

# **City of Appleton**

# Meeting Agenda - Final

## **City Plan Commission**

Wednesday, May 10, 2023	3:30 PM	Council Chambers, 6th Floor

- 1. Call meeting to order
- 2. Pledge of Allegiance
- 3. Roll call of membership
- 4. Approval of minutes from previous meeting
  - <u>23-0480</u> City Plan Minutes from 4-26-23

Attachments: City Plan Minutes 4-26-23.pdf

#### 5. Public Hearing/Appearances

23-0481 Special Use Permit #3-23 for a car wash use located at 4029 East Calumet Street (Tax Id #31-9-5812-00), as shown on the attached maps 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 #23-0482)

> Attachments: ClassIIPublicHearingNoticeNewspaper\_4029ECalumetSt\_SUP#3-23.pdf PublicHearingNoticeNeighborhood\_4029ECalumetSt\_SUP#3-23.pdf

### 6. Action Items

- 23-0482 Request to approve Special Use Permit #3-23 for a car wash use located at 4029 East Calumet Street (Tax Id #31-9-5812-00), as shown on the attached maps 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) <u>Attachments:</u> StaffReport Deep Blue Car Wash SUP For5-10-23.pdf
- 23-0492 Request to approve the First Addition to Glacier Ridge Preliminary Plat as shown on the attached maps and subject to the conditions in the attached staff report

Attachments: StaffReport 1st Addn Glacier Ridge PreliminaryPlat For5-10-23.pdf

### 7. Information Items

#### 8. 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.

Any questions about items on this meeting are to be directed to Kara Homan, Director, Community and Economic Development Department at 920-832-6468.

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

\*We are currently experiencing intermittent issues/outages with our audio/video equipment. Meeting live streams and recordings are operational but unreliable at times. This is due to delays in receiving necessary system hardware components. We continue to look for solutions in the interim and we hope to have these issues resolved soon.



# **City of Appleton**

# Meeting Minutes - Final City Plan Commission

Wednesday, April 26, 2023	3:30 PM	Council Chambers, 6th Floor

1. Call meeting to order

Meeting called to order by Vice Chair Uitenbroek at 3:30 p.m.

- 2. Pledge of Allegiance
- 3. Roll call of membership

Present: 5 - Palm, Fenton, Dane, Uitenbroek and Neuberger

**Excused:** 2 - Robins and Mayor Woodford

Others present: Tim Riebau, 6860 N. Grinnell Court Pat Lodes, 6870 N. Grinnell Court Allison Buckley/Seville Properties, 2585 S. Broadway, Green Bay

### 4. Approval of minutes from previous meeting

<u>23-0391</u> City Plan Minutes from 4-12-23

Attachments: City Plan Minutes 4-12-23.pdf

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

Aye: 5 - Palm, Fenton, Dane, Uitenbroek and Neuberger

Excused: 2 - Robins and Mayor Woodford

#### 5. Public Hearing/Appearances

23-0392 Rezoning #1-23 to rezone the Seville Properties Ballard & Werner Road Annexation, formerly in the Town of Center, consisting of approximately 39.913 acres located at 7051 N. Ballard Road (Tax Id #31-1-9316-00) [formerly N2751 County Road EE (Parcel #040098200)], including to the centerline of existing adjacent right-of-way, as shown on the attached maps, from Temporary AG Agricultural District to R-3 Multi-family District (Associated with Action Item #23-0393)

<u>Attachments:</u> InformalPublicHearingNotice SevillePropBallard-WernerRdAnnexati on\_Rezoning#1-23.pdf

This public hearing was held, and Tim Riebau spoke on the item.

#### 6. Action Items

#### 23-0393

Request to approve Rezoning #1-23 to rezone the Seville Properties Ballard & Werner Road Annexation, formerly in the Town of Center, consisting of approximately 39.913 acres located at 7051 N. Ballard Road (Tax Id #31-1-9316-00) [formerly N2751 County Road EE (Parcel #040098200)], including to the centerline of existing adjacent right-of-way, as shown on the attached maps, from Temporary AG Agricultural District to R-3 Multi-family District

<u>Attachments:</u> <u>StaffReport\_SevillePropBallard-WernerRdAnnex\_Rezoning\_For4-26</u> -23.pdf

Proceeds to Council on May 17, 2023.

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

Aye: 5 - Palm, Fenton, Dane, Uitenbroek and Neuberger

**Excused:** 2 - Robins and Mayor Woodford

### 23-0394 Request to approve the Future Providence Avenue and Baldeagle Drive (Right-of-Way) Annexation consisting of approximately 1.63 acres extending existing Baldeagle Drive and existing Providence Avenue to the future extension of Lightning Drive, north of East Edgewood Drive, currently in the Town of Grand Chute, as shown on the attached maps, subject to the stipulation in the attached staff report

 Attachments:
 StaffReport\_FutureProvidenceandBaldeagle\_Annexation\_For4-26-2

 3.pdf
 DOAReviewLetter\_FutureProvidenceandBaldeagle\_Annexation.pdf

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

Aye: 5 - Palm, Fenton, Dane, Uitenbroek and Neuberger

	Excused: 2 - Robins and Mayor Woodford
<u>23-0395</u>	Elect Vice Chair
	Alderperson Fenton nominated Uitenbroek for Vice Chair. No other nominations were received. Roll Call. Motion carried 5/0 and Uitenbroek was elected Vice Chair.
<u>23-0396</u>	Set Meeting Date and Time
	The members agreed to keep the meeting date and time as it currently stands at 3:30 p.m. on the 2nd & 4th Wednesdays of the month.
<u>23-0397</u>	Designate Contact Person
	Director Kara Homan was designated as the contact person.

#### 7. Information Items

## 8. Adjournment

Palm moved, seconded by Fenton, that the meeting be adjourned at 3:42 p.m. Roll Call. Motion carried by the following vote:

Aye: 5 - Palm, Fenton, Dane, Uitenbroek and Neuberger

**Excused:** 2 - Robins and Mayor Woodford

**CEDD** (15010) Reprints - 2

### **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, May 10, 2023, at 3:30 PM 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 Jason Lamine of Lamine Properties, LLC, owner and applicant, for Deep Blue Car Wash, on the property located at 4029 E. Calumet Street (Tax Id #31-9-5812-00) to obtain a Special Use Permit for a car wash. In the C-2 General Commercial District, a Special Use Permit is required for a car wash.

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: April 25, 2023 May 2, 2023

### 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, May 10, 2023, 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 Jason Lamine of Lamine Properties, LLC, owner and applicant, for Deep Blue Car Wash, on the property located at 4029 E. Calumet Street (Tax Id #31-9-5812-00) to obtain a Special Use Permit for a car wash. In the C-2 General Commercial District, a Special Use Permit is required for a car wash.
- ALDERMANIC DISTRICT: 5 Alderperson Katie Van Zeeland

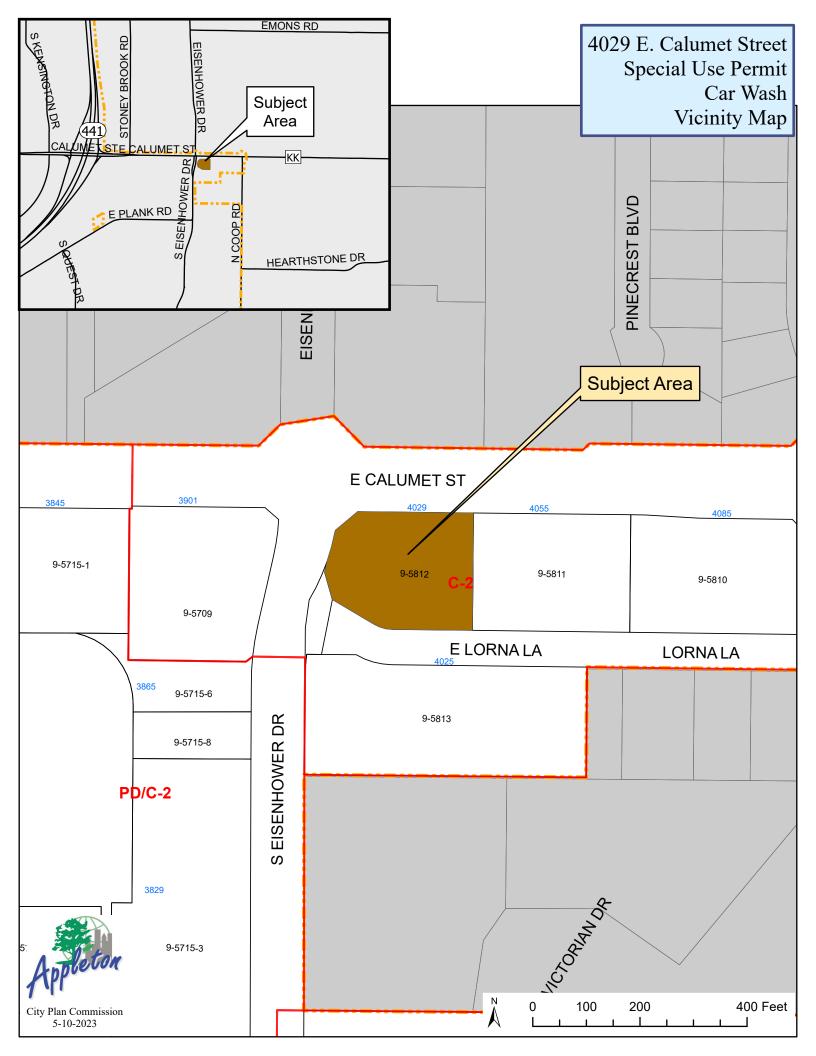
You are being notified as a policy of the City of Appleton Community and Economic Development Department. All persons interested are invited to attend this meeting and will be given an opportunity to be heard. Feedback can also be shared with Plan Commission members via written letter, email, or phone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

