



# City of Appleton

100 North Appleton Street  
Appleton, WI 54911-4799  
www.appleton.org

## Meeting Agenda - Final City Plan Commission

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Wednesday, May 24, 2023

3:30 PM

Council Chambers, 6th Floor

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

[23-0550](#) City Plan Minutes from 5-10-23

**Attachments:** [City Plan Minutes 5-10-23.pdf](#)

### 5. Public Hearing/Apearances

[23-0551](#) Special Use Permit #4-23 for an indoor commercial entertainment use (axe throwing) with alcohol sales and consumption located at 2701 North Oneida Street (Tax Id #31-6-7651-00), 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 #23-0552)

**Attachments:** [ClassIIPublicHearingNoticeNewspaper\\_2701NOneidaSt\\_SUP#4-23.pdf](#)  
[PublicHearingNoticeNeighborhood\\_2701NOneidaSt\\_SUP#4-23.pdf](#)

[23-0553](#) Special Use Permit #5-23 for a bar and grill with alcohol sales and consumption use located at 2811 East Newberry Street (Tax Id #31-4-5747-00), 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 #23-0554)

**Attachments:** [ClassIIPublicHearingNoticeNewspaper\\_2811ENewberrySt\\_SUP#5-23.pdf](#)  
[PublicHearingNoticeNeighborhood\\_2811ENewberrySt\\_SUP#5-23.pdf](#)

[23-0555](#) Rezoning #2-23 to rezone the Future Providence Avenue and Baldeagle Drive (Right-of-Way) Annexation, formerly in the Town of Grand Chute, consisting of approximately 1.63 acres north of East Edgewood Drive, as shown on the attached maps, from Temporary AG Agricultural District to P-I Public Institutional District (Associated with Action Item #23-0556)

**Attachments:** [InformalPublicHearingNotice](#) [ProvidenceAve-BaldeagleDrAnnexation](#) [Rezoning](#)

## 6. Action Items

[23-0552](#) Request to approve Special Use Permit #4-23 for an indoor commercial entertainment use (axe throwing) with alcohol sales and consumption located at 2701 North Oneida Street (Tax Id #31-6-7651-00), 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)

**Attachments:** [StaffReport\\_2701NOneidaSt\\_SUP\\_For5-24-23.pdf](#)

[23-0554](#) Request to approve Special Use Permit #5-23 for a bar and grill with alcohol sales and consumption use located at 2811 East Newberry Street (Tax Id #31-4-5747-00), 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)

**Attachments:** [StaffReport\\_2811ENewberrySt\\_SUP\\_For5-24-23.pdf](#)

[23-0556](#) Request to approve Rezoning #2-23 to rezone the Future Providence Avenue and Baldeagle Drive (Right-of-Way) Annexation, formerly in the Town of Grand Chute, consisting of approximately 1.63 acres north of East Edgewood Drive, as shown on the attached maps, from Temporary AG Agricultural District to P-I Public Institutional District

**Attachments:** [StaffReport\\_FutureProvidenceandBaldeagleAnnex\\_Rezoning\\_For5-24-23.pdf](#)

[23-0557](#) Request to approve The Villas at Meade Pond Final Plat as shown on the attached maps and subject to the conditions in the attached staff report

**Attachments:** [StaffReport\\_VillasatMeadePond\\_FinalPlat\\_For5-24-23.pdf](#)

## 7. Information Items

[23-0558](#) Proposed Tax Increment Financing District #13 in Southpoint Commerce Park

**Attachments:** [TIF District 13 Overview.pdf](#)

## 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

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## Meeting Minutes - Final City Plan Commission

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Wednesday, May 10, 2023

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. Pledge of Allegiance

3. Roll call of membership

**Present:** 6 - Palm, Robins, Mayor Woodford, Uitenbroek, Neuberger and Fenton

**Excused:** 1 - Dane

*Others present:*

*Mark Burwell, TJ Sushi & Steak House, 4025 E. Lorna Lane*

*Brannin Gries, Gries Architectural Group Inc.*

*Matthew Nevins, 2714 Crestview Drive*

*Patrick Totzke, 1120 E. Moorpark Avenue*

*Kalyn Leege, 1395 W. Casual Court*

*T. McDermott, 401 E. Carrington Lane*

*Kenny Power, 126 E. Crossing Meadows Lane*

4. Approval of minutes from previous meeting

[23-0480](#)

City Plan Minutes from 4-26-23

**Attachments:** [City Plan Minutes 4-26-23.pdf](#)

**Fenton moved, seconded by Robins, that the Minutes be approved. Roll Call.**

**Motion carried by the following vote:**

**Aye:** 6 - Palm, Robins, Mayor Woodford, Uitenbroek, Neuberger and Fenton

**Excused:** 1 - Dane

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](#)

This public hearing was held, and Mark Burwell and Brannin Gries spoke on the item.

## 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)

**Attachments:** [StaffReport\\_Deep Blue Car Wash\\_SUP\\_For5-10-23.pdf](#)

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

**Aye:** 6 - Palm, Robins, Mayor Woodford, Uitenbroek, Neuberger and Fenton

**Excused:** 1 - Dane

[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](#)

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

**Aye:** 6 - Palm, Robins, Mayor Woodford, Uitenbroek, Neuberger and Fenton

**Excused:** 1 - Dane

## 7. Information Items

## 8. Adjournment

Fenton moved, seconded by Palm, that the meeting be adjourned at 3:47 p.m. Roll Call. Motion carried by the following vote:

**Aye:** 6 - Palm, Robins, Mayor Woodford, Uitenbroek, Neuberger and Fenton

Excused: 1 - Dane

**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 24, 2023, 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 Dave Oshefsky, applicant, for property located at 2701 North Oneida Street (Tax Id #31-6-7651-00) to obtain a Special Use Permit for an indoor commercial entertainment use with alcohol sales and consumption (Lumberjack Johnny's, Axe Throwing). In the C-2 General Commercial District, a Special Use Permit is required for an indoor commercial entertainment use 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 Don Harp, Principal Planner, in the Community and Economic Development Department at (920) 832-6466 or by email at [don.harp@appleton.org](mailto:don.harp@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: May 9, 2023  
May 16, 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 24, 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 Dave Oshefsky, applicant, for property located at 2701 North Oneida Street (Tax Id #31-6-7651-00) to obtain a Special Use Permit for an indoor commercial entertainment use with alcohol sales and consumption (Lumberjack Johnny's, Axe Throwing). In the C-2 General Commercial District, a Special Use Permit is required for an indoor commercial entertainment use with alcohol sales and consumption.

Applicant's Request: The primary purpose of the use is axe throwing league play and axe throwing competitions. In addition, corporate team building events that begin at the Escape Room Wisconsin located in the adjacent tenant space followed up with axe throwing and a team building debrief. In our Ashwaubenon location we have found axe throwing is a great tool to appeal to a broader audience and get our customers gathered in a relaxed environment to unwind and review the success and challenges of the team building exercises. We would seek a Class "B" fermented beverage license to serve.

- ALDERMANIC DISTRICT: 6 – Alderperson Denise Fenton

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 Don Harp, Principal Planner, in the Community and Economic Development Department at 920-832-6466 or by email at [don.harp@appleton.org](mailto:don.harp@appleton.org).

