



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.*

Wednesday, October 12, 2022

3:30 PM

Council Chambers, 6th Floor

1. Call meeting to order
2. Roll call of membership
3. Approval of minutes from previous meeting
[22-1245](#) City Plan Minutes from 9-28-22

Attachments: [City Plan Minutes 9-28-22.pdf](#)

4. Public Hearings/Apearances

- [22-1246](#) Special Use Permit #11-22 for a restaurant with alcohol sales and service and associated outdoor area located at 2821 N. Ballard Road (Tax Id #31-1-6536-00), as shown on the attached materials and per attached plan of operation, to run with the land subject to the conditions in the attached staff report and approve attached Resolution (Associated with Action Item #22-1247)

Attachments: [ClassIIPublicHearingNoticeNewspaper_2821NBallardRd_SUP#11-22.pdf](#)
[PublicHearingNoticeNeighborhood_2821NBallardRd_SUP#11-22.pdf](#)

5. Action Items

- [22-1247](#) Request to approve Special Use Permit #11-22 for a restaurant with alcohol sales and service and associated outdoor area located at 2821 N. Ballard Road (Tax Id #31-1-6536-00), as shown on the attached materials and per attached plan of operation, to run with the land subject to the conditions in the attached staff report and approve attached Resolution (2/3 vote of Common Council required for approval)

Attachments: [StaffReport_2821NBallardRd_SUP_For10-12-22.pdf](#)

- [22-1133](#) Request to approve the Trail View Estates South 3 Final Plat as shown on the attached maps and subject to the conditions in the attached staff report

Attachments: [StaffReport_TrailViewEstatesSouth3_FinalPlat_For10-12-22.pdf](#)

6. Information Items

7. Adjournment

Notice is hereby given that a quorum of the Common Council may be present during this meeting, although no Council action will be taken.

Reasonable Accommodations for Persons with Disabilities will be made upon Request and if Feasible.



City of Appleton

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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.*

Wednesday, September 28, 2022

3:30 PM

Council Chambers, 6th Floor

1. Call meeting to order

Meeting called to order by Chair Mayor Woodford at 3:30 p.m.

2. Roll call of membership

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

*Others present:
Chip Gabbey, RS/MAX 24/7 Commercial*

3. Approval of minutes from previous meeting

[22-1194](#)

City Plan Minutes from 9-14-22

Attachments: [City Plan Minutes 9-14-22.pdf](#)

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

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

4. Public Hearings/Appearances

5. Action Items

[22-1195](#)

Request to approve Certified Survey Map #25-22, which crosses a plat boundary, for the F Street Phase III development located in Southpoint Commerce Park, west of S. Eisenhower Drive and south of E. Milis Drive (Tax Id #31-9-5714-00, 31-9-5714-01, 31-9-5714-02, 31-9-5712-30, 31-9-5712-31, 31-9-5712-32, and 31-9-5712-33) as shown on the attached map and subject to the conditions in the attached staff report

Attachments: [StaffReport_F Street Phase III_CrossingPlatBoundary_For09-28-22.pdf](#)

Buetow moved, seconded by Fenton, 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

[22-1227](#)

Appleton City Planning Centennial Month and related timeline document

Attachments: [AppletonCityPlanningCentennialMonthProclamation.pdf](#)
[100YearsOfPlanningTimeline_Infographic.pdf](#)

This item was presented and discussed.

7. Adjournment

Palm moved, seconded by Fenton, that the meeting be adjourned at 3:40 p.m.

Roll Call. Motion carried by the following vote:

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

CITY OF APPLETON
NOTICE OF PUBLIC HEARING
PROPOSED SPECIAL USE PERMIT

NOTICE IS HEREBY GIVEN of a Public Hearing to be held before the City Plan Commission on Wednesday, October 12, 2022, at 3:30 P.M., in Council Chambers, 6th Floor, City Hall, 100 North Appleton Street, or as soon thereafter as can be heard, for the purpose of considering a Special Use Permit.

Pursuant to Sections 23-66 and 23-113 of the Appleton Municipal Code, to consider a request by Athanea Hahn, applicant and owner, for property located at 2821 North Ballard Road (Tax Id #31-1-6536-00) to obtain a Special Use Permit for a restaurant with alcohol sales and consumption (FOME Food & Company). In the C-2 General Commercial District, a Special Use Permit is required for a restaurant with alcohol sales and consumption.

All persons interested are invited to attend this meeting and will be given an opportunity to be heard. Feedback can also be shared with Plan Commission members via written letter, email, or phone call. Any questions regarding this matter should be directed to Jessica Titel, Principal Planner, in the Community and Economic Development Department at (920) 832-6476 or by email at jessica.titel@appleton.org.

CITY PLAN COMMISSION
APPLETON, WISCONSIN

COMMUNITY & ECONOMIC DEVELOPMENT
CITY HALL - 100 NORTH APPLETON STREET
APPLETON, WISCONSIN 54911-4799
(920) 832-6468

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

RUN: September 27, 2022
October 4, 2022

NOTICE OF PUBLIC HEARING
OF THE
APPLETON CITY PLAN COMMISSION

Dear property owner(s):

The City of Appleton Plan Commission will conduct a Public Hearing on Wednesday, October 12, 2022, at 3:30 P.M., or as soon thereafter as can be heard, in Common Council Chambers, 6th Floor, City Hall, 100 North Appleton Street, for the purpose of considering the following proposed Special Use Permit:

- Pursuant to Sections 23-66 and 23-113 of the Appleton Municipal Code, to consider a request by Athanea Hahn, applicant and owner, for property located at 2821 North Ballard Road (Tax Id #31-1-6536-00) to obtain a Special Use Permit for a restaurant with alcohol sales and consumption (FOME Food & Company). In the C-2 General Commercial District, a Special Use Permit is required for a restaurant with alcohol sales and consumption.

- ALDERMANIC DISTRICT: 14 – Alderperson Christopher Croatt

You are being notified as a policy of the City of Appleton Community and Economic Development Department. All persons interested are invited to attend this meeting and will be given an opportunity to be heard. Feedback can also be shared with Plan Commission members via written letter, email, or phone call. The Plan Commission makes a recommendation to the Common Council who makes the final decision on the matter.

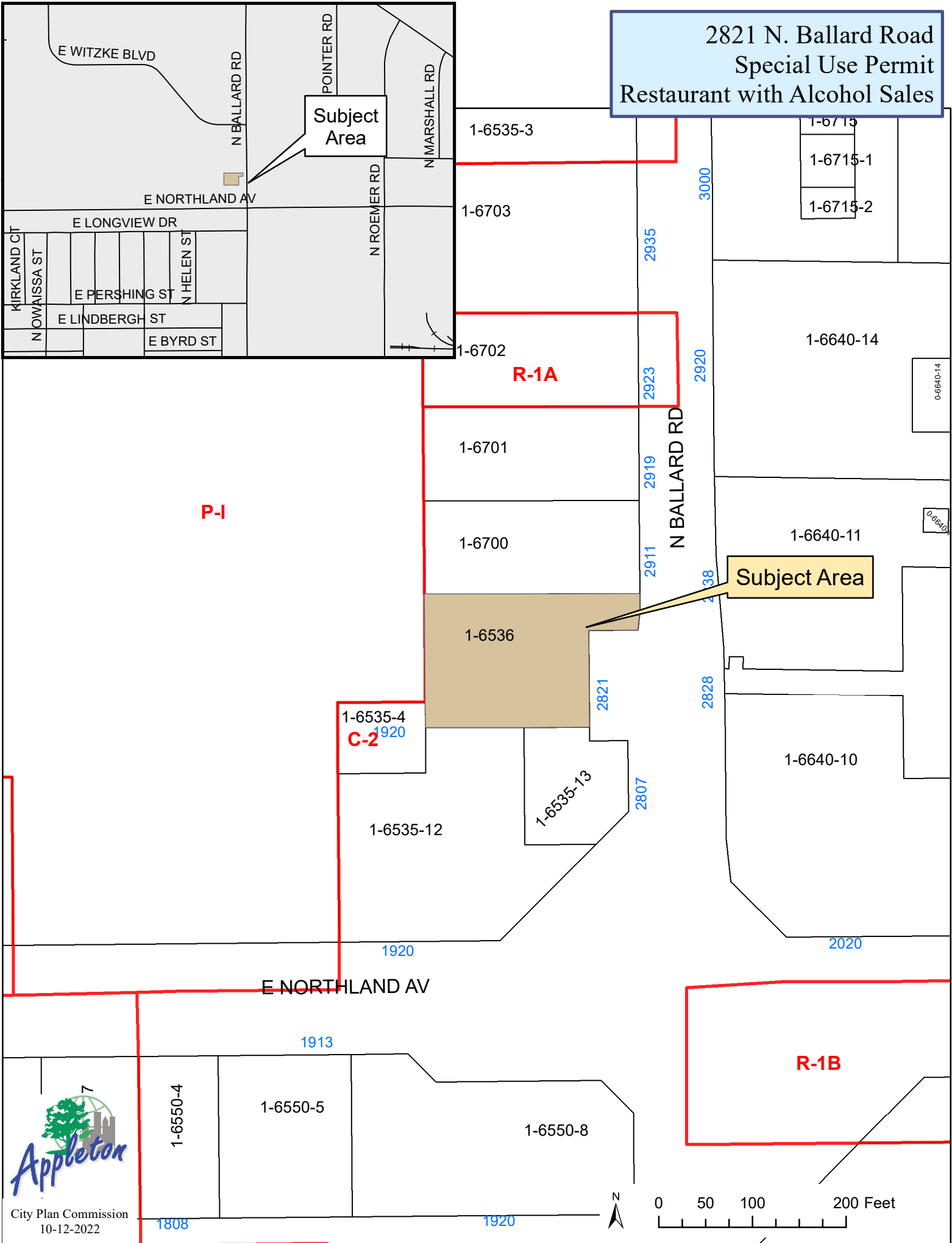
Any questions regarding this matter should be directed to Jessica Titel, Principal Planner, in the Community and Economic Development Department at 920-832-6476 or by email at jessica.titel@appleton.org.

CITY PLAN COMMISSION

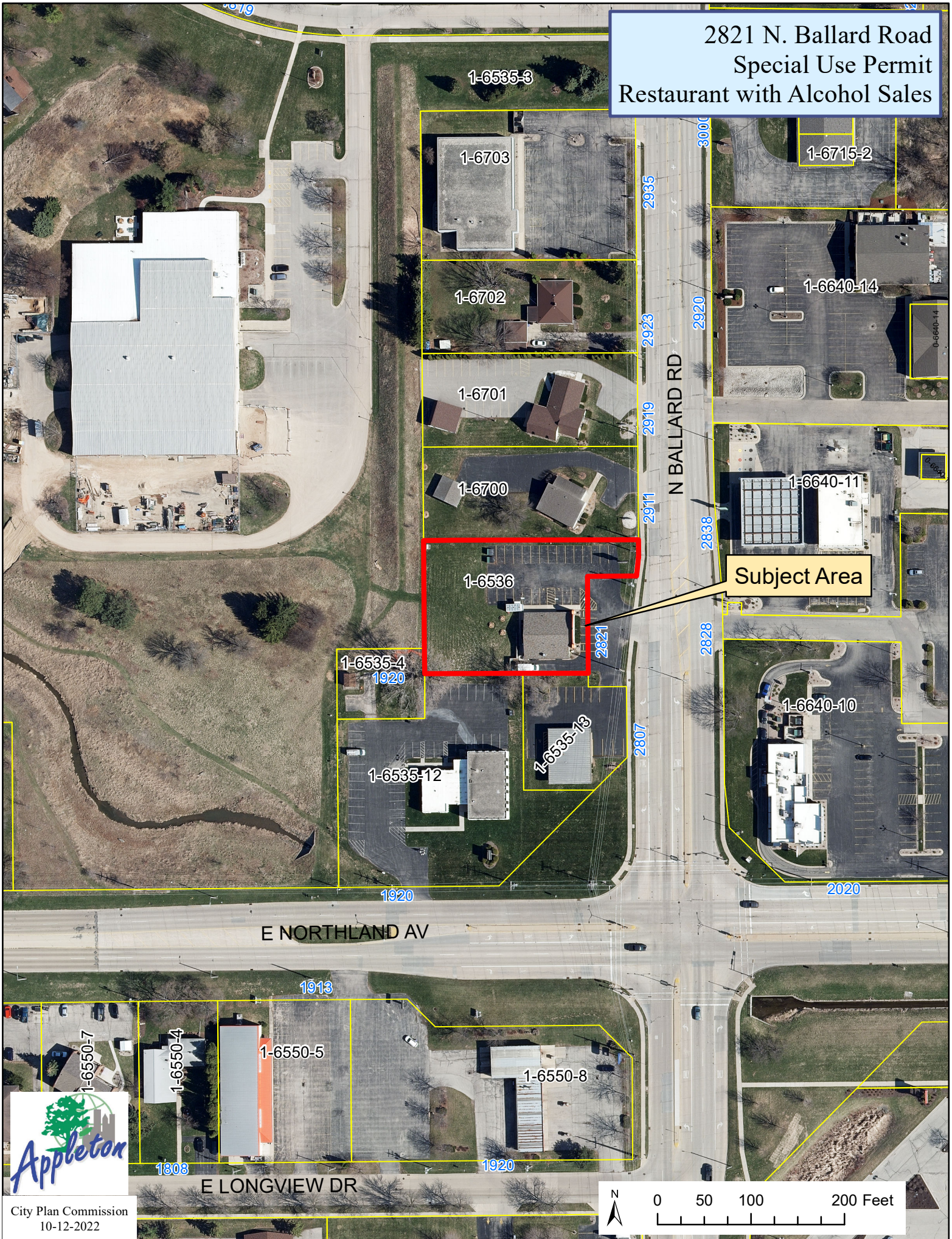
COMMUNITY & ECONOMIC DEVELOPMENT
CITY HALL - 100 NORTH APPLETON STREET
APPLETON, WISCONSIN 54911-4799
920-832-6468

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

2821 N. Ballard Road
Special Use Permit
Restaurant with Alcohol Sales



2821 N. Ballard Road
Special Use Permit
Restaurant with Alcohol Sales



1-6535-3

1-6703

1-6702

1-6701

1-6700

1-6536

1-6535-4
1920

1-6535-12

1-6535-13

1-6715-2

1-6640-14

1-6640-11

Subject Area

1-6640-10

E NORTHLAND AV

N BALLARD RD

E LONGVIEW DR

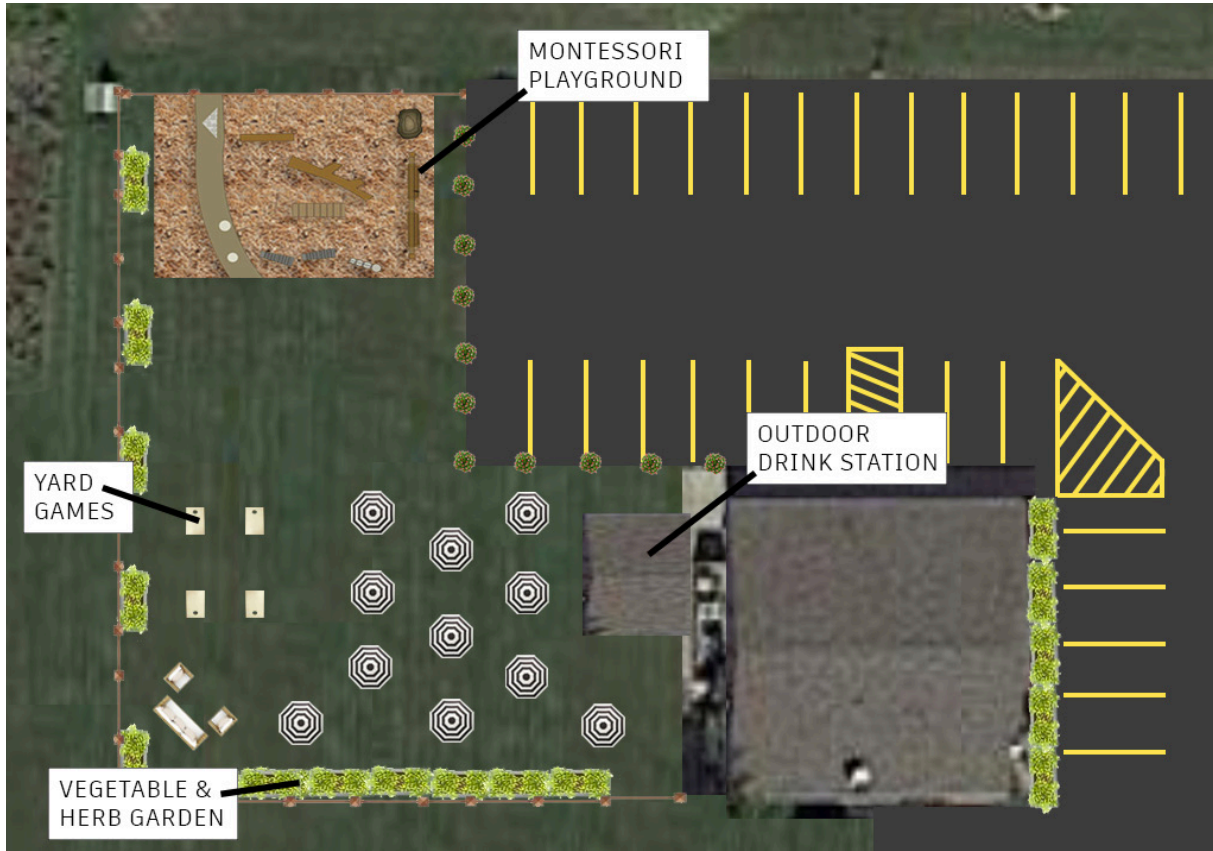


City Plan Commission
10-12-2022



0 50 100 200 Feet

PROPOSED OUTDOOR SPACE 3.1



EXISTING AND PROPOSED BUILDINGS + STRUCTURES

OUTDOOR DRINK PAVILION:

- BUILDING USE: TO SERVE BEVERAGES AND PLACE ORDERS
- DIMENSIONS: TBD
- LOCATION: TBD, IN OUTDOOR SPACE

PLEASE NOTE: THIS OUTDOOR SPACE WILL NOT BE COMPLETED UNTIL THE SPRING/SUMMER OF 2023. NO FORMAL DRAWINGS HAVE BEEN CREATED AT THIS TIME. THIS IS TO SHOW THE CONCEPT OF THE SPACE. LOCATION AND DIMENSIONS OF DRINK THE PAVILION HAVE NOT BEEN FINALIZED.