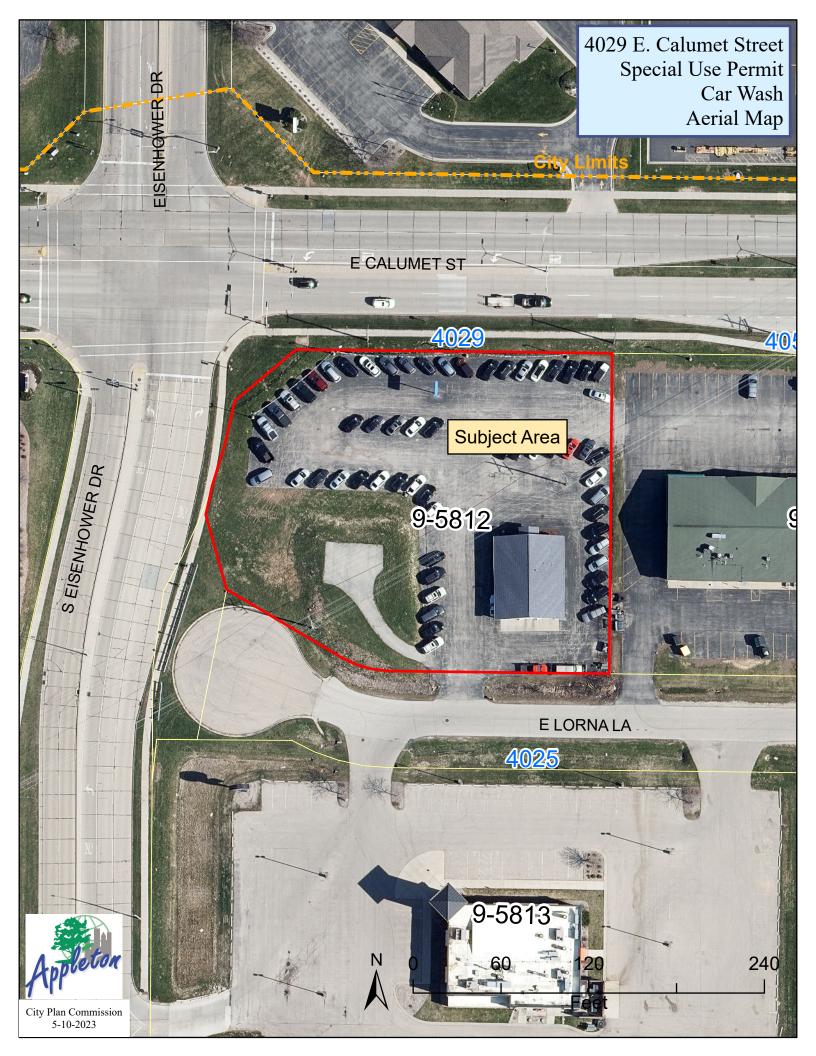
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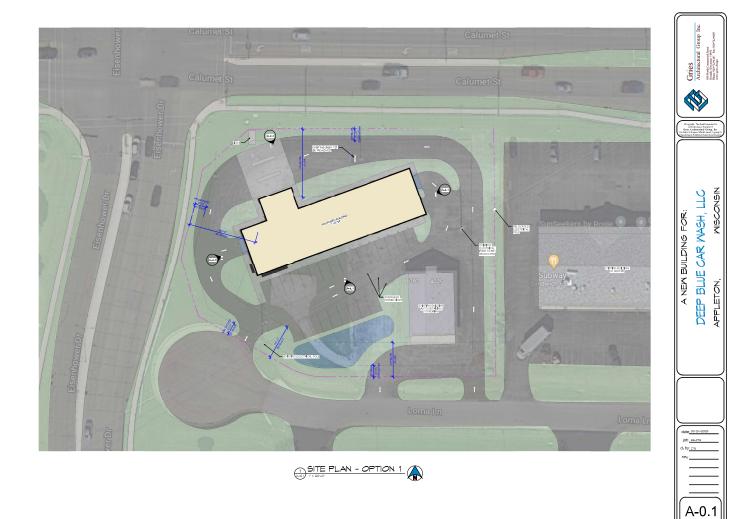
CITY PLAN COMMISSION

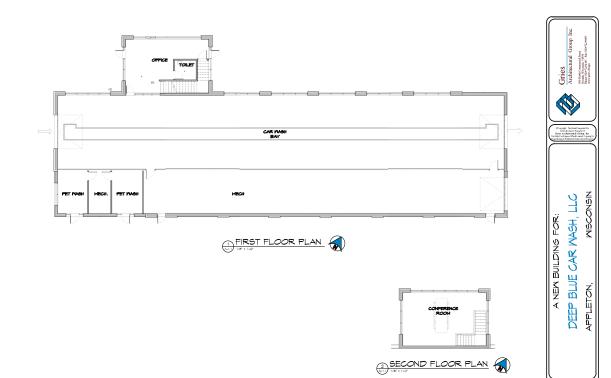
COMMUNITY & ECONOMIC DEVELOPMENT CITY HALL - 100 NORTH APPLETON STREET APPLETON, WISCONSIN 54911-4799 920-832-6468

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

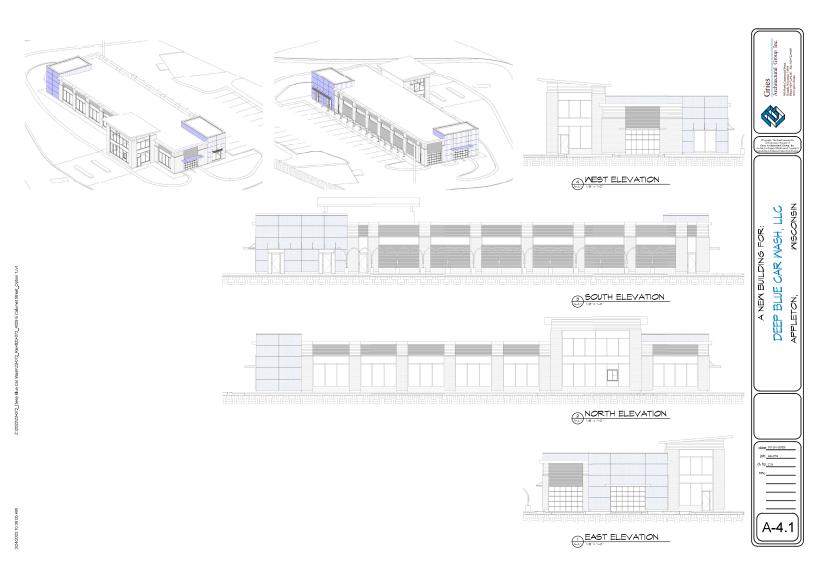








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# **REPORT TO CITY PLAN COMMISSION**

Plan Commission Public Hearing Date: May 10, 2023

Common Council Meeting Date: May 17, 2023

Item: Special Use Permit #3-23 for a car wash

Case Manager: Jessica Titel, Principal Planner

## **GENERAL INFORMATION**

Owner/Applicant: Lamine Properties, LLC / Jeremie Lamine – Deep Blue Car Wash, LLC

Address/Parcel #: 4029 E. Calumet Street (Tax Id #31-9-5812-00)

Petitioner's Request: The applicant is requesting a Special Use Permit for a car wash.