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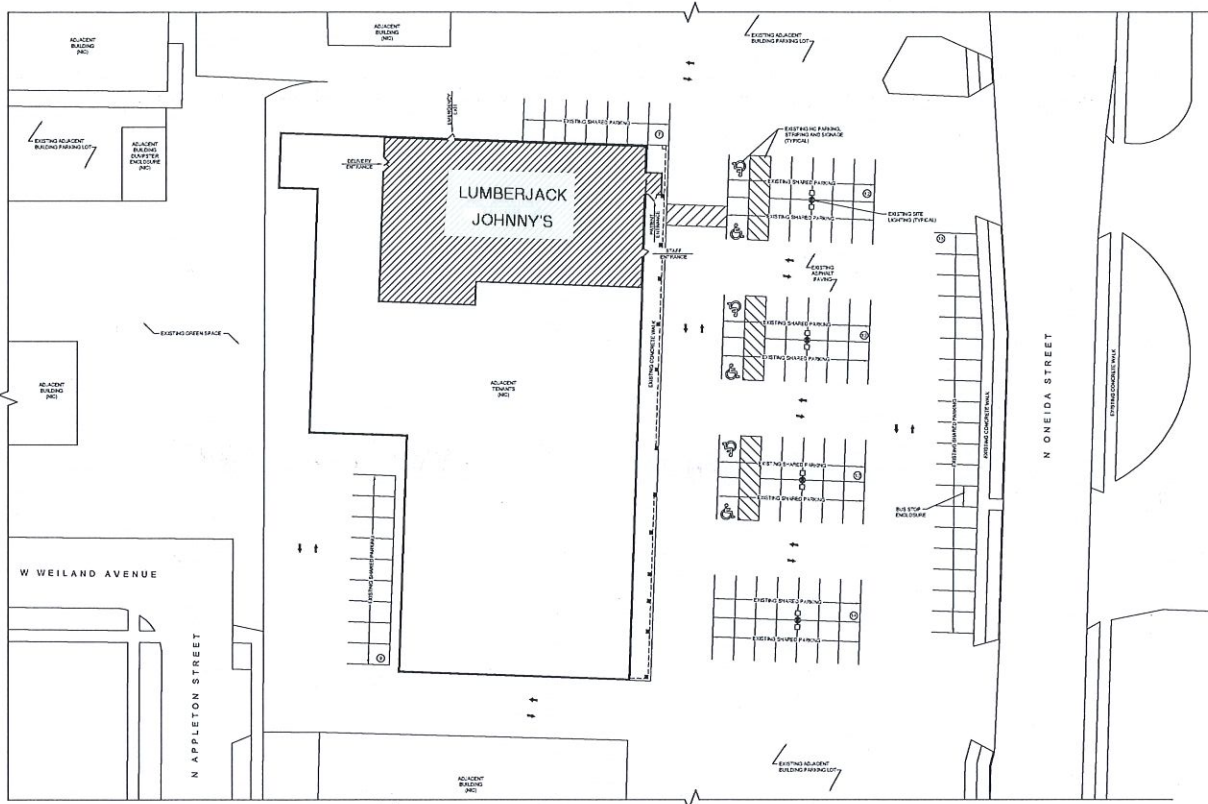
Special Use Permit  
Indoor Commercial Entertainment with Alcohol Sales  
"Lumberjack Johnny's" Axe Throwing  
2701 North Oneida Street  
Aerial Map



Subject Area

6-7651





**GENERAL NOTES**

1. EXISTING CONDITIONS SHOWN OR NOT SHOWN FIELD SURVEY AND THE ACCURACY OF THE SITE PLAN DRAWINGS SHALL BE THE RESPONSIBILITY OF THE CLIENT. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR VERIFYING THE EXISTING CONDITIONS PRIOR TO BE.



**ARCHITECTURAL SITE PLAN**  
SCALE: 1/8" = 1'-0"

Prepared For: Christopher Kidd, No. 10000, State of Wisconsin, Professional Engineer  
ARCHITECT: Christopher Kidd and Associates, LLC  
Date: JAN 21, 2017



Proposed Renovation for:  
**FKC - Appleton**  
FKC Location #06055-1-RN-W-2017  
2701 N Oneida Street, Suite E  
Appleton, Wisconsin 54911

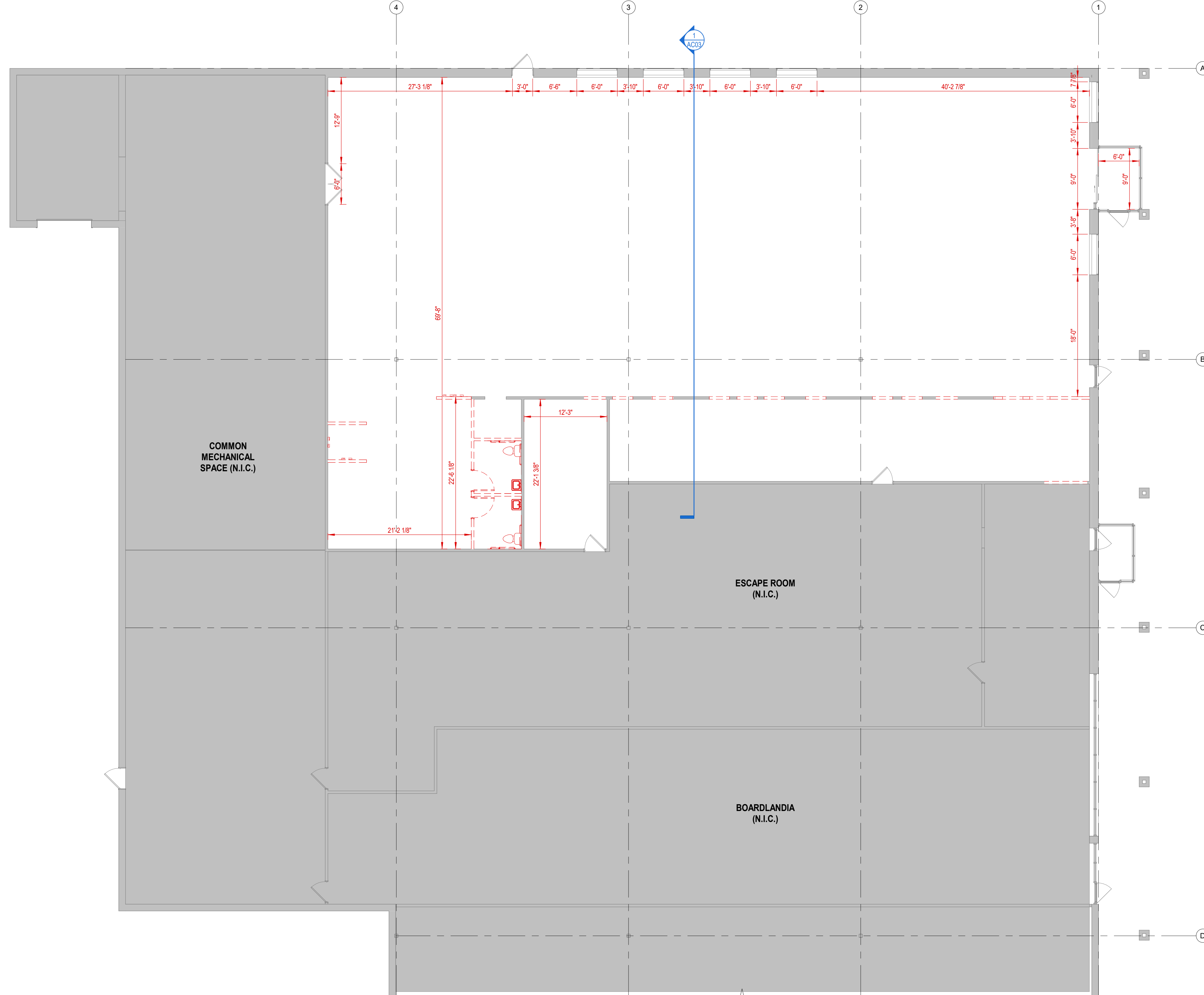


This drawing, as prepared, is the property of the Architect and shall remain the property of the Architect. Any changes, publication, or use of any kind is prohibited unless expressly authorized by the Architect. Copyright © 2017.