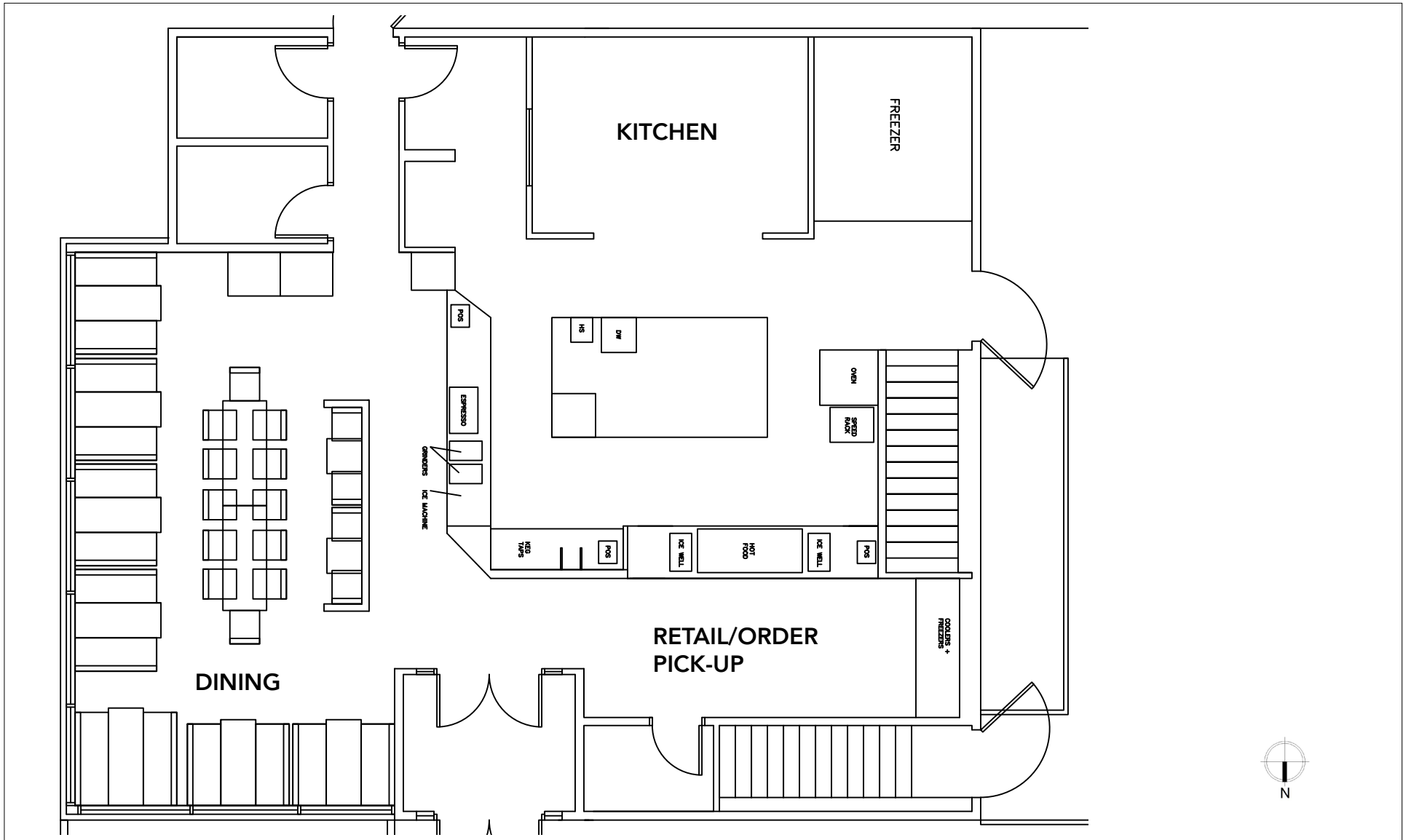
PROJECT

FOME
FOOD & COMPANY

2821 N BALLARD RD APPLETON, WI 54911

DATE: 9.12.22	SCALE: NA
DRAWN BY: HSKAAR	
PROJECT NO: 22-002	
ACCEPTED BY: _____	
DATE: _____	

TITLE
EXISTING AND PROPOSED BUILDINGS + STRUCTURES
DRAWING NO.
3.1



PROJECT

FOME
FOOD & COMPANY

2821 N BALLARD RD APPLETON, WI 54911

DATE: 9.12.22	SCALE: 1/8" = 1'-0"
DRAWN BY: HSKAAR	
PROJECT NO: 22-002	
ACCEPTED BY: _____	
DATE: _____	

TITLE
PRELIMINARY ARCHITECTURAL PLANS
DRAWING NO.
11



REPORT TO CITY PLAN COMMISSION

Plan Commission Public Hearing Date: October 12, 2022

Common Council Meeting Date: October 19, 2022

Item: Special Use Permit #11-22 for restaurant with alcohol sales and service and associated outdoor seating area.

Case Manager: Jessica Titel, Principal Planner

GENERAL INFORMATION

Owner/Applicant: PNH Holdings, LLC / FOME Food & Company c/o Athanea Hahn

Address/Parcel #: 2821 N. Ballard Road (Tax Id #31-1-6536-00)

Petitioner's Request: The applicant is requesting a Special Use Permit for alcohol sales and service in conjunction with a restaurant and associated outdoor seating area.

BACKGROUND

The property currently consists of a single tenant commercial building and associated off-street parking lot. The existing building was previously used as a restaurant without alcohol sales. The applicant recently applied for a Liquor License that includes Class B beer and Class C wine.

STAFF ANALYSIS

Project Summary: The applicant proposes to establish a restaurant with alcohol sales and service on the subject site, which would occupy the existing building that is approximately 2,225 square feet in size. The applicant is also proposing an outdoor seating area.

Operational Information: A plan of operation is attached to the staff report.

Outdoor Seating Area: The outdoor seating area is approximately 13,500 square feet and will include a seating area, a playground, yard games, outdoor drink station and a garden. The applicant is proposing a fence around the outdoor area.

Existing Site Conditions: The existing single-story building totals approximately 2,225 square feet in size. The 27,025 square foot site also includes an off-street parking lot, with access from N. Ballard Road.

Current Zoning and Procedural Findings: The subject property has a zoning designation of C-2 General Commercial District. Per Section 23-113(e) of the Municipal Code, a restaurant with alcohol sales and service requires a Special Use Permit in the C-2 District. The Plan Commission makes a recommendation to the Common Council who will make the final decision on the Special Use Permit. A two-thirds vote of the Common Council is required for approval.

Special Use Permit #11-22

October 12, 2022

Page 2

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 commercial and public/institutional in nature.

North: C-2 General Commercial District. The adjacent land use to the north is commercial.

South: C-2 General Commercial District. The adjacent land use to the south is commercial.

East: C-2 General Commercial District. The adjacent land uses to the east are commercial.

West: P-I Public Institutional District. The adjacent land uses to the west are currently City of Appleton public/institutional uses (Memorial Park and Park, Recreation and Facilities Management offices and garage).

Appleton Comprehensive Plan 2010-2030: Community and Economic Development staff has reviewed this proposal and determined it is compatible with the Commercial 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 8 – Economic Development

Appleton will pursue economic development that retains and attracts talented people, brings good jobs to the area, and supports the vitality of its industrial areas, downtown, and neighborhood business districts.

OBJECTIVE 9.5 Economic Development:

Encourage new development and redevelopment activities that create vital and attractive neighborhoods and business districts.

OBJECTIVE 10.2 Land Use:

Encourage redevelopment to meet the demand for a significant share of future growth, and to enhance the quality of existing neighborhoods.

OBJECTIVE 10.5 Land Use:

Support the continued redevelopment and revitalization of land uses adjacent to Appleton's key transportation corridors and downtown.

Technical Review Group (TRG) Report: This item appeared on the September 20, 2022 TRG agenda. No negative comments were received from participating departments.

Zoning Ordinance Requirements and Substantial Evidence: When reviewing an application for a Special Use Permit, the City must determine if the applicant's proposal satisfies Municipal Code requirements and conditions. Pursuant to Section 23-66(c)(5) of the Municipal Code, the Plan Commission and Common Council must provide substantial evidence supporting their decision to

Special Use Permit #11-22

October 12, 2022

Page 3

approve, approve with conditions, or deny the Special Use Permit. Substantial evidence means “facts and information, other than merely personal preferences or speculation, directly pertaining to the requirements and conditions an applicant must meet to obtain a Special Use Permit and that reasonable persons would accept in support of a conclusion.” Any requirements and conditions listed for approval must be reasonable, and to the extent practicable, measurable.

Section 23-47 of the Zoning Code regulates trash enclosures (location and materials). Trash enclosures are not allowed within the front yard. The applicant will need to relocate the proposed trash enclosure in compliance with Section 23-47. Staff will review the final trash enclosure location with the required building permits.

Finding of Fact: This request was reviewed in accordance with the standards (proper zoning district, district regulations, special regulations, comprehensive plan and other plans, traffic, landscaping and screening, neighborhood compatibility, and impact on services) for granting a Special Use Permit under Section 23-66(e)(1-8) of the Municipal Code, which were found in the affirmative, as long as all stipulations are satisfied.

RECOMMENDATION

Staff recommends, based on the above analysis, that Special Use Permit #11-22 for a restaurant with alcohol sales and service and associated outdoor area located at 2821 N. Ballard Road (Tax Id #31-1-6536-00), as shown on the attached maps and per attached plan of operation, along with the attached resolution, **BE APPROVED** to run with the land, subject to the following conditions:

1. The applicant shall receive approval of a Liquor License from the City Clerk prior to serving alcohol on the premises.

Substantial Evidence: This condition provides notice to the applicant that a Liquor License is also needed prior to serving alcohol.

2. The use shall conform to the standards established in Chapter 9, Article III, Alcoholic Beverages, of the Appleton Municipal Code.

Substantial Evidence: This condition is one of the special regulations included in Section 23-66(h)(6) of the Zoning Ordinance for this particular use.

3. The site shall be kept free of litter and debris.

Substantial Evidence: This condition is one of the special regulations included in Section 23-66(h)(6) of the Zoning Ordinance for this particular use.

4. All Zoning, Building, Fire, Engineering, Utility and other Municipal Codes, and all applicable State and Federal laws shall be complied with.

Substantial Evidence: This condition is one of the special regulations included in Section 23-66(h)(6) of the Zoning Ordinance for this particular use.

Special Use Permit #11-22

October 12, 2022

Page 4

5. Any expansions of the special use, changes to the development plan(s), plan of operation or any conditions of approval may require a major or minor amendment request to this Special Use Permit pursuant to Section 23-66(g) of the Zoning Ordinance. Contact the Community and Economic Development Department to discuss any proposed changes.

Substantial Evidence: Standardized condition that establishes parameters for the current application and identifies the process for review of any future changes to the special use.

**CITY OF APPLETON
RESOLUTION FOR SPECIAL USE PERMIT #11-22
RESTAURANT WITH ALCOHOL
2821 N. BALLARD ROAD**

WHEREAS, Athanea Hahn, FOME Food & Company, has applied for a Special Use Permit for a restaurant with alcohol sales and service and associated outdoor seating area located at 2821 N. Ballard Road, also identified as Parcel Number 31-1-6536-00; and

WHEREAS, the location for the proposed restaurant with alcohol sales and service is located in the C-2 General Commercial District, and the proposed use may be permitted by Special Use Permit within this zoning district pursuant to Chapter 23 of the Municipal Code; and

WHEREAS, the City of Appleton Plan Commission held a public hearing on October 12, 2022 on Special Use Permit #11-22, at which all those wishing to be heard were allowed to speak or present written comments and other materials at the public hearing; and

WHEREAS, the City of Appleton Plan Commission has reviewed and considered the Community and Economic Development Department's staff report and recommendation, as well as other spoken and written evidence and testimony presented at the public hearing; and

WHEREAS, the City of Appleton Plan Commission reviewed the standards for granting a Special Use Permit under Sections 23-66(e)(1-8) of the Municipal Code; and

WHEREAS, the City of Appleton Plan Commission reviewed the standards for imposing conditions on the Special Use Permit under Section 23-66(c)(5) of the Municipal Code, and forwarded Special Use Permit #11-22 to the City of Appleton Common Council with a favorable conditional or not favorable (CIRCLE ONE) recommendation; and

WHEREAS, the City of Appleton Common Council has reviewed the report and recommendation of the City of Appleton Plan Commission at their meeting on October 19, 2022.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the Common Council, based on Community and Economic Development Department's staff report and recommendation, as well as other spoken and written evidence and testimony presented at the public hearing and Common Council meeting, and having considered the recommendation of the City Plan Commission, that the Common Council:

1. Determines all standards listed under Sections 23-66(e)(1-8) of the Municipal Code are found in the affirmative YES or NO (CIRCLE ONE)
2. If NO, the City of Appleton Common Council hereby denies Special Use Permit #11-22 for a restaurant with alcohol sales and service and associated outdoor seating area located at 2821 N. Ballard Road, also identified as Parcel Number 31-1-6536-00, based upon the following standards and determinations: (List reason(s) why the Special Use Permit was denied)

3. If YES, the City of Appleton Common Council hereby approves Special Use Permit #11-22 for a restaurant with alcohol sales and service and associated outdoor seating area located at 2821 N. Ballard Road, also identified as Parcel Number 31-1-6536-00, subject to the following conditions as they are related to the purpose of the City of Appleton Municipal Code and based on substantial evidence:

CONDITIONS OF APPROVAL FOR SPECIAL USE PERMIT #11-22:

- A. The applicant shall receive approval of a Liquor License from the City Clerk prior to serving alcohol on the premises.
 - B. The use shall conform to the standards established in Chapter 9, Article III, Alcoholic Beverages, of the Appleton Municipal Code.
 - C. The site shall be kept free of litter and debris.
 - D. All Zoning, Building, Fire, Engineering, Utility and other Municipal Codes, and all applicable State and Federal laws shall be complied with.
 - E. Any expansions of the special use, changes to the development plan(s), plan of operation or any conditions of approval may require a major or minor amendment request to this Special Use Permit pursuant to Section 23-66(g) of the Zoning Ordinance. Contact the Community and Economic Development Department to discuss any proposed changes.
4. The City Clerk's Office is hereby directed to give a copy of this resolution to the owner/applicant, Community and Economic Development Department, Inspections Division, and any other interested party.

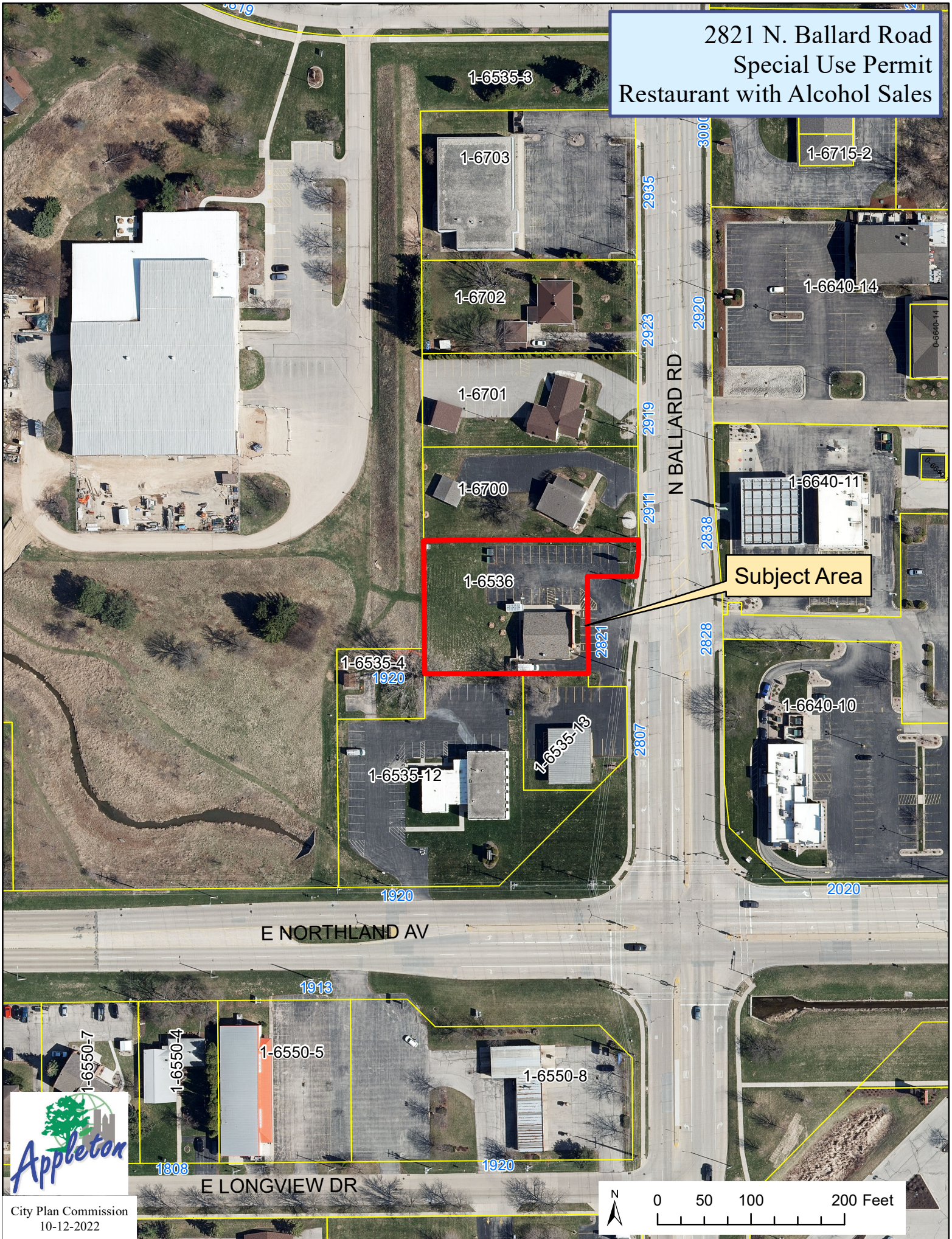
Adopted this _____ day of _____, 2022.