## BACKGROUND\_

The subject site is approximately 54,680 square feet in area and was formerly used as an automobile sales lot. The property was annexed to the City with the Eisenhower Drive Annexation in 2010.

The Common Council granted a Special Use Permit for Deep Blue Car Wash on January 8, 2020. The applicant did not move forward with their project at that time; therefore, the Special Use Permit expired on January 8, 2021.

## STAFF ANALYSIS

**Project Summary:** The applicant proposes to construct a car wash as shown on the attached conceptual plans. The existing building will remain and will serve to supplement the proposed car wash, and a potential use within the existing building may be auto detailing. Site Plan Review, in accordance with Section 23-570, is required prior to construction of the proposed facility. The proposed development includes the following:

- An approximately 5,500 square foot automated car wash building with a single service bay.
- Car wash stacking spaces will be located along the west and north side of the building with the service bay entrance located on the west side of the building.
- Access will be provided via an existing and proposed driveway on Lorna Lane.
- Development will also include vacuum stations.
- Proposed hours of operation are from 8:00 AM to 8:00 PM each day.
- The proposed drive through and pay station are located in the front yard. Section 23-49(a) prohibits drive throughs in the front yard. The applicant plans to apply for a variance from the Board of Zoning Appeals. If the variance is not granted, the applicant will need to re-design the site to meet zoning code standards.

**Existing Site Conditions:** The site is approximately 54,680 square feet in size and was previously used as an auto sales lot. Access is from Lorna Lane and an existing shared drive aisle with the property to the east. Lorna Lane is classified as a local street.

Special Use Permit #3-23 May 10, 2023 Page 2

**Operational Information:** A plan of operation is attached to the Staff Report.

**Surrounding Zoning and Land Uses:** The surrounding area is under the jurisdiction of the City of Appleton and the Town of Buchanan. The adjacent parcels contain commercial uses.

North: Town of Buchanan. The adjacent land use to the north is commercial.

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

East: C-2 General Commercial District. The adjacent land uses to the east are a mix of commercial uses (multi-tenant building).

West: C-2 General Commercial District. The adjacent land use to the west is currently professional services (bank).

**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 9.4 Economic Development:**

Ensure the continued vitality of downtown and the City's neighborhood commercial districts.

### **OBJECTIVE 10.5 Land Use:**

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

**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 car wash 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.

**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 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

### Special Use Permit #3-23 May 10, 2023 Page 3

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.

**Finding of Fact:** This request was reviewed in accordance with the standards for granting a Special Use Permit under Section 23-66(e)(1-8) of the Municipal Code: 1. proper zoning district: *C-2 zoning allows car washes as a special use permit*, 2. zoning district regulations: *compliance with zoning code regulations will be reviewed with the site plan*, 3. special regulations: *not applicable to carwashes*, 4. consistent with comprehensive plan and other plans: *yes, see above analysis*, 5. traffic: *access will be provided from Lorna Lane, no concerns submitted by traffic engineer*, 6. landscaping and screening: *the landscaping will be reviewed with the Site Plan and is required to be consistent with zoning ordinance standards*, 7. neighborhood compatibility: *the proposed use is located adjacent to existing commercial uses*, and 8. impact on services: *there are existing utilities, services and equipment in place to serve this proposed use*. These standards were found in the affirmative, as long as all stipulations are satisfied.

**Technical Review Group (TRG) Report:** This item was discussed at the April 18, 2023 Technical Review Group meeting. No negative comments were received.

## **RECOMMENDATION**

Staff recommends, based on the above, that Special Use Permit #3-23 for a car wash at 4029 E. Calumet Street (Tax Id #31-9-5812-00), 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 owner shall have twelve (12) months from the issuance of the Special Use Permit to obtain a building permit and/or occupancy permit for the proposed carwash or Special Use Permit #3-23 will expire pursuant to Sections 23-66 (f)(1) b. and c. of the Zoning Ordinance.

Substantial Evidence: Standardized condition to ensure the use is established in a timely manner. This condition will not be applicable when the building permit and/or occupancy permit is issued.

2. Prior to the construction of the carwash and building permits being issued, site plan review and approval is required, pursuant to Section 23-570 of the Municipal Code.

Substantial Evidence: This condition provides notice to the owner and applicant that they are required to receive site plan approval from the Community and Economic Development Department prior to receiving building permits from the Inspection Division for the project pursuant to Section 23-570(e)4) of the Zoning Ordinance.

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

Substantial Evidence: This condition assures the applicant understands they must follow the City's Municipal Code and all applicable State and Federal laws which they are required to follow while conducting business in the City; failure to follow City, State and Federal regulations may result in enforcement action pursuant to Sections 1-16, 1-17, 23-66(f)(5) and 23-69 of the Municipal Ordinance.

4. Any future expansions of the carwash, changes to the 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.

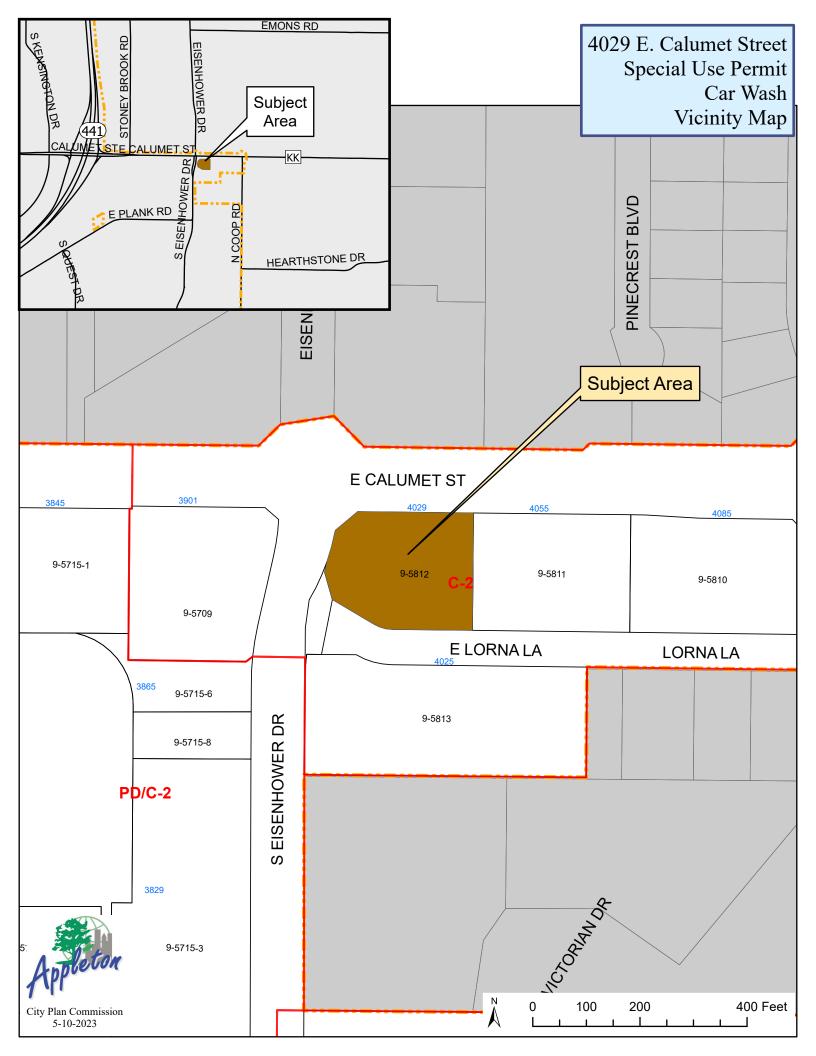
Substantial Evidence: Standardized condition that establishes parameters for the current application and identifies the process for review of any future changes to the special use.