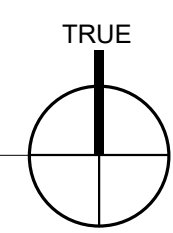
Drawn By: NMA  
Checked By: ESM  
Date Drawn: 02/21/2017  
Project #: 07048-01

NO.	REVISION DESCRIPTION	DATE

**A1.0**



1 CONCEPTUAL EXISTING/  
DEMO PLAN  
1/8" = 1'-0"



\*THESE RENDERINGS ARE FOR ILLUSTRATIVE PURPOSES ONLY AND ARE NOT MEANT TO BE AN EXACT DEPICTION OF THE RENDITION SHOWN. ANY RELIANCE ON THESE RENDERINGS SHALL BE AT THE USER'S SOLE RISK. ALLIANCE CONSTRUCTION & DESIGN, INC. IS NOT RESPONSIBLE FOR ANY RELIANCE OR MISUSE OF THESE RENDERINGS AND/OR DAMAGES, CLAIMS, LOSSES OR LIABILITY THAT MAY RESULT.\*



ALLIANCEBUILDS.COM  
PHONE: (920)-336-3400 | FAX: (920)-336-3401  
1550 BROADWAY ST., WRIGHTSTOWN, WI 54180

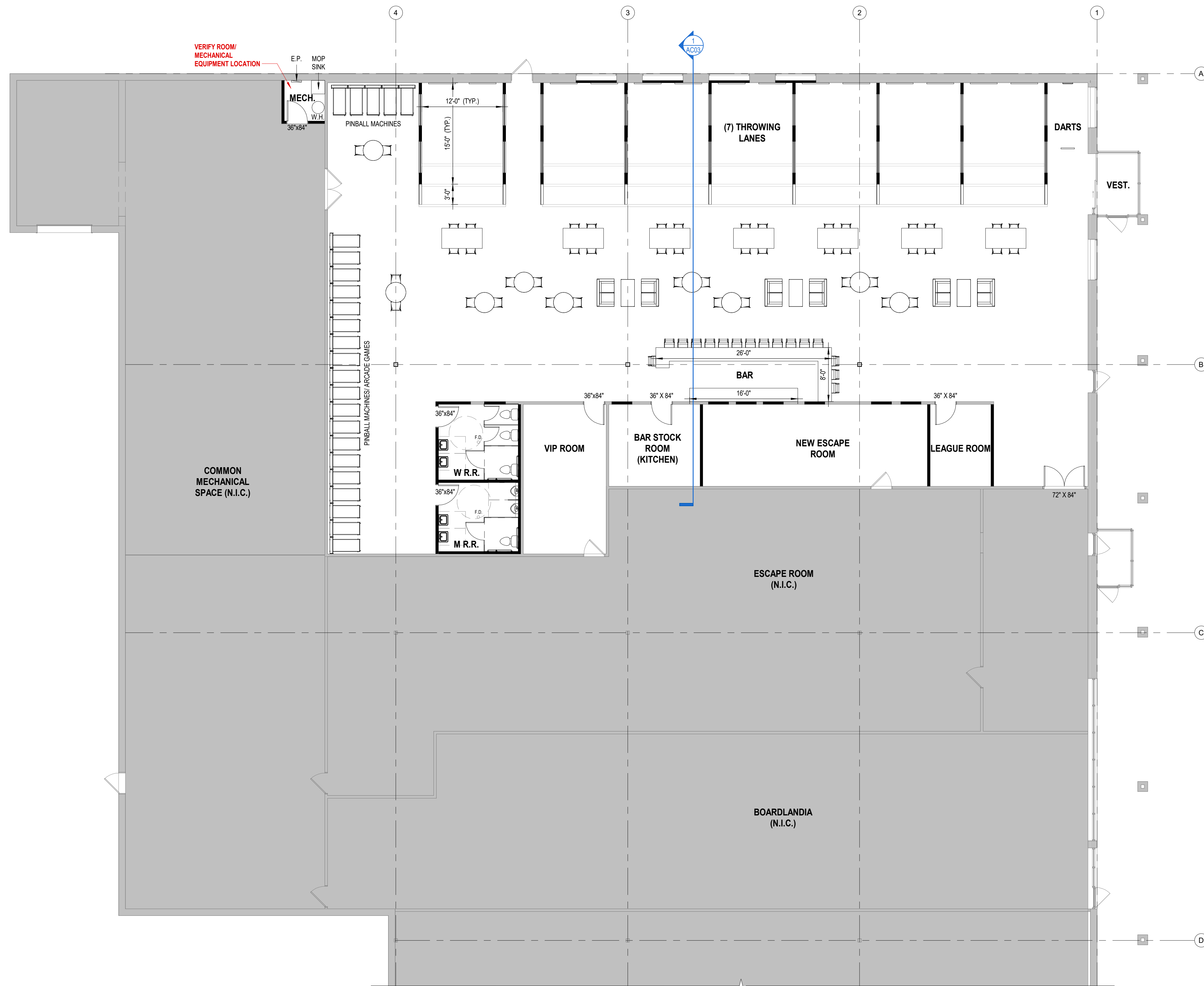
# AXE THROWING TENANT

PROJECT NUMBER: 23-039  
STATUS: CONCEPTUAL

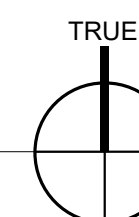
**NOT FOR  
CONSTRUCTION**

CONCEPTUAL EXISTING/  
DEMO PLAN

# AC01



1  
**CONCEPTUAL FLOOR PLAN**  
 1/8" = 1'-0"



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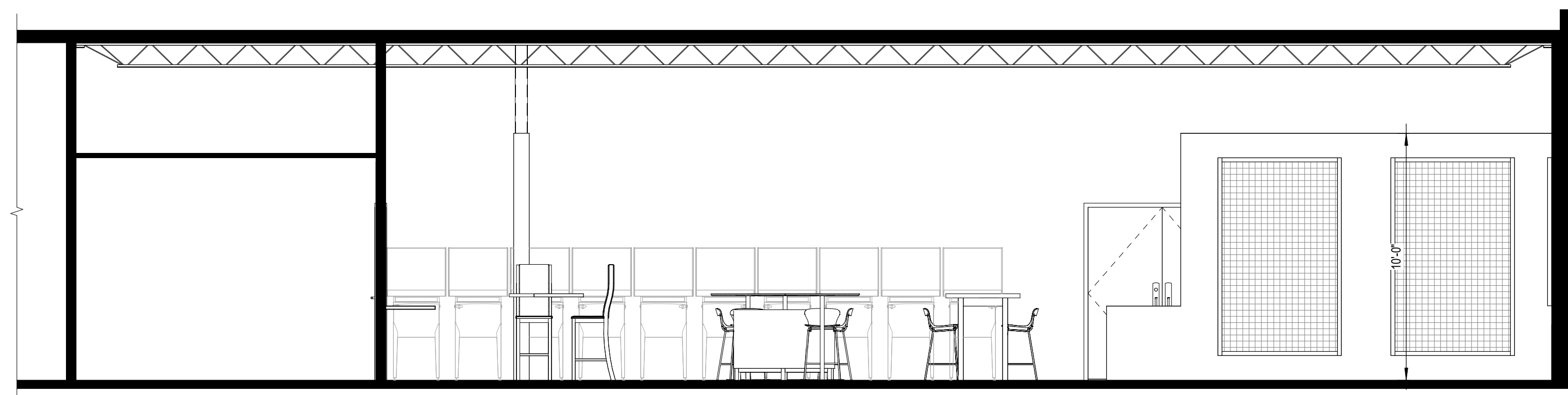
# AXE THROWING TENANT

PROJECT NUMBER: 23-039  
 STATUS: CONCEPTUAL

**NOT FOR CONSTRUCTION**

CONCEPTUAL PLAN

# AC02



1 TRANSVERSE BUILDING SECTION  
1/4" = 1'-0"

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ALLIANCEBUILDS.COM  
PHONE: (920)-336-3400 | FAX: (920)-336-3401  
1850 BROADWAY ST., WRIGHTSTOWN, WI 54180

## AXE THROWING TENANT

PROJECT NUMBER: 23-039  
STATUS: CONCEPTUAL

**NOT FOR  
CONSTRUCTION**

CONCEPTUAL SECTION

# AC03

**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 24, 2023, 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 Sudhansh Goel, owner/applicant, to obtain a Special Use Permit to establish a bar & grill inside an existing building formally used as an auto maintenance garage (approximately 1,909 sq. ft. floor area) at 2811 East Newberry Street (Tax Id #31-4-5747-00). In the C-2 General Commercial District, a Special Use Permit is required for a bar/grill 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 Don Harp, Principal Planner, in the Community and Economic Development Department at (920) 832-6466 or by email at [don.harp@appleton.org](mailto:don.harp@appleton.org).