Jacob A. Woodford, Mayor

ATTEST:

Kami Lynch, City Clerk

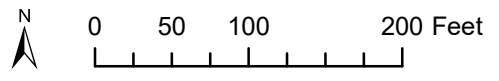
2821 N. Ballard Road
Special Use Permit
Restaurant with Alcohol Sales



Subject Area



City Plan Commission
10-12-2022



PLAN OF OPERATION AND LOCATIONAL INFORMATION

Business Information:

Name of business: FOME Food & Company

(Check applicable proposed business activity(s) proposed for the building or tenant space)

- Restaurant
- Bar/Night Club
- Wine Bar
- Microbrewery
- Other _____

Years in operation: 0

Percentage of business derived from food service: 75% 25% coffee/beer/wine/non alcoholic beverages

Type of proposed establishment (detailed explanation of business operations):

FOME will be a breakfast + lunch place for people to take to-go or sit and eat, inside and out. Food will be all from scratch and feature local vendors. Alcohol will be available for purchase. Will host private/special events.

Proposed Hours of Operation for Indoor Uses:

Day	From	To
Week Days Monday thru Thursday	7:00 AM	3:00 PM *
Friday	7:00 AM	3:00 PM *
Saturday	7:00 AM	3:00 PM *
Sunday	7:00 AM	3:00 PM *

* FOME will be available to host private/special events after hours, 3:00 PM to 12:00 AM

Building Capacity and Area:

Maximum number of persons permitted to occupy the building or tenant space as determined by the International Building Code (IBC) or the International Fire Code (IFC), whichever is more restrictive: 40 persons

Gross floor area of the existing building(s): 2,225 SQ FT (MAIN FLOOR)

Gross floor area of the proposed building(s): 2,225 SQ FT

Describe Any Potential Noise Emanating From the Proposed Use:

Describe the noise levels anticipated from all equipment or other mechanical sources:

Noise levels will be minimal from all equipment & other mechanical sources. It will not exceed 63 dB(A) from 7 AM - 10 PM, & 58 dB(A) from 10 PM - 7 AM

Describe how the crowd noise will be controlled inside and outside the building:

Outdoor: fence around property & closing by 12:00 AM. (for private events only)

Indoor: Keeping decibels between 60 dB(A) - 80 dB(A) with butcher block counters, wall paper, roller shades, & ^{other} sound absorbing materials,

If off-street parking is available for the business, describe how noise from the parking lot will be controlled:

No off-street parking is available, 30 parking spaces on property

as well as maintaining appropriate hours. (7:00 AM - 3:00 PM)

Outdoor Space Uses:

(Check applicable proposed area)

- Patio
- Deck
- Sidewalk Café
- Other 13,500 sq ft yard - picnic tables
- None

Size: 13,500 square feet.

Type of materials used and height of material to enclose the perimeter of the outdoor space:

Fencing Landscaping Other _____ Height 6 feet.

Is there any alcohol service incorporated within the outdoor space? Yes No

Are there plans for outdoor music/entertainment? Yes No

If yes, describe how the noise will be controlled:

Is there any food service incorporated within the outdoor space? Yes No

Proposed Hours of Operation for Outdoor Space:

Day	From	To
Week Days: Monday thru Thursday	7:00 AM	3:00 PM *
Friday	7:00 AM	3:00 PM *
Saturday	7:00 AM	3:00 PM *
Sunday	7:00 AM	3:00 PM *

* FOME will be available to host private/special events after hours from 3:00 PM to 12:00 AM

NOTE: Hours of Operation for Outdoor Uses (Sidewalk Café with Alcohol):

******Municipal Code Section 9-262(b)(4): The permit holder can begin serving alcoholic beverages in the sidewalk café at 4:00 p.m. Monday through Friday and 11:00 a.m. on Saturday and Sunday. All alcoholic beverages must be removed from the sidewalk café by 9:30 p.m.**

Off-Street Parking: (parking lot)

Number of spaces existing: 30

Number of spaces proposed: 30

Other Licensed Premises:

The number of licensed premises within the immediate geographic area of the proposed location will be considered in order to avoid an undue concentration that may have the potential of creating public safety problems or deterring neighborhood development.

List nearby licensed premises:

Hide out Bar LLC, Ginge Kootz Asian Grille,
Moto Man Gas Station, Super Bowl Family
Entertainment Center

Number of Employees:

Number of existing employees: 0

Number of proposed employees: 12 - 20

Number of employees scheduled to work on the largest shift: 20



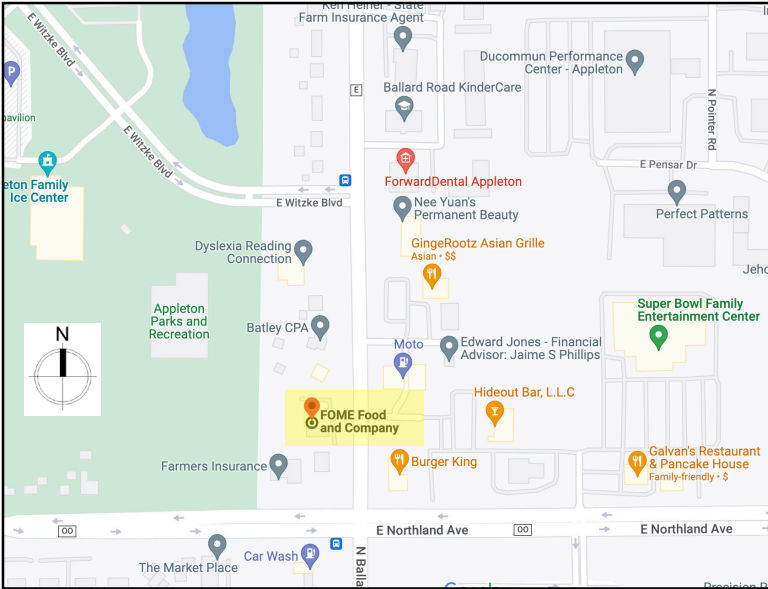
Application for Special Use Permit Development Plan Checklist

On-Site Sales and Consumption and/or Manufacturing of Liquor,
Fermented Malt Beverages, and Wine

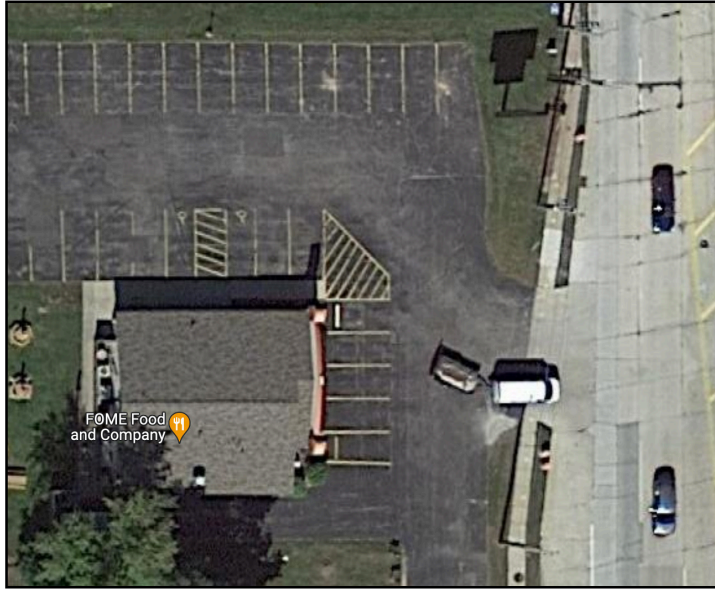
Community and Economic Development Department
100 N. Appleton St.
Appleton, WI 54911

2821 N BALLARD ROAD
APPLETON WI, 54911
ATHANEA HAHN: 920.915.3817

MAP OF AREA 1.1



VIEW OF PARKING LOT ENTRY 1.2



ADJACENT SURROUNDING STREETS:

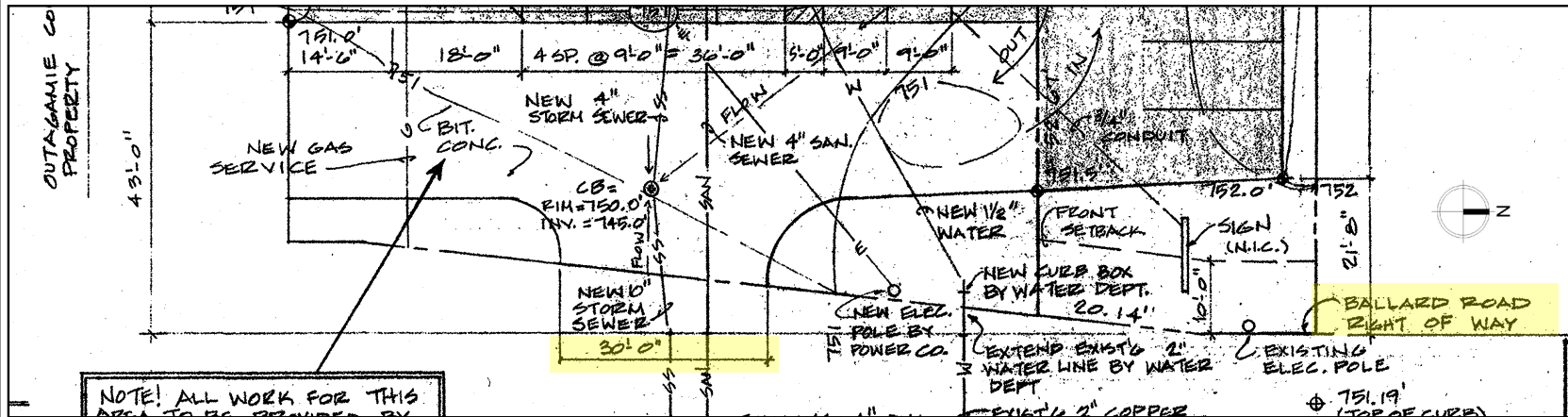
- E NORTHLAND AVE
- BALLARD RD
- E WITZKE BLVD

RIGHT AWAY WIDTH(S):

- 30' DRIVEWAY ENTRY INTO PARKING LOT

NOTE: SITE PLAN CAN BE VIEWED IN FULL SCALE ON 18"X24" FROM 1993

DRAWING OF SITE PLAN 1.3



AUGUST jane INTERIOR DESIGN

PROJECT

FOME
FOOD & COMPANY

2821 N BALLARD RD APPLETON, WI 54911

DATE: 9.12.22	SCALE: NA
DRAWN BY: HSKAAR	
PROJECT NO: 22-002	
ACCEPTED BY: _____	
DATE: _____	

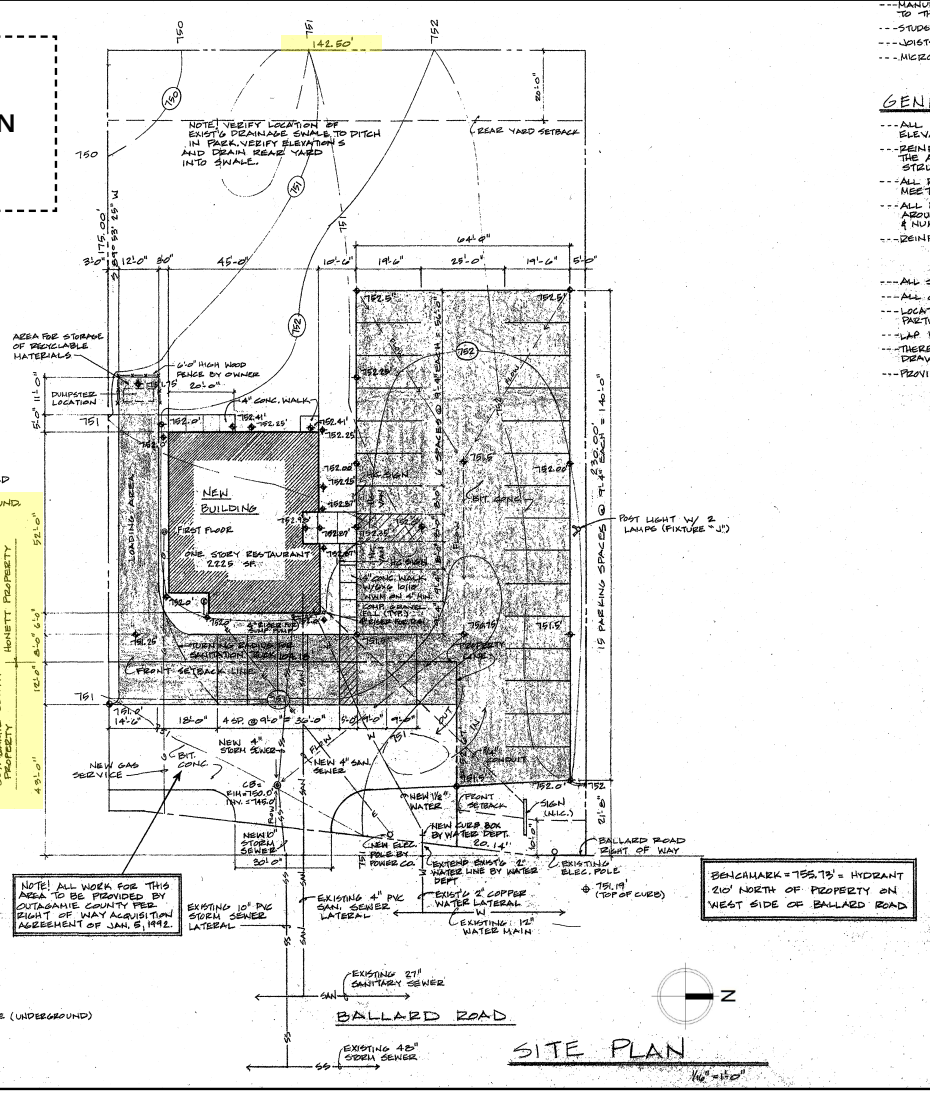
TITLE
ADJACENT OR SURROUNDING STREETS AND RIGHT-OF-WAY WIDTH(S)
DRAWING NO.
1

DRAWING OF SITE PLAN 2.1

NOTE: SITE PLAN CAN BE VIEWED IN FULL SCALE ON 18"X24" FROM 1993

NOTES:

- PARKING LOT PAVING SHALL BE 3" BITUMINOUS CONCRETE ON 4" MIN. COMPACTED GRAVEL FILL.
- PARKING LOT LIGHT FIXTURE SHALL HAVE (2) 250 W HIGH PRESSURE SODIUM FULL CUT-OFF TIRE LAMP.
- SIGN SHALL BE ILLUMINATED 10'0" W X 2'0" H (2), BOTTOM OF SIGN 10'0" ABOVE GRADE MIN.
- PARKING SPACES READ AS 1 PER 100 SF ± 25. 31 SPACES PROVIDED INCLUDING 2 HANDICAPPED VAN ACCESSIBLE SPACES.
- TELEPHONE SERVICE TO BE UNDERGROUND.



- KEY TO SITE PLAN**
- PROPERTY LINE
 - 761 EXISTING CONTOUR LINE
 - 761 PROPOSED CONTOUR LINE
 - 760.00' EXISTING SPOT ELEVATION
 - 760.00' PROPOSED SPOT ELEVATION
 - W WATER
 - SS STORM SEWER
 - SAN SANITARY SEWER
 - E PROPOSED ELECTRIC SERVICE (UNDERGROUND)
 - G PROPOSED GAS SERVICE
 - BIT CONG. BIT. CONG.
 - M GAS METER
 - E ELECTRIC METER

NOTE: ALL WORK FOR THIS AREA TO BE PROVIDED BY OUTAGAMIE COUNTY PER RIGHT OF WAY ACQUISITION AGREEMENT OF JAN. 5, 1993.