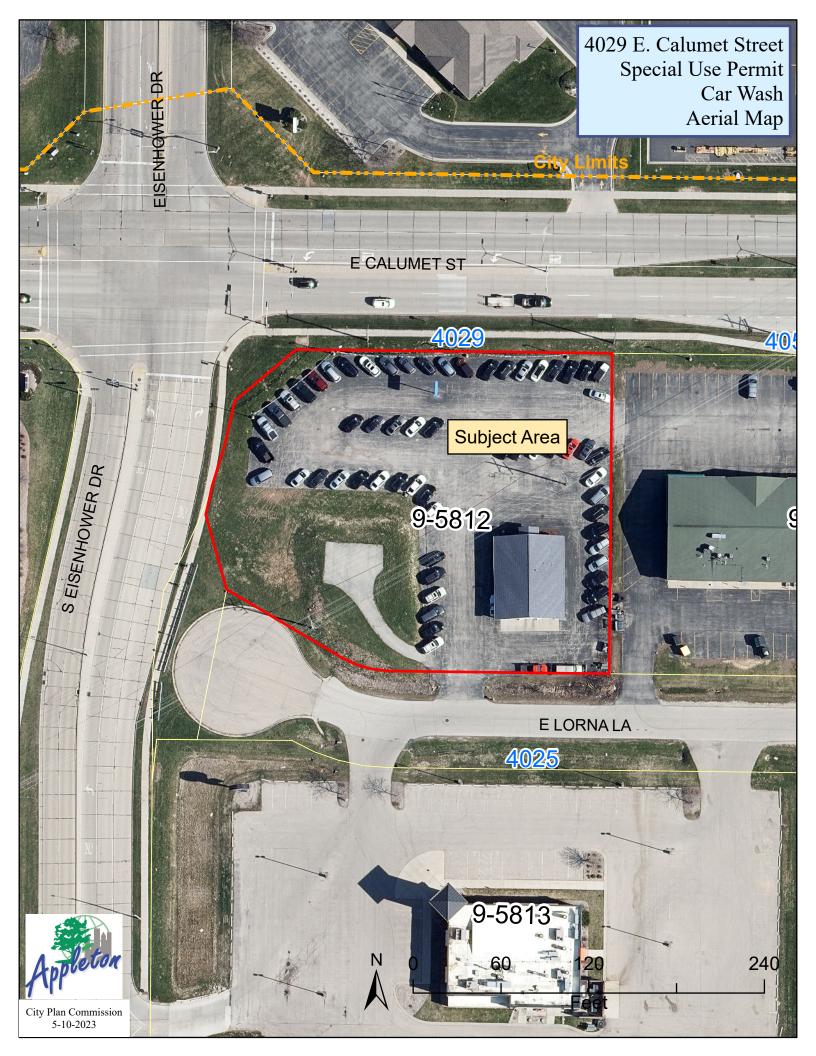
5. The proposed drive through and pay station are located in the front yard. Section 23-49(a) prohibits drive throughs in the front yard. The applicant plans to apply for a variance from the Board of Zoning Appeals. If a variance is not granted, the applicant will need to re-design the site to meet Zoning Code standards.

Substantial Evidence: This condition provides notice to the owner and applicant that they are required to either comply with Section 23-49 (Drive throughs) of the Zoning Code or apply for a variance for the drive through in the front yard.

6. Once a new use has been established on this property, the use of the property for automobile sales shall expire and shall be discontinued. Future use of the property for automobile sales, or other proposed uses, shall be reviewed in accordance with applicable Zoning Code standards.

Substantial Evidence: This condition provides notice to the owner and applicant that once the car wash use is established on this parcel, the existing rights to sell automobiles is eliminated and future uses would be reviewed in accordance with applicable Zoning Code standards.





## CITY OF APPLETON RESOLUTION FOR SPECIAL USE PERMIT #3-23 CAR WASH 4029 E. CALUMET STREET

**WHEREAS**, Jeremie Lamine (Deep Blue Car Wash, LLC) has applied for a Special Use Permit for car wash located at 4029 E. Calumet Street, also identified as Parcel Number 31-9-5812-00; and

**WHEREAS**, the proposed car wash is located in the C-2 General Commercial District, and the proposed uses 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 May 10, 2023 on Special Use Permit #3-23, 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 #3-23 to the City of Appleton Common Council with a <u>favorable conditional</u> or <u>not favorable</u> (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 May 17, 2023.

**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 <u>YES</u> or <u>NO</u> (CIRCLE ONE)
- 2. If NO, the City of Appleton Common Council hereby denies Special Use Permit #3-23 for a car wash located at 4029 E. Calumet Street (also identified as Parcel Number 31-9-5812-00), 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 #3-23 for a car wash located at 4029 E. Calumet Street (also identified as Parcel Number 31-9-5812-00), 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 #3-23

- A. The owner shall have twelve (12) months from the issuance of the Special Use Permit to obtain a building permit and/or occupancy permit for the proposed carwash or Special Use Permit #3-23 will expire pursuant to Sections 23-66 (f)(1) b. and c. of the Zoning Ordinance.
- B. Prior to the construction of the carwash and building permits being issued, site plan review and approval is required, pursuant to Section 23-570 of the Municipal Code.
- C. All Zoning, Building, Fire, Engineering, Utility, Noise and other Municipal Codes, and all applicable State and Federal laws shall be complied with.
- D. Any future expansions of the carwash, changes to the 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.
- E. The proposed drive through and pay station are located in the front yard. Section 23-49(a) prohibits drive throughs in the front yard. The applicant plans to apply for a variance from the Board of Zoning Appeals. If a variance is not granted, the applicant will need to re-design the site to meet Zoning Code standards.
- F. Once a new use has been established on this property, the use of the property for automobile sales shall expire and shall be discontinued. Future use of the property for automobile sales, or other proposed uses, shall be reviewed in accordance with applicable Zoning Code standards.
- 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 \_\_\_\_\_, 2023.

ATTEST:

Jacob A. Woodford, Mayor

Kami Lynch, City Clerk

#### PLAN OF OPERATION AND LOCATIONAL INFORMATION

#### **Business Information:**

Name of business: Deep Blue Car Wash, LLC

Years in operation: 15 Years D.B.A. Best Car Wash, LLC

Type of proposed establishment (detailed explanation of business):

An Exterior Express Car Wash is proposed to be constructed on the

parcel as shown on the included preliminary site plan. The existing

building on the parcel will remain. The use of the existing building

is unknown at this time but it would likely serve to supplement the proposed car wash business. The use would likely be automotive detailing. **Proposed Hours of Operation:** 

Day	From	То
Week Day	8:00am	8:00pm
Friday	8:00am	8:00pm
Saturday	8:00am	8:00pm
Sunday	8:00am	8:00pm

#### **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: <u>26</u> persons

Gross floor area of the existing building(s):

2,200 square feet

Gross floor area of the proposed building(s):

Approximately 5,500 square feet

Identify location, number, capacity and flammable liquid materials stored in storage tanks or containers:

None

Describe any potential smoke, odors emanating from the proposed use and plans to control them:

None

#### **Describe Any Potential Noise Emanating From the Proposed Use:**

Describe the noise levels anticipated from all mechanical equipment:

There will be dyers located within the building at the exit of the car wash bay. There will also be vacuums located outside of the building, along the south side of the building. Refer to the

site plan inlcuded with this application.

#### How will the noise be controlled?

The dryers will be new state of the art dryers. The dryers will be located within the proposed building and will be mounted in a position where noise will be directed primarily into the car wash bay. The external vacuums will consist of a central vacuum system with motor(s) located within the proposed building. Hours of operation would be 8:00am-8:00pm seven days a week.

#### **Outdoor Lighting:**

#### Type: LED

Location: Existing outdoor lighting will remain in place with the exception of a couple light poles that will need to be relocated to accommodate building construction. Additional LED lighting and decorative lighting will be installed as needed.

### **Off-Street Parking:**

Number of spaces existing: <u>Used car lot</u>

Number of spaces proposed: 15

Is street access to the subject property adequate or are any street improvements, such as a new turning lane, necessary to minimize impacts on traffic flow?

Site access is adequate. There is an ingress/egress easement that has been established with the property to the east. In addition, there is access to Lorna Lane.

A right-in/right-out access or a right-in only access from

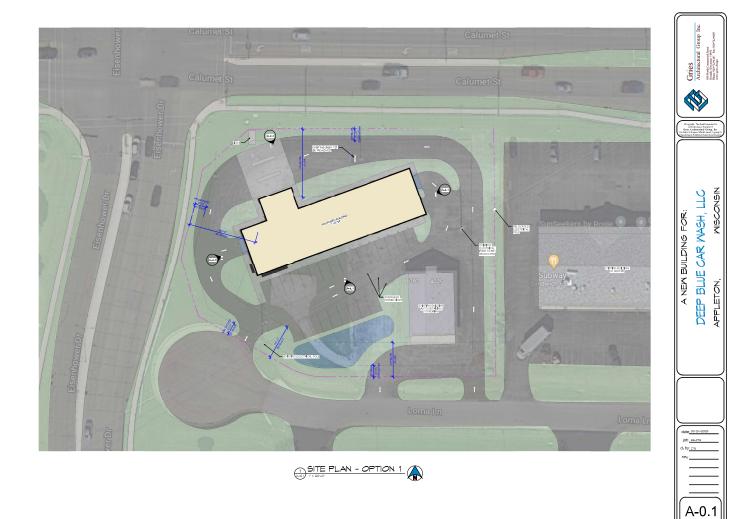
Eisenhower Drive to Lorna Lane would be desirable but not required.