CITY PLAN COMMISSION  
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RUN: May 9, 2023  
May 16, 2023

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**OF THE**  
**APPLETON CITY PLAN COMMISSION**

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- Pursuant to Sections 23-66 and 23-113 of the Appleton Municipal Code, to consider a request by Sudhansh Goel, owner/applicant, to obtain a Special Use Permit to establish a bar & grill inside an existing building formally used as an auto maintenance garage (approximately 1,550 sq. ft. floor area) at 2811 East Newberry Street (Tax Id #31-4-5747-00). In the C-2 General Commercial District, a Special Use Permit is required for a bar/grill with alcohol sales and consumption.
  
- ALDERMANIC DISTRICT: 3 – Alderperson Brad Firkus

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 Don Harp, Principal Planner, in the Community and Economic Development Department at 920-832-6466 or by email at [don.harp@appleton.org](mailto:don.harp@appleton.org).

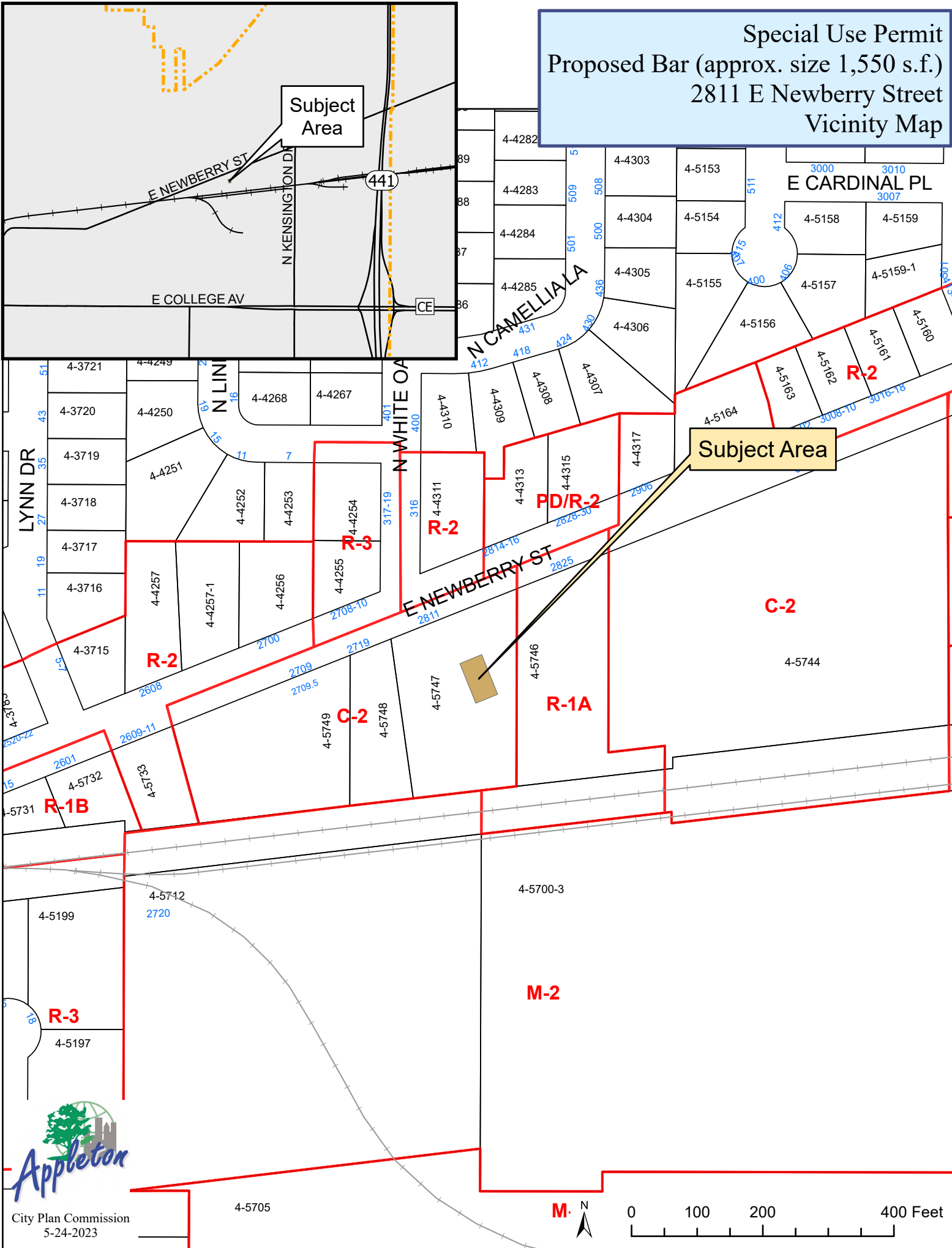
CITY PLAN COMMISSION

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

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Special Use Permit  
 Proposed Bar (approx. size 1,550 s.f.)  
 2811 E Newberry Street  
 Vicinity Map



Subject Area

Subject Area



E NEWBERRY ST

Special Use Permit  
Proposed Bar (approx. size 1,550 s.f.)  
2811 E Newberry Street  
Aerial Map



Subject Area



City Plan Commission  
5-24-2023



NEWBERRY ST.

186'4"

5 BAYS EXISTING

7 BAYS EXISTING

HOUSE

245'9"

12' MULCH & GRASS

5 BAYS  
9'x18'

ASPHALT

[2 PARKINGS]

C. STORE

PROPOSED  
REMODEL  
BAR

PRIVATE PROPERTY

292'