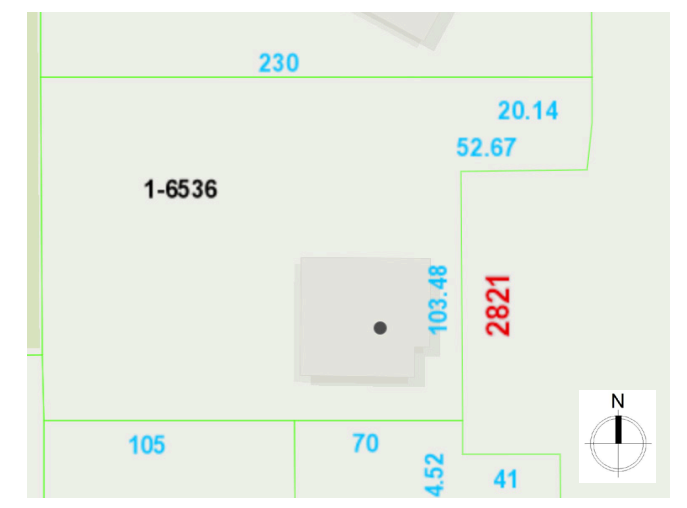
SITE PLAN

- GENE**
- LAND TO THE
 - STUD.
 - STATE
 - MICRO
 - ALL S ELEVATION
 - DRAINAGE THE A
 - STRE
 - ALL D
 - MEST
 - ALL S
 - AROUND
 - NUM
 - DRAIN
 - ALL S
 - ALL C
 - LOCAL
 - PART
 - MAP N
 - THESE
 - DRAW
 - PREVI

PROPERTY FACTS

Property Type: Retail
 Property Subtype: Restaurant
 Building Class: C
 Year Built/Renovated: 1993/2008
 Percent Leased: 100%
 Building Height: 1 Story
 Building FAR: 0.08
 Land Acres: 0.62 AC
 Opportunity Zone: No
 Parking: 30 Spaces (13.5 Spaces per 1,000 SF Leased)
 Frontaged: 122 FT on North Ballard Road

PROPERTY LINES VIA CITY OF APPLETON PROPERTY VIEWER



AUGUST
jane
 INTERIOR DESIGN

PROJECT

FOME
 FOOD & COMPANY

2821 N BALLARD RD APPLETON, WI 54911

DATE: 9.12.22	SCALE: NA
DRAWN BY: HSKAAR	
PROJECT NO: 22-002	
ACCEPTED BY: _____	
DATE: _____	

TITLE
RECORDED PROPERTY LINES AND THEIR DIMENSIONS
DRAWING NO.
2

DRAWING OF SITE PLAN 2.1

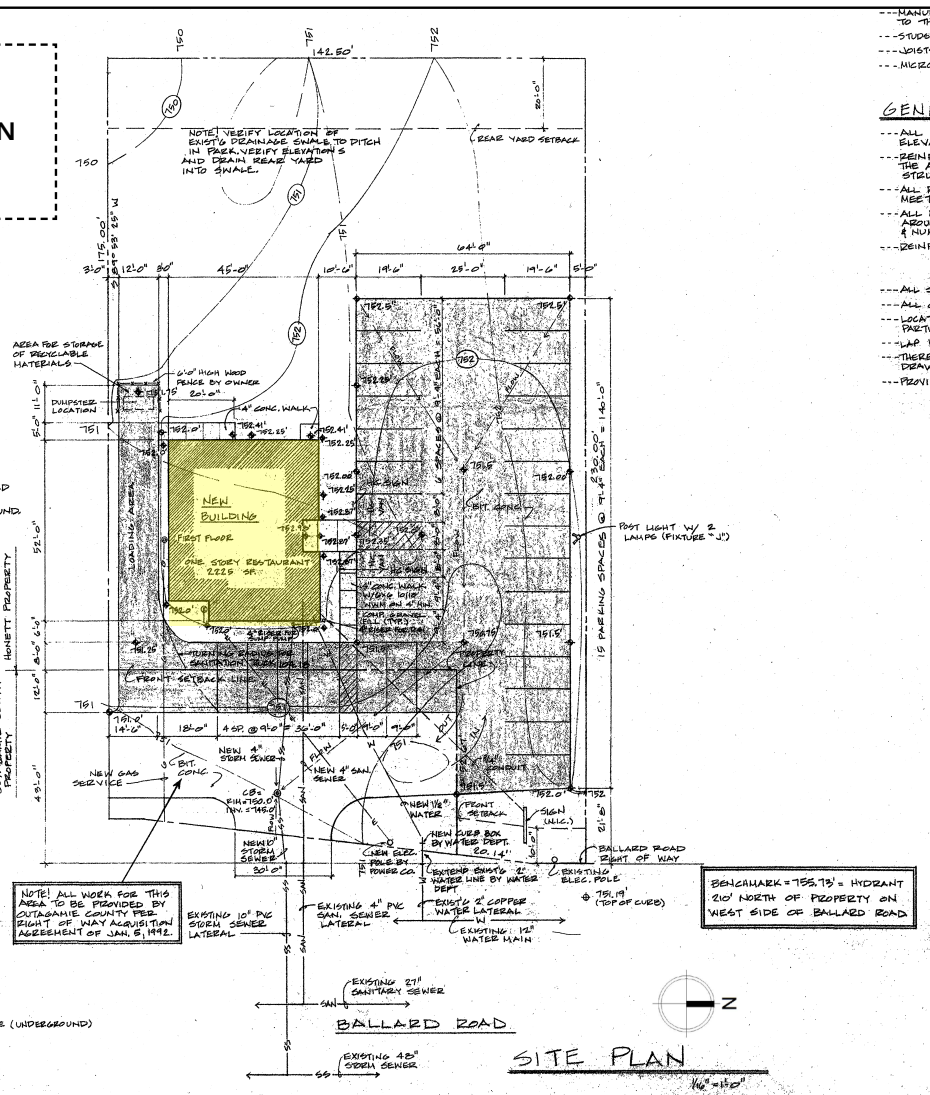
EXISTING AND PROPOSED BUILDINGS + STRUCTURES
MAIN BUILDING:

- BUILDING USE: RESTAURANT
- DIMENSIONS: 45'X52'
- LOCATION: SEE SITE PLAN

NOTE: SITE PLAN CAN BE VIEWED IN FULL SCALE ON 18"X24" FROM 1993

NOTES:

- PARKING LOT PAVING SHALL BE 3" BITUMINOUS CONCRETE ON 4" MIN. COMPACTED GRAVEL FILL.
- PARKING LOT LIGHT FIXTURE SHALL HAVE (2) 250 W HIGH PRESSURE SODIUM FULL CUT-OFF TUBE LAMPS.
- SIGN SHALL BE ILLUMINATED 10'0" W X 2'0" H (2), BOTTOM OF SIGN 10'0" ABOVE GRADE MIN.
- PARKING SPACES SHALL BE 11 PER 100 SF ± 25. 31 SPACES PROVIDED INCLUDING 2 HANDICAPPED VAN ACCESSIBLE SPACES.
- TELEPHONE SERVICE TO BE UNDERGROUND.



- KEY TO SITE PLAN
- PROPERTY LINE
 - 791 EXISTING CONTOUR LINE
 - 791 PROPOSED CONTOUR LINE
 - 790.00' EXISTING SPOT ELEVATION
 - 790.00' PROPOSED SPOT ELEVATION
 - W WATER
 - SS STORM SEWER
 - SAN SANITARY SEWER
 - E PROPOSED ELECTRIC SERVICE (UNDERGROUND)
 - G PROPOSED GAS SERVICE
 - BIT CONG. BIT. CONC.
 - G M GAS METER
 - E M ELECTRIC METER

NOTE! ALL WORK FOR THIS AREA TO BE PROVIDED BY OUTAGAMIE COUNTY PER RIGHT OF WAY ACQUISITION AGREEMENT OF JAN. 5, 1993.

BENCHMARK = 795.73' = HYDRANT 210' NORTH OF PROPERTY ON WEST SIDE OF BALLARD ROAD

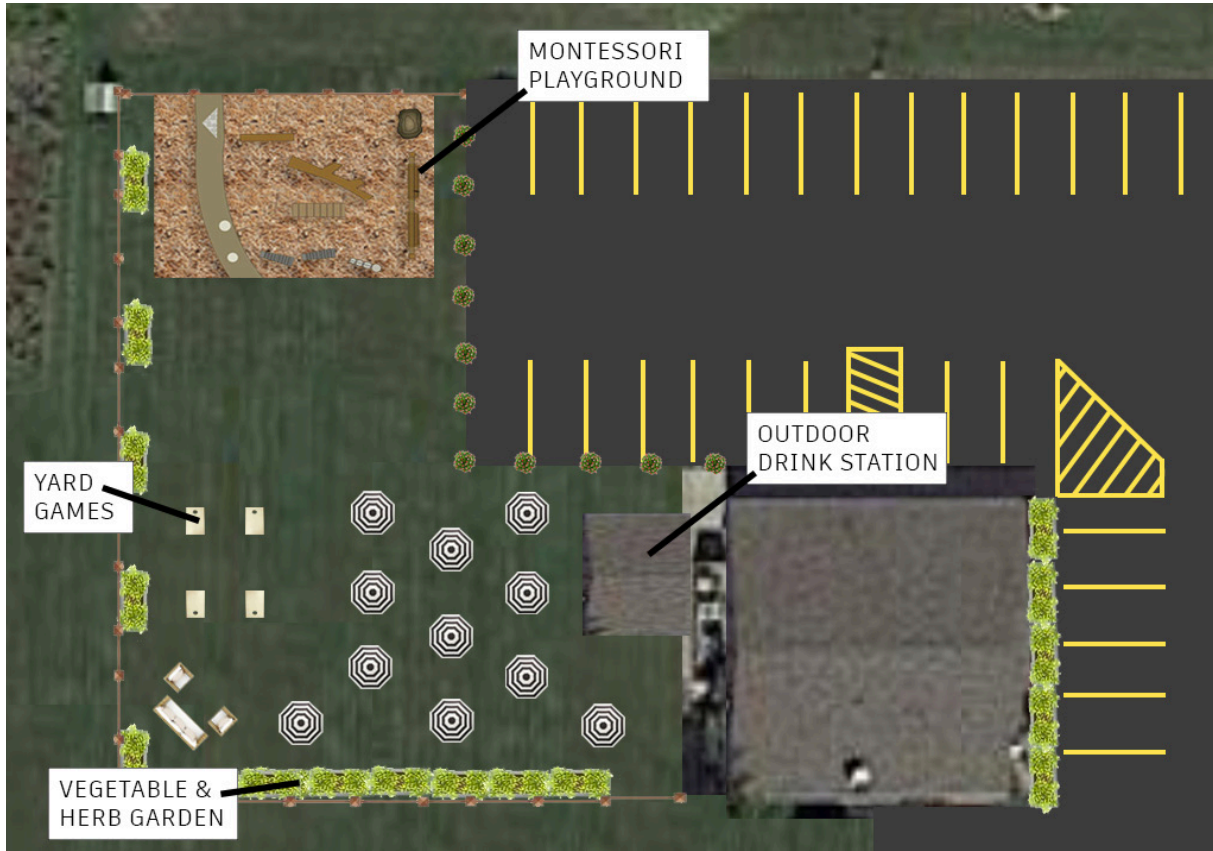
SITE PLAN



2821 N BALLARD RD APPLETON, WI 54911

DATE: 9.12.22	SCALE: NA	TITLE
DRAWN BY: HSKAAR		EXISTING AND PROPOSED BUILDINGS + STRUCTURES
PROJECT NO: 22-002		DRAWING NO.
ACCEPTED BY: _____		3
DATE: _____		

PROPOSED OUTDOOR SPACE 3.1



EXISTING AND PROPOSED BUILDINGS + STRUCTURES

OUTDOOR DRINK PAVILION:

- BUILDING USE: TO SERVE BEVERAGES AND PLACE ORDERS
- DIMENSIONS: TBD
- LOCATION: TBD, IN OUTDOOR SPACE

PLEASE NOTE: THIS OUTDOOR SPACE WILL NOT BE COMPLETED UNTIL THE SPRING/SUMMER OF 2023. NO FORMAL DRAWINGS HAVE BEEN CREATED AT THIS TIME. THIS IS TO SHOW THE CONCEPT OF THE SPACE. LOCATION AND DIMENSIONS OF DRINK THE PAVILION HAVE NOT BEEN FINALIZED.



PROJECT

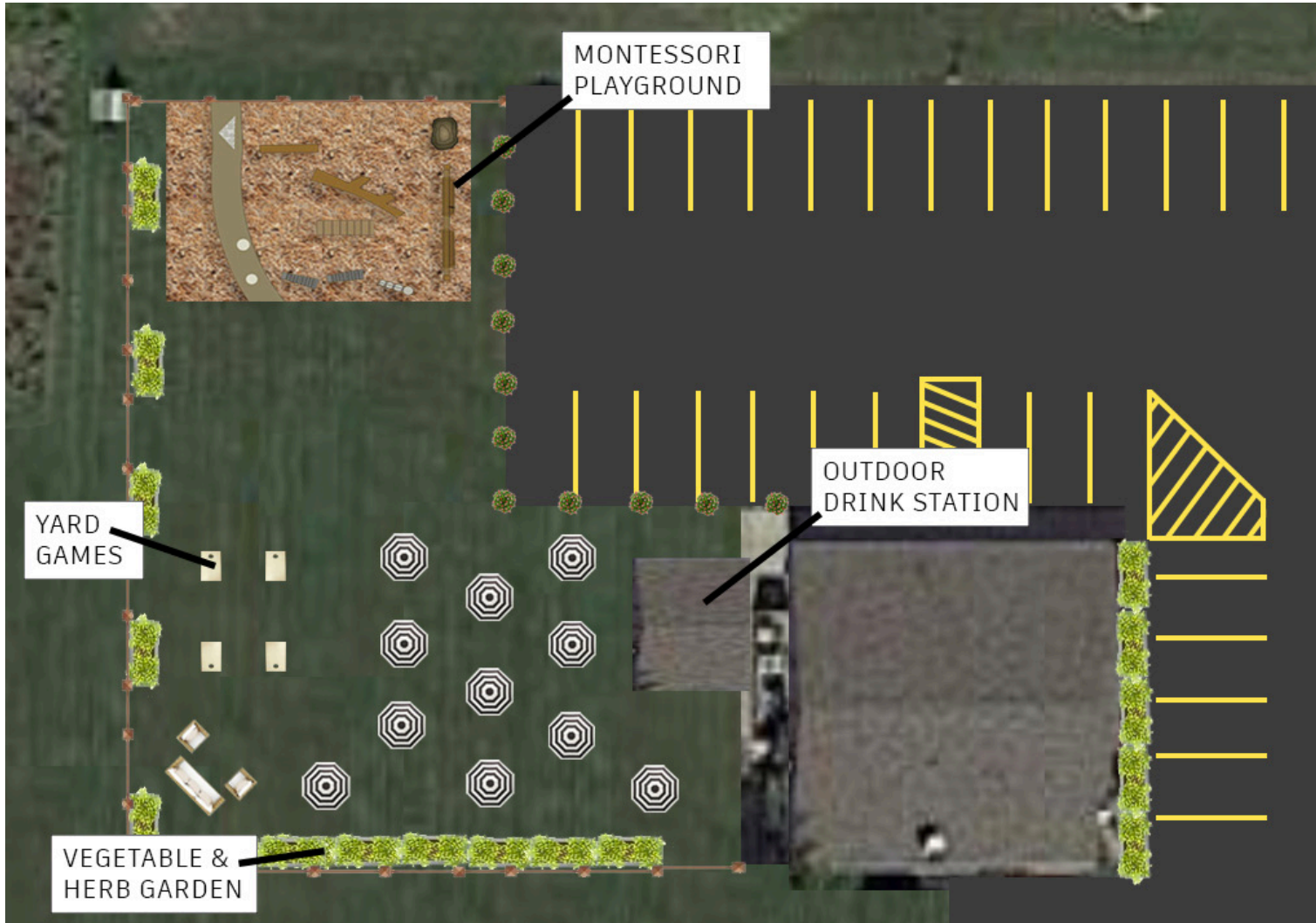
FOME
FOOD & COMPANY

2821 N BALLARD RD APPLETON, WI 54911

DATE: 9.12.22	SCALE: NA
DRAWN BY: HSKAAR	
PROJECT NO: 22-002	
ACCEPTED BY: _____	
DATE: _____	

TITLE
EXISTING AND PROPOSED BUILDINGS + STRUCTURES
DRAWING NO.
3.1

PROPOSED OUTDOOR SPACE 3.1



PROPOSED LANDSCAPING:
GRASS, VARIOUS FOILAGE

OUTDOOR SEATING WILL BE SURROUNDED BY VEGETABLE + HERB GARDENS, GRASSY LOUNGING AREAS, AND VARIOUS BUSHES + FLOWERS.