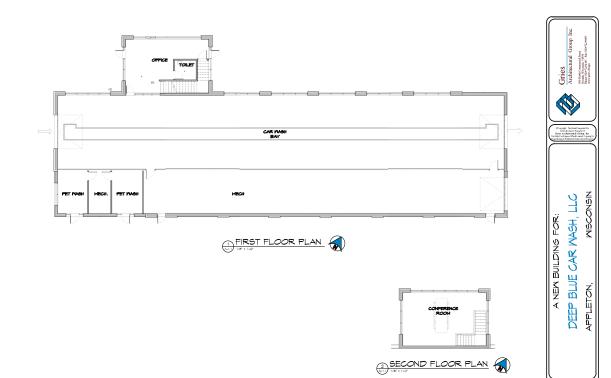
Adequate room for vehicle stacking is provided on the included site plan

## **Outdoor Uses:**

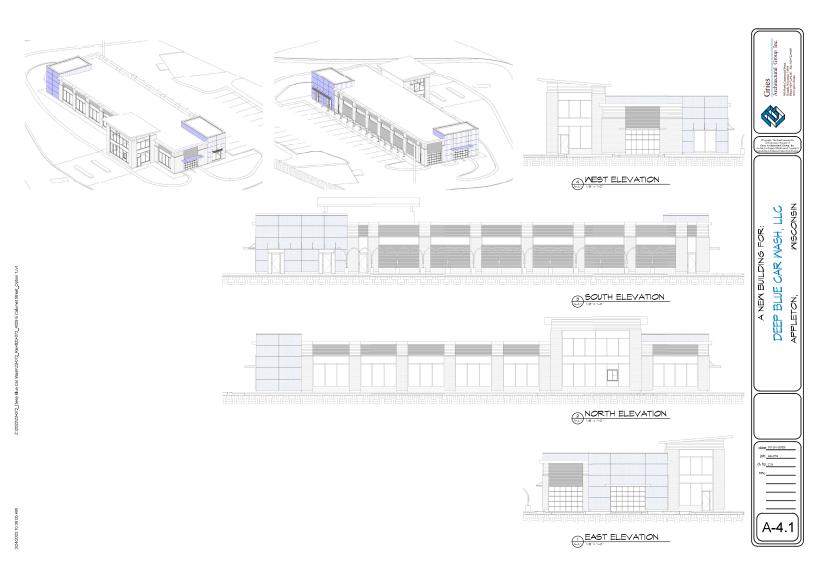
Type, location, size of outdoor storage area(s) of business property, goods, or merchandise not intended for customer viewing or immediate sale:

None
Type and height of screening of plantings/fencing/gating for outdoor storage area(s):
None
Type, location, size of outdoor display area(s) of merchandise for sale:
None
Number of Employees:
Number of existing employees: <u>Unknown</u>
Number of proposed employees: <u>3</u>
Number of employees scheduled to work on the largest shift: $\frac{3}{2}$





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# **REPORT TO CITY PLAN COMMISSION**

Plan Commission Meeting Date: May 10, 223

Common Council Meeting Date: May 17, 2023

Item: Preliminary Plat – First Addition to Glacier Ridge

Case Manager: Jessica Titel, Principal Planner

## **GENERAL INFORMATION**

Applicant: Jeff Schultz – Martenson & Eisele, Inc.

**Owner:** Kurey Ridge, LLC

Address/Parcel #: E. Werner Road (Tax Id #s 31-1-9310-19, 31-1-9310-07, 31-1-9310-17 and part of 31-1-9310-06). The subject property is located west of N. Kurey Drive and north of E. Broadway Drive.

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

## BACKGROUND\_

On June 7, 2006, Common Council adopted Ordinance 55-06, to annex the subject area from the Town of Center to the City of Appleton. The subject property was officially annexed to the City on June 12, 2006 at 12:01 a.m.

On April 18, 2007, the Common Council approved the request to rezone a portion of the subject property from AG Agricultural District to R-1B Single-Family District.

The Common Council approved the Glacier Ridge Preliminary Plat on April 18, 2007 and the Glacier Ridge Final Plat on March 5, 2008, which included the first phase of the existing subdivision.

Officially mapped Werner Road from existing Werner Road to Meade Street went into effect on February 6, 2019 via Ordinance No. 1-19.

Officially mapped Kurey Drive from existing Kurey Drive to Mackville Road went into effect on February 6, 2019 via Ordinance No. 2-19.

## STAFF ANALYSIS

**Existing/Proposed Conditions:** The subject area to be subdivided is currently undeveloped. The First Addition to Glacier Ridge consists of 46.644 acres and will be divided into 71 single-family lots.

**Zoning Ordinance Review Criteria:** R-1B Single-Family District lot development standards (Section 23-93) are as follows:

• Minimum lot area: Six thousand (6,000) square feet.

- The proposed average lot size is 22,443 square feet. All lots exceed the minimum lot area requirement.
- Minimum lot width: Fifty (50) 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.

Access and Traffic: The primary vehicular access to the First Addition to Glacier Ridge is via East Werner Road and North Kurey Drive. The proposed public right-of-way within the subdivision will be dedicated to the City with the Final Plat.

## **Surrounding Zoning and Land Uses:**

- North: AG Agricultural and Town of Center. The adjacent land uses to the north are currently agricultural and residential.
- South: R-1B Single Family Residential, AG Agricultural and R-1A Single Family Residential. The adjacent land uses to the south are currently residential and agricultural.
- East: R-1B Single Family Residential and AG Agricultural. The adjacent land uses to the east are currently residential and agricultural.
- West: AG Agricultural and Town of Center. The adjacent land uses to the west are currently residential and agricultural.

**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*.

#### Preliminary Plat – First Addition to Glacier Ridge May 10, 2023 Page 3

#### 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.

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 required pursuant to Section 17-29 of the Municipal Code and the final Development Agreement (once approved).

**Technical Review Group Report (TRG):** This item appeared on the April 4, 2023 TRG Agenda. The initial Preliminary Plat for the First Addition to Glacier Ridge did not include any street connections to the west, aside from proposed Werner Road. Section 17-25(a)(4) of the Subdivision Code states that streets shall be designed to provide for the future circulation needs of nearby lands. Staff requested a revised preliminary plat to show an additional western street connection to adjacent property and the applicant provided the attached preliminary plat showing Granite Road connecting to the west.

