAL DESCRIPTION OF AREA TO BE VACATED:

A part of Douglas Street, being located in the Government Lot Three (3), Fractional Southwest Quarter (SW ¼) of Section Thirty-Four (34), Township Twenty-One (21) North, Range Seventeen (17) East, City of Appleton, Outagamie County, Wisconsin, containing 1,174 Sq. Ft. of land and being further described as follows:

Commencing at the West Quarter corner of said Section 34:

Thence South 89°45'50" East 1392.02 feet coincident with the North line of the Fractional SW ¼ of said Section 34;

Thence South 00°13'29" East 989.76 feet to the Southeast corner of Prospect Avenue and Douglas Street and being the Point of Beginning;

Thence continue South 00°13'29" East 101.34 feet coincident with the East line of Douglas Street;

Thence North 89°44'29" West 0.59 feet;

Thence Northwesterly 50.90 feet along the arc of curve to the left having a radius of 111.00 feet and the chord of which bears North 23°07'34" West 50.46 feet;

Thence North 36°15'46" West 12.20 feet;

Thence Northeasterly 52.82 feet along the arc of a curve to the left having a radius of 189.14 feet and the chord of which bears North 31°11'04" East 52.65 feet to the point of beginning.

And

A part of Prospect Avenue, being located in Government Lot Three (3) and Government Lot Four (4), Fractional Southwest Quarter (SW ¼) of Section Thirty-Four (34), Township Twenty-One (21) North, Range Seventeen (17) East, City of Appleton, Outagamie County, Wisconsin, containing 1,468 Sq. Ft. of land and being further described as follows:

Commencing at the West Quarter corner of said Section 34:

Thence South 89°45'50" East 1332.02 feet coincident with the North line of the Fractional SW ¼ of said Section 34;

Thence South 00°13'29" East 1109.23 feet to the Southwest corner of Prospect Avenue and Douglas Street and also being the Northeast corner of Lot 20, Block 1, Rivercrest Subdivision and being the Point of Beginning;

Thence North 89°50'32" West 120.00 feet coincident with the North line of Lot 20 of said Block 1 to the Northwest corner thereof and also being coincident with the South line of Prospect Avenue;

Thence North 00°13'29" West 0.63 feet;

Thence North 86°23'57" East 13.47 feet;

Thence Northeasterly 99.73 feet along the arc of a curve to the left having a radius of 197.00 feet and the chord of which bears North 71°53'48" East 98.67 feet;

Thence South 36°15'46" East 5.27 feet;

Thence Southeasterly 30.28 feet along the arc of a curve to the right having a radius of 50.00 feet and the chord of which bears South 18°54'42" East 29.82 feet to the point of beginning.

See also attached Exhibit "A" for illustration.

COMMON DESCRIPTION: A portion of West Prospect Avenue and a portion of South Douglas Street

ALDERMANIC DISTRICT: 9 – Alderperson Alex Schultz

PARTIAL STREET VACATION REQUEST:

A Street Vacation request has been initiated by the applicant, City of Appleton. The applicant requests to vacate and discontinue portions of Prospect Avenue and Douglas Street. The area being vacated is no longer needed for public street purposes. The adjoining property owner(s) will acquire ownership to the afore-described and vacated portion of Prospect Avenue and Douglas Street right-of-way, as shown on the attached maps.

You are being notified as a policy of the City of Appleton Community and Economic Development Department. This notification invites you to express your views or concerns regarding the above-described request. The Plan Commission meeting is open to the public; however, considering the COVID-19 Health Emergency, you are strongly encouraged to share any feedback with Plan Commission members via written letter, email or phone call instead of appearing in person. Please contact David Kress, Principal Planner, in the Community and Economic Development Department at 920-832-6428 or by email at david.kress@appleton.org.

Alternatively, you can also contact the Mayor's Office at mayor@appleton.org and your comments will be forwarded to the Plan Commission. The City Plan Commission makes a recommendation to the Common Council who makes the final decision on the matter.

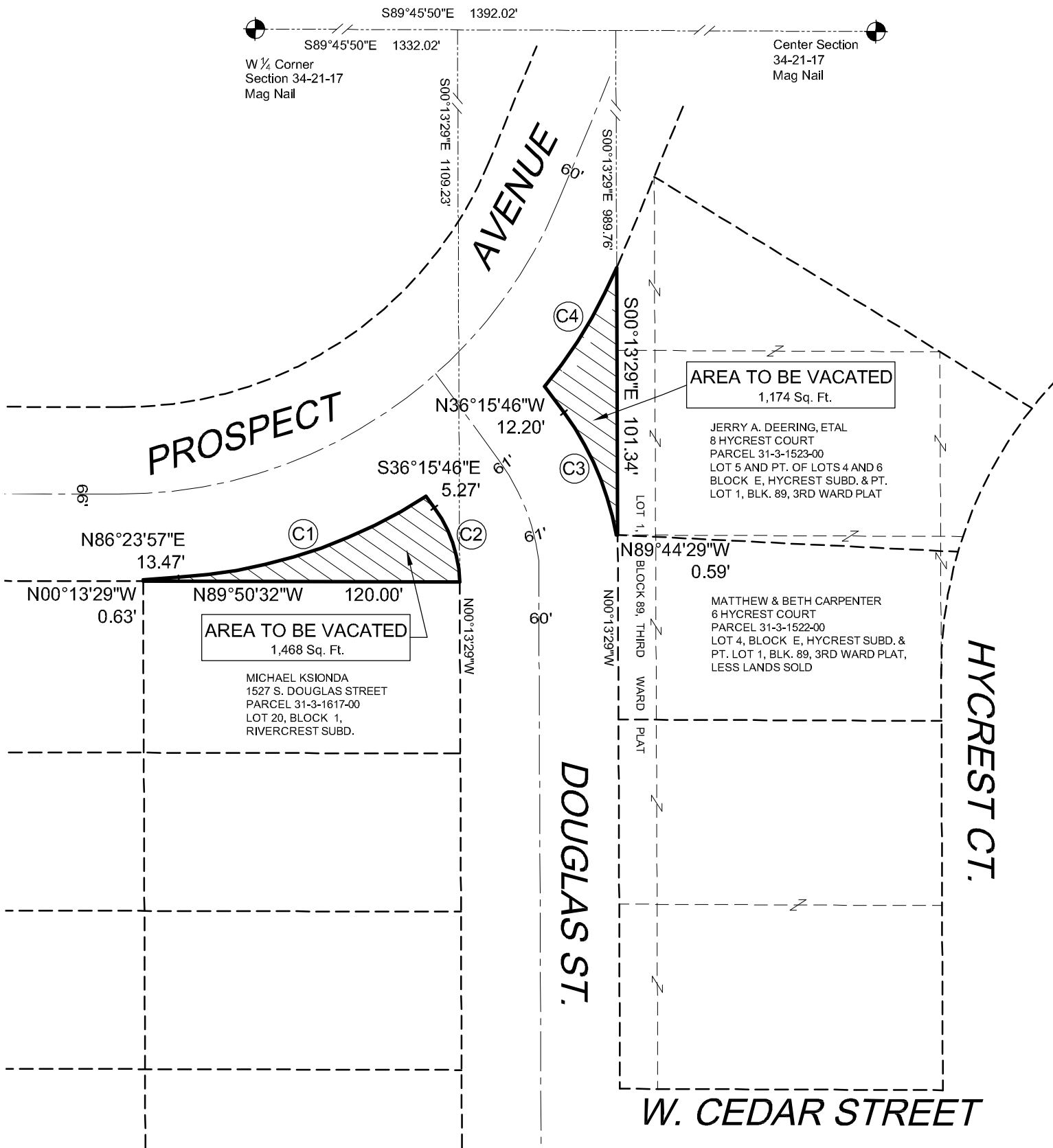
CITY PLAN COMMISSION

COMMUNITY & ECONOMIC DEVELOPMENT
CITY HALL – 100 NORTH APPLETON STREET
APPLETON, WISCONSIN 54911
920-832-6468

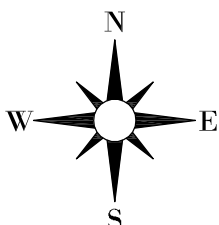
Reasonable accommodations for persons with disabilities will be made upon request and if feasible.

EXHIBIT "A"

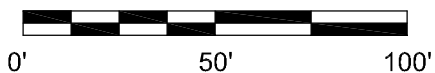
A part of Prospect Avenue lying adjacent to Lot Twenty (20), Block One (1), **RIVERCREST SUBD.** and a part of Douglas Street lying adjacent to a part of Lot One (1), Block Eighty-Nine (89), **THIRD WARD PLAT**, according to the recorded Assessor's Map, all being located in the Government Lot Three (3) and Government Lot Four (4) of Section Thirty-Four (34), Township Twenty-One (21) North, Range Seventeen (17) East, City of Appleton, Outagamie County, Wisconsin



CURVE DATA TABLE				
CURVE	RADIUS	LENGTH	LC	LCB
C1	197.00'	99.73'	98.67'	N71°53'48"E
C2	50.00'	30.28'	29.82'	S18°54'42"E
C3	111.00'	50.90'	50.46'	N23°07'34"W
C4	189.14'	52.82'	52.65'	N31°11'04"E



SCALE IN FEET



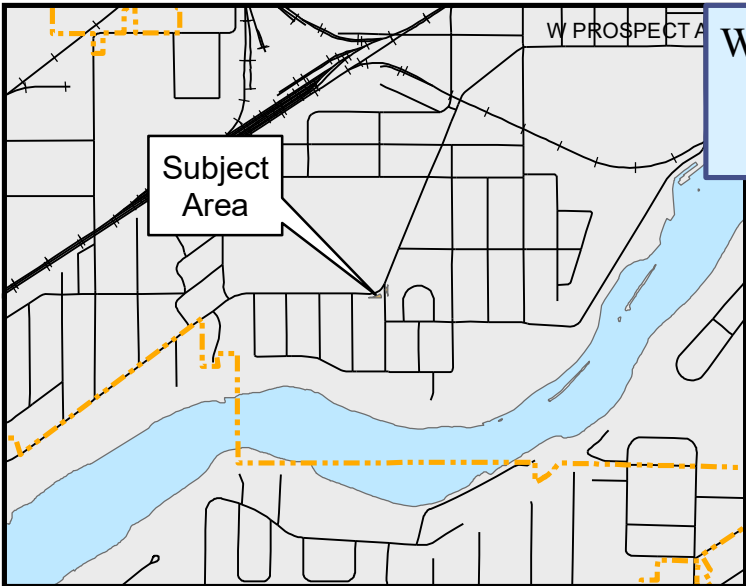
BEARINGS ARE REFERENCED TO WISCONSIN COUNTY COORDINATES, OUTAGAMIE COUNTY

CITY OF APPLETON
 DEPT. OF PUBLIC WORKS
 ENGINEERING DIVISION
 100 NORTH APPLETON STREET
 APPLETON, WI 54911
 920-832-6474

DRAFTED BY: T. KROMM

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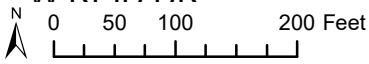
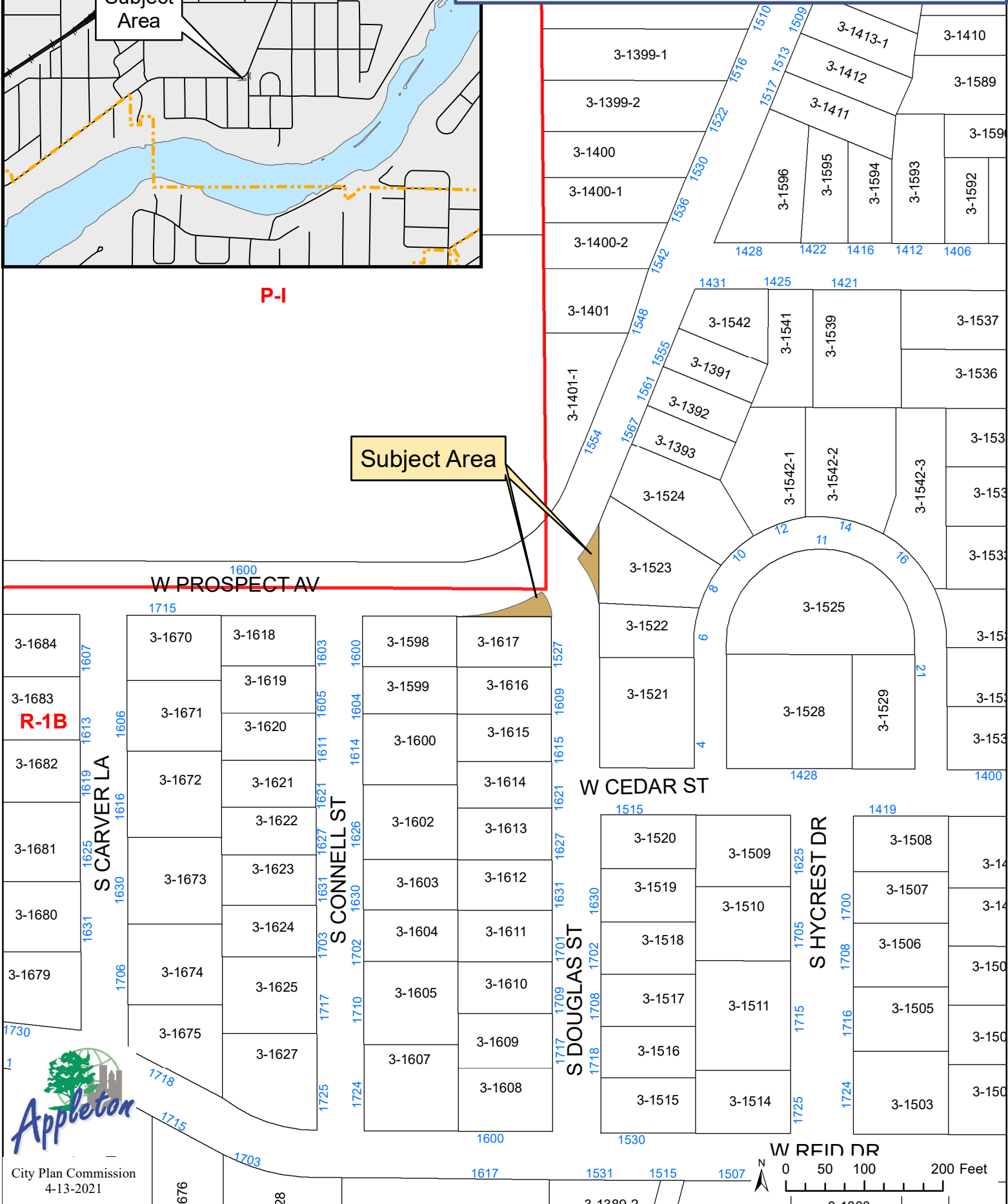
West Prospect Avenue and South Douglas Street Partial Street Vacation Zoning Map



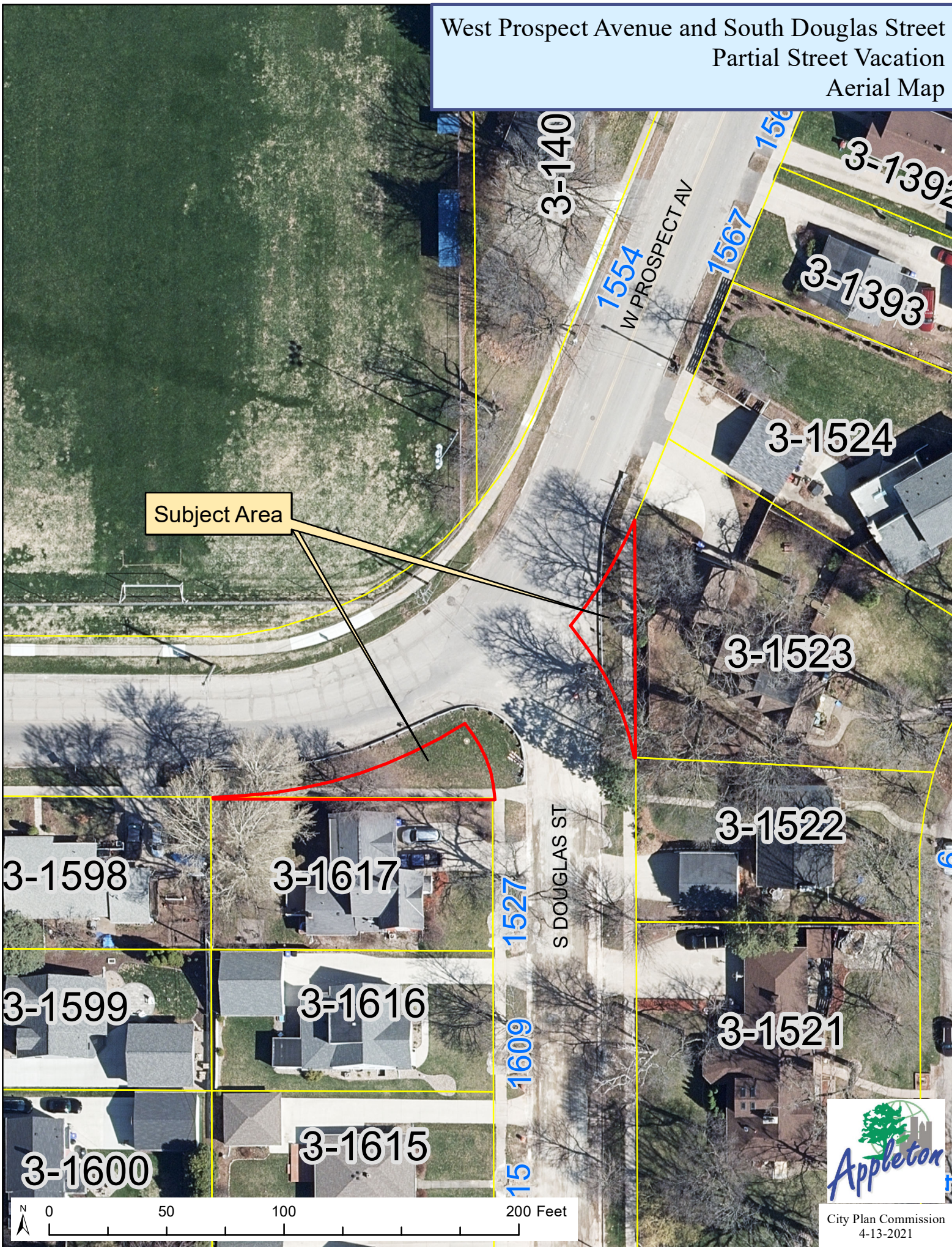
Subject Area

P-I

Subject Area



West Prospect Avenue and South Douglas Street
Partial Street Vacation
Aerial Map



Subject Area

3-1598

3-1617

3-1599

3-1616

3-1600

3-1615

3-140

1554
W PROSPECT AV

1567

3-1392

3-1393

3-1524

3-1523

3-1522

S DOUGLAS ST

1527

1609

3-1521

0 50 100 200 Feet



City Plan Commission
4-13-2021



REPORT TO CITY PLAN COMMISSION

Municipal Services Committee Meeting Date: April 12, 2021

Plan Commission Informal Public Hearing Date: April 13, 2021

Common Council Meeting Date – Initial Resolution: April 21, 2021

Common Council Meeting Date – Public Hearing (40-day waiting period): June 2, 2021

Item: Street discontinuance to vacate portions of West Prospect Avenue and South Douglas Street

Case Manager: David Kress, Principal Planner

GENERAL INFORMATION

Owner/Applicant: City of Appleton / Tom Kromm, Department of Public Works

Location: Part of Prospect Avenue and part of Douglas Street, generally located near the intersection of these streets

Owner/Applicant's Request: The applicant is requesting a street discontinuance to vacate portions of right-of-way near the intersection of West Prospect Avenue and South Douglas Street.