OPEN AREA FOR EVENTS

MONTESSORI PLAYGROUND TO BE ADDED

UPDATED BUSHES IN FRONT ON THE EAST SIDE OF THE BUILDING



PROJECT

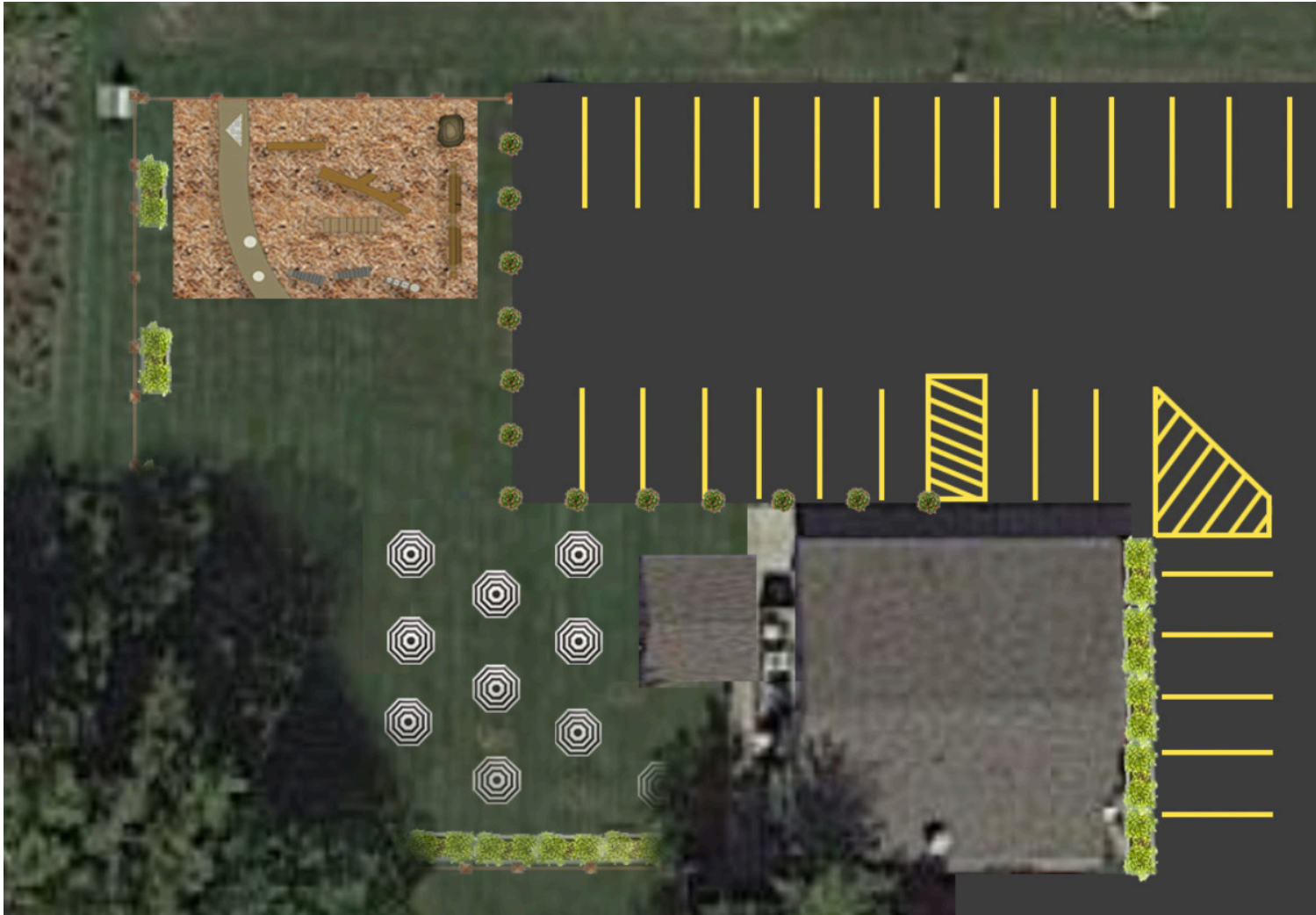
FOME
FOOD & COMPANY

2821 N BALLARD RD APPLETON, WI 54911

DATE: 9.12.22	SCALE: NA
DRAWN BY: HSKAAR	
PROJECT NO: 22-002	
ACCEPTED BY: _____	
DATE: _____	

TITLE
LANDSCAPING CONCEPT
DRAWING NO.
6

PROPOSED OUTDOOR SPACE 6.1



**PROPOSED
LANDSCAPING:
EXISTING TREES
WILL REMAIN**



AUGUST
jane
INTERIOR DESIGN

PROJECT

FOME
FOOD & COMPANY

2821 N BALLARD RD APPLETON, WI 54911

DATE: 9.12.22	SCALE: NA
DRAWN BY: HSKAAR	
PROJECT NO: 22-002	
ACCEPTED BY: _____	
DATE: _____	

TITLE
LANDSCAPING CONCEPT
DRAWING NO.
6.1

EXISTING FENCE AND TREES



**PROPOSED
LANDSCAPING:**
EXISTING TREES FENCE
AND TREES WILL REMAIN.



PROJECT

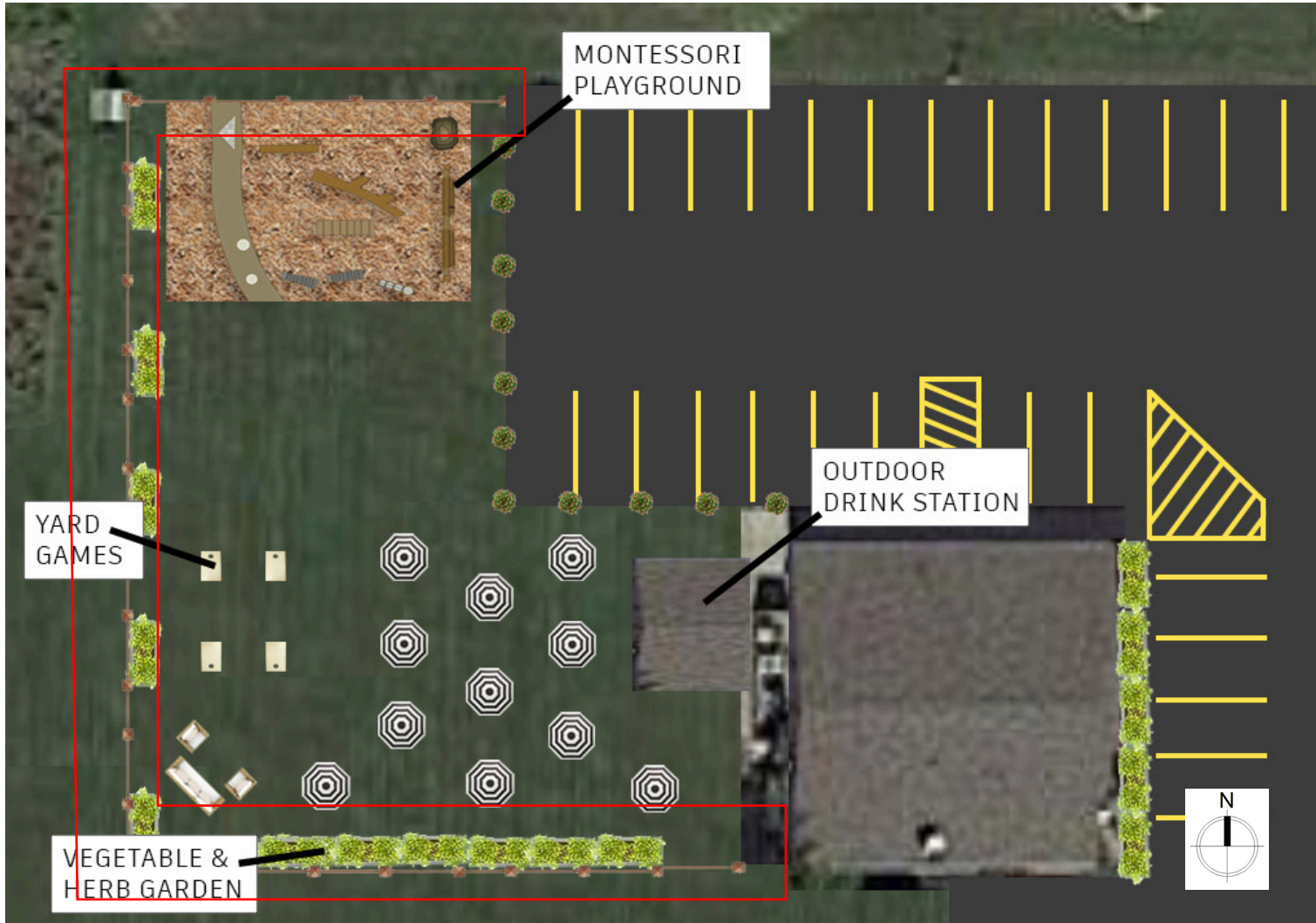
FOME
FOOD & COMPANY

2821 N BALLARD RD APPLETON, WI 54911

DATE: 9.12.22	SCALE: NA
DRAWN BY: HSKAAR	
PROJECT NO: 22-002	
ACCEPTED BY: _____	
DATE: _____	

TITLE
LANDSCAPING CONCEPT
DRAWING NO.
6.2

PROPOSED OUTDOOR SPACE 3.1



PROPOSED LOCATION, HEIGHT, + MATERIAL OF FENCE:

PROPOSED FENCE WILL FOLLOW THE SOUTH AND EAST PROPERTY LINES, AND PART OF THE NORTH PROPERTY LINE BY THE PARKING LOT.

THE FENCE WILL BE 6' TALL AND MADE OF ALUMINUM AND/OR COMPOSITE.

FINAL SELECTIONS HAVE NOT BEEN MADE. WILL BE CHOSEN IN SPRING/SUMMER 2023.

NO RETAINING WALLS ARE PRESENT ON THE PROPERTY.



PROJECT

FOME The location, height and materials of all proposed and existing fences or retaining walls.

FOOD & COMPANY

2821 N BALLARD RD APPLETON, WI 54911

DATE: 9.12.22	SCALE: NA
DRAWN BY: HSKAAR	
PROJECT NO: 22-002	
ACCEPTED BY: _____	
DATE: _____	

TITLE
LOCATION, HEIGHT, + MATERIALS OF FENCE
DRAWING NO.
8

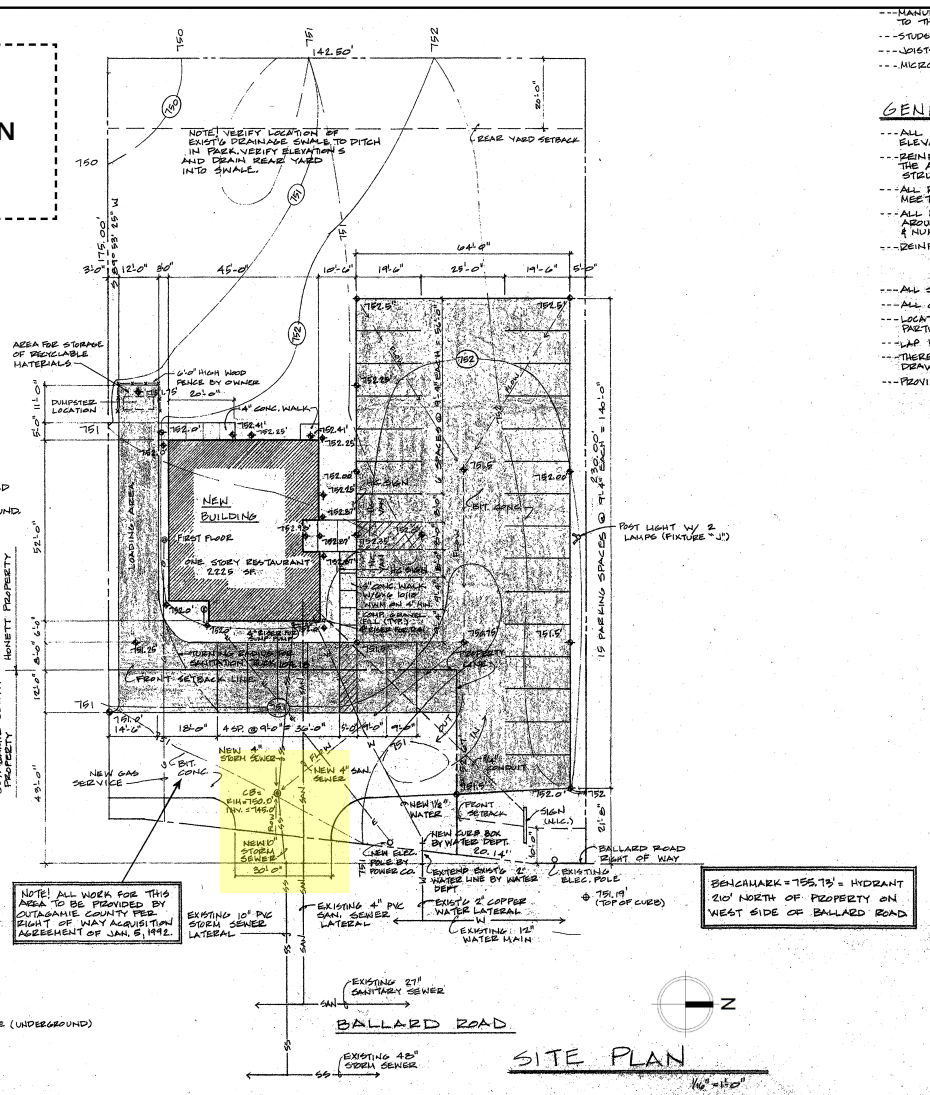
DRAWING OF SITE PLAN 2.1

LOCATION AND SIZE OF EXISTING DRIVEWAY

EXISTING DRIVEWAY FROM N BALLARD ROAD IS 30' WIDE. THIS DRIVEWAY WILL REMAIN.

NOTE: SITE PLAN CAN BE VIEWED IN FULL SCALE ON 18"X24" FROM 1993

- NOTES:**
- PARKING LOT PAVING SHALL BE 3" BITUMINOUS CONCRETE ON 8" MIN. COMPACTED GRAVEL FILL.
 - PARKING LOT LIGHT FIXTURE SHALL HAVE (2) 250 W HIGH PRESSURE SODIUM FULL CUT-OFF TUBE LAMPS.
 - SIGN SHALL BE ILLUMINATED 10'0" W X 2'0" H (2), BOTTOM OF SIGN 10'0" ABOVE GRADE MIN.
 - PARKING SPACES SHALL BE 11 PER 100 SF ± 25. 31 SPACES PROVIDED INCLUDING 2 HANDICAPPED VAN ACCESSIBLE SPACES.
 - TELEPHONE SERVICE TO BE UNDERGROUND.



- KEY TO SITE PLAN**
- PROPERTY LINE
 - 791' EXISTING CONTOUR LINE
 - 791' PROPOSED CONTOUR LINE
 - 790.00' EXISTING SPOT ELEVATION
 - 790.00' PROPOSED SPOT ELEVATION
 - W WATER
 - SS STORM SEWER
 - SAN SANITARY SEWER
 - E PROPOSED ELECTRIC SERVICE (UNDERGROUND)
 - G PROPOSED GAS SERVICE
 - BIT. CONC. BIT. CONC.
 - G GAS METER
 - E ELECTRIC METER

NOTE! ALL WORK FOR THIS AREA TO BE PROVIDED BY OUTAGAMIE COUNTY PER RIGHT OF WAY ACQUISITION AGREEMENT OF JAN. 5, 1993.

BENCHMARK = 795.73' = HYDRANT 210' NORTH OF PROPERTY ON WEST SIDE OF BALLARD ROAD

- GENERAL NOTES:**
- HANG TO TH
 - STUDE
 - JOIST
 - MGR20
 - GENE
 - ALL S ELEV
 - GENE THE A STRU
 - ALL D MEST
 - ALL S AROU 4 NUM
 - GENE
 - ALL S
 - ALL C
 - LOCAT
 - PART
 - LAP W
 - THERE DRAW
 - PRON

SITE PLAN



2821 N BALLARD RD APPLETON, WI 54911

DATE: 9.12.22	SCALE: NA	TITLE
DRAWN BY: HSKAAR		LOCATION AND SIZE OF EXISTING DRIVEWAY
PROJECT NO: 22-002		DRAWING NO.
ACCEPTED BY: _____		9
DATE: _____		

VIEW OF AREA AROUND FOME FOOD & COMPANY 10.1



LOCATION AND USE OF BUILDINGS ON ADJOINING LAND: SOUTH OF NORTHLAND AVE

- "00" CAR WASH
- PICK'N SAVE: Grocery store
- COMMUNITY FIRST CREDIT UNION
- MJI BUILDING SERVICES: Construction

LOCATION AND USE OF BUILDINGS ON ADJOINING LAND: NORTH OF NORTHLAND AVE

- APPLETON PARKS & RECREATION
- BATELY CPA: Certified public accounting firm
- ACUPUNCTURE & HERB CENTER: Traditional Chinese medicine, healthcare
- BUXTON O'NEIL INSURANCE AGENCY: Insurance
- FARMERS INSURANCE: Insurance
- BURGER KING: Restaurant/fast food
- GINGERROOTZ: Asian cuisine
- BSI-BUILDING SERVICE: Office furniture
- MOTOMART: Gas station
- EDWARD JONES: Financial advisor
- HIDEOUT BAR
- CHASE BANK