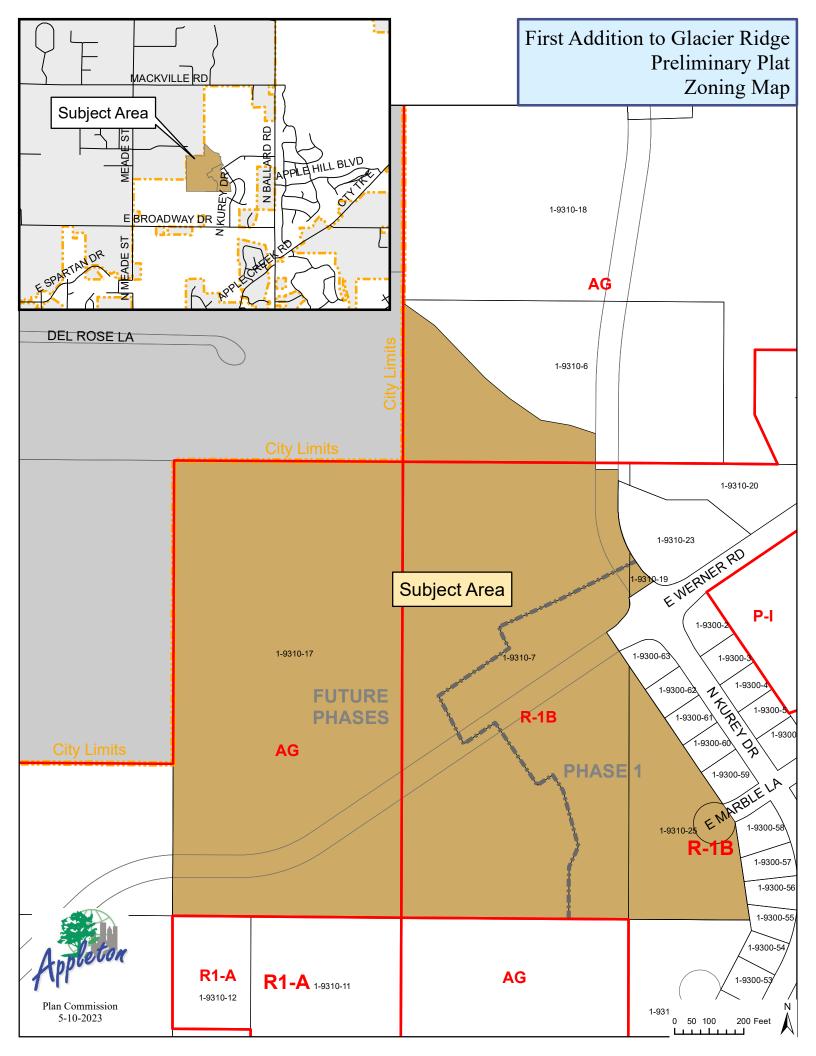
### **RECOMMENDATION**

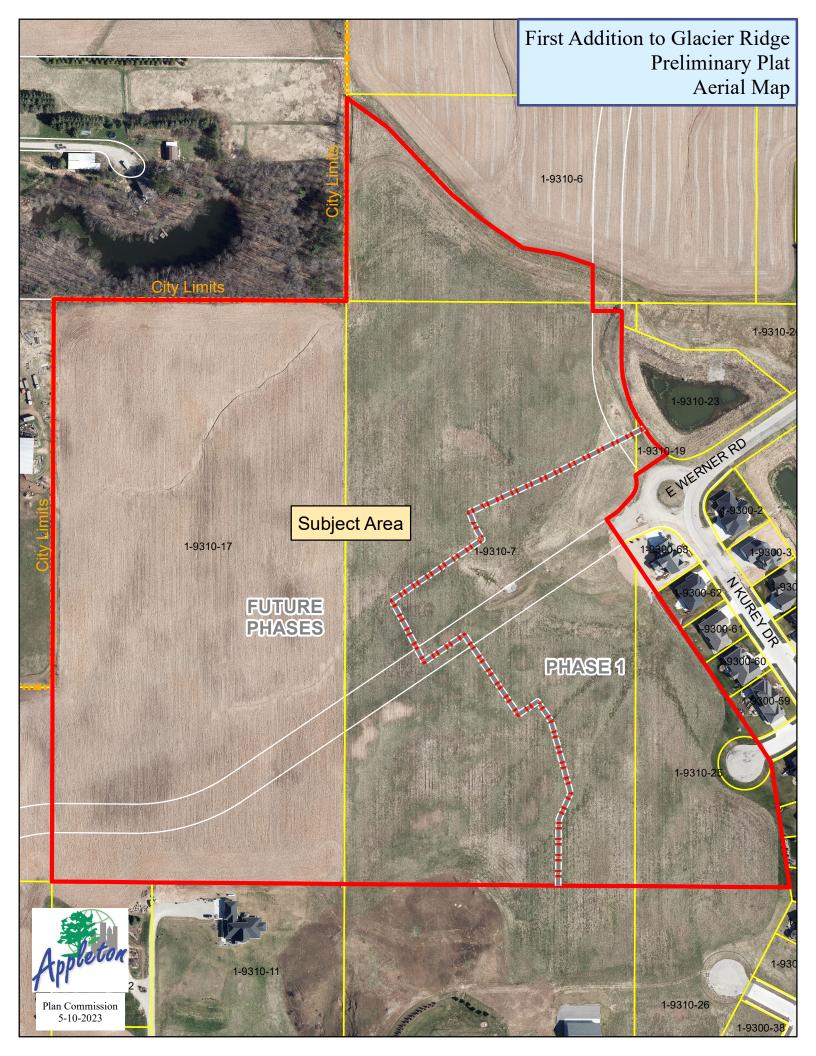
The Preliminary Plat for the First Addition to Glacier Ridge, **BE APPROVED** subject to the following conditions and as shown on the attached maps:

- 1. Park fees shall be paid to the City of Appleton Finance Department pursuant to Section 17-29 of the Municipal Code and the final Development Agreement (once approved).
- 2. Provide an updated Preliminary Plat with the legal description for the entire plat area, not just the anticipated first phase.
- 3. The following note shall be added to the Final Plat: Lot 77 contains a temporary storm water pond. No building permits will be issued for this lot during the time period that the pond occupies the lots. Issuance of any future building permits for lot 77 will not occur until such time as the

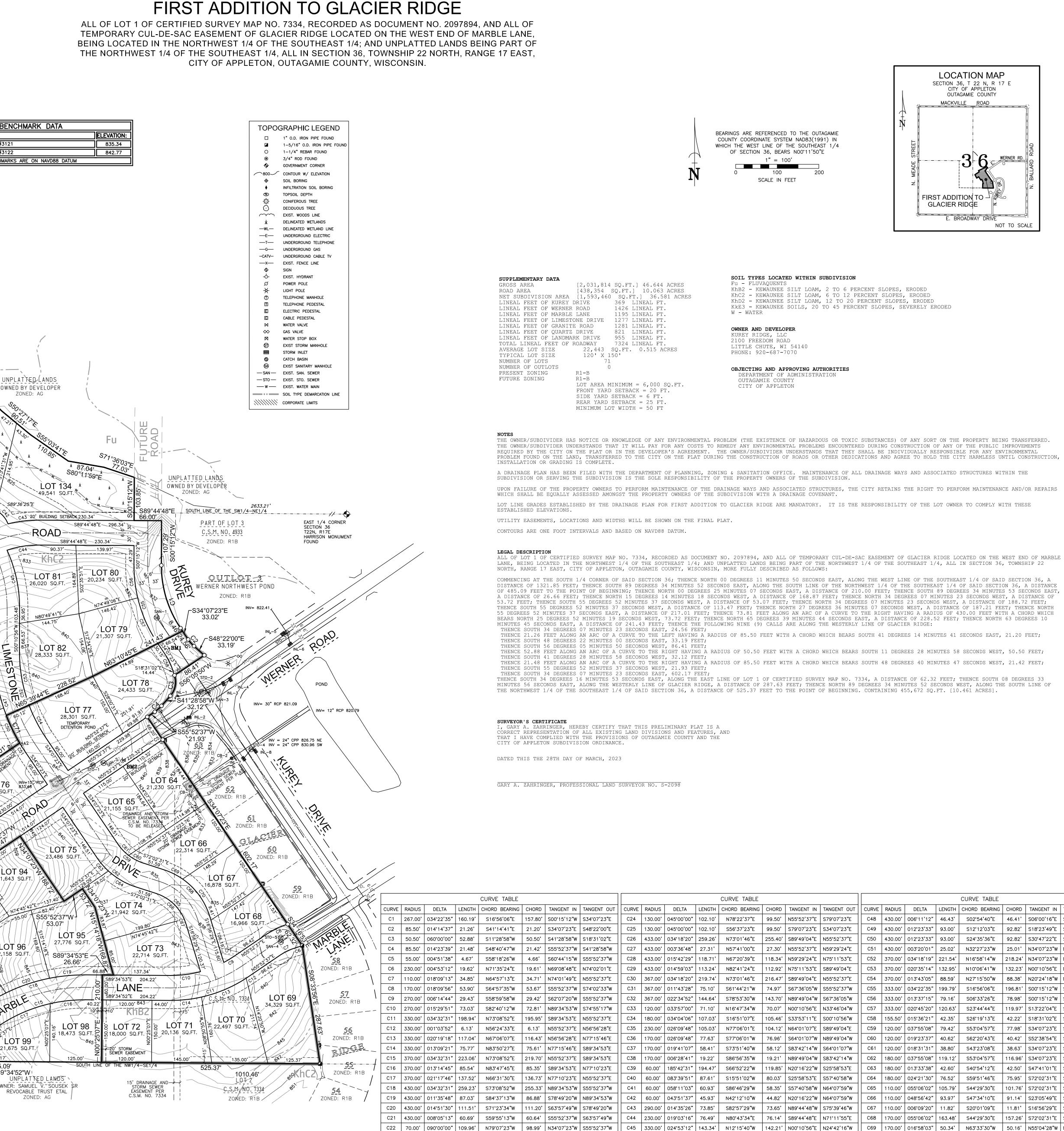
private pond is removed, and alternate facilities constructed as part of a city-approved revision to the stormwater management plan for this plat.