BACKGROUND

In 2020, the configuration of the Prospect Avenue and Douglas Street intersection changed as part of the Prospect Avenue reconstruction project. Through this project, the street and sidewalk alignment was adjusted. As a result, the areas proposed for vacation are no longer needed for public right-of-way.

STAFF ANALYSIS

Title to Vacated Street: When vacated, the land reverts to its original source, which in this case includes the parcels located adjacent to the proposed vacation areas. Title to the vacated part of Prospect Avenue will belong to the adjoining property owner to the south. As shown on the attached map, the owner of parcel #31-3-1617-00 will acquire the vacated right-of-way totaling approximately 1,468 square feet. Title to the vacated part of Douglas Street will belong to the adjoining property owner to the east. As shown on the attached map, the owner of parcel #31-3-1523-00 will acquire the vacated right-of-way totaling approximately 1,174 square feet.

Existing Public Utilities: The City will retain an easement for all existing utilities and any future utilities deemed necessary within the entire length and width of the vacated right-of-way.

Street Classification: The City's Arterial/Collector Plan Map identifies this portion of Prospect Avenue as a collector street and this portion of Douglas Street as a local street.

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 institutional in nature.

Street Vacation – West Prospect Avenue and South Douglas Street

April 13, 2021

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North: R-1B Single-Family District and P-I Public Institutional District. The adjacent land uses to the north are currently residential and institutional (Xavier High School).

South: R-1B Single-Family District. The adjacent land uses to the south are currently single-family residential.

East: R-1B Single-Family District. The adjacent land uses to the east are currently single-family residential.

West: R-1B Single-Family District and P-I Public Institutional District. Existing Prospect Avenue and Douglas Street right-of-way is immediately west of the subject areas.

Comprehensive Plan 2010-2030: The City of Appleton *Comprehensive Plan 2010-2030* Future Land Use Map identifies this area with a future One and Two-Family Residential designation. The proposed street vacation is consistent with the following excerpts from the *Comprehensive Plan 2010-2030*.

OBJECTIVE 6.8 Transportation:

Implement transportation improvements which also support the City's desired land use, housing and neighborhood goals, objectives, and policies.

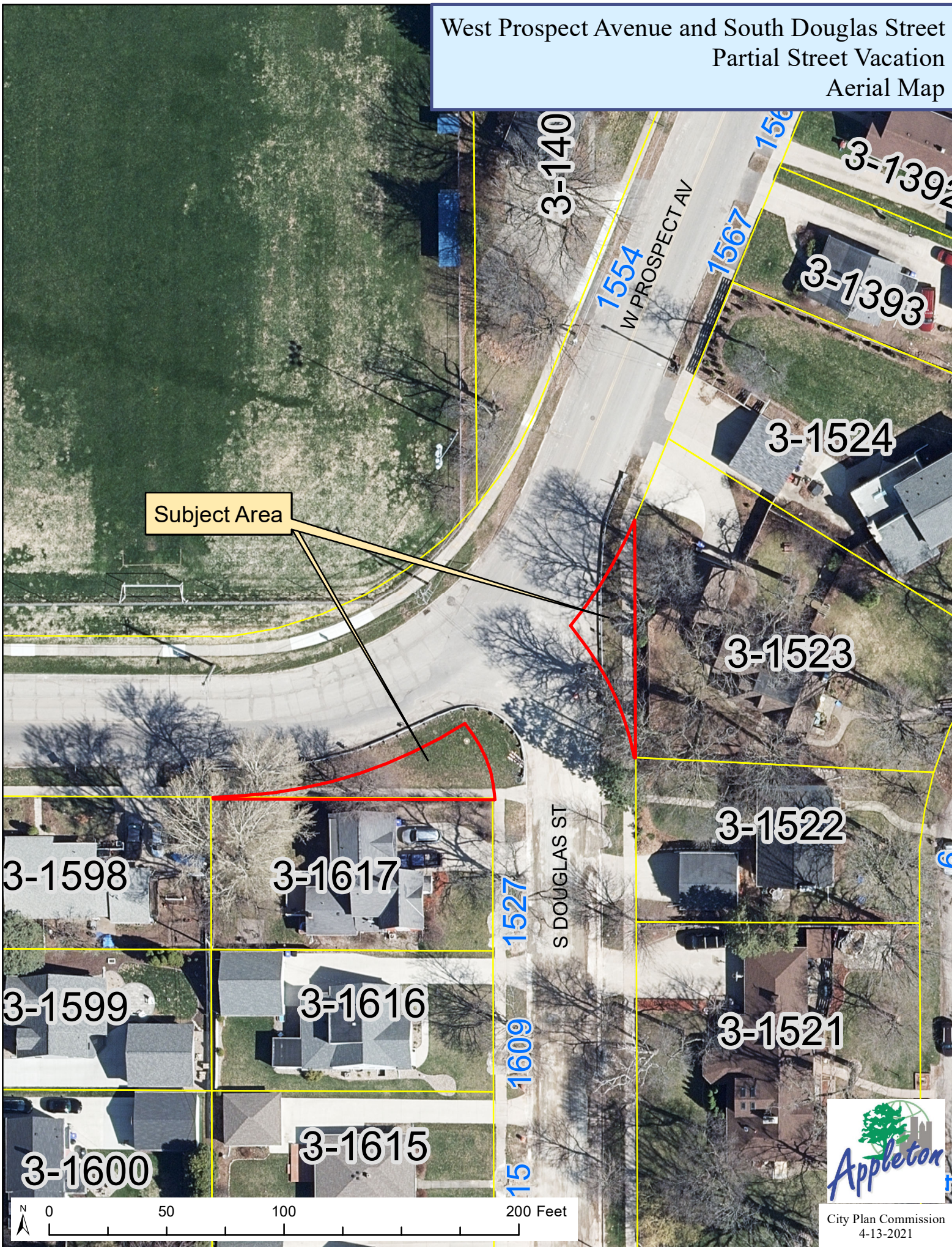
Policy 6.8.3 Design neighborhood streets that will serve local transportation needs, enhance safety and livability, and improve neighborhood quality.

Technical Review Group (TRG) Report: This item appeared on the March 23, 2021 TRG agenda. No negative comments were received from participating departments.

RECOMMENDATION

Staff recommends the discontinuance of portions of West Prospect Avenue and South Douglas Street public right-of-way, as shown on the attached map and legal description, pending approval by the Municipal Services Committee, and the adoption of the Initial Resolution, **BE APPROVED**.

West Prospect Avenue and South Douglas Street
Partial Street Vacation
Aerial Map



Subject Area

3-1598

3-1617

3-1599

3-1616

3-1600

3-1615

3-140

1554
W PROSPECT AV
1567

3-1392

3-1393

3-1524

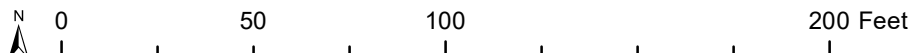
3-1523

3-1522

3-1521

1527
S DOUGLAS ST

1609



City Plan Commission
4-13-2021

INITIAL RESOLUTION

WHEREAS, the public interest requires that a part of West Prospect Avenue and a part of South Douglas Street, that have not previously been vacated, be vacated and discontinued,

BE IT RESOLVED, that the Common Council of the City of Appleton, Wisconsin, hereby determines that the public interest requires that a part of West Prospect Avenue and a part of South Douglas Street, City of Appleton, Outagamie County, Wisconsin, as hereinafter described, is hereby vacated and discontinued pursuant to §66.1003 of the Wisconsin Statutes.

LEGAL DESCRIPTION

A part of Douglas Street, being located in the Government Lot Three (3), Fractional Southwest Quarter (SW ¼) of Section Thirty-Four (34), Township Twenty-One (21) North, Range Seventeen (17) East, City of Appleton, Outagamie County, Wisconsin, containing 1,174 Sq. Ft. of land and being further described as follows:

Commencing at the West Quarter corner of said Section 34:

Thence South 89°45'50" East 1392.02 feet coincident with the North line of the Fractional SW ¼ of said Section 34;

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Thence continue South 00°13'29" East 101.34 feet coincident with the East line of Douglas Street;

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Thence Northeasterly 52.82 feet along the arc of a curve to the left having a radius of 189.14 feet and the chord of which bears North 31°11'04" East 52.65 feet to the point of beginning.

And

A part of Prospect Avenue, being located in Government Lot Three (3) and Government Lot Four (4), Fractional Southwest Quarter (SW ¼) of Section Thirty-Four (34), Township Twenty-One (21) North, Range Seventeen (17) East, City of Appleton, Outagamie County, Wisconsin, containing 1,468 Sq. Ft. of land and being further described as follows:

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and Douglas Street and also being the Northeast corner of Lot 20, Block 1, Rivercrest Subdivision and being the Point of Beginning;

Thence North 89°50'32" West 120.00 feet coincident with the North line of Lot 20 of said Block 1 to the Northwest corner thereof and also being coincident with the South line of Prospect Avenue;

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Thence Southeasterly 30.28 feet along the arc of a curve to the right having a radius of 50.00 feet and the chord of which bears South 18°54'42" East 29.82 feet to the point of beginning.

See also attached Exhibit "A" for illustration.

EASEMENTS

The City of Appleton their heirs, successors and or assigns (Grantee) hereby retain an easement for any and all existing utilities and also any future utilities deemed necessary or desirable by Grantee within the vacated right of way, including but not limited to, storm sewer, drainage, sanitary sewer, watermain, gas, electric, cable and fiber- optic within the entire length and width of the above described right of way.

It is further agreed that this easement shall be a permanent easement.

It is further agreed that Grantee shall have the right to install, regrade, replace, relocate, operate, maintain, resize and repair any and all of these utilities and their associated appurtenances. It is further agreed that after installing, regrading, replacing, relocating, operating, maintaining, resizing or repairing of these utilities and their 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. Buildings or any other type of permanent structure shall not be placed over Grantees' facilities or in, upon or over said easement area. This easement includes the right to operate any and all equipment deemed necessary by Grantee to perform said activities. Grantee agrees that it shall give timely notice to the Grantor of routine maintenance work.

COMMON DESCRIPTION:

A part of West Prospect Avenue and a part of South Douglas Street

FURTHER RESOLVED, that the City Clerk of the City of Appleton be authorized and directed to give notice required by §66.1003 of the Wisconsin Statutes.

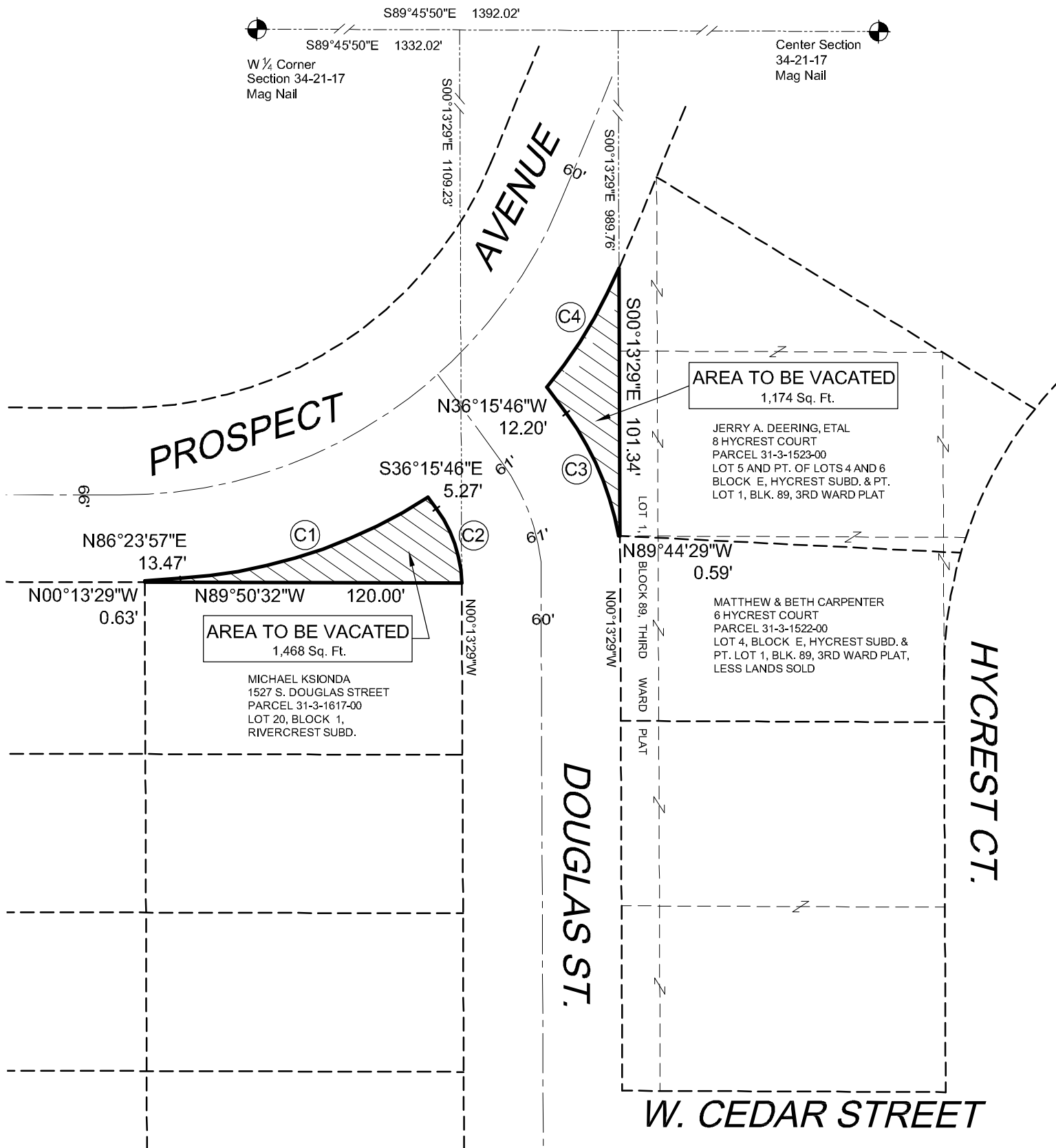
FURTHER RESOLVED, that according to §66.1005 of the Wisconsin Statutes, upon vacation and discontinuance of said part of West Prospect Avenue and part of South Douglas Street, title to the above-described streets shall belong to the adjoining property owners and shall acquire an ownership interest in the entire area being vacated as shown on the attached Exhibit Map.

Date

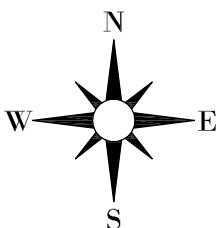
City Law A21-0230
3/29/2021

EXHIBIT "A"

A part of Prospect Avenue lying adjacent to Lot Twenty (20), Block One (1), **RIVERCREST SUBD.** and a part of Douglas Street lying adjacent to a part of Lot One (1), Block Eighty-Nine (89), **THIRD WARD PLAT**, according to the recorded Assessor's Map, all being located in the Government Lot Three (3) and Government Lot Four (4) of Section Thirty-Four (34), Township Twenty-One (21) North, Range Seventeen (17) East, City of Appleton, Outagamie County, Wisconsin



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C3	111.00'	50.90'	50.46'	N23°07'34"W
C4	189.14'	52.82'	52.65'	N31°11'04"E



BEARINGS ARE REFERENCED TO WISCONSIN COUNTY COORDINATES, OUTAGAMIE COUNTY

CITY OF APPLETON
 DEPT. OF PUBLIC WORKS
 ENGINEERING DIVISION
 100 NORTH APPLETON STREET
 APPLETON, WI 54911
 920-832-6474

DRAFTED BY: T. KROMM

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REPORT TO CITY PLAN COMMISSION

Plan Commission Meeting Date: April 13, 2021

Common Council Meeting Date: April 21, 2021

Item: Detachment of Territory – Coop Road

Case Manager: David Kress, Principal Planner

GENERAL INFORMATION

Owner/Applicant: City of Appleton

Location: Portion of Coop Road, generally located north of Midway Road

Petitioner's Request: Owner is requesting to detach land from the City of Appleton to the Village of Harrison, pursuant to Section 66.0227 of the Wisconsin State Statutes.

Purpose for Detachment: To carry out a responsibility identified in an Intergovernmental Cooperation Agreement between the City of Appleton and Village of Harrison.

Population of Such Territory: 0

Detachment Area: 4.0 acres m/l

BACKGROUND

The subject area was annexed to the City with the Southeast Industrial Park #3 Annexation, which was approved by Common Council in 1995. The land was annexed from the Town of Harrison at that time.

On December 2, 2020, Common Council approved an Intergovernmental Cooperation Agreement between the City of Appleton and Village of Harrison. The agreement deals with the pavement resurfacing project for Coop Road. The fully executed agreement is attached for reference. Stipulation #2 of the agreement states that the City shall undertake the tasks required for detachment of the subject road right-of-way.

STAFF ANALYSIS

The Community and Economic Development Department staff has reviewed the detachment petition and identifies the following:

- The area proposed for detachment is adjacent to parcels currently located in the Village of Harrison. Detachment of the area in question is consistent with the Intergovernmental Cooperation Agreement between the City and Village.

Detachment of Territory – Coop Road
April 13, 2021
Page 2

- Currently, the subject area consists of an existing asphalt rural road within the road right-of-way. The City has not installed sewer and water infrastructure within this right-of-way.
- In this area, the proposed detachment would result in roughly half of the existing Coop Road right-of-way being located in the Village of Harrison. The area west of the Coop Road centerline would remain in the City.
- After detachment, the existing zoning district boundary lines would be shifted to the centerline of the road right-of-way to account for the change in municipal boundaries.
- The detachment of territory is governed by Section 66.0227(2) of State Statutes. This statute indicates that if Common Council approves the detachment as proposed, the Village must then adopt an ordinance accepting the territory within 60 days after enactment.

Surrounding Zoning Classification and Land Uses:

North: Village of Harrison. Existing Coop Road right-of-way is immediately north of the subject area.