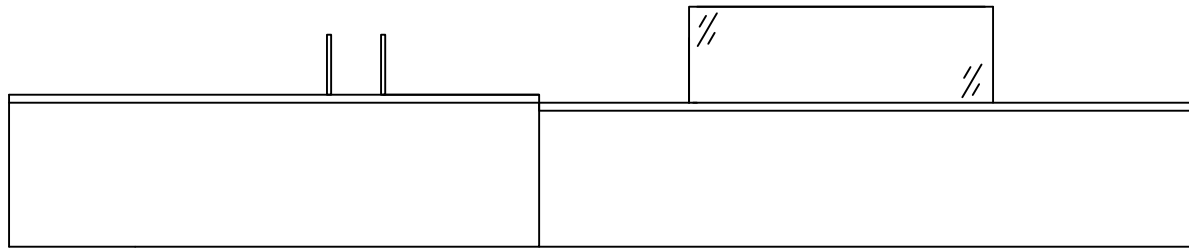
PROJECT

FOME
FOOD & COMPANY

2821 N BALLARD RD APPLETON, WI 54911

DATE: 9.12.22	SCALE: NA
DRAWN BY: HSKAAR	
PROJECT NO: 22-002	
ACCEPTED BY: _____	
DATE: _____	

TITLE
LOCATION AND USE OF BUILDINGS ON ADJOINING LAND
DRAWING NO.
10



VIEW 1 COUNTER ELEVATION



VIEW 2 COUNTER ELEVATION

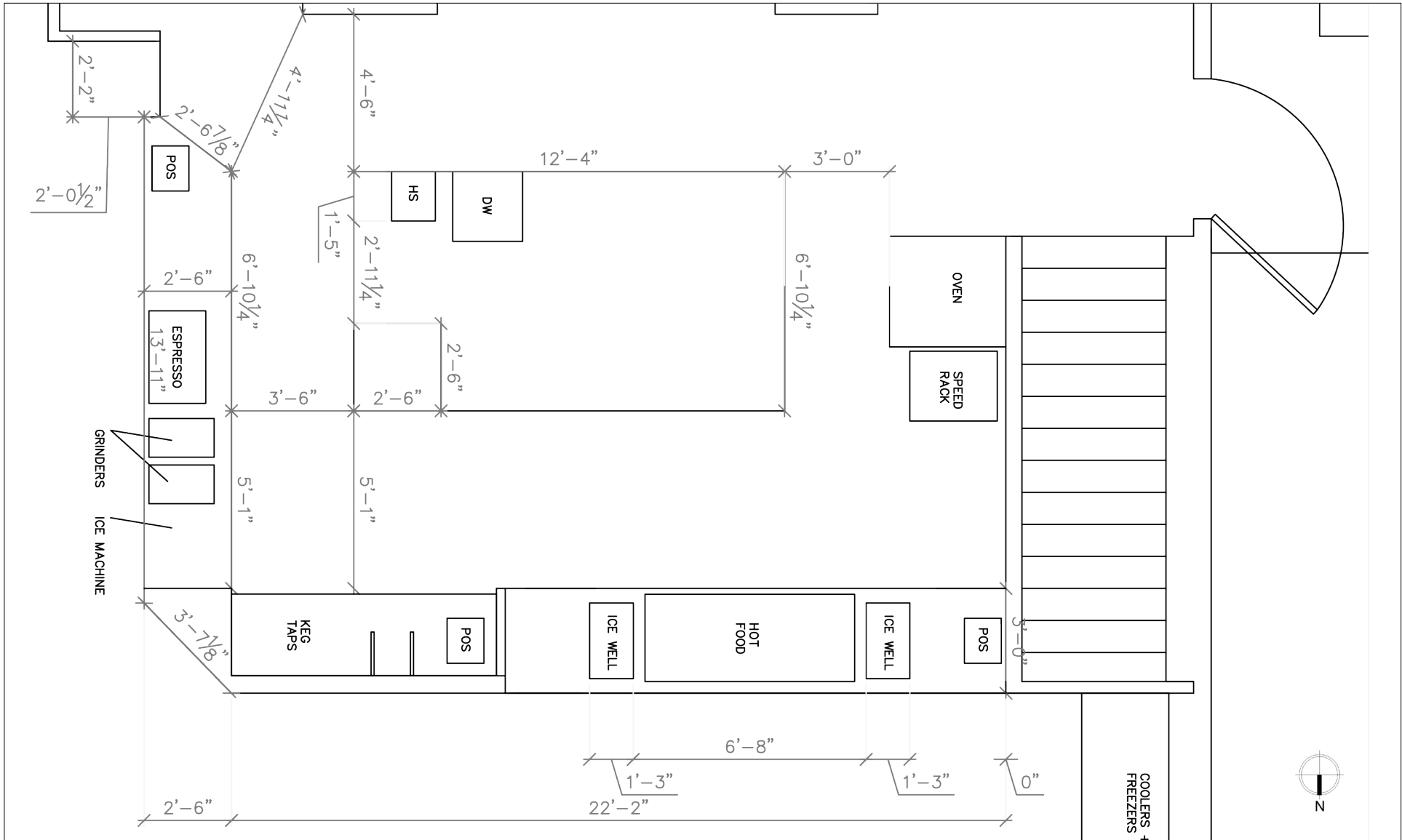


PROJECT

2821 N BALLARD RD APPLETON, WI 54911

DATE: 9.12.22	SCALE: 1/4"=1'-0"
DRAWN BY: HSKAAR	
PROJECT NO: 22-002	
ACCEPTED BY: _____	
DATE: _____	

TITLE
PRELIMINARY ARCHIECTURAL PLANS
DRAWING NO.
11.1



PROJECT

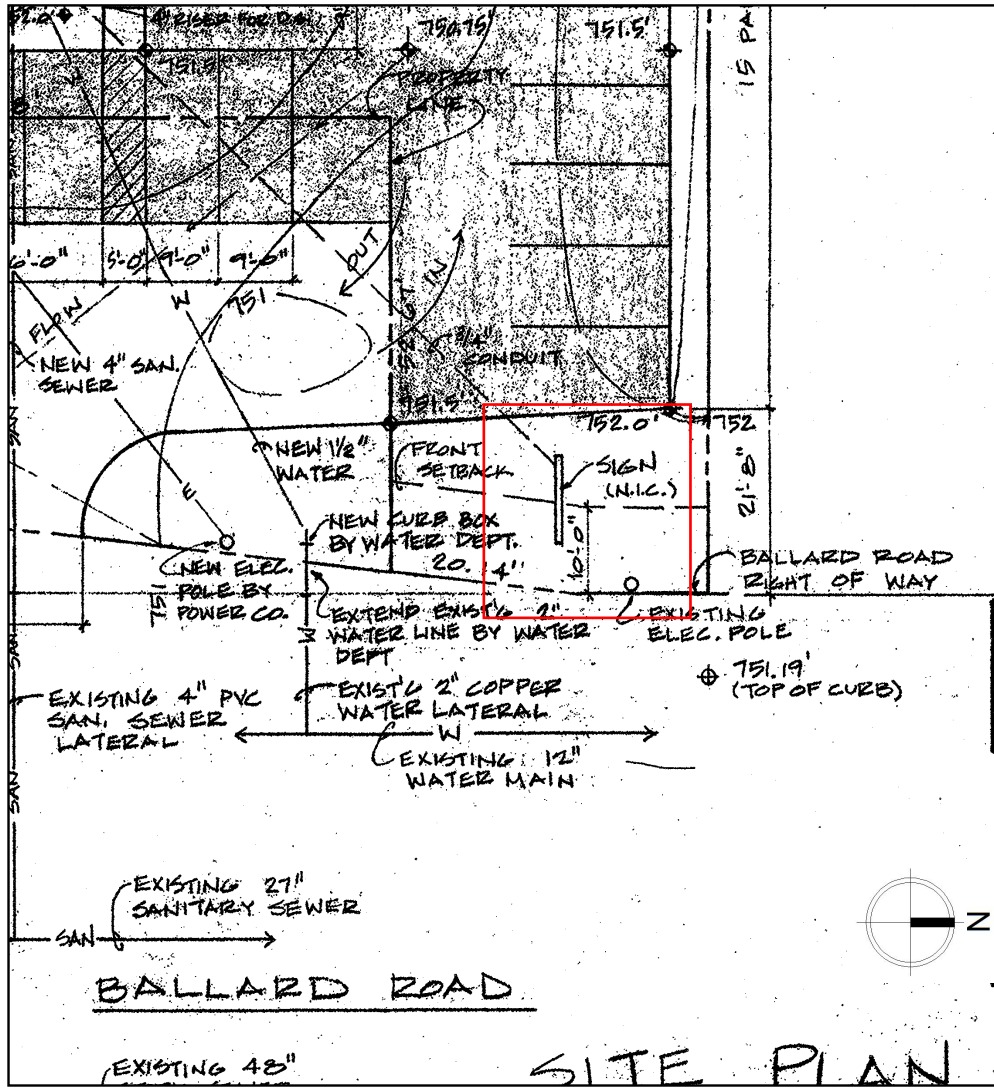
FOME
FOOD & COMPANY

2821 N BALLARD RD APPLETON, WI 54911

DATE: 9.12.22	SCALE: 1/4" = 1'-0"
DRAWN BY: HSKAAR	
PROJECT NO: 22-002	
ACCEPTED BY: _____	
DATE: _____	

TITLE
FLOOR PLAN OF THE BUILDING: COUNTER
DRAWING NO.
12

DRAWING OF SITE PLAN 2.1



EXISTING/PROPOSED LOCATIONS OF SIGNAGE

NEW SIGNAGE WILL BE ADDED TO THE EXTERIOR OF THE BUILDING AND THE EXISTING SIGNAGE FROM PARADISE ISLAND WILL BE REPLACED BY APPLETON SIGN. SEE SIGN PROPOSAL ON PAGE 13.1.

SEE LOCATION OF EXISTING SIGNAGE TO BE UPDATED ON SITE PLAN 2.1

PLEASE NOTE: NO FORMAL DRAWINGS HAVE BEEN CREATED AT THIS TIME. THIS IS TO SHOW THE CONCEPT OF THE EXTERIOR.



EAST ELEVATION



PROJECT

FOME
FOOD & COMPANY

2821 N BALLARD RD APPLETON, WI 54911

DATE: 9.12.22	SCALE: NA
DRAWN BY: HSKAAR	
PROJECT NO: 22-002	
ACCEPTED BY: _____	
DATE: _____	

TITLE
LOCATION OF PROPOSED SIGNAGE
DRAWING NO.
13

LOCATION VIEW

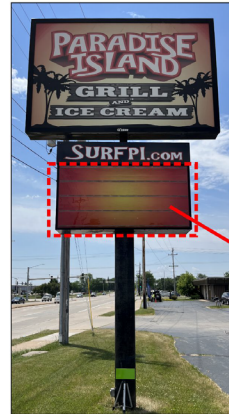


SCALE: 3/8" = 1' 0"

NIGHT VIEW



EXISTING VIEW



A 1

DETAIL VIEW



- EXISTING RETAINER: 4"
- NORTH SIDE FACE HINGES
- REVERSE ANGLE CLIPS

FULL COLOR DUAL LAYERED DIGITALLY PRINTED FLEX FACE REPLACEMENTS FOR D/F PYLON SIGN

SCALE: 3/8" = 1' 0"

A 2

DETAIL VIEW



PREFINISHED WHITE ALUPANEL FACE REPLACEMENT
W/ ONE COLOR CUT REVERSE WEEDED VINYL COPY

SCALE: 1/2" = 1' 0"

**PEEL S/S PRINTED VINYL AND VINYL BACKER
REPLACE W/ TRANS. WHITE 48"X 95" VINYL S/S**

2400 Holly Road • Neenah, WI 54956
Tel: 920.734.1601 • Fax: 920.734.1622
www.AppletonSIGN.com

CLIENT:	FOME
STREET ADDRESS:	2821 N BALLARD ROAD
CITY / STATE:	APPLETON, WI
DATE:	7/11/2022
SALES:	SARA KRKLJES
DESIGNER:	DANE SCHUMACHER

GENERAL SPECIFICATIONS	
VOLTAGE:	120v - 277v - POWER SUPPLIES USED
POWER DRAW:	NA - AMPS - TOTAL (AMPERAGE)
SQUARE FOOTAGE:	100 - APPROX.

REQUIRED ITEMS FROM CLIENT	
BRANDING STANDARDS?	NO ART RESTORATION FEE MAY BE APPLIED TO PRODUCT IF PRODUCTION READY ARTWORK IS NOT PROVIDED BY CLIENT PRIOR TO PRODUCTION

COLOR SCHEDULE	
1	ORACAL 751070 BLACK
2	ORACAL 850010 WHITE
3	COLOR CALL OUT
4	COLOR CALL OUT
5	COLOR CALL OUT
6	COLOR CALL OUT
7	COLOR CALL OUT
8	COLOR CALL OUT

SURVEY ITEMS REQUIRED	
FIELD SURVEY?	ANY PRICE ASSOCIATED WITH THIS DESIGN CAN NOT BE GUARANTEED. THROUGHS BORING A FIELD SURVEY HAS IMPACT ESTIMATED THIS DATE/FILES

<input checked="" type="checkbox"/> ON SITE COLOR MATCH	<input checked="" type="checkbox"/> TRUCK ACCESS?
<input checked="" type="checkbox"/> AVAILABLE AREA	YES <input type="checkbox"/> NO <input type="checkbox"/>
<input checked="" type="checkbox"/> FACE DETAILS	<input checked="" type="checkbox"/> BEHIND WALL ACCESS?
<input checked="" type="checkbox"/> POLE DETAILS	YES <input type="checkbox"/> NO <input type="checkbox"/>
<input checked="" type="checkbox"/> ALL SIGN DETAILS	<input checked="" type="checkbox"/> ELECTRICAL EXISTING?
<input checked="" type="checkbox"/> OTHER: ADDITIONAL SURVEY DETAILS HERE	YES <input type="checkbox"/> NO <input type="checkbox"/>

SURVEY UPDATE	
APPROVED:	CONTACTED:

PLEASE SIGN BELOW STATING THAT THIS DESIGN IS APPROVED

X

BY SIGNING THIS DOCUMENT, YOU ARE AGREEING TO ALL SPECIFICATIONS/SCOPE OF WORK DESCRIBED ON THIS DRAWING & THE PROPOSAL MATCHING THE DESIGN ID #. PRODUCTION OF THIS PROJECT WILL NOT BE ALLOWED WITHOUT A SIGNATURE.

A OPT. 2 220760-04

**DETAILED DESIGN!
CAN BE USED FOR PRODUCTION**

MANUFACTURE AND INSTALL THE FOLLOWING: A. FACE REPLACEMENTS FOR ONE(1) D/F LIT PYLON SIGN

DISCLAIMERS: THIS DOCUMENT IS OWNED BY APPLETON SIGN COMPANY. IT IS A CONCEPTUAL REPRESENTATION OF SERVICES PROVIDED BY APPLETON SIGN. CLIENT AGREES, BY RECEIPT OF THIS DESIGN, NOT TO SHARE CONCEPTS OR SPECIFICATIONS WITH ANY THIRD PARTY UNLESS PURCHASED BY PAYMENT OR GIVEN WRITTEN CONSENT. ANY VIOLATION WILL BE ENFORCED AND MAY CONSTITUTE DESIGN FEES. © COLORS SHOWN ON THIS DOCUMENT ARE A CONCEPTUAL REPRESENTATION OF ACTUAL COLORS USED IN THE PRODUCTION PROCESS. PAPER PRINT OUTS/COMPUTER SCREEN VISUALS MAY NOT ACCURATELY REPRESENT THE ACTUAL COLOR LISTED DUE TO DIFFERENT CAPABILITIES. IF YOU NEED TO SEE A SAMPLE OF THE ACTUAL COLOR BEFORE APPROVING, PLEASE REQUEST A PHYSICAL COLOR SAMPLE FROM YOUR SALES REPRESENTATIVE.

PROJECT

FOME
FOOD & COMPANY

2821 N BALLARD RD APPLETON, WI 54911

DATE: 9.12.22	SCALE: NA
DRAWN BY: HSKAAR	
PROJECT NO: 22-002	
ACCEPTED BY: _____	
DATE: _____	

TITLE
LOCATION OF PROPOSED SIGNAGE
DRAWING NO.
13.1

PROPOSED HOURS OF OPERATION

FOME FOOD & COMPANY WILL BE OPEN WEDNESDAY THROUGH SUNDAY
7:00 AM - 3:00 PM.

FOME WILL BE AVAILABLE TO HOST PRIVATE/SPECIAL EVENTS AFTER HOURS
3:00 PM - 12:00 AM.

PROPOSED NUMBERS OF EMPLOYEES

FOME FOOD & COMPANY WILL HAVE 12-20 EMPLOYEES

	PROJECT		DATE: 9.12.22	SCALE: NA	TITLE
	 2821 N BALLARD RD APPLETON, WI 54911		DRAWN BY: HSKAAR		PROPOSED HOURS OF OPERATION + NUMBER OF EMPLOYEES
			PROJECT NO: 22-002		DRAWING NO.
			ACCEPTED BY: _____		15
		DATE: _____			



REPORT TO CITY PLAN COMMISSION

Plan Commission Meeting Date: October 12, 2022

Common Council Meeting Date: October 19, 2022

Item: Final Plat – Trail View Estates South 3

Case Manager: David Kress, Principal Planner

GENERAL INFORMATION

Owner/Applicant: Emerald Valley Estates, LLC c/o Robert De Bruin

Address/Parcel #: Generally located between French Road and Cherryvale Avenue, south of the creek/trail corridor (Tax Id #31-1-6410-00, #31-1-6411-00, and #31-1-7513-00).

Petitioner's Request: The applicant is proposing to subdivide the property into 76 lots and one outlot for single-family residential development.

BACKGROUND

Parcel #31-1-7513-00 was annexed to the City in 1997 with the Northeast Annexation, parcel #31-1-6410-00 was annexed to the City in 2011 with the North French Road Annexation, and parcel #31-1-6411-00 was annexed in 2020 with the Trail View Estates South Annexation.

On September 2, 2020, Common Council approved Comprehensive Plan Amendment #1-20 and Rezoning #6-20. Comprehensive Plan Amendment #1-20 amended the City's Future Land Use Map from the Multi-Family Residential designation to the One and Two-Family Residential designation for parcels #31-1-6410-00 and #31-1-6411-00. Rezoning #6-20 rezoned parcels #31-1-6410-00, #31-1-7513-00, and #31-1-6411-00 from R-3 Multi-Family District, R-2 Two-Family District, and temporary AG Agricultural District to R-1B Single-Family District.

The Trail View Estates South Preliminary Plat, to subdivide all of parcels #31-1-6410-00, #31-1-7513-00, and #31-1-6411-00, was approved by Common Council on September 2, 2020.

On September 2, 2020, Common Council approved the Trail View South Development Agreement to set forth the City of Appleton, Village of Little Chute, and developer duties and responsibilities with respect to development of the subject land.

The Final Plat for Trail View Estates South, consisting of 25 lots, was approved by Common Council on November 4, 2020 for land located immediately east of the subject area (first phase of subdivision).

The Final Plat for Trail View Estates South 2, consisting of 26 lots, was approved by Common Council on September 1, 2021 for land located immediately east and south of the subject area (second phase of subdivision).

STAFF ANALYSIS

Existing Conditions: The subject property consists of vacant, undeveloped land. The area to be platted for single-family residential development totals approximately 18.5096 acres, which will be divided into 76 lots and one outlot.

Comparison between Final Plat and Preliminary Plat: The Preliminary Plat covered a larger area (32.0110 acres), whereas the Final Plat is for the remaining parts of Tax Id #31-1-6410-00, #31-1-6411-00, and #31-1-7513-00 (18.5096 acres). One noteworthy change is that Outlot 1 has been added since the Preliminary Plat, based upon language included in the Trail View South Development Agreement. However, the Final Plat is generally consistent with the Preliminary Plat layout in terms of the shape, size, and location of the lots. This is the third phase of lots for the broader subdivision development area.

Zoning Ordinance Review Criteria: The current lot development standards for the R-1B Single-Family District (Section 23-93 of the Municipal Code) are as follows.