- 4. Portions of the subject area are currently zoned AG Agricultural and will need to be rezoned prior to approval of the final plat(s). The first phase of this subdivision is anticipated to include area already zoned R-1B Single Family Residential.
- 5. Remove or identify the dark heavy linework running through a portion of proposed Marble Lane and Lot 69.
- 6. Add text "Glacier Ridge" to the adjoining property labeled Outlot 3 to further identify it.
- 7. The hydrant benchmarks listed match City records but the descriptions do not. The City uses the top shoulder of Waterous type hydrants, not the top, please verify the benchmark descriptions and revise as necessary
- 8. A Development Agreement is required between the City and applicant that identifies the duties and responsibilities with respect to development of the subject land.
- 9. 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.
- 10. 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.
- 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.





	1	TILITY SCHEDULE			I.D. DES
	RE ID# RIM ELEVATION		DEPTH (FT.)		BM1 TOP BM2 TOP
STO		INV 15" NE 832.89 INV 12" SW 833.14 INV 15" NE 826.30	6.55 6.30 11.25		
STO-		INV 15" SW 826.30 INV 15" SW 822.88	<u>11.25</u> 6.67		
STO-	-3 829.55	INV 18" NW 822.88 INV 10" LEADS 822.88 INV 12" SE	6.67 6.67		
STO-		INV 12" NE 824.87 INV 12" SW	7.20		
STO- INL-	-5 PAVED OVER	INV 24" W,NE 831.30	9.92		
INL-	2 834.10			NORTH 1/4 CORNER	7
INL-			<u> </u>	SECTION 36 T22N, R17E RAILROAD SPIKE FOUND	
INL-					<b>6</b>
INL-		]			2173.66
INL-	.7 831.66			ZONED: GENERAL	
INL-	8 831.81				\$54°09'39" + 777.50'E
СВ-	·1 831.46	INV 30" E 827.53	3.95		77.50°E
CB-		INV 30" E,W 826.58	4.6	KhC2	22:000 * * * *
SAN		INV 8" SW 821.20	10.35		265.000
SAN		INV 12" SW 828.55 INV 8" E,W,N,S 879.17	20.70	460	
SAN	841.15	INV 8" W,E 827.14	14.01		Fu so.
				1.1.35 E	Fu so.
				Ng0.1	
	<u> </u>		LOT		S56:45:57:1 L( 158:04:5 57:1 66.
		W	<u>C.S.M.</u> NC Zoned: Ge	NERAL	95.000 95.000
	``.	A A A	AGRICUL	TURE CENTER OF SECTION 36	LOT 132 25,028 SQ.FT.
	S89'40'13"E HE_NE1/47SW1/4	OF CENTER S89°4(	2651.71 0'13"E <u></u> 662.93	, T22N, R17E	S89'36'25"E 67.13'
1988.78' /	135.00' 20'-20' DRAINAGE EASEMENT	 CITY_OF_APPLETON	125.00' 20' DRAINAGE	125.00' 120.00' 22.9 EASEMENT	<u></u> <u>_</u> <u>_</u>
7	LOT 126 - 5	,95 LOT 127 / 30,50	LOT 128 8,856 SQ.FT00	<sup>5</sup> <sup>5</sup> <sup>5</sup> <sup>5</sup> <sup>5</sup> <sup>5</sup> <sup>5</sup> <sup>5</sup>	LOT 131
	20,457 SQ.FT	5-20,410 SQ.FT. 0.5	<u></u>		125.22
~	135.00'	135.00'	<u>°</u> 20/_20/	BUILDING SETBACK 125.00' 100.82' C38 C3	838
~		S89*49'0		RANITE	N64'0 152.0
~	S89'49'04"E-852		S89°49'04"E/ 300 0'	.00' 150.00' 50.82'	3.08 + LOT 20,468
~	<b>LOT 125</b>			6 0' 85 LOT 8	20,468
~		#         8         LOT           02         22,500         22,500		LOT 111 8 2,500 SQ.FT. 9 8 8 9 8 9 8 9 8 9 8 9 8 9 8 9 8 9 8 9	0/ 10 0 1 0.FT. 540 N82'08' 10'+ +10'
$\langle \cdot \rangle$	150.00'				
	D 20' DRAINAGE EASEMENT	<u> </u>			\\ \\
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.S.M. NO. 3357 DNED: GENERAL	20 DRAINAGE EASEMENT 00 LOT 124 18,000 SQ.FT. 28			150.00'	
AGRICULTURE	150.00' 2		20'	DRAINAGE	A THOR EASEMENT
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	150.00'	880 150.00 144 150.00 144 150.00 144 150.00 144 150.00 144 150.00 144 150.00 144 150.00 144 150.00 144 150.00 144 150.00 144 150.00 144 150.00 144 150.00 144 150.00 144 150.00 144 150.00 1	0 <sup>7</sup>	150.00' N79'01'4 N79'01'4 N79'01'4 180.9 N	10 / / / V + /
	LOT 122	ŝ∖   \ <b> </b> ŝ+ LOT 1	115 60.FT. 90 1 60.FT. 1	OT 108	
					-+58
	150.00'	889'49'04			
	8, <b>LOT 121</b> 8, 18,000 SQ.FT.		116 _8 +5	860	1:20
			1 69	2,365 SQ.FT.	91
	150.00'		0'	N75'12'34"E 1, to construct the second secon	
HIHIHIHI			1/ m		284.01 195:52 31 TE
0'55"W)			9.FT. 23.34 40°°F 40°	LOT 106	NER N5552 31"E 130.00
(S00'10'	S89'49'04"E	N85'01'4	2'	LOT 106 26,622 SQ.FT.	
	SEWER EASEMENT		12"W		
LOT_2	8 LOT 119 22,500 SQ.FT.		SQ.FT.	N55552	LOT 92
.S.M. NO. 6991 Zoned: Ag		6 0' S89'49'04"E		N9552 11 - 53	20 08 00 00 157 23. 1 20 08 00 00 157 24. 1 20 08 00 00 157 25. 1 10 0557
FUTURE	20' BUILDING SETBACK	30' 30' S89'49'04"E	C32 C30	C21	100 N555 100 N5
ROAD	°0 © S89'49'04"E	248.05' 865	C26	C28 LOT 101	
	120.00'	120.00' 8.05' 8.05' 8.01'	C29610-	12 02 04 05 04 15 03 172 03 172	5. 5. 5. 5. 5. 5. 5. 5. 5. 5. 5. 5. 5. 5
	KhD2 ⊮ 105 <sup>™</sup> №		103 kg	LOT 102	55. 
	8 LOT 105 5 10 105 105 105 105 105 105 105 10	LOT 104 % LOT	SQ.FT. 2 81 <sup>3</sup>	29,484 SQ.FT. B 25,869 SQ.FT	
		120.00'	815	818 880 0.5	
_ATTED_LANDS			0.00' NE OF THÉ NE1/4-	194.51' 108.07' \$\\\\\ \$2.58'	<u>111.92'</u>
ER: NEW ORGANIC ILUTIONS, INC. JMENT NO. 2248657	LOT 2 C.S.M. NO. 77			LOT 1 .S.M. NO. 7214	
				ZONED: RIA	
ZONED: AG	ZOWEDI RI	<u></u>	/ / / / / / / / / / / / / / / / / / /	~	
	ZOMER R			883 880 880	



PRELIMINARY PLAT

C51 | 430.00' | 003'20'01" | 25.02' | N32'27'23"W | 25.01' | N34'0 S26'19'13"E | 42.22' | S18'3 77.98' S34'C S59\*51'46"E 75.95' S72\*C C23 | 130.00' | 090'00'' | 204.20' | S79'07'23"E | 183.85' | S34'07'23"E | N55'52'37"E | C46 | 270.00' | 024'59'08" | 117.74' | S12'18'38"E | 116.81' | S00'10'56"W | S24'48'13"E | C70 | 170.00' | 038'07'59" | 113.14' | N36'00'28"W | 111.07' | N16'50'