South: Village of Harrison. Existing Coop Road right-of-way is immediately south of the subject area.

East: Village of Harrison. The adjacent land uses to the east are currently a mix of residential uses.

West: M-1 Industrial Park District. The adjacent land use to the west is currently agricultural (undeveloped, for sale lots located in Southpoint Commerce Park).

Appleton Comprehensive Plan 2010-2030: The City of Appleton *Comprehensive Plan 2010-2030* identifies this area with the future Business / Industrial designation. The proposed detachment is consistent with the following objective and policy of the *Comprehensive Plan 2010-2030*.

OBJECTIVE 11.1 Intergovernmental Cooperation:

Maintain a positive relationship with local area governments to foster collaboration on issues of mutual concern.

Policy 11.1.1 Ensure continued discussion between Appleton and neighboring municipalities and counties, including both elected officials and department staff. Continue to partner with Outagamie, Winnebago, and Calumet counties to serve City residents in an efficient manner.

Technical Review Group (TRG) Report: This item appeared on the March 23, 2021 TRG agenda. No negative comments were received from participating departments.

FUTURE ACTIONS

If Common Council approves the detachment as proposed, the Village must then adopt an ordinance for attachment of said lands within 60 days, pursuant to Section 66.0227(2) of State Statutes. The anticipated

Detachment of Territory – Coop Road
April 13, 2021
Page 3

timeline for completion of the City’s tasks has been shared with Village representatives and is set forth in the agreement between the municipalities.

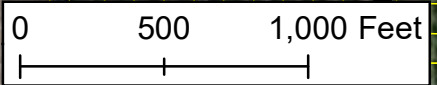
RECOMMENDATION

Staff recommends that the detachment of territory from the City of Appleton to the Village of Harrison, for the part of Coop Road described in the attached petition and shown on the attached maps, **BE APPROVED.**

Detachment of Territory
City of Appleton to Village of Harrison
Coop Road
Aerial Map



City Plan Commission
4-13-2021



**PETITION FOR DETACHMENT OF LAND FROM THE CITY OF APPLETON
TO THE VILLAGE OF HARRISON**

The undersigned, representing all owners of the land lying within the area described below and shown on the attached scale map, in accordance with s. 66.0227 Wis. Stats., petition to detach said land from the City of Appleton, Calumet County, Wisconsin to the Village of Harrison, Calumet County, Wisconsin, to-wit:

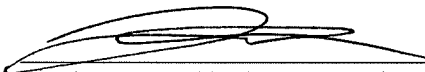
A part of the West One-Half (W ½) of the Northwest Quarter (NW ¼) of Section 3, part of the West One-half (W ½) of the Southwest Quarter (SW ¼) of Section 3 and a part of the Northwest Quarter (NW ¼) of the Northwest Quarter (NW ¼) of Section 10, Township 20 North, Range 18 East, City of Appleton, Calumet County, Wisconsin, containing 4.0 Acres m/l of road right of way and being all that part of the City of Appleton lying East of the following described line:

Commencing at a point on the West line of the Northwest ¼ corner of said Section 3, lying North 00°31'53" East 1,798.73 feet from the West ¼ corner thereof and being the point of beginning;
Thence South 00°31'53" West 1,798.73 feet along the West line of the NW ¼ of said Section 3 to the West ¼ corner thereof;
Thence South 00°14'16" West 2,636.69 feet along the West line of the SW ¼ of said Section 3 to the Southwest corner thereof;
Thence South 00°30'32" West 40.00 feet along the West line of the NW ¼ of said Section 10 to the terminus of the afore described line.

Area of land (public right-of-way) to be detached contains 4.0 acres m/l.

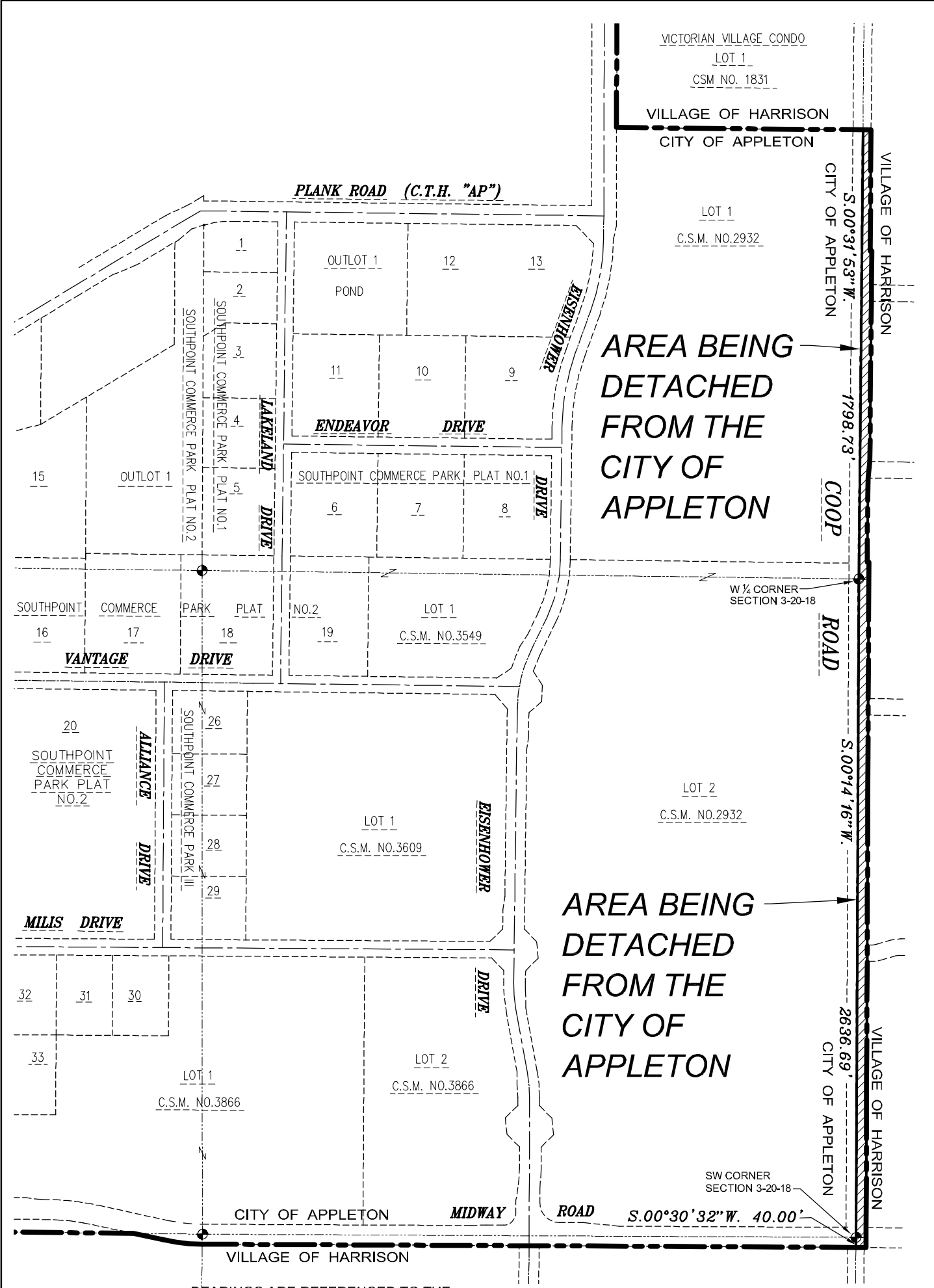
The current population of such territory is 0.

Dated the 24th day of March, 2021.

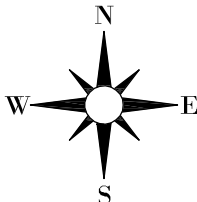
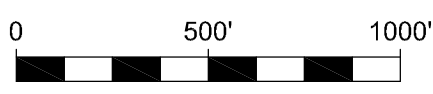


Jacob A. Woodford, Mayor, City of Appleton

EXHIBIT "A"



BEARINGS ARE REFERENCED TO THE WISCONSIN COUNTY COORDINATE SYSTEM, CALUMET COUNTY, WEST LINE OF THE SW 1/4 SECTION 3, T.20N., R.18E.; WHICH BEARS N00°14'16"E
 H:\Acad\Annex\2021\Coop Road_Detach_0302_2021



CITY OF APPLETON
 DEPT. OF PUBLIC WORKS
 ENGINEERING DIVISION
 100 NORTH APPLETON STREET
 APPLETON, WI 54911
 920-832-6474
 DRAFTED BY: T. KROMM

**INTERGOVERNMENTAL COOPERATION AGREEMENT BETWEEN
CITY OF APPLETON AND VILLAGE OF HARRISON
COOP ROAD**

The Parties to this Intergovernmental Cooperation Agreement (hereinafter the "Agreement") are the City of Appleton (hereinafter the "City") and the Village of Harrison (hereinafter the "Village").

RECITALS

WHEREAS, the boundaries between the City and Village have been established with the incorporation of the Village; and

WHEREAS, Coop Road is a significant boundary along the eastern edge of the City; and

WHEREAS, the majority of the Coop Road boundary is in the City;

NOW THEREFORE, the parties agree as follows:

1. The statutory authority for this Agreement is under Wis. Stat. §§66.0301(1)-(5).
2. Within 60 days of this Agreement, the City shall begin the process to detach from its incorporated boundaries, from the centerline of Coop Road to the Village limits and extending from Lorna Lane to Midway Road, said stretch shall thereafter be attached to the Village. As "owner" of the lands under said area to be detached, the City shall undertake the tasks required for detachment identified in Wis. Stat. §66.0227(1); and thereafter as soon as reasonably possible and practical adopt an ordinance for detachment pursuant to Wis. Stat. §66.0227(2); thereafter, within 60 days, the Village shall adopt an ordinance for attachment of said land pursuant to Wis. Stat. §66.0227(2).
3. The City shall resurface Coop Road, from Midway Road to Lorna Lane, with asphalt pavement in 2021.
4. In exchange for the foregoing, the Village shall pay the City \$120,000 towards the Coop Road asphalt resurfacing project based on the overall percentage of the project within the new Village boundary (56%). Said payment from the Village to the City shall be made within thirty (30) days of the resurfacing project's substantial completion.
5. The posted speed limit for the shared portion of Coop Road shall be mutually agreed upon by the City and Village.

Dated this 9 day of February, 2020.

SIGNATURES BEGIN ON THE FOLLOWING PAGE

VILLAGE OF HARRISON

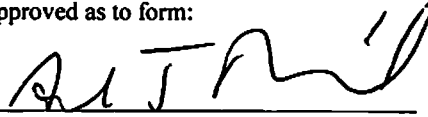
By: 
Kevin M. Hietpas, Village President

By: 
Jennifer Weyenberg, Village Clerk

Provision has been made to pay the liability that will accrue under this contract

Approved as to form:


Jennifer Weyenberg, Clerk-Treasurer


Andrew J. Rossmeissl, Village Attorney

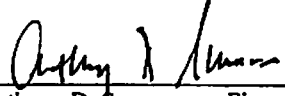
CITY OF APPLETON

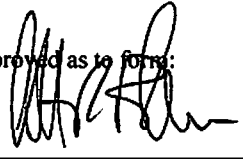
By: 
Jacob A. Woodford, Mayor

By: 
Kami Lynch, City Clerk

Provision has been made to pay the liability that will accrue under this contract

Approved as to form:


Anthony D. Saucerman, Finance Director
City Law: 20-0263


Christopher R. Behrens, City Attorney



REPORT TO CITY PLAN COMMISSION

Plan Commission Meeting Date: April 13, 2021

Common Council Meeting Date: April 21, 2021

Item: Final Plat – Apple Ridge 2

Prepared By: Don Harp, Principal Planner

GENERAL INFORMATION

Owner/Applicant: Apple Tree - Appleton Four, LLC c/o Jason Mroz

Consulting Engineering Firm: Davel Engineering & Environmental, Inc. (John Davel, P.E. and James R. Sehloff, P.L.S.)

Location: East of the first phase of Apple Ridge subdivision (See zoning and aerial maps)

Tax Id Numbers: 31-1-8307-00, 31-1-8307-03, 31-1-8307-04, and 31-1-8307-05

Petitioner's Request: The applicant is proposing to subdivide the property for single-family residential development (Phase 2 of the Apple Ridge Community).

BACKGROUND

The subject property was included in the Apple Ridge Annexation that was approved by the Plan Commission on August 7, 2018 and by the Common Council on August 15, 2018. The subject property was officially annexed to the City on August 21, 2018.

Rezoning #9-18 from Temporary AG Agricultural District to R-1B Single-Family District was approved by the Common Council on September 19, 2018.

The Final Plat for Apple Ridge (Phase 1) was approved by the Plan Commission on October 9, 2018 and by the Common Council on October 17, 2018.

Special Use Permit #7-18 for a private recreational facility constructed on Lot 1 of Apple Ridge (Phase 1) subdivision was approved on December 5, 2018 by the Common Council.

The Preliminary Plat for Apple Ridge 2 was approved by the Plan Commission on February 9, 2021 and by the Common Council on February 17, 2021.

STAFF ANALYSIS

Existing Conditions: The subject area to be subdivided is currently undeveloped. The land area to be platted for single-family residential development totals 34.3711 acres, which will be divided into 92 lots and 3 outlots. Outlots 8 and 10 will be used for stormwater management purposes. Outlot 9 will be deed restricted, in regard to ownership, to Lot 8 of Apple Ridge (Phase 1).

Comparison between Final Plat and Preliminary Plat: The Final Plat is consistent with the Preliminary Plat layout in terms of the shape, size, and location of the lots.

Zoning Ordinance Review Criteria: Lot development standards (Section 23-93 R-1B Single-family district of the Municipal Code) are as follows:

- Minimum lot area: Six thousand (6,000) square feet.
 - *Proposed lot numbers 79-170 range in size from 8,236 square feet to 36,283 square feet. The size of the outlots are as follows: Outlot 8 (17,110 square feet), Outlot 9 (482 square feet, per modification granted by the Common Council on February 17, 2021) and Outlot 10 (100,319 square feet).*

Note: Per Final Plat Note #1, Outlot 9 will be deed restricted in regard to ownership to Lot 8 of Apple Ridge (Phase 1). If, in the future, these lots are combined together by a Certified Survey Map, Plan Commission and Council approval will be required because the lots were platted in different plats.

- Minimum lot width: Fifty (50) feet.
 - *The typical lot dimensions for the proposed lots are 57 feet x 150 feet. All lots and outlots appear to satisfy 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 setbacks for buildings and structures 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:

- On February 17, 2021, the Common Council granted relief at the Preliminary Plat approval stage for the following regulations: 1) The two (2) length to one (1) width ratio, per Section 17-26(g) of the Municipal Code for Lots 87-89, 109-110, 116, 120-123, 133 and 159-169, 2) The minimum lot area requirement of 6,000 square feet, per Section 17-3(c)(6) and Section 23-93(g)(1) of the Municipal Code for Outlot 9 which is 482 square feet, and 3) The requirement which says lots shall abut on a public street or an approved access, per Section 17-26 (c)(1) for Outlot 8 that does not abut a dedicated public street but will be accessed from Outlot 7 (stormwater pond site) located in Apple Ridge (Phase 1).

Access and Traffic: Vehicular access to the subject lots will be provided by extending Baldeagle Drive and Harrier Lane from Apple Ridge (Phase 1), which will allow the construction of Kestrel Circle. Ultimately, Baldeagle Drive will connect to Lighting Drive extended.

Surrounding Zoning Classification and Current Land Uses:

North: City Zoning: R-1B Single-Family District
Town of Grand Chute Zoning: AGD General Agricultural District
Current Land Uses – Undeveloped single family lot and Agricultural

South: Town of Grand Chute Zoning: AGD General Agricultural District
Current Land Uses – Residential and Agricultural

East: Town of Grand Chute Zoning: AGD General Agricultural District
Current Land Use – Agricultural

West: City Zoning: R-1B Single-Family District
Current Land Use – Single-family residential and wetland/floodplain/navigable stream corridor

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 designation 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. For lots zoned R-1B Single-Family District, park fees are \$300 per lot for a total of \$27,600.

Plat Progress and Technical Review Group (TRG) Report:

- 3-15-21 - Preliminary Plat Application, Plat Review Fee and Plat Maps submitted to City Hall.
- 3-19-21 - Item added to the March 23, 2021 TRG Agenda and distributed to City staff.
- 4-6-21 - City Surveyor conditions of approval 4-13 in the recommendation section of the report received.
- 4-8-21 - DPW (Engineering): The Stormwater Management Plan is currently under review and comments from the stormwater consultant are pending. The Final Plat can proceed to Plan Commission and Common Council with understanding that any major changes to the Final Plat as a result of the stormwater review comments may require a revised Final Plat to be acted on by the Plan Commission and Common Council.
- 4-8-21 - Final Plat filed with City Clerk's Office.

Review and Decision by Plan Commission: The Plan Commission shall, within 30 days of the date of the filing of Final Plat with the City Clerk, recommend approval, conditional approval or denial of the plat to the Common Council, unless time is extended by agreement in writing between the City and Owner.

Review and Decision by Common Council: The Common Council shall, after receipt of the Plan Commission recommendation and within 60 days of the date of the filing of Final Plat with the City Clerk, approve, approve with conditions or deny the plat, unless time is extended by agreement in writing between the City and Owner.