NEWBERRY BAR & GRILL  
2811 E NEWBERRY ST. APPLETON

NOT TO SCALE

EXISTING  
GRAVELS

SNOW STORAGE

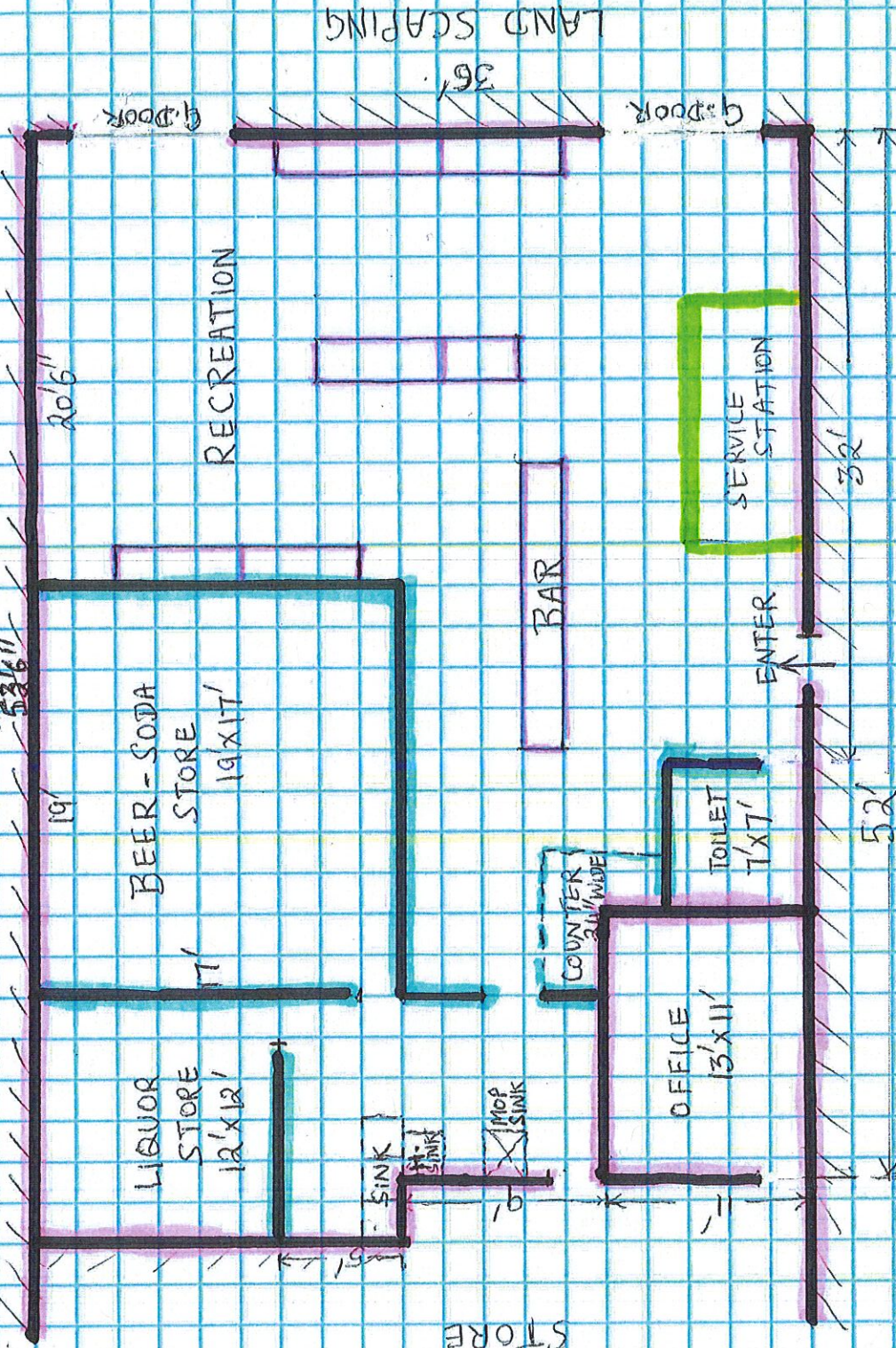
157'  
RAILWAY LINE

- CONSTRUCTIONS
- PARKINGS
- STORM WATER DRAIN



NEWBERRY BAR & GRILL

2811E STE B NEWBERRY ST APPLETON WI 54915



NOTE: NEW FURNACE & AC UNIT

- EXISTING
- NEW CONSTRUCTION
- SERVICE STATION

SITTINGS

NOT TO SCALE

SPG GROUPS LLC  
*Roll*

**NOTICE OF INFORMAL PUBLIC HEARING**  
**OF THE**  
**APPLETON CITY PLAN COMMISSION**

Dear property owner(s):

The City of Appleton Plan Commission will conduct an Informal Public Hearing on Wednesday, May 24, 2023, at 3:30 P.M., in Common Council Chambers, 6th Floor, City Hall, 100 North Appleton Street, or as soon thereafter as can be heard, for the following proposed rezoning request:

**COMMON DESCRIPTION:**

Town of Grand Chute parcel number 101158298 and part of 101157000, included in the “Future Providence Avenue and Baldeagle Drive (Right-of-Way) Annexation”, extending existing Baldeagle Drive and existing Providence Avenue to the future extension of Lightning Drive, north of East Edgewood Drive.

**Rezoning Request:** A rezoning request has been initiated by the City Plan Commission, in the matter of amending Chapter Twenty-three (Zoning Ordinance) of the Municipal Code of the City of Appleton, for the above-described real estate, which was zoned temporary AG Agricultural District following annexation. Pursuant to Sections 23-65(d)(1) and 23-65(e) of the Municipal Code, the City Plan Commission proposes to rezone the property to a zoning classification of P-I Public Institutional District (see attached map). The P-I District is intended to provide for public and institutional uses (public roads/infrastructure) and buildings utilized by the community and to provide open space standards where necessary for the protection of adjacent residential properties.

**Purpose of the Request:** To assign a zoning classification following the “Future Providence Avenue and Baldeagle Drive (Right-of-Way) Annexation” and facilitate future construction of streets officially mapped as Providence Avenue and Baldeagle Drive and associated stormwater management features.

**ALDERMANIC DISTRICT:** 13 – Alderperson Sheri Hartzheim

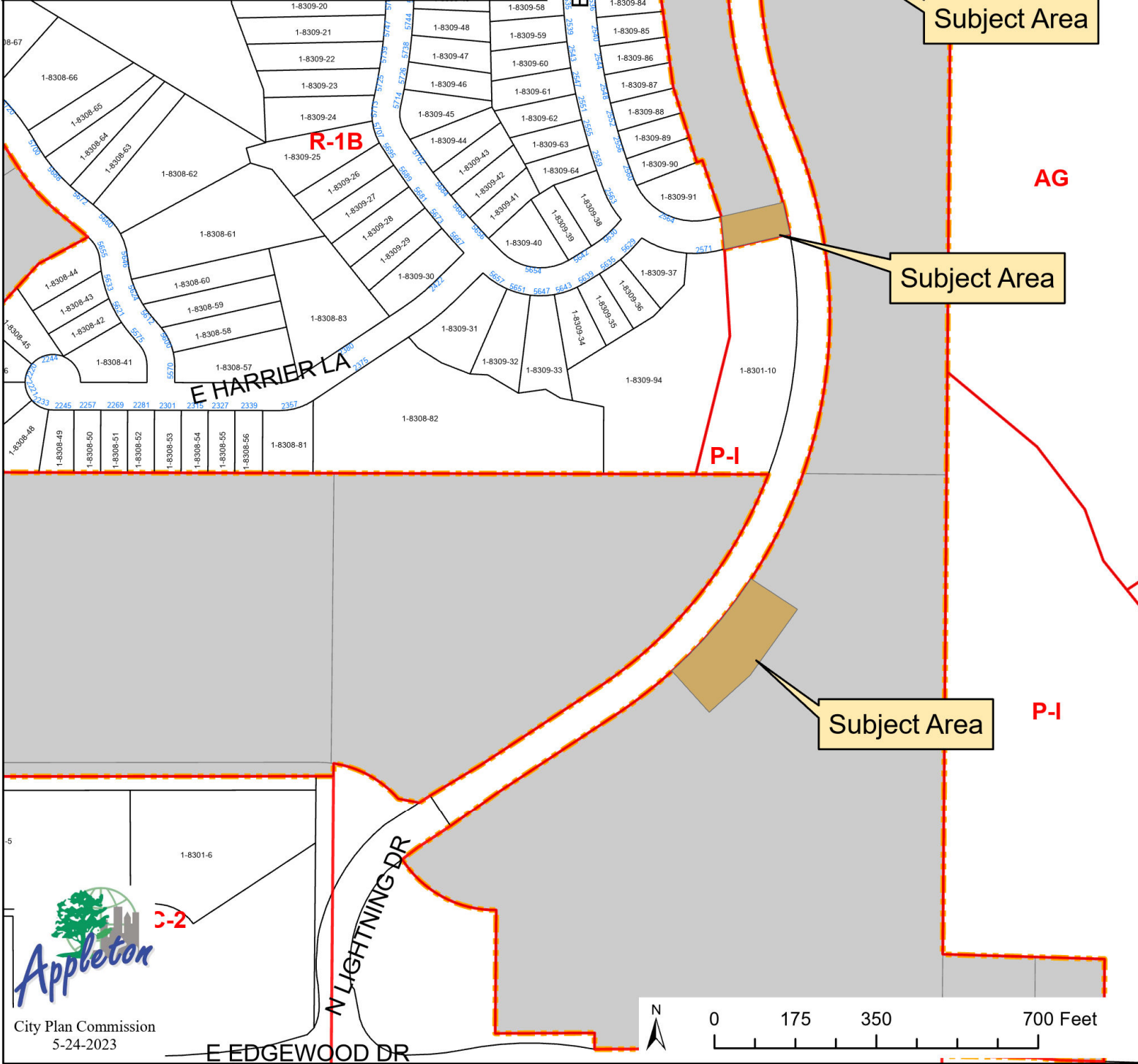
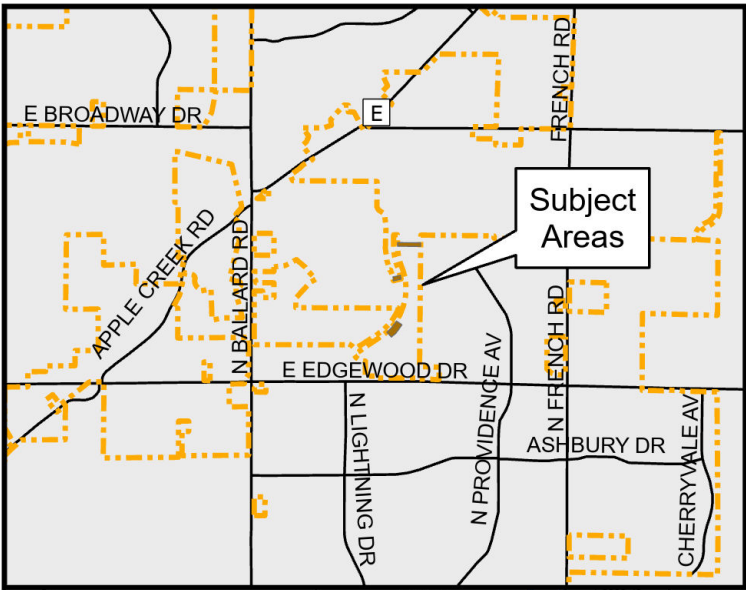
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CITY PLAN COMMISSION