- Minimum lot area: 6,000 square feet.
 - *The proposed lots range in size from 2,160 square feet to 14,199 square feet. Outlot 1 (2,160 square feet) does not meet the lot area requirement. All other lots exceed this requirement.*
- Minimum lot width: 50 feet.
 - *The proposed lots range in width from 16 feet to approximately 177.37 feet. Outlot 1 (16 feet) does not meet the lot width requirement. All other lots exceed this requirement.*
- Minimum front, side, and rear yard setbacks: 20 feet front yard (25 feet on arterial street), 6 feet side yard, and 25 feet rear yard.
 - *Required front yard setback is shown on the Final Plat. Setbacks will be reviewed through the building permit review process.*
- Maximum building height: 35 feet.
 - *This will be reviewed through the building permit review process.*
- Maximum lot coverage: 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 as described below. The Trail View Estates South Preliminary Plat was approved by Common Council with conditions granting relief from certain requirements. The previously approved modification of regulations continues to apply to this Final Plat.

- Grant relief from the double frontage lot requirements for proposed Lots 62-64 (now identified as Lots 63-65).
- Grant relief from the minimum lot depth requirement for residential lots backing on arterials for proposed Lot 63 (now identified as Lot 64).
- Grant relief from the minimum right-of-way width requirement for a segment of proposed Gladiolus Place/Court.

Final Plat – Trail View Estates South 3

Page 3

October 12, 2022

One additional modification of regulations is needed for this Final Plat. As stated previously in the staff report, proposed Outlot 1 does not comply with the minimum lot area and minimum lot width requirements. Zoning and subdivision regulations are typically written to deal with buildable sites, not sites for incidental features like a trail. The lot area and lot width deviation request for Outlot 1 represents an effort to establish buildable lots while also accommodating trail access. 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: Vehicular access to the subject lots is provided by extensions of existing Gladiolus Place, Tulip Trail, Golden Gate Drive, and Callalilly Lane. The street right-of-way for Gladiolus Place, Gladiolus Court, Tulip Trail, Golden Gate Drive, and Callalilly Lane will be dedicated to the public with the Final Plat. All streets are shown as 60-foot-wide right-of-way, except for the segments of Gladiolus Place and Gladiolus Court, which are shown as 50-foot-wide right-of-way. No new street names are introduced with this phase of the subdivision.

Surrounding Zoning Classification and Land Uses:

North: NC Nature Conservancy District and Town of Grand Chute. The adjacent land uses to the north are currently single-family residential and the Apple Creek corridor and recreational trail.

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

East: R-1B Single-Family District. Previous phases of the subdivision, Trail View Estates South and Trail View Estates South 2, are located to the east and being developed with single-family residential.

West: P-I Public Institutional District and Town of Grand Chute. The adjacent land uses to the west are currently single-family residential and public open space uses, including the USA Youth Sports Complex.

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.

Final Plat – Trail View Estates South 3

Page 4

October 12, 2022

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. As specified in the Trail View South Development Agreement, the developer shall provide a 16-foot wide outlot between lots 91 and 110 connecting Golden Gate Drive and the existing Apple Creek Trail to accommodate pedestrian access to the public trail. The City will be responsible for all costs to construct and maintain this trail access corridor. The Development Agreement also indicates that the developer shall pay required park fees. 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 (TRG) Report: This item appeared on the August 23, 2022 TRG agenda. Comments were received from participating departments and captured in the stipulations found below.

RECOMMENDATION

The Trail View Estates South 3 Final Plat, as shown on the attached maps, **BE APPROVED** subject to the following conditions:

1. 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.
2. For lots zoned R-1B Single-Family District, park fees are \$300 per lot. Park fees of \$22,800 shall be paid to the City of Appleton Finance Department prior to City signatures being affixed to the Final Plat.
3. Show or note an access control restriction along French Road.

Final Plat – Trail View Estates South 3

Page 5

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4. Show the contour line lying a vertical distance of two feet above the elevation of the 100-year recurrence interval flood. Per Section 17-26(i)(1) of the Municipal Code, subdivided lots shall have at least 50% of the minimum required lot area, based upon the respective zoning district, at least two feet above the elevation of the 100-year recurrence interval flood.
5. Grant relief from the minimum lot width and minimum lot area requirements for Outlot 1, per Section 17-3(f) of the Municipal Code and as stated previously in the staff report.
6. There are several errors in the Surveyor's Certificate:
 - a. "... along the South line of Outlot 1 of said Certified Survey Map 7878, S88°59'37"E, 65.44 feet ..." should refer to the north line.
 - b. "... to the Northwest corner of Lot 19 of said Trail View Estates ..." should refer to Trail View Estates South.
 - c. "... along a East line of said Lot 39; S00°52'57"W, 110.00 feet ..." should refer to the west line.
7. Near Lots 97 and 98, the label for the 12' utility easement appears to be in the wrong location. Revise as necessary.
8. Provide a 15-foot-wide sanitary sewer easement centered on the Lot 56/57 property line to accommodate future sanitary sewer extension from Gladiolus Place to lands north of the plat.
9. On Sheet 2 of the plat, modify the callout for Outlot 1 to read as follows: Dedicated to the public for trail and water main purposes.
10. For all "Storm Sewer" Easements shown on the plat, revise the description to read "Storm Sewer and Drainage" Easement.
11. Provide a Storm Sewer and Drainage Easement between Lots 62 and 63.
12. On the south side of Lots 69 and 70, revise the description of the "20' Drainage Easement" to read "20' Storm Sewer and Drainage Easement," to accommodate the proposed storm sewers.
13. On the south side of Lot 117, revise the description of the "15' Drainage Easement" to read "15' Storm Sewer and Drainage Easement," to accommodate the proposed storm sewers.
14. On the South side of Lot 127, revise the 15' drainage easement to read 15' Storm Sewer and Drainage Easement, to accommodate the proposed storm sewer.
15. On the North side of Lot 103 and 104, revise the 15' drainage easement to read 15' Storm Sewer and Drainage Easement, to accommodate the proposed storm sewer.

Final Plat – Trail View Estates South 3

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October 12, 2022

16. The open circle symbol shown on the map portions of sheets 1 and 2 are missing from the corresponding legends, add a description for the open circle symbols to the legends.
17. The scale of some of the map symbols do not match the scale of the corresponding symbols shown in the legend, revise as necessary.
18. The exterior boundary map bearing/distance of N50°02'12"E 414.42' does not match the corresponding bearing/distance of N50°02'12"E 414.41' shown in the surveyor's certificate.
19. Any planned delay to set the plat monumentation should include an application for a monumentation waiver request.
20. A Stormwater Permit with Stormwater Management Plan (SWMP) was issued on 10/26/2020 based on the master SWMP developed per the overall Trail View South Preliminary Plat. The design engineer shall confirm whether any changes were made in relation to the Trail View Estates South 3 Final Plat that could impact the approved SWMP, and submit any required revisions to the SWMP to DPW for review and approval.
21. The Stormwater Permit and approved Stormwater Management Plan (SWMP) were issued based on DPW approval of the Engineering Plans, including the subdivision Drainage Plan, by Davel and Associates dated 11/30/2020. Please work with DPW Engineering to provide the following changes to the engineering drawings, and confirm whether any other changes were made in relation to the Trail View Estates South 3 Final Plat that could impact the approved Engineering Plans, and submit any required revisions to the SWMP to DPW for review and approval:
 - a. Provide an 8" water main stub within Outlot 1 from Golden Gate Drive to the north plat limits.
 - b. Provide an 8" sanitary sewer stub within the 15' sanitary sewer easement along lots 56/57 from Gladiolus Place to the north plat limits.
22. The following streets within the Final Plat are to be classified as follows:
 - a. Gladiolus Place: Local Street
 - b. Gladiolus Court: Local Street
 - c. Tulip Trail: Local Street
 - d. Golden Gate Drive: Local Street
 - e. Callalilly Lane: Local Street
23. Development is subject to conditions of the Intergovernmental Cooperation Agreement between the Village of Little Chute and City of Appleton that was approved in 2013 and amended in 2020.

Final Plat – Trail View Estates South 3

Page 7

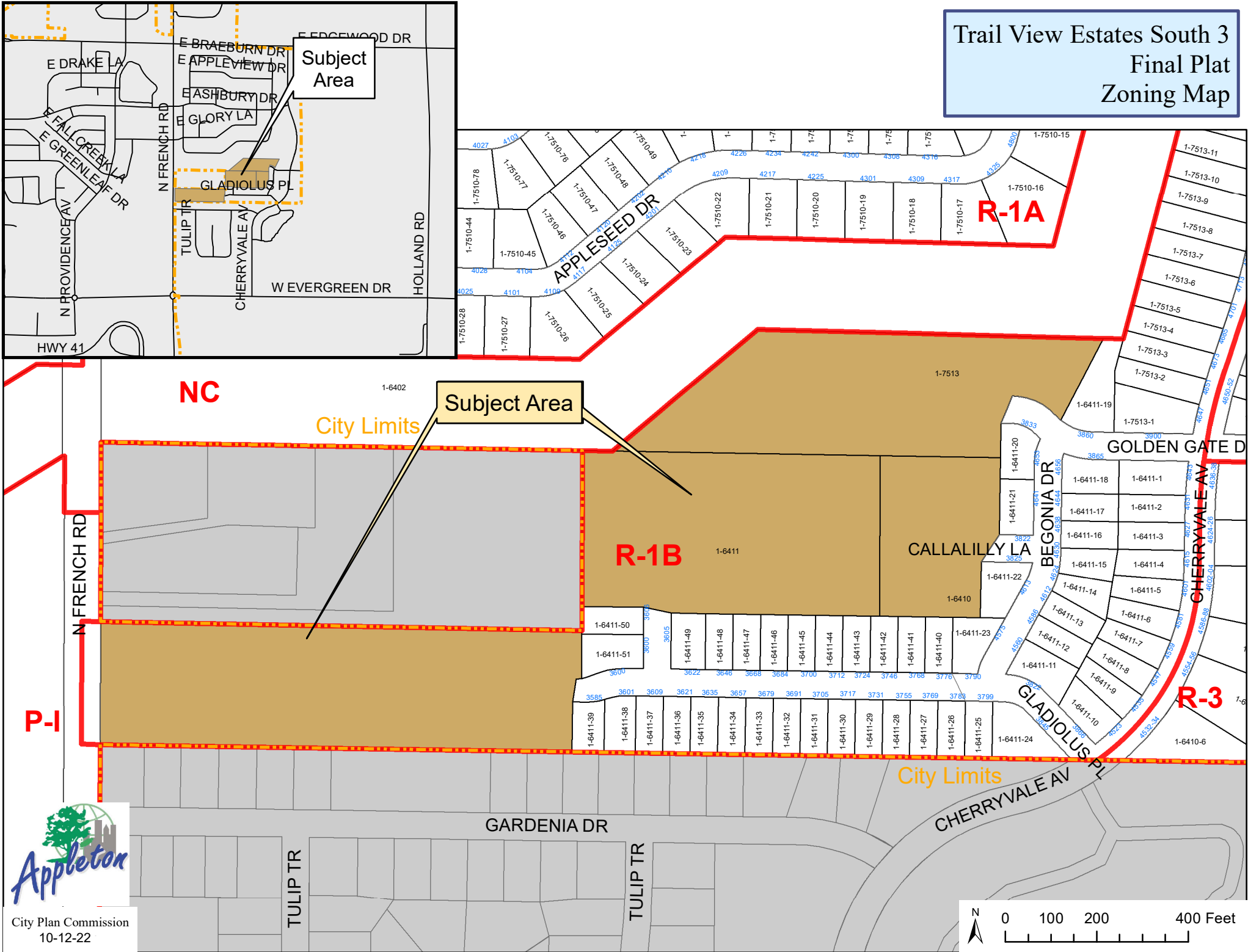
October 12, 2022

24. Development is subject to conditions of the Land Dedication Agreement between B&H Properties, Inc. and the City of Appleton that was approved by Common Council on June 5, 2013.

25. Development is subject to conditions of the Development Agreement between the City of Appleton, Village of Little Chute, and Emerald Valley Estates, LLC that was approved by Common Council on September 2, 2020.

26. 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.

Trail View Estates South 3 Final Plat Zoning Map

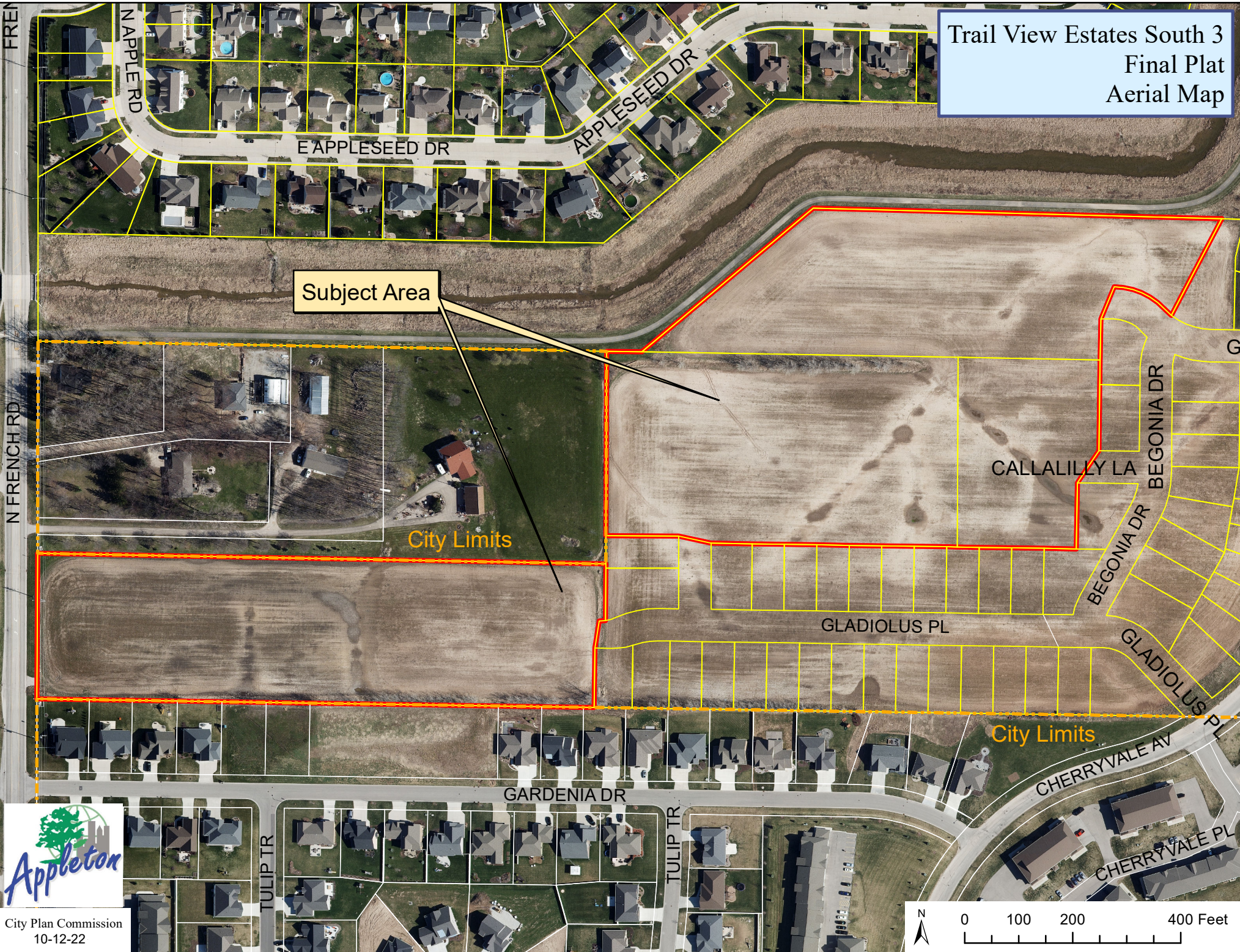


Trail View Estates South 3
Final Plat
Aerial Map

Subject Area

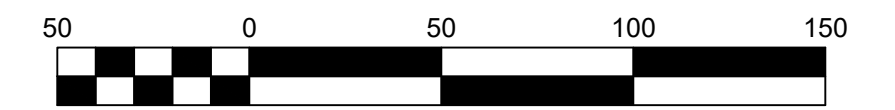
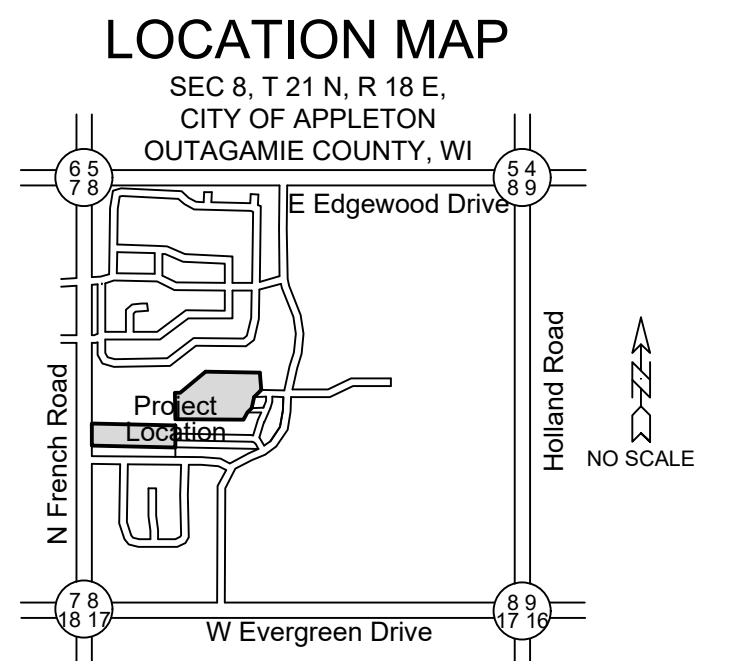
City Limits