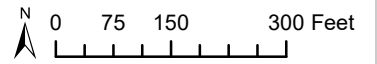
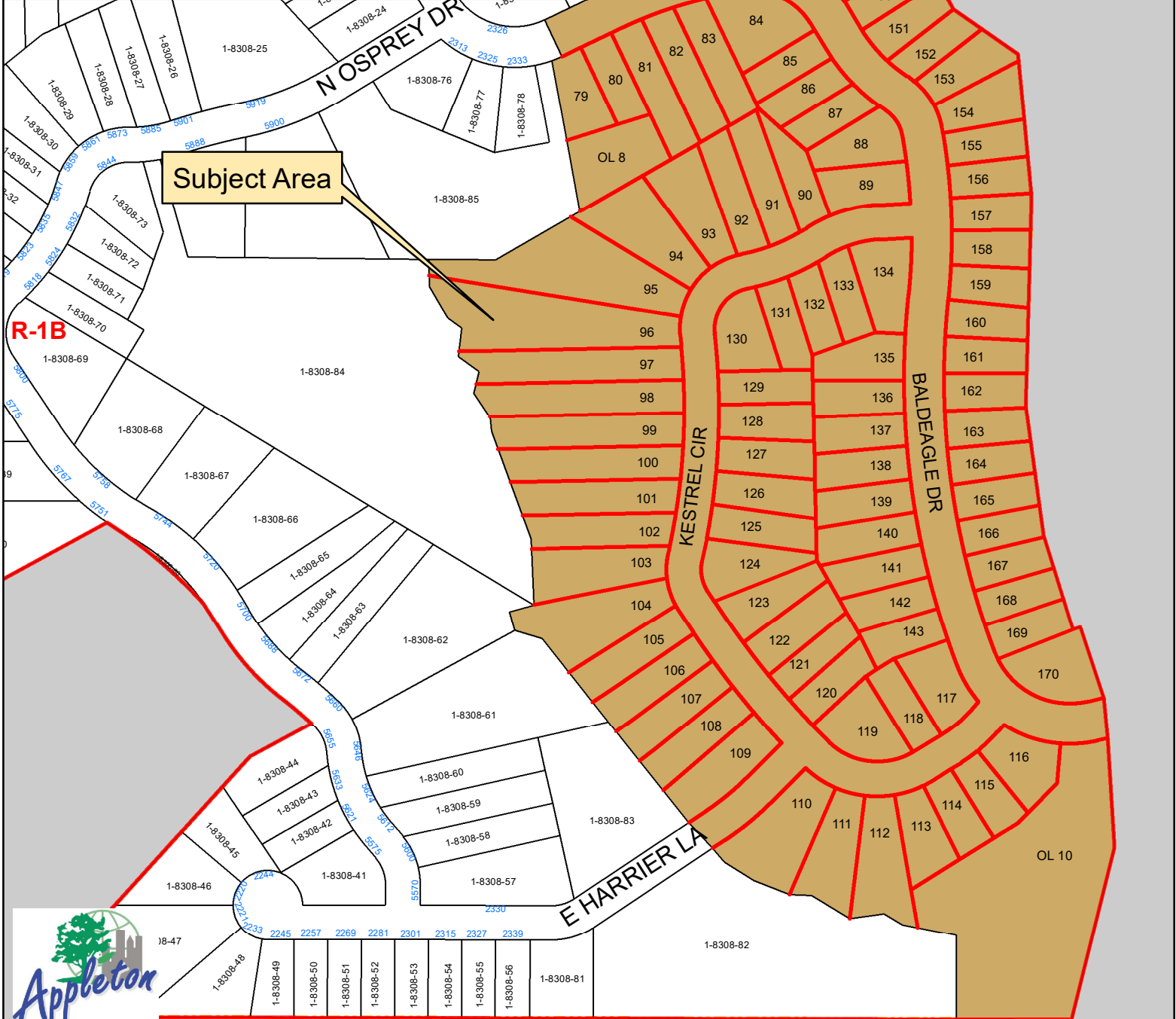
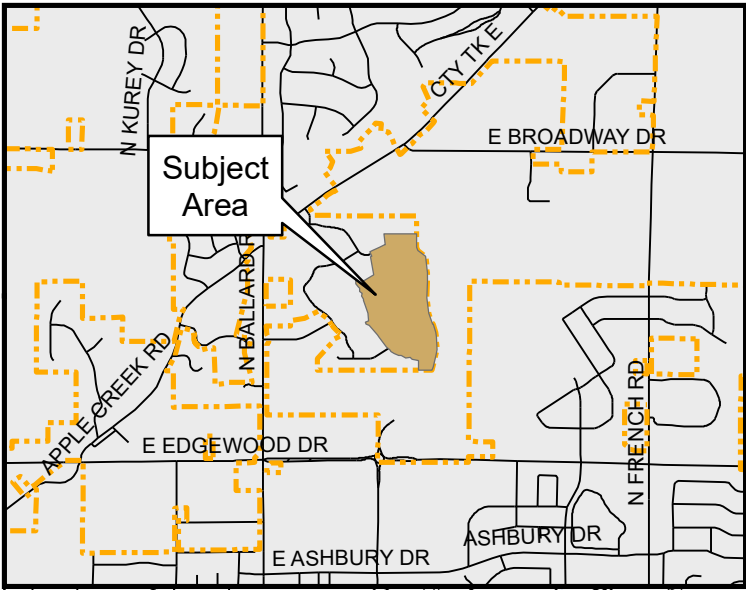
RECOMMENDATION

The Apple Ridge 2 Final Plat, as shown on the attached maps, **BE APPROVED** subject to the following conditions:

1. A Development Agreement is required between the City and applicant that identifies the duties and responsibilities with respect to development of the subject land.
2. 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.
3. The following streets within the Final Plat are to be classified as follows:
 - a. Baldeagle Drive: Collector Street
 - b. Kestrel Circle: Local Street
 - c. Harrier Lane: Local Street
4. Remove all instances of the phrase “Dedicated to the Public for Storm Water Management” from all the sheets of the plat that are shown within the proposed outlots. The City prefers to have these storm water management areas deeded to the City based on the conditions outlined in the Development Agreement.
5. The monument lengths listed on Sheet 1 do not comply with City Municipal Code Section 17-12(e), revise as necessary.
6. Label Outlot 9 on Sheet 1.
7. Label the East/West line running through Lots 93, 94, 95, 133, 134 and 158 or identify it in the Legend on Sheet 1.
8. Label the North/South dashed line running through Baldeagle Drive, Lots 80, 81, OL 8, and 94-107 or identify it in the Legend on Sheet 1.

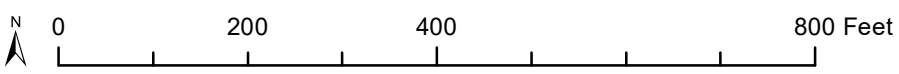
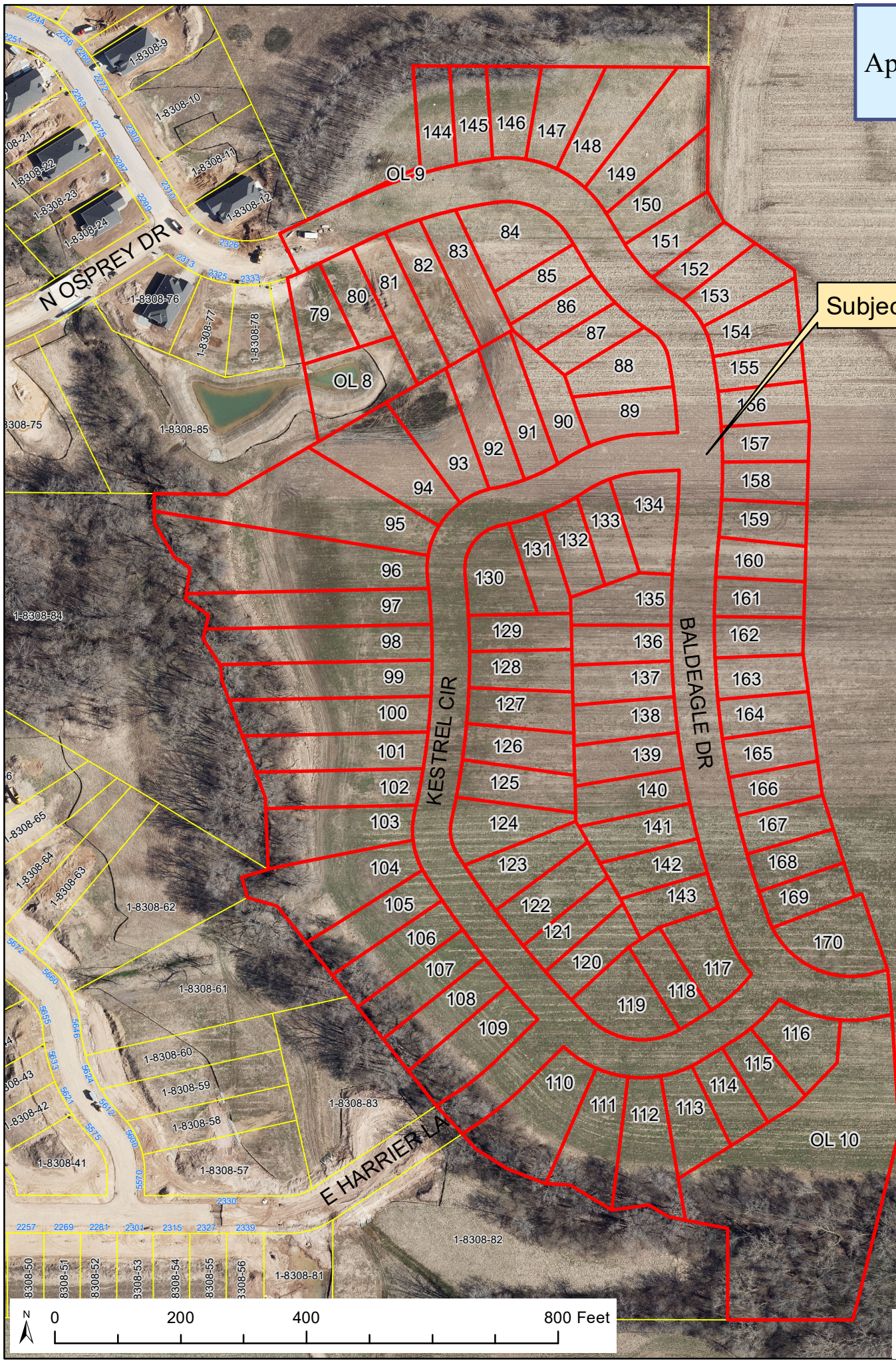
9. Ordinary High Water Mark (OHWM) is not legible on Sheets 1-4, revise as necessary.
10. Remove Note 2 from Sheet 6.
11. A cursory review of the line and curve data tables on Sheet 5 revealed errors in L6 and C118, revise as necessary.
12. Provide additional dimensions for the Landscape Easement shown running through Lot 170. The additional dimensions should be sufficient enough to map the limits of the easement.
13. There is a 20' drainage easement shown along the East side of Lots 154 and 155 and possibly Lot 158. It appears that some of the line work may be missing for this easement, revise as necessary.
14. Prior to City signatures being affixed to the Final Plat, park fees shall be paid to the City of Appleton Finance Department pursuant to Section 17-29 of the Municipal Code. For lots zoned R-1B Single-Family District, park fees are \$300 per lot for a total of \$27,600.
15. The Final Plat shall be recorded within 12 months from the approval date of the last approving authority and within 36 months from the approval date of the first approving authority. Failure to do so requires the subdivider to recommence the entire procedure for Final Plat approval.

Final Plat Apple Ridge 2 Zoning Map



Final Plat Apple Ridge 2 Aerial Map

Subject Area

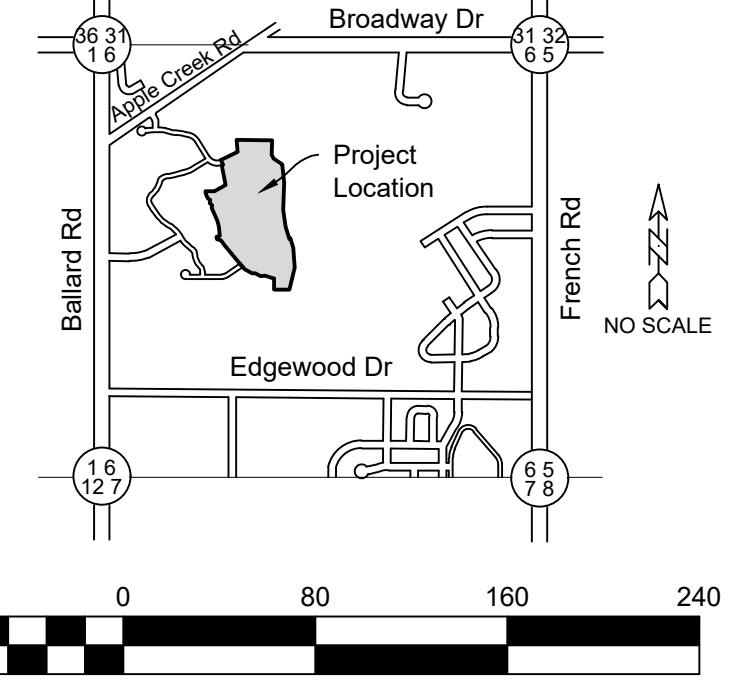


Apple Ridge 2

Part of the Southwest 1/4 of the Fractional Northwest 1/4; part of the Southeast 1/4 of the Fractional Northwest 1/4; part of Northeast 1/4 of the Fractional Southwest 1/4 and part of Lot 2 CSM 3863, located in part of the Northwest 1/4 of the fractional Southwest 1/4 all being part of Section 06, Township 21 North, Range 18 East, City of Appleton, Outagamie County, Wisconsin.

LOCATION MAP

NW 1/4 SEC 6, T 21 N, R 18 E,
TOWN/CITY OF GRAND CHUTE
OUTAGAMIE COUNTY, WI



Bearings are referenced to the West line of the Southwest 1/4, Section 06, T21N, R18E, assumed to bear N00°09'08"W, based on the Outagamie County Coordinate System.

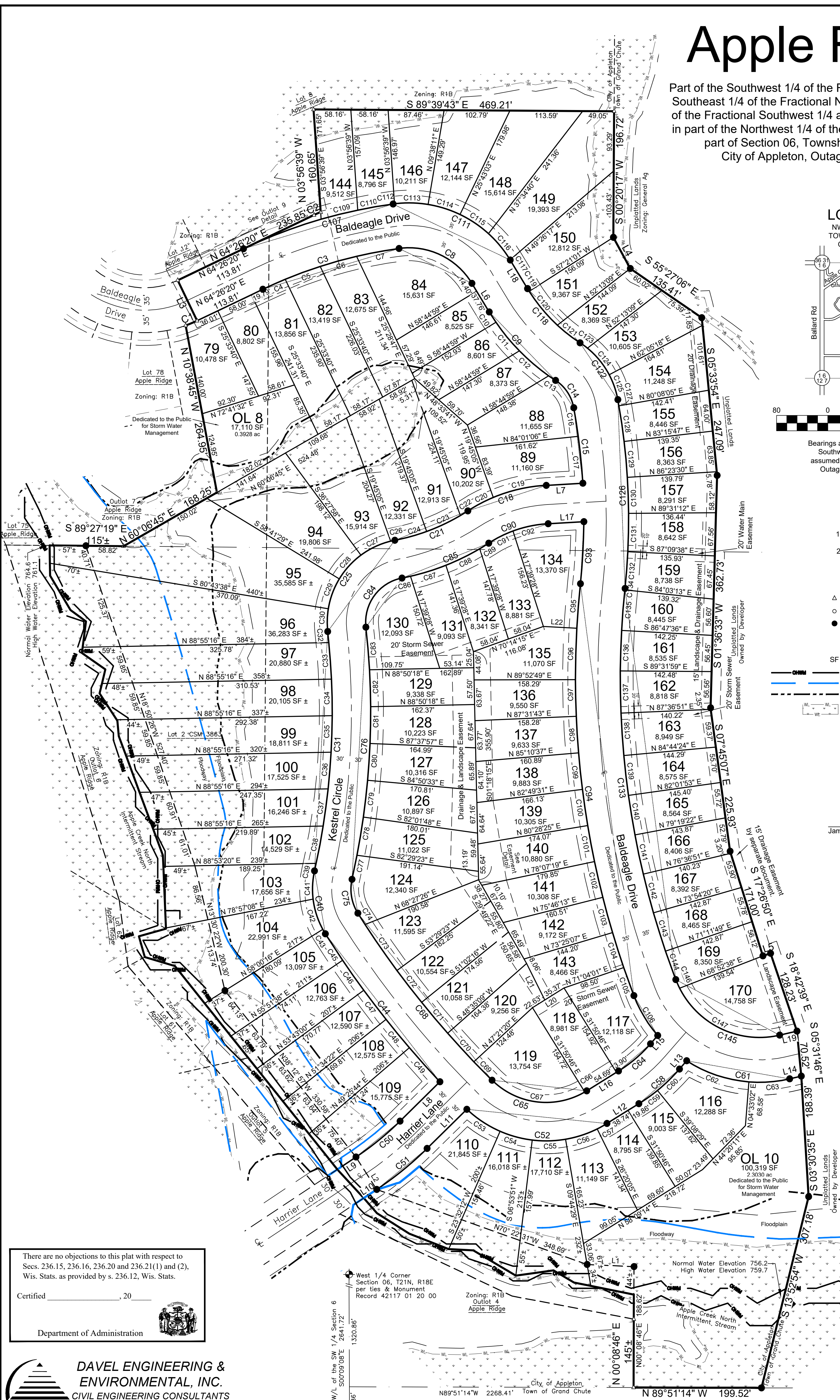
NOTES

- All linear measurements have been made to the nearest one hundredth of a foot.
- All bearings are computed and measured to the nearest second.

LEGEND

- △ 1 1/2" Rebar Found
- 3/4" Rebar Found
- 1 1/2" x 18" Steel Rebar @ 4.30lbs/LF SET
- All Other Corners
- 3/4" x 18" Steel Rebar @ 1.50lbs/LF SET
- SF Lot Areas In Square Feet
- Floodway
- Floodway
- Floodplain
- Delineated Wetlands

James R. Sehloff PLS 2692 Date



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

Apple Ridge 2

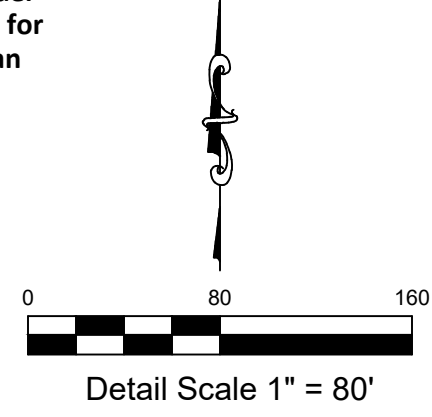
Part of the Southwest 1/4 of the Fractional Northwest 1/4; part of the Southeast 1/4 of the Fractional Northwest 1/4; part of Northeast 1/4 of the Fractional Southwest 1/4 and part of Lot 2 CSM 3863, located in part of the Northwest 1/4 of the fractional Southwest 1/4 all being part of Section 06, Township 21 North, Range 18 East, City of Appleton, Outagamie County, Wisconsin.

Shoreland Zoning Setback Exhibit:

- Construction or placement of structures is prohibited within the shoreland setback area. The following requirements apply as excerpted from Appleton Municipal Cod Sec. 23-754:
- (a) There shall be established a shoreland setback area of at least fifty (50) feet from the ordinary high water mark.
 - (c) 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.
 - (d) 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.
 - (e) The person who is required to maintain or establish a vegetative buffer zone under paragraph (c) above, 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.