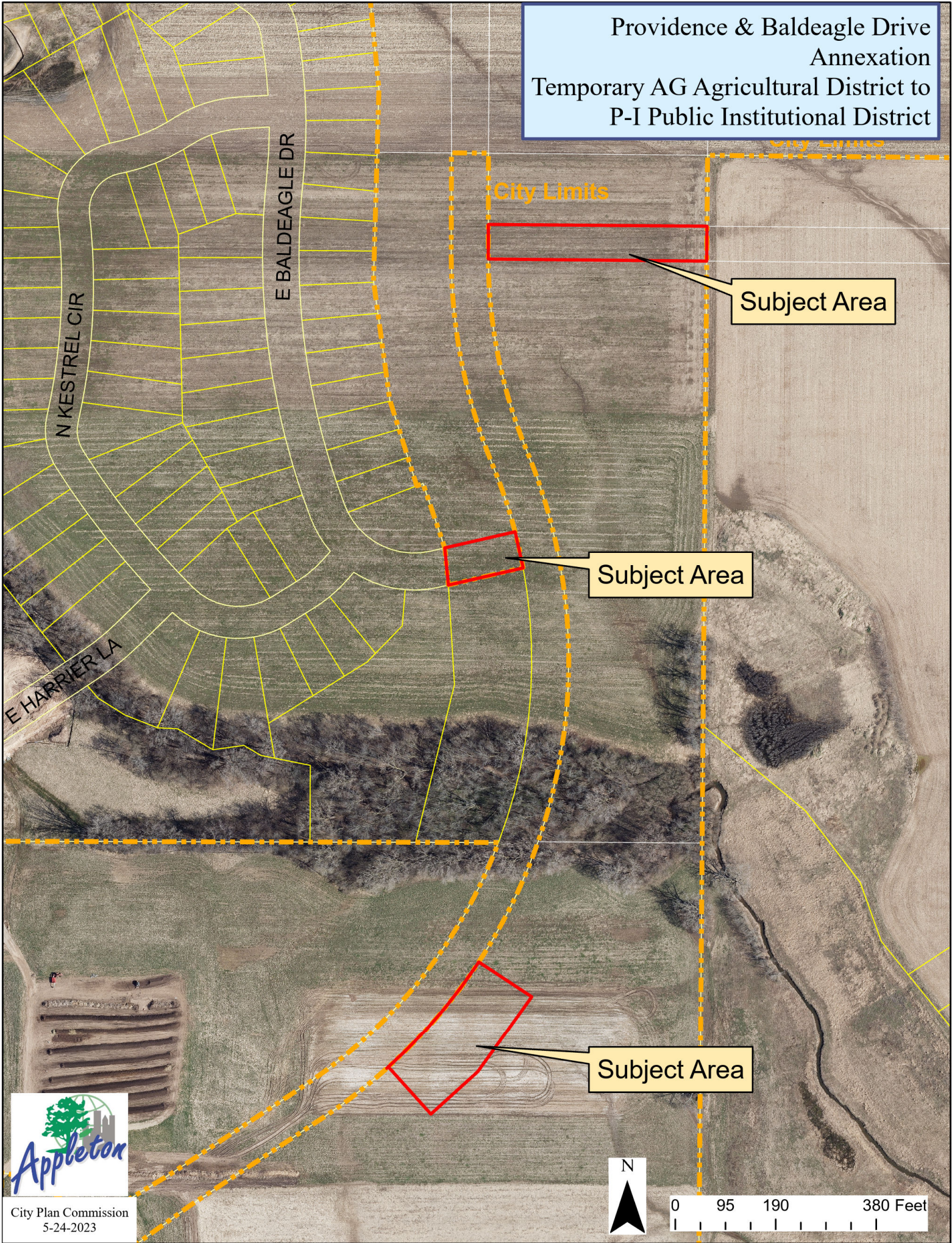
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*Reasonable accommodations for persons with disabilities will be made upon request and if feasible.*

Providence & Baldeagle Drive  
Annexation  
Temporary AG Agricultural District  
to P-I Public Institutional District



Providence & Baldeagle Drive  
Annexation  
Temporary AG Agricultural District to  
P-I Public Institutional District



Subject Area

Subject Area

Subject Area



City Plan Commission  
5-24-2023



0 95 190 380 Feet

# ANNEXATION EXHIBIT "A"

Part of the Fractional Southwest 1/4 of Section 6, Township 21 North, Range 18 East, Town of Grand Chute, Outagamie County, Wisconsin.

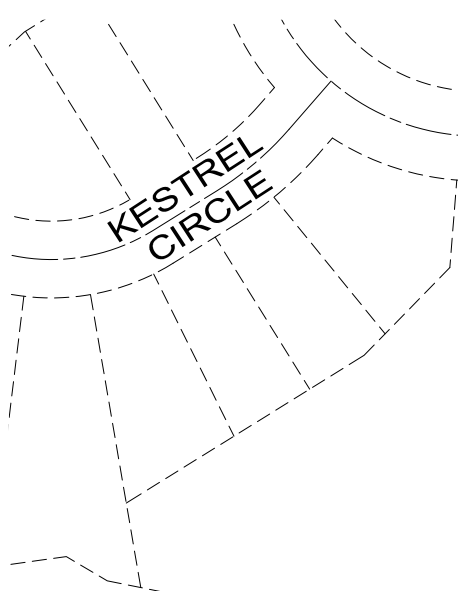
CURVE DATA TABLE				
CURVE	RADIUS	LENGTH	LC	LCB
C1	1035.00'	263.34'	262.63'	N40°36'48"E
C2	965.00'	70.02'	70.00'	S12°35'31"E
C3	965.00'	7.83'	7.83'	N00°05'59"W

SCALE IN FEET



0' 150' 300'

BEARINGS ARE REFERENCED TO THE WISCONSIN COUNTY COORDINATE SYSTEM, OUTAGAMIE COUNTY, SOUTH LINE OF THE FRACTIONAL SW 1/4 SECTION 6, T.21N., R. 18E.; WHICH BEARS N89°44'38"E  
H:\Acad\Annex\2023\Providence\_Baldeagle\_Pond\_2023



Outlot 4  
Apple Ridge

Outlot 10  
Apple Ridge 2

CITY OF APPLETON

TOWN OF GRAND CHUTE

Lynn Wenzel, Steven Petersen,  
Karen Petersen and Mark Petersen  
Parcel No. 101158200  
Unplatted Lands  
E. 80 rods of the S.45 Ac of SW  
1/4 less lands sold, Section 6,  
T21N, R18E, Town of Grand Chute

Lynn Wenzel, Steven Petersen,  
Karen Petersen and Mark Petersen  
Parcel No. 101158200  
Unplatted Lands  
E. 80 rods of the S.45 Ac of SW  
1/4 less lands sold, Section 6,  
T21N, R18E, Town of Grand Chute