	A Martenson & Eisele, Inc. 1377 Midway Road Planning Menasha, WI 54952 Environmental Menasha, WI 54952 Environmental Menasha, WI 54952 Environmental Menasha, WI 54952 Environmental	info@martenson-eisele.com Ei 920.731.0381 1.800.236.0381 Aı
	DRAWN BY     CHECKED     APPROVED     FIELDWORK       AMS     GAZ     GAZ     GAZ       AMS     GAZ     GAZ     GAZ       AMS     GAZ     GAZ     GAZ       AMS     GAZ     GAZ     AMS       AMS     GAZ     GAZ     AMS       AMS     GAZ     GAZ     AMS       AMS     DATE     NO.     DATE     NO.       NO.     DATE     NO.     DATE     NO.       1     4-20-2023     N     NO.     DATE	
· OUT · ·	PRELIMINARY PLAT EIGED SURVEY MAP NO. 7334, RECORDED AS DOCUMENT NO. 2097894, AND ALL OF LOT 1 OF CERTIFIED SURVEY MAP NO. 7334, RECORDED AS DOCUMENT NO. 2097894, AND ALL OF TEMPORARY CUL-DE-SAC EASEMENT OF GLACIER RIDGE LOCATED ON THE WEST END OF MARBLE LANE, BEING TOCATED IN THE NORTHWEST 1/4 OF THE SOLITHEAST 1/4: AND INPLIATED LANDS REING PART OF THE	NORTHWEST 1/4 OF THE SOUTHEAST 1/4, ALL IN SECTION 36, TOWNSHIP 22 NORTH, RANGE 17 CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN.
28"W 23"W	DRAWING 1-1025-0	

CURVE TABLE				CURVE TABLE											
CURVE	RADIUS	DELTA	LENGTH	CHORD BEARING	CHORD	TANGENT IN	TANGENT OUT	CURVE	RADIUS	DELTA	LENGTH	CHORD BEARING	CHORD	TANGENT IN	TANGENT OUT
C24	130.00'	045'00'00"	102.10'	N78*22'37"E	99.50'	N55 <b>°</b> 52'37"E	S79'07'23"E	C48	430.00'	006 11'12"	46.43'	S02*54'40"E	46.41'	S06'00'16"E	S00°10'56"W
C25	130.00'	045'00'00"	102.10'	S56 <b>°</b> 37'23"E	99.50 <b>'</b>	S79 <b>°</b> 07'23"E	S34•07'23"E	C49	430.00'	012*23'33"	93.00'	S12 12'03"E	92.82'	S18°23'49"E	S06'00'16"E
C26	433.00'	034•18'20"	259.26'	N73*01'46"E	255.40'	S89'49'04"E	N55•52'37"E	C50	430.00'	012•23'33"	93.00'	S24•35'36"E	92.82'	S30°47'22"E	S18•23'49"E
C27	433.00'	003•36'48"	27.31'	N57 <b>°</b> 41'00"E	27.30 <b>'</b>	N55 <b>•</b> 52'37"E	N59 <b>°</b> 29'24"E	C51	430.00'	003*20'01"	25.02'	N32 <b>·</b> 27'23"W	25.01'	N34°07'23"W	N30°47'22"W
C28	433.00'	015•42'29"	118.71'	N67°20'39"E	118.34'	N59°29'24"E	N75 <b>•</b> 11'53"E	C52	370.00'	034 18'19"	221.54'	N16 <b>°</b> 58'14"W	218.24'	N34°07'23"W	N00°10'56"E
C29	433.00'	014•59'03"	113.24'	N82 <b>`</b> 41'24"E	112.92'	N75 <b>°</b> 11'53"E	S89'49'04"E	C53	370.00'	020*35'14"	132.95'	N10°06'41"W	132.23'	N00°10'56"E	N20°24'18"W
C30	367.00'	034•18'20"	219.74'	N73 <b>°</b> 01'46"E	216.47'	S89 <b>'</b> 49'04"E	N55•52'37"E	C54	370.00'	013•43'05"	88.59'	N27 <b>*</b> 15'50"W	88.38'	N20°24'18"W	N34°07'23"W
C31	367.00'	011•43'28"	75.10'	S61°44'21"W	74.97'	S67 <b>·</b> 36'05"W	S55•52'37"W	C55	333.00'	034*22'35"	199.79'	S16 <b>•</b> 56'06"E	196.81'	S00°15'12"W	S34•07'23"E
C32	367.00'	022•34'52"	144.64'	S78•53'30"W	143.70'	N89 <b>'</b> 49'04"W	S67 <b>*</b> 36'05"W	C56	333.00'	013•37'15"	79.16'	S06 <b>'</b> 33'26"E	78.98'	S00°15'12"W	S13•22'04"E
C33	120.00'	033•57'00"	71.10'	N16 <b>'</b> 47'34"W	70.07'	N00 <b>°</b> 10'56"E	N33°46'04"W	C57	333.00'	020*45'20"	120.63'	S23 <b>·</b> 44'44"E	119.97'	S13•22'04"E	S34•07'23"E
C34	180.00'	034•04'06"	107.03'	S16 <b>*</b> 51'07"E	105.46'	S33 <b>•</b> 53'11"E	S00°10'56"W	C58	155.50'	015•36'21"	42.35'	S26 <b>°</b> 19'13"E	42.22'	S18'31'02"E	S34•07'23"E
C35	230.00'	026'09'48"	105.03'	N77*06'01"E	104.12'	N64 <b>°</b> 01'07"E	S89'49'04"E	C59	120.00'	037*55'08"	79.42'	S53 <b>°</b> 04'57"E	77.98'	S34•07'23"E	S72•02'31"E
C36	170.00'	026'09'48"	77.63'	S77 <b>°</b> 06'01"W	76.96'	S64°01'07"W	N89 <b>'</b> 49'04"W	C60	120.00'	019*23'37"	40.62'	S62°20'43"E	40.42'	S52•38'54"E	S72*02'31"E
C37	170.00'	019•41'07"	58.41'	S73*51'40"W	58.12'	S83•42'14"W	S64•01'07"W	C61	120.00'	018•31'31"	38.80'	S43°23'08"E	38.63'	S34•07'23"E	S52 <b>*</b> 38'54"E
C38	170.00'	006•28'41"	19.22'	S86•56'35"W	19.21'	N89 <b>'</b> 49'04"W	S83•42'14"W	C62	180.00'	037*55'08"	119.12'	S53 <b>°</b> 04'57"E	116.96'	S34•07'23"E	S72*02'31"E
C39	60.00'	185•42'31"	194.47'	S66°52'22"W	119.85'	N20°16'22"W	S25•58'53"E	C63	180.00'	013•33'38"	42.60'	S40 <b>°</b> 54'12"E	42.50 <b>'</b>	S47•41'01"E	S34•07'23"E
C40	60.00'	083•39'51"	87.61'	S15°51'02"W	80.03'	S25•58'53"E	S57 <b>·</b> 40'58"W	C64	180.00'	024*21'30"	76.52'	S59 <b>*</b> 51'46"E	75.95'	S72•02'31"E	S47 <b>*</b> 41'01"E
C41	60.00'	058•11'03"	60.93'	S86°46'29"W	58.35'	S57 <b>·</b> 40'58"W	N64 <b>°</b> 07'59"W	C65	110.00'	055*06'02"	105.79 <b>'</b>	S44°29'30"E	101.76'	S72•02'31"E	S16 <b>'</b> 56'29"E
C42	60.00'	043 <b>•</b> 51'37"	45.93'	N42°12'10"W	44.82'	N20°16'22"W	N64•07'59"W	C66	110.00'	048*56'42"	93.97'	S47 <b>°</b> 34'10"E	91.14'	S23 <b>•</b> 05'49"E	S72•02'31"E
C43	290.00'	014•35'26"	73.85'	S82•57'29"W	73.65'	N89 <b>'</b> 44'48"W	S75 <b>'</b> 39'46"W	C67	110.00'	006*09'20"	11.82'	S20°01'09"E	11.81'	S16 <b>•</b> 56'29"E	S23 <b>•</b> 05'49"E
C44	230.00'	019•03'16"	76.49'	N80°43'34"E	76.14'	S89 <b>'</b> 44'48"E	N71°11'55"E	C68	170.00'	055*06'02"	163.48'	S44•29'30"E	157.26'	S72•02'31"E	S16*56'29"E
C45	330.00'	024•53'12"	143.34'	N12 <b>°</b> 15'40"W	142.21'	N00°10'56"E	N24*42'16"W	C69	170.00'	016•58'03"	50.34'	N63•33'30"W	50.16'	N55°04'28"W	N72•02'31"W
C46	270.00'	024•59'08"	117.74'	S12 <b>·</b> 18'38"E	116.81'	S00°10'56"W	S24 <b>°</b> 48'13"E	C70	170.00'	038•07'59"	113.14'	N36'00'28"W	111.07'	N16°56'29"W	N55 <b>°</b> 04'28"W
C47	430.00'	034•18'19"	257.45'	S16•58'14"E	253.63'	S00°10'56"W	S34•07'23"E	C71	430.00'	009*50'06"	73.81'	N25*52'19"W	73.72'	N20'57'16"W	N30°47'23"W