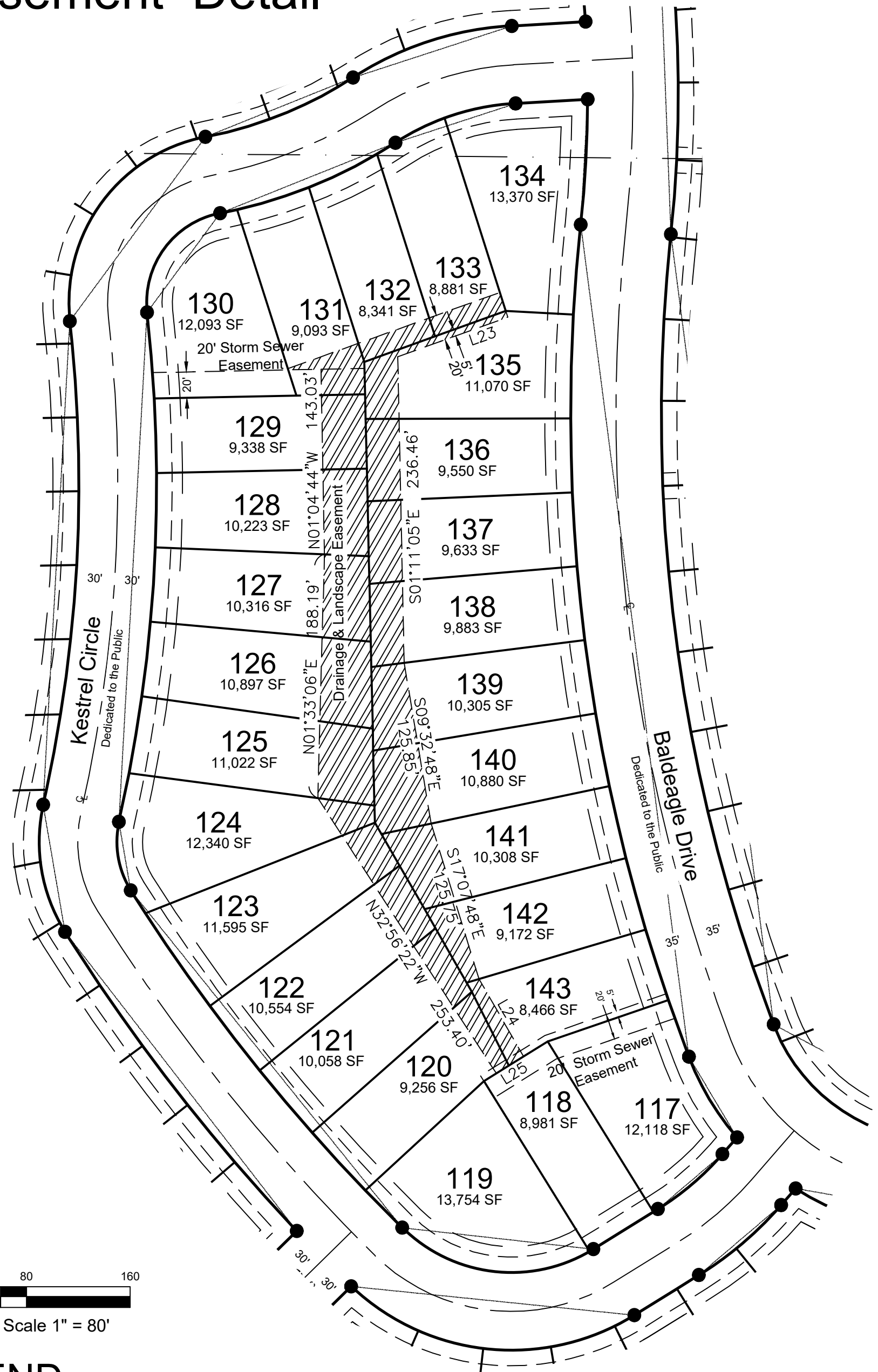
LEGEND

- 50' Setback From OHWM
- Meets & Bounds linework



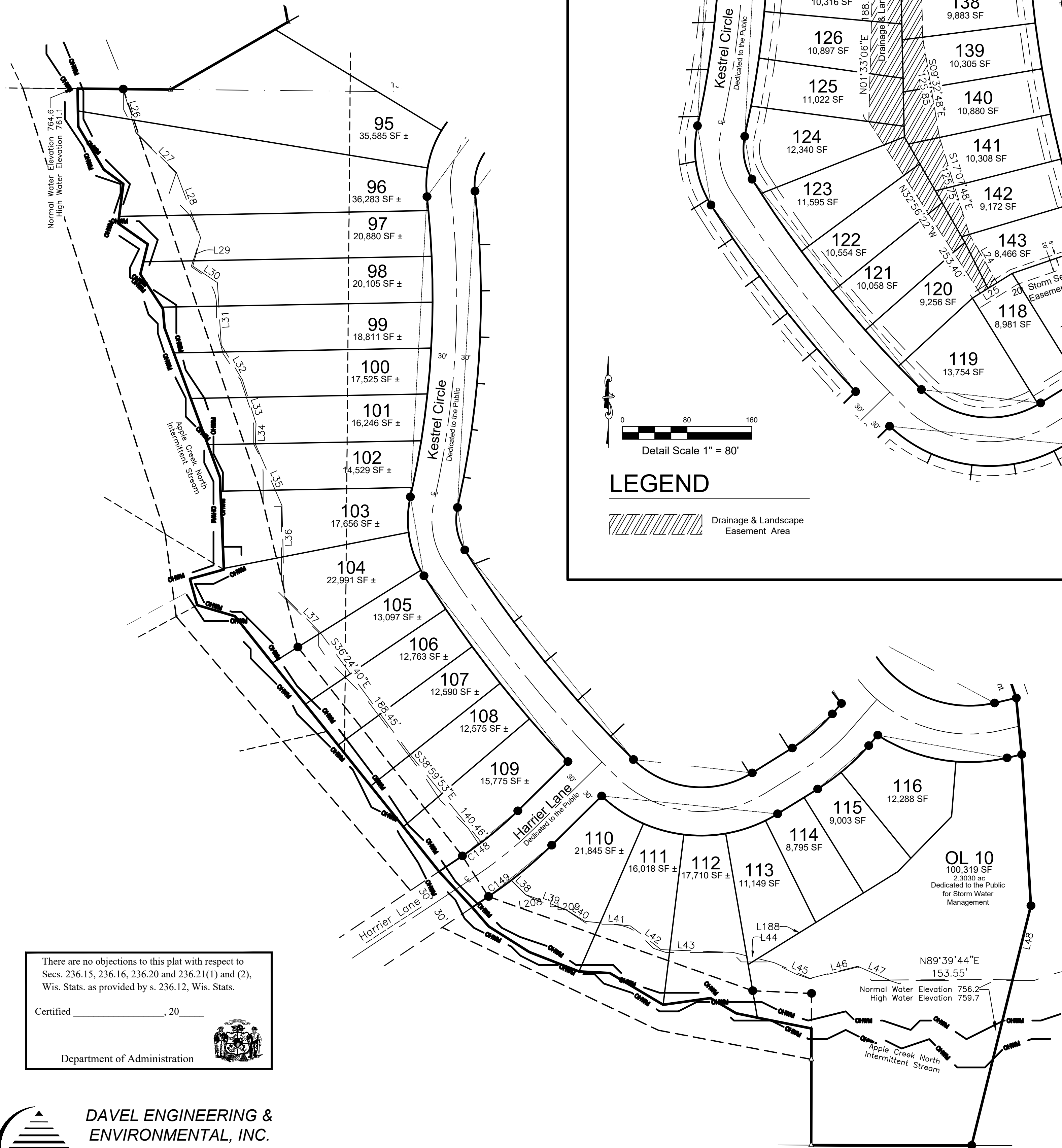
This exhibit is a representation of current conditions and regulations, at the time of platting. Per the City's current interpretation of City of Appleton code 17.12(b)(2) dimensioned location of these lines is required. Due to changing nature of environmental conditions and regulatory nature of wetlands, flood plain and ordinary high water mark these dimensions should only act as a guide and actual field conditions and/or legislative regulations are held over dimensions shown on this map.

Drainage & Landscape Easement Detail



LEGEND

- Drainage & Landscape Easement Area



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.

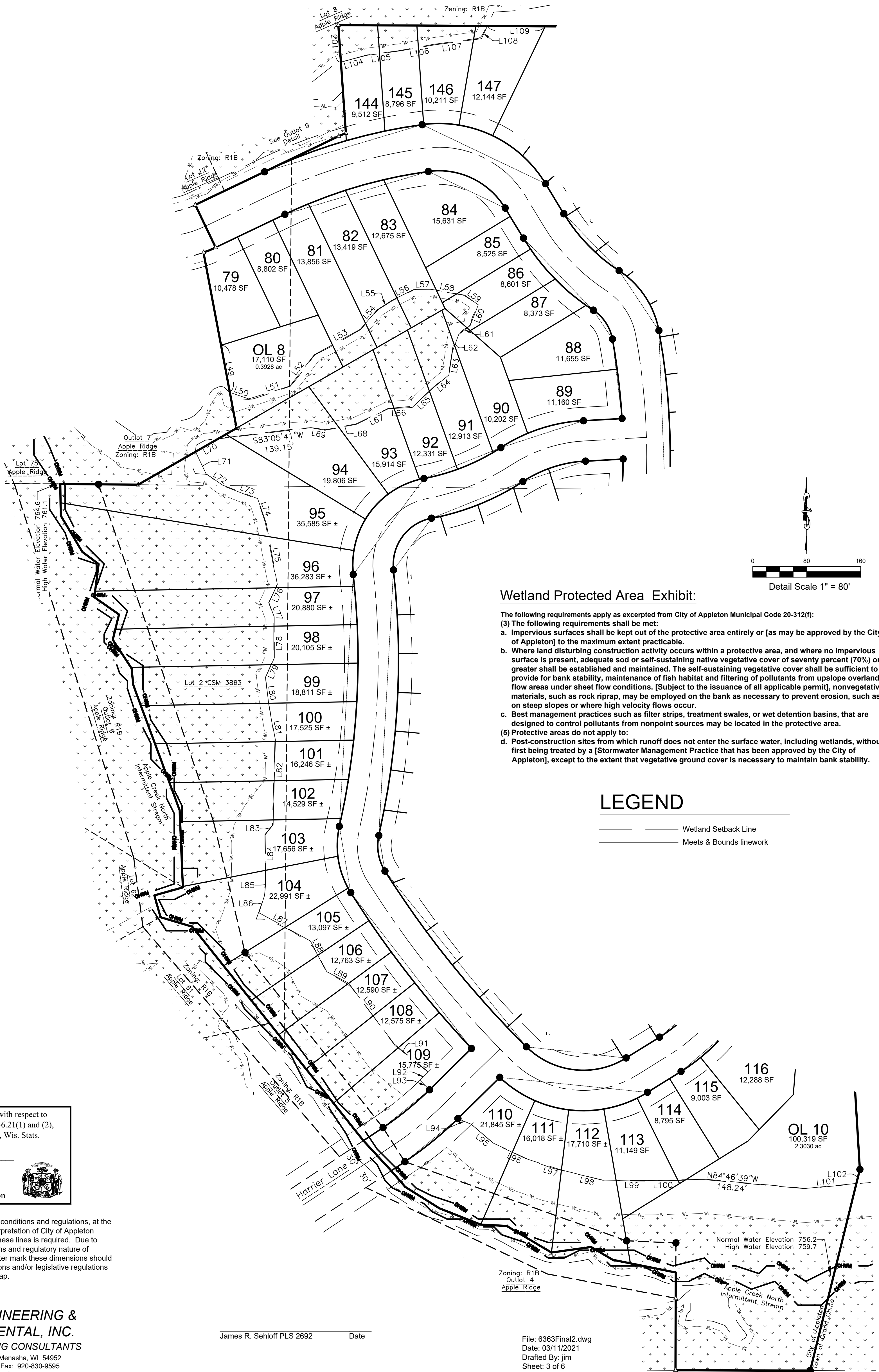
Certified _____, 20__

Department of Administration



Apple Ridge 2

Part of the Southwest 1/4 of the Fractional Northwest 1/4; part of the Southeast 1/4 of the Fractional Northwest 1/4; part of Northeast 1/4 of the Fractional Southwest 1/4 and part of Lot 2 CSM 3863, located in part of the Northwest 1/4 of the fractional Southwest 1/4 all being part of Section 06, Township 21 North, Range 18 East, City of Appleton, Outagamie County, Wisconsin.



Wetland Protected Area Exhibit:

- The following requirements apply as excerpted from City of Appleton Municipal Code 20-312(f):
- (3) The following requirements shall be met:
- Impervious surfaces shall be kept out of the protective area entirely or [as may be approved by the City of Appleton] to the maximum extent practicable.
 - Where land disturbing construction activity occurs within a protective area, and where no impervious surface is present, adequate sod or self-sustaining native vegetative cover of seventy percent (70%) or greater shall be established and maintained. The self-sustaining vegetative cover shall be sufficient to provide for bank stability, maintenance of fish habitat and filtering of pollutants from upslope overland flow areas under sheet flow conditions. [Subject to the issuance of all applicable permit], nonvegetative materials, such as rock riprap, may be employed on the bank as necessary to prevent erosion, such as on steep slopes or where high velocity flows occur.
 - Best management practices such as filter strips, treatment swales, or wet detention basins, that are designed to control pollutants from nonpoint sources may be located in the protective area.
- (5) Protective areas do not apply to:
- Post-construction sites from which runoff does not enter the surface water, including wetlands, without first being treated by a [Stormwater Management Practice that has been approved by the City of Appleton], except to the extent that vegetative ground cover is necessary to maintain bank stability.

LEGEND

- Wetland Setback Line
- Meets & Bounds linework

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

This exhibit is a representation of current conditions and regulations, at the time of platting. Per the City's current interpretation of City of Appleton code 17.12(b)(2) dimensioned location of these lines is required. Due to changing nature of environmental conditions and regulatory nature of wetlands, flood plain and ordinary high water mark these dimensions should only act as a guide and actual field conditions and/or legislative regulations are held over dimensions shown on this map.

DAVEL ENGINEERING & ENVIRONMENTAL, INC.
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James R. Sehloff PLS 2692 Date

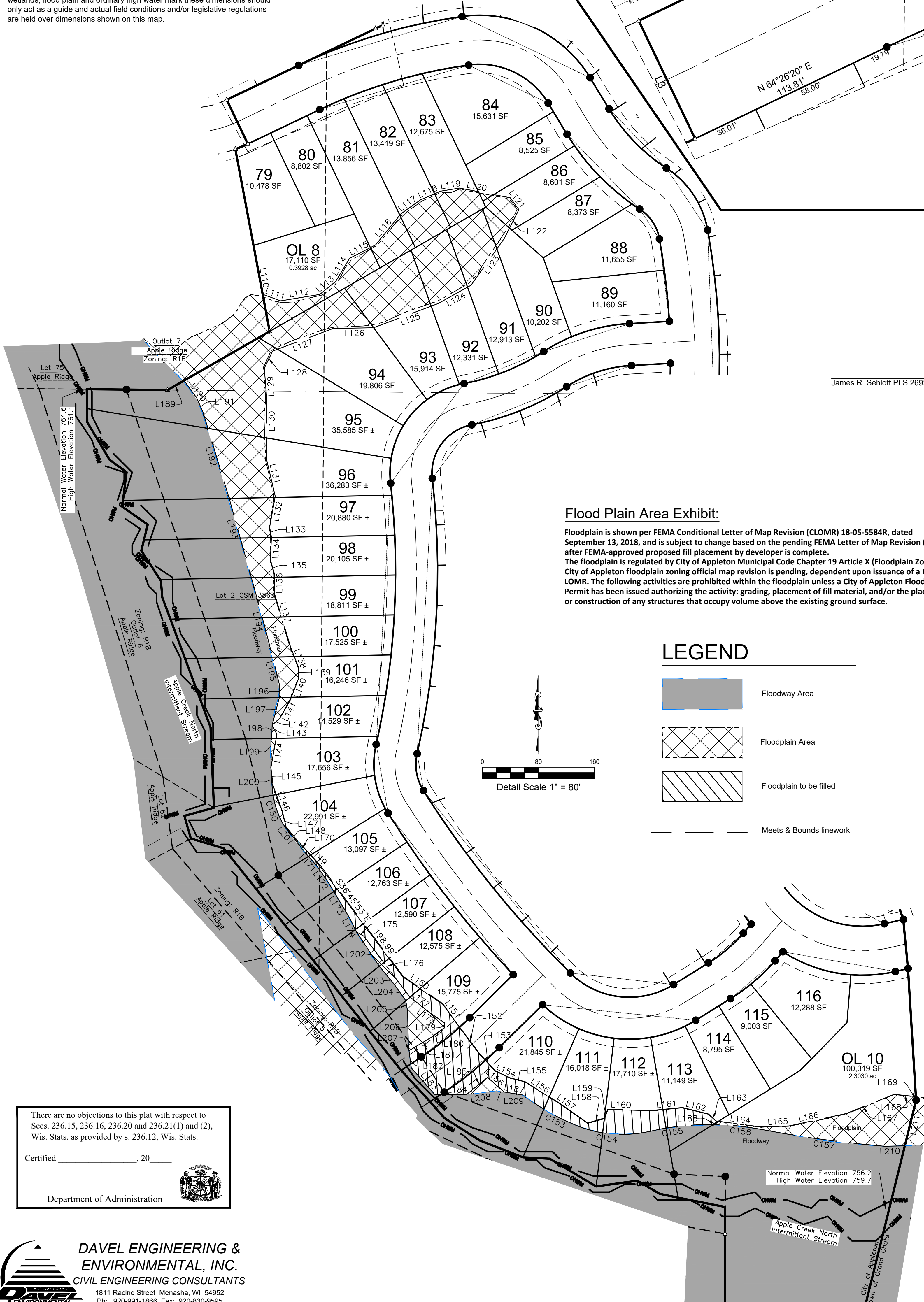
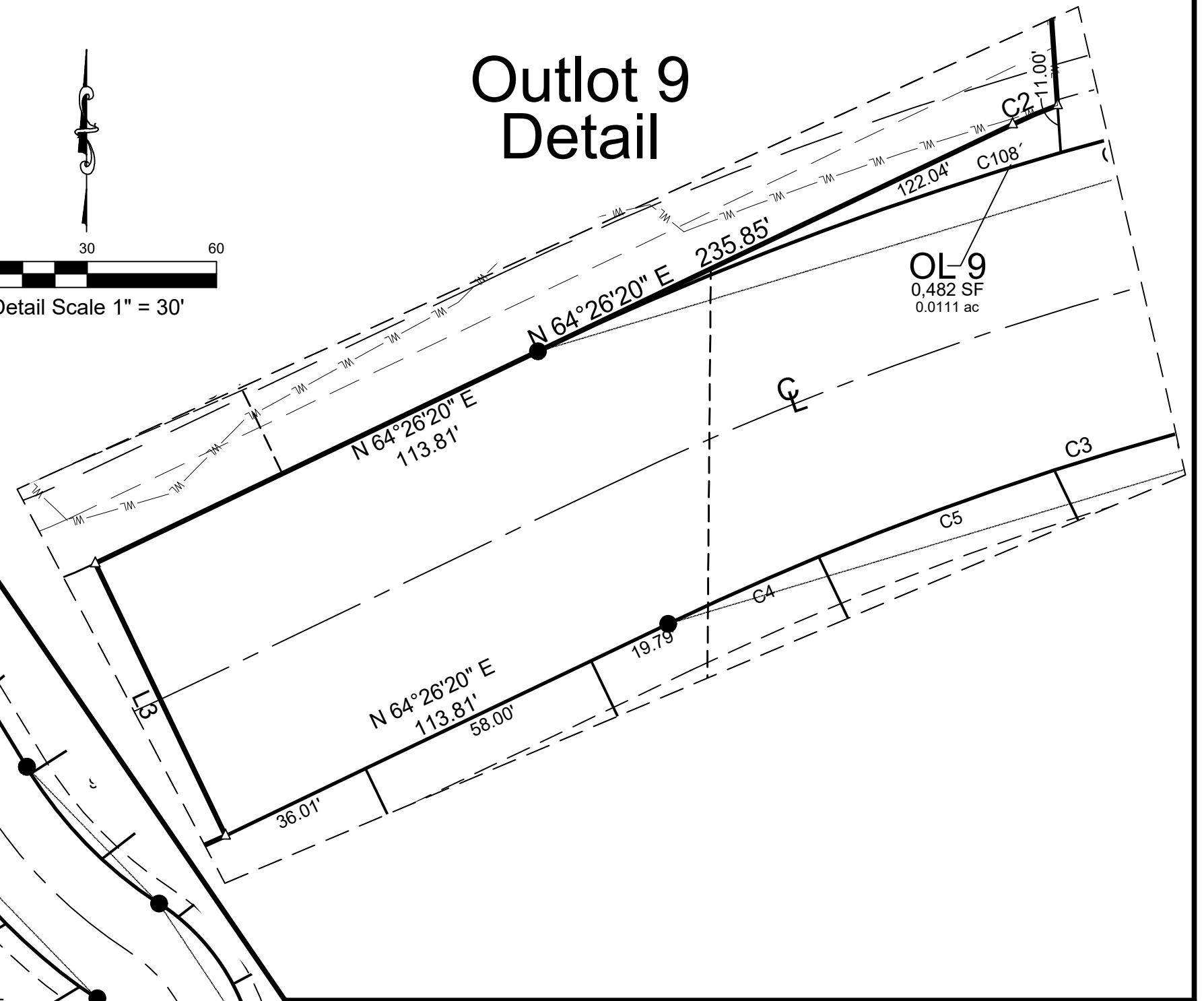
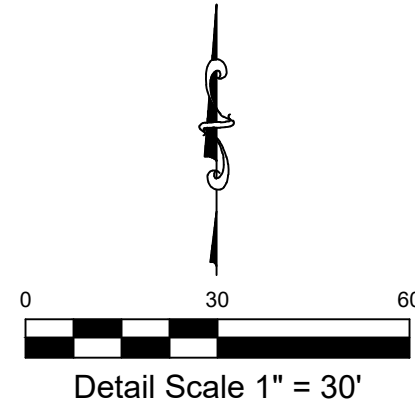
File: 6363Final2.dwg
 Date: 03/11/2021
 Drafted By: jim
 Sheet: 3 of 6
 Revision Date: Mar 11, 2021