DRIVE

LIGHTNING

SW CORNER OF SECTION  
6, T21N, R18E  
CHISEL X, MH

South line of the Fractional SW 1/4, Section 6, T21N, R18E, S89°44'38"W 2996.27'

CENTER OF SECTION 6,  
T 21 N, R 18 E, TOP OF  
MON. GONE, FOUND BASE

TOWN OF GRAND CHUTE  
CITY OF APPLETON

N00°07'58"E 58.17'  
S89°27'33"E 413.71'

N89°27'33"W 413.31'

**FUTURE  
PROVIDENCE  
AVENUE**  
27,293 Sq. Ft.  
0.6266 Ac.

Apple Tree Appleton Four LLC  
Parcel No. 101157000  
Unplatted Lands  
NE/SW, less lands annexed to  
City of Appleton,  
Section 6, T21N, R18E,  
Town of Grand Chute

**FUTURE  
BALDEAGLE  
DRIVE**  
9,882 Sq. Ft.  
0.2269 Ac.

N77°06'07"E 136.41'  
N05°31'46"W 70.52'  
S77°06'07"W 145.09'  
N03°30'35"W 0.06'

Apple Tree Appleton  
Four LLC  
Parcel No.  
31-1-8301-10  
Unplatted Lands

70'

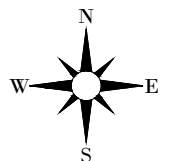
CITY OF APPLETON  
TOWN OF GRAND CHUTE

**FUTURE  
POND**  
33,825 Sq. Ft.  
0.7765 Ac.

S56°40'32"E 120.00'  
N42°05'52"W 120.00'  
S47°54'08"W 119.28'  
S33°39'52"W 175.42'

S 1/4 COR. SECTION  
6, T 21 N, R 18 E  
MAG NAIL

TOWN OF GRAND CHUTE  
CITY OF APPLETON



**CITY OF APPLETON**

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

DRAFTED BY: T. KROMM

OFFICIALLY  
MAPPED  
PROVIDENCE  
AVENUE

East line of the Fractional SW 1/4, Section 6, T21N, R18E, N00°27'14"E 2599.64'

S00°27'14"W  
661.00'





## REPORT TO CITY PLAN COMMISSION

**Plan Commission Public Hearing Date:** May 24, 2023

**Common Council Meeting Date:** June 7, 2023

**Item:** Special Use Permit #4-23 for an indoor commercial entertainment use with alcohol sales and consumption (Lumberjack Johnny's, Axe Throwing)

**Case Manager:** Don Harp, Principal Planner

### **GENERAL INFORMATION**

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**Owner:** Northgate Five, LLC, Joe Vanevenhoven

**Applicant:** David Oshefsky, Newell Company, Inc.

**Address/Parcel #:** 2701 North Oneida Street (Tax Id #31-6-7651-00)

**Petitioner's Request:** The primary purpose of the use is axe throwing league play and axe throwing competitions. In addition, corporate team building events that begin at the Escape Room Wisconsin located in the adjacent tenant space followed up with axe throwing and a team building debrief. In our Ashwaubenon location, we have found axe throwing is a great tool to appeal to a broader audience and get our customers gathered in a relaxed environment to unwind and review the success and challenges of the team building exercises. We would seek a Class "B" fermented beverage license to serve.

### **BACKGROUND**

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This tenant space was most recently occupied by Bio-Medical Applications of Wisconsin.

The building was constructed in 1980, and the property contains a multi-tenant building with an off-street parking lot.

### **STAFF ANALYSIS**

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**Project Summary:** The applicant proposes to establish an indoor commercial entertainment use (axe throwing facility) with alcohol sales and consumption on the subject site, which would occupy approximately 7,256 square feet of the existing multi-tenant building.

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

**Outdoor Seating Area:** No outdoor alcohol sales and consumption is requested with this application.

**Existing Site Conditions:** The existing multi-tenant building totals approximately 27,994 square feet, includes an 81-stall off-street parking lot. Access is provided by curb cuts on North Onieda Street and North Appleton Street.

**Special Use Permit #4-23**

**May 24, 2023**

**Page 2**

**Off-Street Parking Requirements:** Section 23-172(m) of the Municipal Code requires a minimum number of off-street parking spaces based on the use of a property. In this case, the property has historically functioned as a shopping center building, per Assessor's Office records. The proposal will not increase the gross floor area of the existing multi-tenant building. Therefore, additional off-street parking spaces are not required for the applicant's request.

**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, an indoor commercial entertainment use with alcohol sales 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.

**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 residential in nature.

North: C-2 General Commercial District. The adjacent land uses to the north are a gas station/convenience store with retail alcohol and automotive repair shop. (Future land use map recommends Commercial for the adjacent properties.)

South: C-2 General Commercial District. The adjacent land use to the south is The Grand Meridian banquet/event center. (Future land use map recommends Commercial for the adjacent property.)

East: P-I Public Institutional District. The adjacent land use to the east is St. Francis Xavier Middle School. (Future land use map recommends Public/Institutional for the adjacent property.)

West: R-1B Single-family Residential District. The adjacent land uses to the west are currently single-family residential. (Future land use map recommends Single/Two family for adjacent properties.)

**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.*

## Special Use Permit #4-23

May 24, 2023

Page 3

**Technical Review Group (TRG) Report:** This item appeared on the May 2, 2023 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 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.

**Findings 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 indoor entertainment uses with alcohol sales as a special use permit; *2. zoning district regulations:* the district regulations appear to be satisfied pursuant to the attached development plan; *3. special regulations:* stipulations 1, 2, 3 and 4 (below) address the special regulations for alcohol sales; *4. consistent with comprehensive plan and other plans:* yes, see above analysis; *5. traffic:* the proposed use is not expected to create undue traffic congestion, it is anticipated customers will utilize existing on-site parking spaces to park their cars; *6. landscaping and screening:* not applicable to this use, changes to the existing parking are not being proposed with this request; *7. neighborhood compatibility with predominant land uses in this area:* the proposed use is located near other existing commercial uses in this area of the City, the proposed alcohol service is anticipated to be ancillary and subordinate (i.e., an amenity for the customers) to the primary use as an indoor commercial entertainment facility for axe throwing; *8. impact on services:* the City has existing utilities and services in place to serve this proposed use. These standards were found in the affirmative, as long as all stipulations are satisfied.

## **RECOMMENDATION**

---

Staff recommends, based on the above analysis, that Special Use Permit #4-23 for an indoor commercial entertainment use (axe throwing) with alcohol sales and consumption located at 2701 N. Oneida Street (Tax Id #31-6-7651-00) 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.*

**Special Use Permit #4-23**

**May 24, 2023**

**Page 4**

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 (Article IV. Noise), 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.*