City Limits

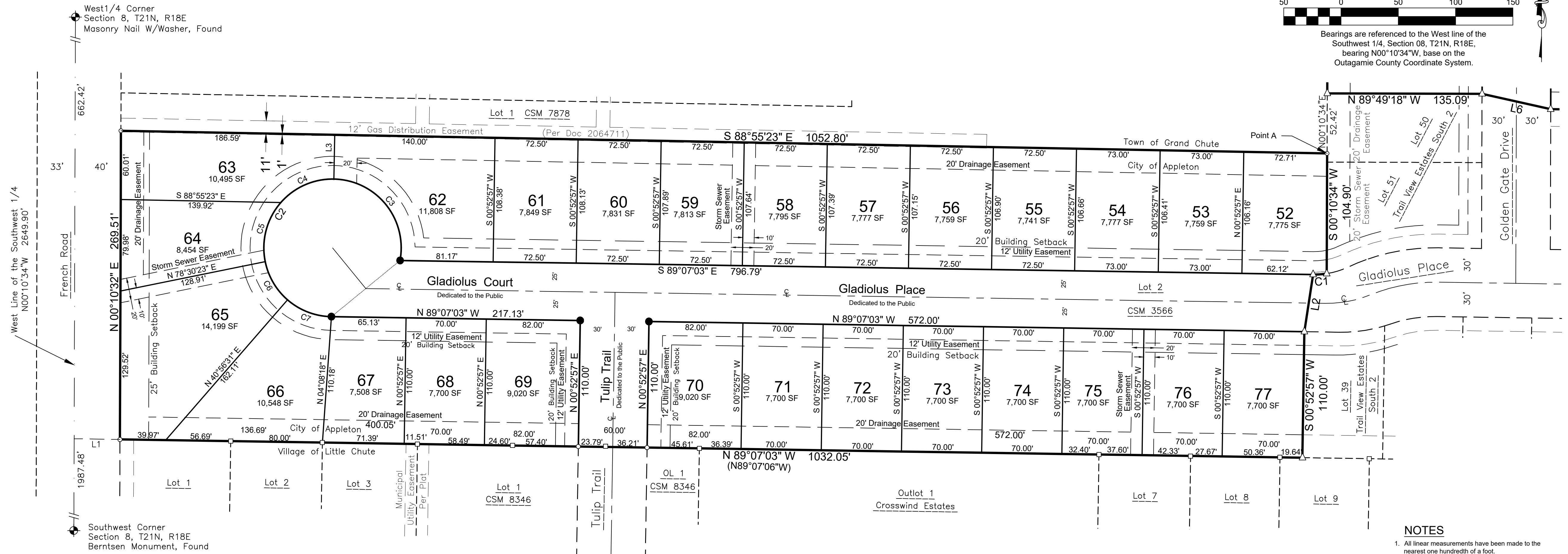


Trail View Estates South 3

Part of Outlot 1, Trail View Estates, being part of the Southwest 1/4 of the Northwest 1/4 and part of the Southeast 1/4 of the Northwest 1/4; and part of Lot 2, Certified Survey Map 3566 & part of Outlot 1, Certified Survey Map 7878 both being located in part Northwest 1/4 of the Southwest 1/4 and part Northeast 1/4 of the Southwest 1/4, all located in Section 8, Township 21 North, Range 18 East, City of Appleton, Outagamie County, Wisconsin



Bearings are referenced to the West line of the Southwest 1/4, Section 08, T21N, R18E, bearing N00°10'34"W, base on the Outagamie County Coordinate System.



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

Southwest Corner
Section 8, T21N, R18E
Bernsten Monument, Found

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
- 1.3" OD Iron Pipe Found
- 1 1/2" x 30" Steel Rebar @ 4.30lbs/LF SET
- All Other Corners
- 3/4" x 24" Steel Rebar @ 1.50lbs/LF SET
- SF Lot Areas in Square Feet
- () Recorded As
- - - Existing Lot Line

Curve	Radius	Chord Direction	Chord Length	Arc Length	Central Angle	Tangent Bearing-in	Tangent Bearing-out
C1	70.00'	S 85°59'38" W	11.93'	11.95'	9°46'38"	N 81°06'19" E	S 89°07'03" E
C2	60.00'	S 00°58'50" W	120.00'	188.70'	180°11'45"	S 88°55'18" E	N 89°07'03" W
C3	60.00'	N 39°13'21" W	91.52'	104.09'	99°23'54"	N 88°55'18" W	N 10°28'38" E
C4	60.00'	S 66°16'10" W	50.35'	51.96'	49°37'04"	S 41°27'38" W	N 88°55'18" W
C5	60.00'	S 14°59'01" W	53.50'	55.45'	52°57'15"	S 11°29'37" E	S 41°27'38" W
C6	60.00'	S 30°16'33" E	38.64'	39.34'	37°33'52"	S 49°03'29" E	S 11°29'37" W
C7	60.00'	S 69°05'16" E	41.10'	41.95'	40°03'34"	S 89°07'03" E	S 49°03'29" E
C8	120.00'	N 47°16'23" W	17.53'	17.54'	8°22'34"	S 51°27'40" E	S 43°05'06" E
C9	130.00'	N 66°06'05" W	101.66'	104.44'	46°01'57"	S 43°05'06" E	S 89°07'03" E
C10	130.00'	N 52°45'44" W	43.71'	43.91'	19°21'16"	N 62°26'22" W	N 43°05'06" W
C11	130.00'	N 73°30'32" W	49.92'	50.23'	22°08'20"	N 84°34'42" W	N 62°26'22" W
C12	130.00'	N 86°50'52" W	10.30'	10.30'	4°32'21"	N 89°07'03" W	N 84°34'42" W
C13	180.00'	N 70°27'34" E	125.62'	128.32'	40°50'45"	N 50°02'12" E	S 89°07'03" E
C14	180.00'	S 87°19'03" W	22.39'	22.40'	7°07'48"	S 83°45'09" W	N 89°07'03" W
C15	180.00'	S 75°19'25" W	52.77'	52.96'	16°51'29"	S 66°53'40" W	S 83°45'09" W
C16	180.00'	S 58°27'56" W	52.77'	52.96'	16°51'29"	S 50°02'12" W	S 66°53'40" W

Curve	Radius	Chord Direction	Chord Length	Arc Length	Central Angle	Tangent Bearing-in	Tangent Bearing-out
C17	230.00'	N 25°06'27" E	193.89'	200.14'	49°51'30"	N 00°10'42" E	N 50°02'12" E
C18	230.00'	S 45°38'23" W	35.27'	35.30'	8°47'37"	S 41°14'35" W	S 50°02'12" W
C19	230.00'	S 34°32'08" W	53.73'	53.85'	13°24'53"	S 27°49'41" W	S 41°14'35" W
C20	230.00'	S 21°07'15" W	53.73'	53.85'	13°24'53"	S 14°24'48" W	S 27°49'41" W
C21	230.00'	S 07°44'49" W	53.40'	53.52'	13°19'57"	S 01°04'51" W	S 14°24'48" W
C22	230.00'	S 00°37'46" W	3.62'	3.62'	0°54'09"	S 00°10'42" W	S 01°04'51" W
C23	170.00'	N 42°32'57" E	44.31'	44.43'	14°58'31"	N 35°03'41" E	N 50°02'12" E
C24	120.00'	N 70°27'34" E	83.75'	85.55'	40°50'45"	N 50°02'12" E	S 89°07'03" E
C25	120.00'	N 67°15'25" E	71.05'	72.13'	34°26'26"	N 50°02'12" E	N 84°28'38" E
C26	120.00'	N 87°40'47" E	13.41'	13.42'	6°24'19"	N 84°28'38" E	S 89°07'03" E
C27	70.00'	N 77°06'37" W	29.13'	29.34'	24°00'53"	N 89°07'03" W	N 65°06'10" W
C28	170.00'	N 07°27'20" E	43.07'	43.18'	14°33'17"	N 00°10'42" E	N 14°43'59" E
C29	130.00'	S 77°06'37" W	54.09'	54.49'	24°00'53"	S 65°06'10" E	S 89°07'03" E
C30	130.00'	S 75°52'14" E	48.58'	48.86'	21°32'08"	S 65°06'10" E	S 86°38'18" E
C31	130.00'	S 87°52'40" E	5.62'	5.63'	2°28'45"	S 86°38'18" E	S 89°07'03" E

Line	Bearing	Length
L1	N 89°07'03" W	40.00'
L2	S 08°39'16" W	50.46'
L3	S 01°04'42" W	38.85'
L4	S 22°41'34" W	64.63'
L5	N 33°41'16" E	71.38'
L6	S 77°23'19" E	61.44'
L7	S 39°57'48" E	31.66'

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

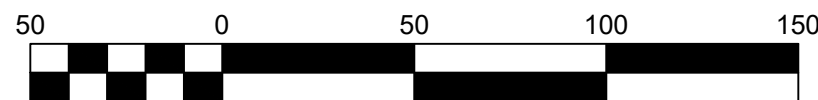
Revision Date: Jun 28, 2022

File: 6025Final3.dwg
Date: 06/28/2022
Drafted By: Jim
Sheet: 1 of 3

DAVEL ENGINEERING & ENVIRONMENTAL, INC.
Civil Engineers and Land Surveyors
1164 Province Terrace, Menasha, WI 54952
Ph: 920-991-1866 Fax: 920-441-0804
www.davel.pro

Trail View Estates South 3

Part of Outlot 1, Trail View Estates, being part of the Southwest 1/4 of the Northwest 1/4 and part of the Southeast 1/4 of the Northwest 1/4; and part of Lot 2, Certified Survey Map 3566 & part of Outlot 1, Certified Survey Map 7878 both being located in part Northwest 1/4 of the Southwest 1/4 and part Northeast 1/4 of the Southwest 1/4, all located in Section 8, Township 21 North, Range 18 East, City of Appleton, Outagamie County, Wisconsin



Bearings are referenced to the West line of the Southwest 1/4, Section 08, T21N, R18E, bearing N00°10'34"W, base 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
- 1.3" OD Iron Pipe Found
- 1 1/2" x 30" Steel Rebar @ 4.30lbs/LF SET
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- 3" x 24" Steel Rebar @ 1.50lbs/LF SET
- SF Lot Areas In Square Feet
- () Recorded As
- - - Existing Lot Line



James R. Sehloff PLS 2692 Date

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 Certified _____, 20____
 Department of Administration

Revision Date: Jun 28, 2022
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 Sheet: 2 of 3

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 Civil Engineers and Land Surveyors
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Jun 28, 2022 - 9:30am - J:\Projects\6025\6025\6025\Final3.dwg Printed by: Jim

Trail View Estates South 3

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Surveyor's Certificate

I, James R. Sehloff, Professional land surveyor, hereby certify: That in full compliance with the provisions of Chapter 236 of the Wisconsin Statutes and the subdivision regulations of the City of Appleton, and under the direction of Emerald Valley Estates, LLC, owner of said land, I have surveyed divided and mapped Trail View Estates South 3; that such plat correctly represents all exterior boundaries and the subdivision of the land surveyed; and that this land is part of Outlot 1, Trail View Estates, recorded as Document No 2133204, being part of the Southwest 1/4 of the Northwest 1/4 and part of the Southeast 1/4 of the Northwest 1/4; and part of Lot 2, Certified Survey Map 3566 recorded as Document No 1338412 and part of Outlot 1, Certified Survey Map 7878, recorded as Document No 2187534, both being located in part Northwest 1/4 of the Southwest 1/4 and part Northeast 1/4 of the Southwest 1/4, all located in Section 8, Township 21 North, Range 18 East, City of Appleton, Outagamie County, Wisconsin, containing 806,278 Square Feet (18.5096 Acres) of land more or less, described as follows:

Commencing at the Southwest 1/4 Corner of Section 8; thence, along the West line of the Southwest 1/4, N00°10'34"W, 1987.48 feet to the extension of the North line of Crosswinds Estates; thence, along said extension, S89°07'03"E, 40.00 feet to the Easterly right of way line of French Road said point also being the point of beginning; thence, along said East right of way line, N00°10'32"E 269.51 feet to the South line of Lot 1 Certified Survey Map 7878; thence, along said South line, S88°55'23"E 1052.80 feet to the Southeast corner said Lot 1; thence along the East line of said Lot 1, N00°10'34"E, 52.42 feet to the Northwest Corner of Trail View Estates South 2; thence, continuing along said East line of Certified Survey Map 7878, N00°10'34"E, 341.71 feet to the Northeast corner of said Lot 1; thence, along the South line of Outlot 1 of said Certified Survey Map 7878, S89°59'37"E, 65.44 feet to the Southwest corner of Outlot 1 Trail View Estates; thence, along the West line of said Outlot 1, N50°02'12"E, 414.41 feet to the Northwest Corner of said Outlot 1; thence, along the North line of said Outlot 1, S88°29'02"E, 756.81 feet to the Northwest corner of Lot 19 of said Trail View Estates; thence, along the West line of said Lot 19, S27°33'38"W, 201.43 feet to the Northerly right of way line of Golden Gate Drive; thence, along said Northerly right of way line, 17.54 feet, along the arc of a curve to the right with a radius of 120.00 feet and a chord of 17.53 feet which bears N47°16'23"W; thence, continuing along said Northerly right of way line, 104.44 feet, along the arc of a curve to the left with a radius of 130.00 feet and a chord of 101.66 feet which bears N66°06'05"W; thence, along a Westerly line of said Trail View Estates South, S22°41'34"W, 64.63 feet to the Northwest corner of Lot 20 Trail View Estates South; thence, along a Westerly line of said Trail View Estates South, S00°52'57"W, 244.00 feet to the Southwest corner of Lot 21 of said Trail View Estates South; thence, along a Westerly line of said Trail View Estates South, S33°41'16"W, 71.38 feet to the Northwest corner of Lot 22 of said Trail View Estates South; thence, along said North line of said Lot 22, S00°52'57"W, 122.50 feet to a point on the North line of Lot 23 of said Trail View Estates South; thence, along said North line of said Lot 23 and a North line of Trail View Estates South 2, N89°07'03"W, 676.51 feet to the Northwest corner of Lot 49 of said Trail View Estates South 2; thence, continuing along a North line of Trail View Estates South 2; N77°23'19"W, 61.44 feet to the Northeast corner of Lot 50 of said Trail View Estates South 2; thence, along the North line of said Lot 50, N89°49'18"W, 135.09 feet to said East line of Lot 1 of Certified Survey Map 7878; thence, along said East line, S00°10'34"W, 52.42 feet to said Southeast corner of said Lot 1; thence, along a West line of Trail View Estates South 2; S00°10'34"W, 104.90 feet to a point on the North right of way line of Gladiolus Place; thence, along said Northerly right of way line, 11.95 feet, along the arc of a curve to the right with a radius of 70.00 feet and a chord of 11.93 feet which bears S85°59'38"W; thence, along a West line of said Trail View Estates South 2; S08°39'16"W, 50.46 feet to the Northwest corner of Lot 39 of said Trail View Estates South 2; thence, along a East line of said Lot 39; S00°52'57"W, 110.00 feet; to the North line of Crosswind Estates as evidenced; thence, along said North line, N89°07'03"W, 1032.05 feet to the point of beginning, subject to all easements, and restrictions of record.

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

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

Owner's Certificate

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

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

City of Appleton
Outagamie County Planning & Zoning Committee
Department of Administration

Dated this _____ day of _____, 20_____.

In the presence of: Emerald Valley Estates, LLC

Robert A. DeBruin, Managing Member

State of Wisconsin)

_____ County) ss

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

_____ My Commission Expires _____

Notary Public, Wisconsin

Utility Easement Provisions

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

Emerald Valley Estates, LLC, Grantor, to:

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

their respective successors and assigns, to construct, install, operate, repair, maintain and replace from time to time, facilities used in connection with overhead and underground transmission and distribution of electricity and electric energy, natural gas, telephone and cable TV facilities for such purposes as the same is now or may hereafter be used, all in, over, under, across, along and upon the property shown within those areas on the plat designated as "Utility Easement Areas" and the property designated on the plat for streets and alleys, whether public or private, together with the right to install service connections upon, across within and beneath the surface of each lot to serve improvements, thereon, or on adjacent lots; also the right to trim or cut down trees, brush and roots as may be reasonably required incident to the rights herein given, and the right to enter upon the subdivided property for all such purposes. The Grantees agree to restore or cause to have restored, the property, as nearly as is reasonably possible, to the condition existing prior to such entry by the Grantees or their agents. This restoration, however, does not apply to the initial installation of said underground and/or above ground electric facilities, natural gas facilities, or telephone and cable TV facilities or to any trees, brush or roots which may be removed at any time pursuant to the rights herein granted. Structures shall not be placed over Grantees' facilities or in, upon or over the property within the lines marked "Utility Easement Areas" without the prior written consent of Grantees. After installation of any such facilities, the grade of the subdivided property shall not be altered by more than four inches without written consent of grantees.

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

Emerald Valley Estates, LLC

Robert A. DeBruin, Managing Member

Date

Drainage Maintenance and Storm Sewer Easement Provisions

An easement for Drainage and Storm Sewer is hereby granted by:

Emerald Valley Estates, 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 storm sewer, drainage ditch/swale, 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 said storm sewer, drainage ditch/swale 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 Easement" or "Storm Sewer & Drainage 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.
- 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 owners 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.

Emerald Valley Estates, LLC

Robert A. DeBruin, Managing Member

Date

City of Appleton Approval

Resolved, that the plat of Trail View Estates South 3, in the City of Appleton, Outagamie County, Emerald Valley Estates, 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, City 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 any of the land included in this plat.

City Treasurer Date

County Treasurer Date

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

The property owner of record:	Recording Information:	Parcel Number(s):
Emerald Valley Estates, LLC	Doc No. 2211550	311-6410-00
	Doc No. 2192218	311-6411-00
	Doc No. 2092715	311-7513-00

There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2), Wis. Stats. as provided by s. 236.12, Wis. Stats.

Certified _____, 20_____

Department of Administration



File: 6025Final3.dwg
Date: 06/28/2022
Drafted By: Jim
Sheet: 3 of 3
Revision Date: Jun 28, 2022



DAVEL ENGINEERING & ENVIRONMENTAL, INC.
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