Apple Ridge 2

Part of the Southwest 1/4 of the Fractional Northwest 1/4; part of the Southeast 1/4 of the Fractional Northwest 1/4; part of Northeast 1/4 of the Fractional Southwest 1/4 and part of Lot 2 CSM 3863, located in part of the Northwest 1/4 of the fractional Southwest 1/4 all being part of Section 06, Township 21 North, Range 18 East, City of Appleton, Outagamie County, Wisconsin.

This exhibit is a representation of current conditions and regulations, at the time of platting. Per the City's current interpretation of City of Appleton code 17.12(b)(2) dimensioned location of these lines is required. Due to changing nature of environmental conditions and regulatory nature of wetlands, flood plain and ordinary high water mark these dimensions should only act as a guide and actual field conditions and/or legislative regulations are held over dimensions shown on this map.

Outlot 9 Detail



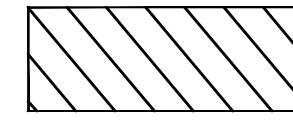
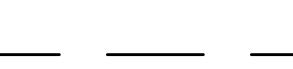


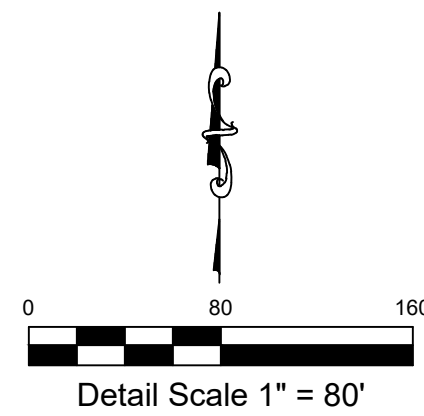
James R. Sehloff PLS 2692 Date

Flood Plain Area Exhibit:

Floodplain is shown per FEMA Conditional Letter of Map Revision (CLOMR) 18-05-5584R, dated September 13, 2018, and is subject to change based on the pending FEMA Letter of Map Revision (LOMR) after FEMA-approved proposed fill placement by developer is complete. The floodplain is regulated by City of Appleton Municipal Code Chapter 19 Article X (Floodplain Zoning). A City of Appleton floodplain zoning official map revision is pending, dependent upon issuance of a FEMA LOMR. The following activities are prohibited within the floodplain unless a City of Appleton Floodplain Permit has been issued authorizing the activity: grading, placement of fill material, and/or the placement or construction of any structures that occupy volume above the existing ground surface.

LEGEND

-  Floodway Area
-  Floodplain Area
-  Floodplain to be filled
-  Meets & Bounds linework



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

File: 6363Final2.dwg
 Date: 03/11/2021
 Drafted By: jim
 Sheet: 4 of 6
 Revision Date: Mar 11, 2021

Apple Ridge 2

Part of the Southwest 1/4 of the Fractional Northwest 1/4; part of the Southeast 1/4 of the Fractional Northwest 1/4; part of Northeast 1/4 of the Fractional Southwest 1/4 and part of Lot 2 CSM 3863, located in part of the Northwest 1/4 of the fractional Southwest 1/4 all being part of Section 06, Township 21 North, Range 18 East, City of Appleton, Outagamie County, Wisconsin.

LINE TABLE		
Line	Bearing	Length
L1	S 87°23'17" E	73.24'
L2	S 32°45'52" E	60.01'
L3	N 25°33'40" W	70.00'
L4	S 28°25'33" E	55.45'
L5	S 71°17'21" W	12.59'
L6	S 31°15'01" E	37.76'
L7	N 86°40'29" E	57.13'
L8	N 45°25'37" E	67.37'
L9	N 56°23'11" E	33.93'
L10	S 56°23'11" W	24.26'
L11	S 45°25'37" W	87.19'
L12	N 58°09'14" E	38.74'
L13	N 41°02'27" E	17.14'
L14	N 76°55'16" E	18.68'
L15	N 41°02'27" E	17.14'
L16	N 86°40'27" E	55.81'
L17	S 31°15'01" W	52.16'
L18	N 77°06'07" E	27.72'
L19	N 58°00'14" E	35.37'
L20	S 26°32'14" E	63.71'
L21	S 87°00'46" E	52.27'
L22	N 70°14'15" E	90.27'
L23	S 29°49'22" E	68.87'
L24	S 58°00'14" W	24.75'
L25	S 16°32'17" E	56.47'
L26	S 45°15'07" E	70.31'
L27	S 20°25'15" E	86.60'
L28	S 15°24'36" W	36.65'
L29	S 56°11'20" E	36.93'
L30	S 03°27'25" E	77.68'
L31	S 31°09'54" E	50.80'
L32	S 17°30'45" E	56.49'
L33	S 01°57'18" W	25.78'
L34	S 23°20'51" E	83.63'
L35	S 01°22'57" E	112.76'
L36	S 44°49'35" E	63.64'
L37	S 44°34'52" E	25.13'
L38	S 69°32'37" E	53.45'
L39	S 58°33'53" E	28.11'
L40	S 84°19'28" W	56.46'
L41	S 52°14'55" W	48.28'
L42	S 87°45'49" E	89.41'
L43	S 76°01'40" E	52.54'
L44	S 66°17'36" E	48.65'
L45	N 75°46'21" E	61.40'
L46	S 66°18'44" E	42.74'
L47	S 13°52'54" W	94.27'
L48	N 10°38'45" W	71.01'
L49	S 70°57'23" E	29.60'
L50	N 57°38'28" E	63.87'
L51	N 37°56'50" E	58.95'
L52	N 61°05'19" E	77.85'
L53	N 40°54'44" E	38.42'
L54	N 57°20'02" E	25.94'
L55	N 63°40'07" E	37.13'
L56	N 89°22'32" E	22.50'
L57	N 80°03'31" E	52.53'
L58	S 54°44'18" E	24.98'
L59	S 21°27'24" W	33.16'
L60	S 52°18'56" W	21.43'
L61	S 20°27'49" W	26.50'
L62	S 08°45'15" W	35.70'
L63	S 50°45'02" W	30.74'
L64	S 46°38'13" W	41.83'
L65	S 07°06'30" W	35.40'
L66	S 64°09'45" W	52.93'
L67	S 79°09'17" W	47.08'
L68	N 79°37'09" W	21.18'
L69	N 60°06'45" W	37.95'
L70	N 25°31'44" W	36.15'
L71	N 55°36'45" W	30.15'
L72	N 68°55'31" W	55.20'
L73	N 19°24'25" W	38.76'
L74	N 10°14'26" W	92.21'
L75	N 24°44'40" W	29.65'
L76	N 20°19'36" W	22.41'
L77	N 00°13'37" W	60.83'
L78	N 24°20'34" W	31.62'
L79	N 06°36'40" W	37.93'
L80	N 10°26'33" W	56.18'
L81	N 01°32'06" W	125.64'
L82	N 38°26'13" E	19.10'
L83	N 00°50'50" W	70.15'
L84	N 05°38'51" E	19.96'
L85	N 17°49'51" E	26.70'
L86	N 61°10'13" W	86.89'
L87	N 28°16'31" W	51.87'
L88	N 62°20'19" W	36.58'
L89	N 36°49'51" W	112.70'
L90	N 50°46'28" W	65.03'
L91	N 44°57'32" E	17.54'
L92	N 44°34'23" W	20.00'
L93	S 67°34'34" E	21.73'
L94	N 49°17'30" W	43.18'
L95	N 65°07'28" W	56.74'
L96	N 72°11'09" W	51.51'
L97	N 76°16'30" W	63.00'
L98	N 89°17'16" W	66.14'
L99	S 88°39'41" W	86.98'

LINE TABLE		
Line	Bearing	Length
L101	S 84°30'49" W	75.71'
L102	N 13°52'54" E	21.50'
L103	S 03°56'39" E	55.03'
L104	N 75°18'52" E	39.37'
L105	N 82°20'10" E	49.87'
L106	N 80°01'00" E	52.38'
L107	N 82°34'12" E	69.76'
L108	N 25°28'25" E	20.89'
L109	S 89°39'43" E	85.54'
L110	S 10°38'45" E	71.15'
L111	S 70°06'41" E	27.45'
L112	N 80°32'50" E	56.58'
L113	N 50°36'42" E	29.29'
L114	N 31°08'53" E	38.36'
L115	N 62°42'02" E	41.87'
L116	N 39°18'03" E	57.64'
L117	N 54°18'28" E	34.02'
L118	N 66°44'56" E	31.42'
L119	N 80°52'04" E	27.35'
L120	S 79°19'01" E	73.60'
L121	S 36°03'21" E	21.10'
L122	S 26°56'07" W	45.91'
L123	S 35°19'17" W	82.31'
L124	S 60°58'58" W	53.77'
L125	S 69°25'35" W	98.53'
L126	S 88°54'58" W	57.71'
L127	S 69°34'39" W	92.43'
L128	S 25°42'56" W	27.15'
L129	S 04°22'00" E	46.63'
L130	S 00°11'02" W	83.84'
L131	S 13°09'28" E	54.11'
L132	S 10°08'36" E	44.90'
L133	S 17°30'45" E	14.46'
L134	S 03°04'49" W	31.95'
L135	S 16°16'11" E	21.24'
L136	S 00°28'22" W	27.19'
L137	S 16°40'09" E	81.29'
L138	S 21°46'56" E	30.99'
L139	S 00°52'52" E	15.10'
L140	S 21°20'45" W	35.19'
L141	S 29°47'02" W	28.24'
L142	S 47°35'45" W	15.16'
L143	S 27°02'44" E	14.63'
L144	S 10°09'20" W	48.32'
L145	S 07°04'41" E	26.19'
L146	S 20°01'42" E	38.13'
L147	S 13°21'30" E	23.93'
L148	S 39°47'14" E	26.45'
L149	S 42°55'58" E	45.66'
L150	S 55°23'57" E	69.12'
L151	S 35°00'57" E	28.91'
L152	S 36°50'13" E	59.34'
L153	S 42°11'58" E	32.92'
L154	S 64°15'50" E	23.30'
L155	S 75°21'54" E	22.91'
L156	S 57°58'23" E	60.86'
L157	S 54°36'22" E	46.07'
L158	N 73°51'57" E	24.65'
L159	N 22°20'39" E	13.92'
L160	S 88°20'34" E	63.11'
L161	N 84°28'47" E	43.94'
L162	S 75°45'27" E	38.48'
L163	S 45°44'40" E	13.99'
L164	S 82°22'58" E	65.06'
L165	N 87°51'43" E	40.43'
L166	N 77°44'24" E	83.67'
L167	N 66°11'05" E	73.66'
L168	S 84°02'40" E	31.17'
L169	S 03°40'49" E	5.09'
L170	S 31°57'14" E	18.64'
L171	S 41°38'22" E	25.82'
L172	S 34°32'49" E	30.76'
L173	S 30°44'10" E	58.50'
L174	S 26°02'38" E	21.06'
L175	S 60°35'12" E	11.67'
L176	S 37°09'20" E	108.73'
L177	S 51°17'00" E	33.51'
L178	S 55°25'24" E	28.78'
L179	S 02°06'00" W	7.15'
L180	S 53°56'23" W	23.58'
L181	S 58°58'35" W	36.62'
L182	S 07°24'24" E	24.76'
L183	S 41°36'24" E	50.49'
L184	S 89°38'42" E	45.47'
L185	N 50°48'35" E	38.71'
L186	S 48°32'11" E	31.54'
L187	S 81°01'39" E	27.55'
L188	S 56°42'45" W	9.07'
L189	N 60°06'45" E	37.12'
L190	S 36°21'09" E	20.71'
L191	S 23°50'26" E	22.43'
L192	S 16°48'24" E	128.00'
L193	S 15°41'20" E	133.63'
L194	S 15°06'14" E	69.05'
L195	S 14°09'48" E	73.79'
L196	S 02°14'22" E	15.47'
L197	S 14°34'01" W	43.81'
L198	S 01°45'57" W	60.62'
L199	S 01°45'57" W	60.62'
L200	S 03°45'14" E	33.87'

LINE TABLE		
Line	Bearing	Length
L201	S 38°04'43" E	46.86'
L202	S 33°31'42" E	57.85'
L203	S 39°34'43" E	33.96'
L204	S 35°20'18" E	28.70'
L205	S 10°44'12" E	15.72'
L206	S 00°57'53" E	48.39'
L207	S 07°24'24" E	8.00'
L208	N 83°00'26" E	43.25'
L209	S 81°01'39" E	10.85'
L210	N 88°49'19" E	29.04'
L211	N 13°52'54" E	67.21'

CURVE TABLE							
Curve	Radius	Chord Direction	Chord Length	Arc Length	Central Angle	Tangent Bearing-in	Tangent Bearing-out
C1	190.00'	N 67°21'15" E	19.33'	19.33'	5°49'49"	N 70°16'10" E	N 64°26'20" E
C2	130.00'	N 66°56'21" E	11.34'	11.34'	5°00'00"	N 64°26'20" E	N 69°26'21" E
C3	715.00'	N 73°22'11" E	221.99'	222.89'	17°51'41"	N 64°26'20" E	N 82°18'01" E
C4	715.00'	N 65°58'14" E	38.22'	38.22'	3°03'47"	N 64°26'20" E	N 67°30'07" E
C5	715.00'	N 69°50'13" E	58.26'	58.27'	4°40'11"	N 67°30'07" E	N 72°10'19" E
C6	715.00'	N 74°31'58" E	58.91'	58.93'	4°43'20"	N 72°10'19" E	N 76°53'38" E
C7	715.00'	N 79°35'50" E	67.44'	67.47'	5°24'23"	N 76°53'38" E	N 82°18'01" E
C8	115.00'	S 64°28'30" E	126.02'	133.37'	66°26'58"	N 82°18'01" E	S 31°15'01" E
C9	335.00'	S 44°04'34" E	148.74'	149.98'	25°39'08"	S 31°15'01" E	S 56°54'08" E
C10	335.00'	S 32°53'48" E	19.25'	19.26'	3°17'36"	S 31°15'01" E	S 34°32'36" E
C11	335.00'	S 39°28'28" E	57.59'	57.66'	9°51'44"	S 34°32'36" E	S 44°24'20" E
C12	335.00'	S 49°32'48" E	60.04'	60.12'	10°16'54"	S 44°24'20" E	S 54°41'15" E
C13	335.00'	S 55°47'42" E	12.95'	12.95'	2°12'54"	S 54°41'15" E	S 56°54'08" E
C14	65.00'	S 33°39'14" E	51.31'	52.75'	46°29'48"	S 56°54'08" E	S 10°24'20" E
C15	960.00'	S 06°51'56" E	118.56'	118.63'	7°04'49"	S 10°24'20" E	S 03°19'31" E
C16	960.00'	S 09°03'33" E	45.11'	45.12'	2°41'34"	S 10°24'20" E	S 07°42'46" E
C17	960.00'	S 05°31'09" E	73.50'	73.51'	4°23'15"	S 07°42'46" E	S 03°19'31" E
C18	250.00'	N 71°55'16" E	128.42'	129.87'	29°45'54"	N 57°02'19" E	N 86°48'13" E
C19	250.00'	N 77°05'48" E	84.31'	84.71'	19°24'51"	N 67°23'22" E	N 86°48'13" E
C20	250.00'	N 62°12'50" E	45.10'	45.16'	10°21'04"	N 57°02'19" E	N 67°23'22" E
C21	320.00'	N 68°06'21" E	122.86'	123.62'	22°08'05"	N 79°10'23" E	N 57°02'19" E
C22	320.00'	N 58°15'34" E	13.64'	13.64'	2°26'31"	N 59°28'49" E	N 57°02'19" E
C23	320.00'	N 64°42'16" E	58.27'	58.35'	10°26'53"	N 69°55'42" E	N 59°28'49" E
C24	320.00'	N 74°33'03" E	51.58'	51.63'	9°14'41"	N 79°10'23" E	N 69°55'42" E
C25	130.00'	N 36°21'29" E	176.70'	194.29'	85°37'48"	N 06°27'25" W	N 79°10'23" E
C26	130.00'	N 77°42'47" E	6.63'	6.63'	2°55'13"	N 76°15'10" E	N 79°10'23" E
C27	130.00'	N 64°53'36" E	51.21'	51.55'	22°43'08"	N 53°32'02" E	N 76°15'10" E
C28	130.00'	N 42°25'17" E	50.11'	50.43'	22°13'31"	N 31°18'31" E	N 53°32'02" E
C29	130.00'	N 20°17'27" E	49.69'	50.00'	22°02'10"	N 09°16'22" E	N 31°18'31" E
C30	130.00'	N 01°24'28" E	35.58'	35.69'	15°43'47"	N 06°27'25" W	N 09°16'22" E
C31	1120.00'	N 03°09'13" E	373.97'	375.72'	19°13'15"	N 12°45'50" E	N 06°27'25" W
C32	1120.00'	S 06°00'41" E	17.41'	17.41'	0°53'27"	S 05°33'58" E	S 03°12'25" E
C33	1120.00'	N 04°08'21" W	57.08'	57.09'	2°55'13"	N 02°38'45" W	N 05°33'58" W
C34	1120.00'	N 01°11'15" W	57.00'	57.01'	2°54'59"	N 00°16'14" E	N 02°38'45" W
C35	1120.00'	N 01°43'49" E	57.07'	57.07'	2°55'11"	N 03°11'25" E	N 00°16'14" E
C36	1120.00'	N 04°39'21" E					

Apple Ridge 2

Part of the Southwest 1/4 of the Fractional Northwest 1/4; part of the Southeast 1/4 of the Fractional Northwest 1/4; part of Northeast 1/4 of the Fractional Southwest 1/4 and part of Lot 2 CSM 3863, located in part of the Northwest 1/4 of the fractional Southwest 1/4 all being part of Section 06, 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 Apple Tree Appleton Four, LLC, owner of said land, I have surveyed divided and mapped Apple Ridge 2; that such plat correctly represents all exterior boundaries and the subdivision of the land surveyed; and that this land is part of the Southwest 1/4 of the Fractional Northwest 1/4; part of the Southeast 1/4 of the Fractional Northwest 1/4; part of Northeast 1/4 of the Fractional Southwest 1/4 and part of Lot 2 CSM 3863, located in part of the Northwest 1/4 of the fractional Southwest 1/4 all being part of Section 06, Township 21 North, Range 18 East, City of Appleton, Outagamie County, Wisconsin, containing 1,497,204 Square Feet (34.3711 Acres) of land, including all lands lying between the described meander line and the centerline of the Navigable Stream described as follows:

Commencing at the West 1/4 corner of Section 06; thence S00°09'08"E, 1320.86 feet to the East/West 1/4 line of the Fractional Southwest 1/4; thence, along said East/West 1/4 Line, N89°51'14"E, 2268.41 feet to the Southeast corner of Outlot 4, Apple Ridge said point also being the point of beginning; thence, N00°08'46"E, 188.62 feet to a meander point being N00°08'46"E, 44 feet more or less from the Center line of Navigable Stream; thence, along a meander line, N87°23'17"W, 73.24 feet to a meander point being N096°44'29"W, 67 feet more or less, from said Centerline of a Navigable Stream; thence, along a meander line, N70°22'31"W, 348.69 feet to a meander point being N56°23'11"E, 24 feet more or less, from said Centerline of a Navigable Stream; thence, continuing along a meander line, N32°45'52"W, 60.01 feet to a meander point being N56°23'11"E, 34 feet more or less, from said Centerline of a Navigable Stream; thence, along a meander line, N38°12'57"W, 330.58 feet to a meander point being N58°00'16"E, 37 feet more or less, from said Centerline of a Navigable Stream; thence, along a meander line, N13°30'22"W, 200.30 feet to a meander point being N88°53'20"E, 49 feet more or less, from said Centerline of a Navigable Stream; thence, along a meander line, N18°50'26"W, 527.40 feet to a meander point on the South line of Outlot 7 of said Apple Ridge, being S89°27'19"E, 57 feet more or less, from said Centerline of a Navigable Stream; thence along said South line, S89°27'19"E, 58.82 feet; thence, continuing along said South line, N60°06'45"E, 168.25 feet to the Southeast corner of said Outlot 7; thence, along the East line of said Outlot 7, N10°38'45"W, 264.95 feet to the South right of way line of Baldeagle Drive; thence, along said South right of way line, 19.33 feet along the arc of a curve to the left with a radius of 130.00 feet and a chord of 19.33 feet which bears N67°21'15"E; thence N25°33'40"W, 70.00 feet to the South line of Lot 12 of said Apple Ridge; thence, along said South line and the South line of Lot 8 of said Apple Ridge, N64°26'20"E, 235.85 feet; thence, continuing along said South line of said Lot 8, 11.34 feet along the arc of a curve to the right with a radius of 130.00 feet and a chord of 11.34 feet which bears S66°56'21"W; thence, along the East line of said Lot 8, S03°56'39"E, 160.65 feet; thence, along the South line of said Lot 8; S89°39'43"E, 469.21 feet; thence S00°20'17"W, 196.72 feet; thence S28°25'33"E, 55.45 feet; thence S55°27'06"E, 135.41 feet; thence S05°33'54"E, 247.09 feet; thence S01°36'33"W, 362.73 feet; thence S07°45'07"E, 225.93 feet; thence S17°26'50"E, 171.00 feet; thence N71°17'21"E, 12.59 feet; thence S18°42'39"E, 128.23 feet; thence S05°31'46"E, 70.52 feet; thence S03°30'35"E, 188.39 feet; thence S13°52'54"W, 307.18 feet to the East/West 1/4 line of said Fractional Southwest 1/4; thence, along said 1/4 line, N89°51'14"W, 199.52 feet to the point of beginning.

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

Apple Tree Appleton Four, 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.

Apple Tree Appleton Four, LLC

Jeff Straubel, Managing Member _____ Date _____

Owner's Certificate

Apple Tree Appleton Four, 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.

Apple Tree Appleton Four, 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: Apple Tree Appleton Four, LLC

Jeff Straubel, Managing Member _____ Date _____

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 acknowledged the same.

Notary Public, Wisconsin My Commission Expires _____

Drainage, Water Main and Storm Sewer Easement Provisions

An easement for Drainage, Water Main and Storm Sewer Easement Provisions is hereby granted by:

Apple Tree Appleton Four, LLC, Grantor, to:

THE CITY OF APPLETON, Grantee,

- Purpose:** The purpose of this easement is for the Grantee to access, install, regrade, replace, relocate, operate, maintain, resize and repair Drainage, Water Main and Storm Sewer Easement and associated appurtenances. Grantee does hereby agree to compensate Grantor fully for any damage caused directly or indirectly from said maintenance, repair, replacement or relocation of Drainage, Water Main and Storm Sewer and associated appurtenances that occur outside of the easement area. Trees, bushes, branches and roots may be trimmed or removed so as not to interfere with grantee's use of the easement area.
- Access:** Grantee or its agents shall have the right to enter the grantor's land for the purpose of exercising its rights in the easement area.
- Buildings or Other Structures:** 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 "Drainage, Water Main or Storm Sewer Easement".
- Elevation:** The grantor agrees that the elevation of the existing ground surface within the easement area will not be altered without the written consent of grantee.
- No landscaping** will be installed in the Combined Drainage & Landscape Easements that interferes with the drainage as designed on the approved drainage plan for Apple Ridge 2.
- Restoration:** Grantee agrees that it will restore subsurface materials on grantor's land, as nearly as is reasonably possible, to the prior existing condition when conducting all future maintenance, resizing or repair activities. Grantor shall be responsible for all surface restoration. 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, sidewalks, structures, trees, shrubs and landscaping, disturbed as a result of the maintenance activities described herein.
- Notification:** Grantee agrees that it shall give timely notice to the Grantor of routine maintenance work. Grantee and Grantor agree to cooperate in good faith to minimize interference or disruption to the normal facility operations. Grantee shall provide advance notice to Grantor (except in emergency situations, in which event notice shall be provided as soon as is practical) of any activity with a reasonable likelihood of interfering or disrupting the operation Grantor's facility, and to conduct such activities at mutually agreeable times.
- Drainage easements** are conveyance paths for storm water. The placement of fill in a drainage easement, which interferes with the flow or changes to the shape of the drainage easement by the lot owner or his agent, is prohibited. Upon failure of lot owner's to maintain said drainage ways and easements as designed; the City of Appleton retains the right to perform maintenance and or repairs. The payment of said maintenance and or repairs shall be equally assessed to the adjacent lot owners.

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

Apple Tree Appleton Four, LLC

Jeff Straubel, Managing Member _____ Date _____

City of Appleton Approval

Resolved, that the plat of Apple Ridge 2, in the City of Appleton, Outagamie County, Apple Tree Appleton Four, LLC, owners, is hereby approved by the Common Council of the City of Appleton.

Jacob A. Woodford, 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.

Kami Lynch, 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):
Apple Tree Appleton Four, LLC	Doc No. 2146276	31-1-8307-00 31-1-8307-03
	Doc No. 2146253	31-1-8307-04 31-1-8307-05

Notes:


- Outlot 9 will be owned and maintained the owner of Lot 8 Apple Ridge. Said Outlot 9 may not be transferred separately from said Lot 8, Apple Ridge.
- Outlots 8 & 10 are Dedicated to the Public, pre this document, for storm water management.
- All elevations shown are NVGD 88, per City Datum.
- Ordinary High Water Mark was determined by Steve Swanson of Outagamie County Land Services Department May of 2018.
- Lots 106-113 are subject to additional restrictions related to floodplain. Impervious areas from rear yards of lots adjacent to wetlands may drain via sheet flow to the wetlands by permission of WDNR.
- 100 Year floodplain elevations are based on FEMA LOMR, Case 20-05-2300P, effective April 28, 2021.

James R. Sehloff PLS 2692 _____ Date _____

File: 6363Final2.dwg
Date: 03/12/2021
Drafted By: jim
Sheet: 6 of 6
Revision Date: Mar 12, 2021

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



REPORT TO CITY PLAN COMMISSION

Plan Commission Meeting Date: April 13, 2021

Common Council Meeting Date: April 21, 2021

Item: Preliminary Plat – Apple Fields

Case Manager: Jessica Titel, Principal Planner

GENERAL INFORMATION

Applicant: Jim Sehloff – Davel Engineering and Environmental

Owner: Doctor Properties, LLC c/o Henry Chou

Address/Parcel #: E. Glenhurst Lane (Tax Id #31-1-6501-03 and #31-1-6501-04, Lots 3 and 4 of the Apple Creek Center plat)

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

BACKGROUND

The subject property was annexed to the City in 1990 as part of the AAL Annexation. The property was rezoned to C-O Commercial Office District in February 2001. The subject parcels (Lots 3 and 4) are part of the Apple Creek Center Plat that was approved by the Common Council on June 5, 2002.

On March 20, 2019, the Common Council denied a request to rezone the subject parcels from C-O Commercial Office District to R-3 Multi-Family District.

City of Appleton *Comprehensive Plan 2010-2030* Future Land Use Map Amendment #3-19 (Multi-Family Residential designation to the One and Two-Family Residential designation) and Rezoning #13-19 (C-O Commercial Office District to R-1B Single-Family District) were approved by the Common Council on March 4, 2020.

STAFF ANALYSIS

Existing/Proposed Conditions: The subject area to be subdivided is currently undeveloped. Apple Fields consists of 6.4136 acres and will be divided into nineteen (19) 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 ranges from 10,000 square feet to 18,243 square feet. All lots exceed this minimum requirement.*

Preliminary Plat – Apple Fields

April 13, 2021

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- Minimum lot width: Fifty (50) feet.
 - *The proposed lots average lot width is 70 feet. All lots exceed this minimum 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 has 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, except for the code sections listed below.

Per Section 17-25(g) of the Municipal Code, “Cul-de-sacs. Streets designed to have one (1) end permanently closed shall not exceed five hundred (500) feet in length from centerline of intersecting street to center of turnaround and shall terminate with a turnaround of not less than one hundred and ten (110) feet in diameter of right-of way and a roadway turnaround of ninety (90) feet in diameter. The Public Works Director may waive this requirement where it is unnecessary to fulfill the purposes and intent of this ordinance and undo hardship would result from strict application thereof.”

Analysis: The Department of Public Works supports the proposed cul-de-sac length. A water main loop will be installed to avoid an excessively long dead-end water main.

Per Section 17-26(c)(2) of the Municipal Code, “Double frontage lots shall not be permitted except as required by the Common Council where they are desirable to provide separation of development from traffic arterials or inharmonious uses, or to overcome disadvantages of topography or situation. A planting screen easement of at least twenty (20) feet, and across which there shall be no right of access, may be required along the line of lots abutting such traffic arteries or other inharmonious use.”

Analysis: Lots 2-9 of Apple Fields are double frontage lots. The proposed subdivision layout is limited by the depth of the existing parcels and does not allow for 3 tiers of lots, which would be needed to eliminate the double fronting lots. The proposed layout will eliminate driveways onto Glenhurst Lane along this development, as all proposed driveways will be located on the new Baldwin Court. An access restriction will be required along the south side of the lots to prevent driveways on Glenhurst Lane.

Preliminary Plat – Apple Fields

April 13, 2021

Page 3

Pursuant to 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.
- (2) The modification is the least deviation from this ordinance which will mitigate the hardship.
- (3) The modification is not detrimental to the public interest and is in keeping with the general spirit and intent of this ordinance.

Based upon the above analysis, it would appear the standards established by Section 17-3(f) Modification of Regulations have been met.

Access and Traffic: The primary vehicular access to Apple Fields is via Lightning Drive. Proposed Baldwin Court will intersect with Lightning Drive. The full 60-foot road right-of-way widths for the proposed street will be dedicated to the City with the Final Plat.

Surrounding Zoning and Land Uses:

North: PD-R-3 Northbrook Crossing Planned Development Multi-Family District #19-01– Multi-family residential

South: R-1B Single-Family District – Single-family dwellings

East: R-1B Single-Family District – Single-family dwellings

West: R-3 Multi-Family District – Multi-family residential (Century Oaks Community Based Residential Facility)

2010-2030 Comprehensive Plan: Community Development staff has reviewed this proposed subdivision and determined it is compatible with the One and Two-Family Residential use shown on the City’s 2010-2030 Comprehensive Plan 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 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.

Preliminary Plat – Apple Fields

April 13, 2021

Page 4

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: The Appleton Subdivision Regulations do require parkland dedication or fee in lieu 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. For lots zoned R-1B Single-Family District, park fees are \$300 per lot.

Technical Review Group Report (TRG): This item appeared on the March 23, 2021 TRG Agenda. No negative comments were received from participating departments.

RECOMMENDATION

The Preliminary Plat for Apple Fields, **BE APPROVED** subject to the following conditions and as shown on the attached maps:

1. Prior to City signatures being affixed to the Final Plat, park fees shall be paid to the City of Appleton Finance Department pursuant to Section 17-29 of the Municipal Code. For lots zoned R-1B Single-Family District, park fees are \$300 per lot.
2. Grant relief from the double frontage lot requirements for proposed Lots 2-9, per Section 17-26(c)(2) of the Municipal Code and as stated in the staff report.
3. Grant relief from the maximum cul-de-sac length requirements for proposed Baldwin Court, per Section 17-25(g) of the Municipal Code and as stated in the staff report.
4. Re-calculate average lot size stated on the plat and update accordingly.
5. Update Civil Plan Sheet 1.4 with correct zoning information. Property is zoned R-1B single-family residential.
6. A Development Agreement is required between the City and applicant that identifies the duties and responsibilities with respect to development of the subject land.
7. A Stormwater Permit Application, Stormwater Management Plan and Engineering Plans have been submitted for review. Technical review comments have been provided to the consultant and all such comments must be addressed on the Final Plat.
8. 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.
9. Label the dark/heavy line work running through Lots 4, 5, 6, 15, 16 and Baldwin Court or identify it in the legend.
10. Add the following to the plat or provide exhibits to ensure information is clear and easily readable:
 - Label the existing and proposed floodplain
 - Label and dimension the wetland protective areas

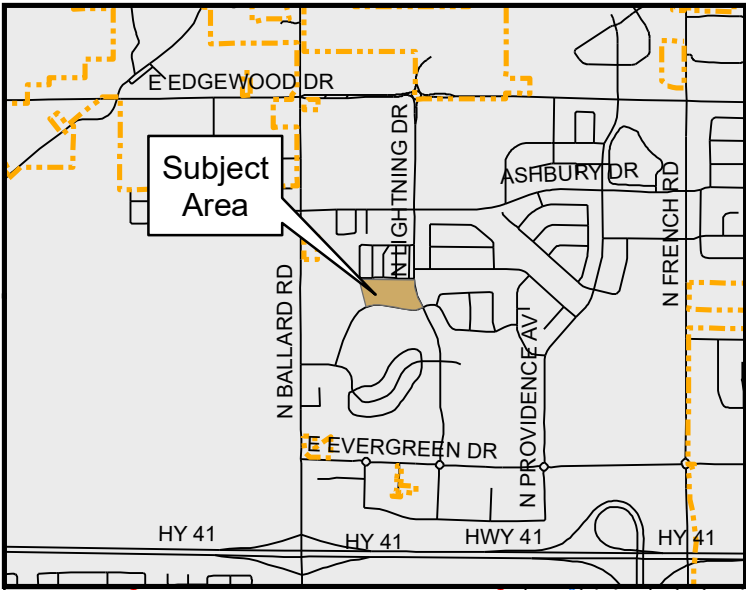
Preliminary Plat – Apple Fields

April 13, 2021

Page 5

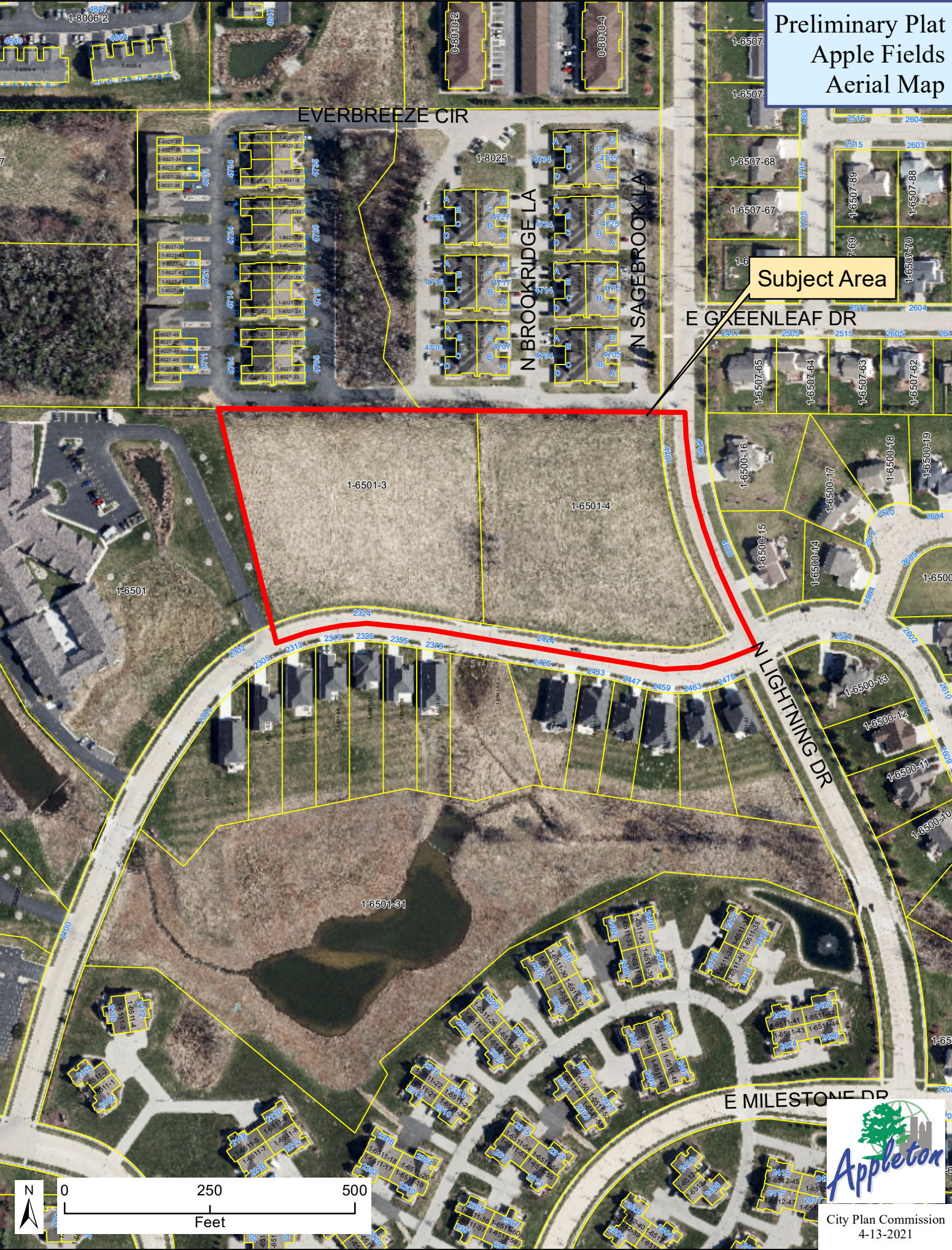
- Show and label Everbreeze Circle on the north side of the plat and label as a private road
 - Show and label the sanitary and water easement along the north side of the plat
 - Show dimension and label easements on Lots 4 and 5 for the proposed swale to convey runoff to the dry pond
 - Provide a dimension for the storm sewer easement on Lot 1
 - Provide additional information to define the drainage easement on Lots 19, 12, 11, and 9 where the drainage swale is outside of the 20 foot dimension.
 - Provide a statement of access restriction to Glenhurst Lane, Lightning Drive and Everbreeze Circle
 - If the Developer intends City to own and maintain the three storm pipes under Baldwin Court at the wetland, provide easements for the pipes and long term maintenance access on Lots 5, 6, 15, and 16. The easement should be 15 feet from the outside of the pipe. If a homeowner's association will own and maintain these pipes, this is not necessary.
 - Provide dimensions for the Stormwater Pond Easement on Lots 1, 2 and 3
 - For long term maintenance purposes, the City prefers the water main pipe and easement between Lots 12 and 13 and the storm sewer pipe and easement between Lots 9 and 10 be centered on the property line. Revise or clarify the reasoning for the proposed layout.
11. 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.

Preliminary Plat Apple Fields Zoning Map



Preliminary Plat Apple Fields Aerial Map

Subject Area



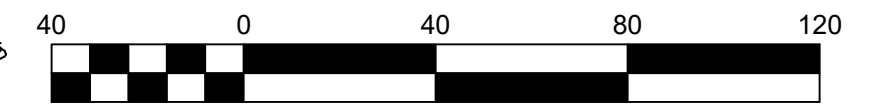
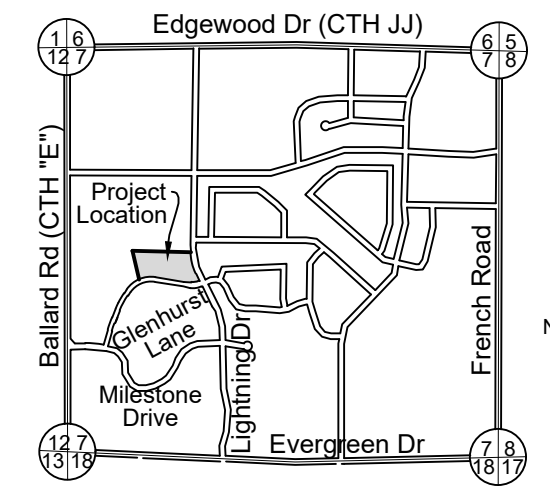
City Plan Commission
4-13-2021

Preliminary Plat of Apple Fields

All of Lot 3 and Lot 4, Apple Creek Center, being located in part of the Fractional Northwest 1/4 of the Southwest 1/4 and part of the Northeast 1/4 of the Southwest 1/4 of Section 7, Township 21 North, Range 18 East, City of Appleton, Outagamie County, Wisconsin

LOCATION MAP

SEC 7, T 21 N, R 18 E,
CITY OF APPLETON,
OUTAGAMIE COUNTY, WI



Bearings are referenced to the West line of the Northwest 1/4, Section 07, T21N, R18E, bearing N00°02'21"W, based on the Outagamie County Coordinate System.

Owner/Developer

Doctors Properties LLC
PO Box 265
Neenah, WI 54957

SUPPLEMENTARY DATA

Total Area = 279,377 SF 6.4136 acres
R/W Area = 41,334 SF 0.9489 acres
Net Area = 238,043 SF 5.4647 acres
Number of Lots = 19
Average lot size = 10,000 SF
Typical lot dimension = 70' x 143'
Lineal feet of street = 598 LF
Existing zoning = R1B
Proposed zoning = R1B
Approving Authorities
City of Appleton
Objecting Authorities
Department of Administration

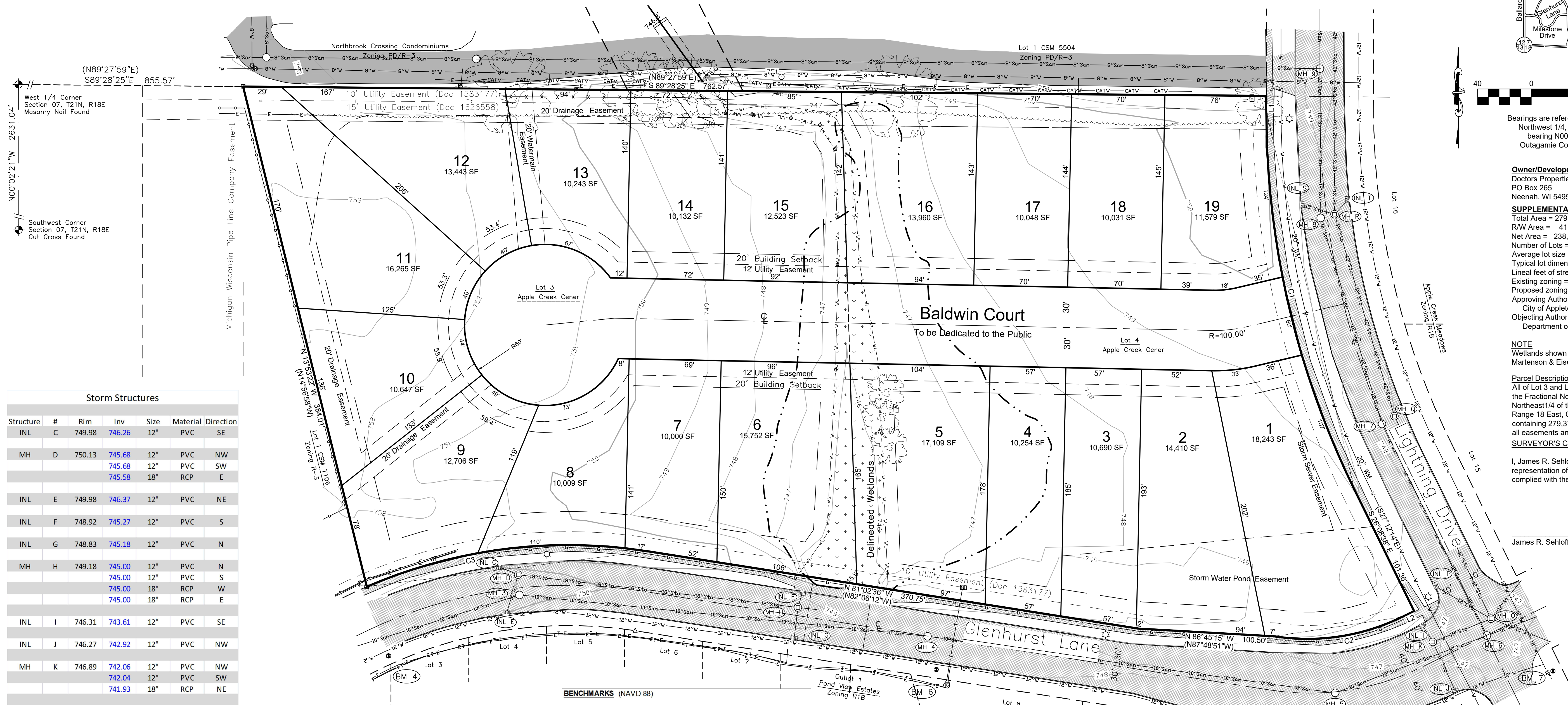
NOTE
Wetlands shown are per a Wetland Delineation prepared by Martenson & Eisele, Inc. Date October 18, 2018.

Parcel Description:
All of Lot 3 and Lot 4, Apple Creek Center, being located in part of the Fractional Northwest 1/4 of the Southwest 1/4 and part of the Northeast 1/4 of the Southwest 1/4 of Section 7, Township 21 North, Range 18 East, City of Appleton, Outagamie County, Wisconsin containing 279,377 Square Feet (6.4136 Acres) of land, subject to all easements and restrictions of record.

SURVEYOR'S CERTIFICATE

I, James R. Schloff, 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. Schloff, P.L.S. No. S-2692 Date



Storm Structures

Structure	#	Rim	Inv	Size	Material	Direction
INL	C	749.98	746.26	12"	PVC	SE
MH	D	750.13	745.68	12"	PVC	NW
			745.68	12"	PVC	SW
			745.58	18"	RCP	E
INL	E	749.98	746.37	12"	PVC	NE
INL	F	748.92	745.27	12"	PVC	S
INL	G	748.83	745.18	12"	PVC	N
MH	H	749.18	745.00	12"	PVC	N
			745.00	12"	PVC	S
			745.00	18"	RCP	W
			745.00	18"	RCP	E
INL	I	746.31	743.61	12"	PVC	SE
INL	J	746.27	742.92	12"	PVC	NW
MH	K	746.89	742.06	12"	PVC	NW
			742.04	12"	PVC	SW
			741.93	18"	RCP	NE
INL	L	746.38	742.65	12"	PVC	E
INL	M	746.37	742.77	12"	PVC	S
MH	N	746.69	740.87	12"	PVC	SE
			740.97	12"	PVC	N
			740.90	12"	PVC	W
MH	O	747.36		12"	PVC	NW
				12"	PVC	NE
				12"	PVC	SE
			741.92	42"	RCP	N
			741.92	18"	RCP	W
INL	P	747.14		12"	PVC	SE
MH	Q	748.01	742.49	42"	RCP	N
			742.49	42"	RCP	S
MH	R	748.67	742.98	42"	RCP	N
			742.98	42"	RCP	S
				12"	PVC	NE
				12"	PVC	NW

Sanitary Structures

Structure	#	Rim	Inv	Size	Material	Direction
MH	3	750.28	738.48	10"	PVC	SW
			738.65	10"	PVC	E
MH	4	748.77	737.55	10"	PVC	W
			737.55	10"	PVC	E
MH	5	747.40	736.04	10"	PVC	W
			736.25	10"	PVC	NE
MH	6	747.43	733.67	10"	PVC	SW
			733.69	10"	PVC	NE
			734.24	12"	PVC	NW
MH	7	748.18	735.38	12"	PVC	N
			735.38	12"	PVC	S
MH	8	748.69	735.72	12"	PVC	S
			735.72	12"	PVC	N

BENCHMARKS (NAVD 88)

- BM 1 Fire Hydrant, Shoulder of Hydrant NE of bridge on Glenhurst Ln. Elev. 753.05
- BM 2 Fire Hydrant, Shoulder of Hydrant NE corner of Glenhurst Ln. & Milestone Dr. Elev. 755.23
- BM 3 Fire Hydrant, Shoulder of Hydrant ±200' W of entrance for Thrivent Elev. 755.62
- BM 4 Fire Hydrant, Shoulder of Hydrant ±800' W of Intersection of Glenhurst Ln. & Lightning Dr. Elev. 753.42
- BM 5 Fire Hydrant, Shoulder of Hydrant ±31' SW of SW Cor of 4711 Everbreeze Cir. Elev. 754.10
- BM 6 Fire Hydrant, Shoulder of Hydrant ±410' W of Intersection of Glenhurst Ln. & Lightning Dr. Elev. 751.53
- BM 7 Fire Hydrant, Shoulder of Hydrant SE Corner of Intersection of Glenhurst Ln. & Lightning Dr. Elev. 750.37

LEGEND

- CATV CATV Underground Cable TV
- FD FD Underground Fiber Optic
- OH OH Overhead Electric Lines
- San San Sanitary Sewer
- Sto Sto Storm Sewer
- E E Undergroud Electric
- G G Undergroud Gas Line
- T T Undergroud Telephone
- W W Water Main
- F F Fence - Steel
- Tr Treeline
- 900 900 Index Contour
- 799 799 Intermediate Contour
- W W Delineated Wetlands
- Sanitary MH / Tank / Base
- Clean Out / Curb Stop / Pull Box
- Storm Manhole
- Inlet
- Catch Basin / Yard Drain
- Water MH / Well
- Hydrant
- Utility Valve
- Utility Meter
- Utility Pole
- Light Pole / Signal
- Electric Pedestal
- Electric Transformer
- Air Conditioner
- Telephone Pedestal
- Telephone Manhole
- CATV Pedestal
- Gas Regulator
- Sign
- Deciduous Tree
- Coniferous Tree
- 1" Rebar Found
- 1.3" O.D. Iron Pipe Found
- Government Corner
- Recorded As
- Benchmark
- Asphalt Pavement
- Concrete Pavement
- Gravel

LINE TABLE

Line	Bearing	(Recorded)	Length
L1	S 00°02'51" E	(S01°06'27"E)	11.51'
L2	S 63°51'22" W	(S62°47'46"W)	10.00'

CURVE TABLE

Curve	Radius	Chord Direction	(Recorded)	Chord Length	Arc Length	Central Angle	Tangent Bearing-in	Tangent Bearing-out
C1	640.00'	S 13°05'45" E	(S14°09'20.5"E)	288.99'	291.50'	26°05'47"	S 00°02'51" E	S 26°08'38" E
C2	160.00'	S 81°24'23" W	(S80°20'47"W)	98.49'	98.02'	35°05'57"	S 63°51'25" W	N 81°02'38" W
C3	380.00'	S 82°49'18" W	(S81°45'39.5"W)	211.21'	214.03'	32°16'13"	N 81°02'36" W	S 66°41'11" W

File: 5629Plat.dwg
Date: 02/05/2021
Drafted By: Jim
Sheet: 1 of 1

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

FOR IMMEDIATE RELEASE: City Of Appleton To Host Community Input Meeting On Downtown Streetscape Design Guide



Media Contact:
Sheng Lee Riechers
Senior Communications Specialist
City of Appleton - Office of the Mayor
100 N. Appleton Street
Appleton, WI 54911
Phone: (920) 419-0292
Email: sheng.riechers@appleton.org

CITY OF APPLETON TO HOST COMMUNITY INPUT MEETING ON DOWNTOWN STREETSCAPE DESIGN GUIDE

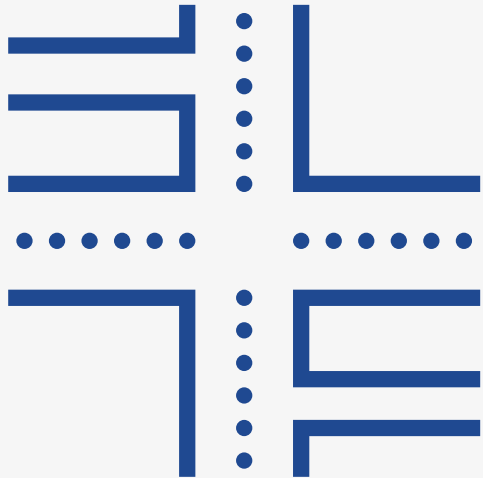
APPLETON, Wis., April 6, 2021 – The City of Appleton will host a virtual meeting on the proposed Downtown Streetscape Design Guide developed by the City in conjunction with Alta Planning + Design, Inc. The community input meeting will be held on Thursday, April 15 from 6 to 8 p.m.

Project consultants from Alta will present a final draft document. Following the presentation, participants will have the opportunity to ask questions and share comments. Community members are invited to participate in the Zoom meeting by [registering online](#).

The Downtown Streetscape Design Guide builds upon recommendations found in the City's Comprehensive Plan. The guide offers further details for varying street types throughout downtown. Streetscape elements, such as decorative lighting, benches, and special paving, can help to create an inviting atmosphere and improve walkability. The guide is intended to inform decisions as future street reconstruction projects occur, with the final design of each project being reviewed on a case-by-case basis.

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Join Us!



You are invited to the
City of Appleton's
virtual community
input meeting.

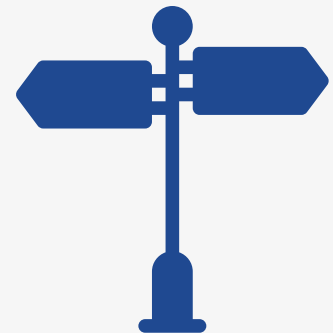
[Click here to register!](#)

Topic:

Downtown Streetscape Design Guide,
developed by the City of Appleton in
conjunction with Alta Planning & Design, Inc.

Date & Time:

Thursday, April 15th
6 to 8 p.m.



Please share this opportunity
with your contacts. Thank you!