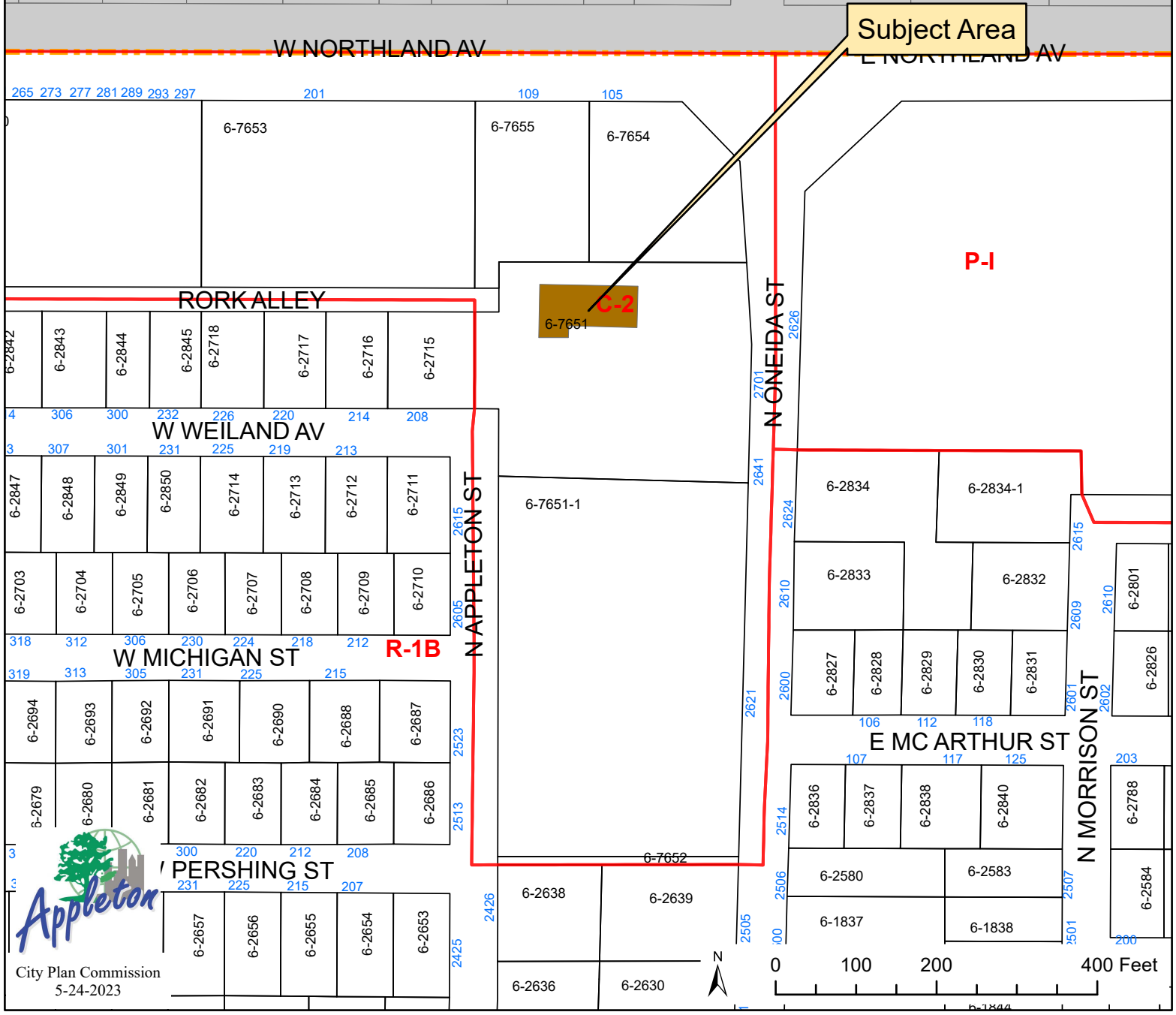
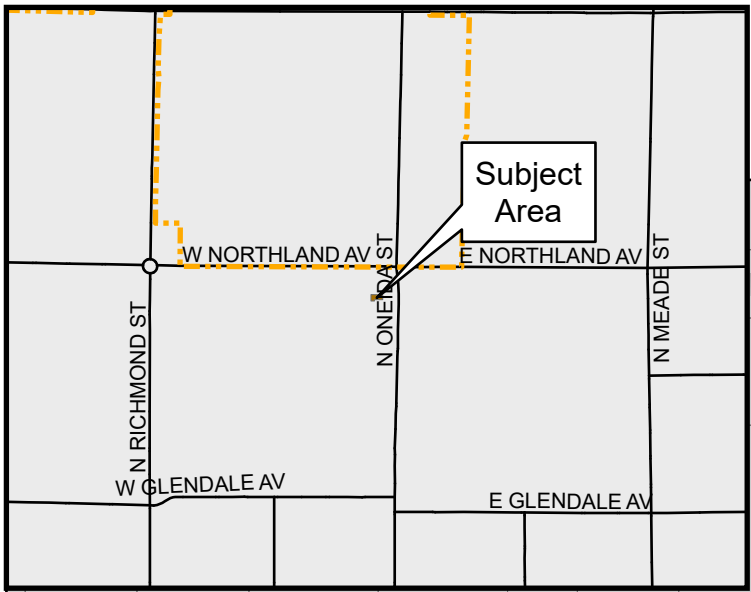
5. The serving and consumption of alcohol is limited to the interior tenant space, as identified on the attached development plan and floor plan drawings. Any future expansions for the serving and/or consumption of alcohol may require a major or minor amendment request to this Special Use Permit, pursuant to Section 23-66(g) of the Municipal Code.

*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.*

6. 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.*

Special Use Permit  
 Indoor Commercial Entertainment  
 with Alcohol Sales  
 "Lumberjack Johnny's" Axe Throwing  
 2701 North Oneida Street  
 Vicinity Map



Special Use Permit  
Indoor Commercial Entertainment with Alcohol Sales  
"Lumberjack Johnny's" Axe Throwing  
2701 North Oneida Street  
Aerial Map



**CITY OF APPLETON  
RESOLUTION FOR SPECIAL USE PERMIT #4-23  
INDOOR COMMERCIAL ENTERTAINMENT USE WITH ALCOHOL SALES AND CONSUMPTION  
2701 NORTH ONEIDA STREET**

**WHEREAS**, David Oshefsky has applied for a Special Use Permit to establish an indoor commercial entertainment use (axe throwing) with alcohol sales and consumption, also identified as Parcel Number 31-6-7651-00; and

**WHEREAS**, the proposed indoor commercial entertainment use (axe throwing) with alcohol sales and consumption, 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 May 24, 2023 on Special Use Permit #4-23, 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 #4-23 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 June 7, 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 YES or NO (CIRCLE ONE)
2. If NO, the City of Appleton Common Council hereby denies Special Use Permit #4-23 for an indoor commercial entertainment use (axe throwing) with alcohol sales and consumption, also identified as Parcel Number 31-6-7651-00, 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 #4-23 for an indoor commercial entertainment use (axe throwing) with alcohol sales and consumption, also identified as Parcel

Number 31-6-7651-00, 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 #4-23:**

- 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 (Article IV. Noise) and all applicable State and Federal laws shall be complied with.
  - E. The serving and consumption of alcohol is limited to the interior tenant space, as identified on the attached development plan and floor plan drawings. Any future expansions for the serving and/or consumption of alcohol may require a major or minor amendment request to this Special Use Permit, pursuant to Section 23-66(g) of the Municipal Code.
  - F. 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 \_\_\_\_\_, 2023.

\_\_\_\_\_  
Jacob A. Woodford, Mayor

ATTEST:

\_\_\_\_\_  
Kami Lynch, City Clerk



## PLAN OF OPERATION AND LOCATIONAL INFORMATION

### Business Information:

Name of business: \_\_\_Newell Company, Inc. DBA Lumberjack Johnny's

Years in operation: \_\_\_9 years

(Check applicable proposed business activity(s) proposed for the premises)

Restaurant

Tavern/Night Club/Wine Bar

Painting/Craft Studio

Microbrewery/Brewpub (manufacturing a total of not more than 310,000 U.S. gallons of fermented malt beverages per calendar year)

Brewery (manufacturing a total of more than 310,000 U.S. gallons of fermented malt beverages per calendar year)

Winery (manufacturing of wine)

?? Craft-Distillery (manufacturing a total of not more than 100,000 proof gallons of intoxicating liquor per calendar year)

Distillery (manufacturing a total of more than 100,000 proof gallons of intoxicating liquor per calendar year)

Tasting room offering fermented malt beverages, wine or intoxicating liquor for consumption and/or retail sales on the premises where the fermented malt beverages, wine or intoxicating liquor is manufactured and/or at an off-premises location associated with premises. Tasting rooms may include food sales.

Other\_\_\_ Entertainment including axe throwing and other team building exercises.

Detailed explanation of proposed business activities:

---

Axe Throwing, with secondary sports such as Darts and Cornhole for the purpose of teambuilding and family entertainment.

---

Existing gross floor area of building/tenant space, including outdoor spaces:

(square feet) 7,256 Sq feet

Proposed gross floor area of building/tenant space, including outdoor spaces:

(square feet) 7,256 Sq Feet

**Occupancy Limits:**

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: \_\_\_\_\_ persons.

**Proposed Hours of Operation for Indoor Uses:**

Day	From	To
Wednesday thru Thursday	5:00 pm	10:00 pm
Friday	11:00 AM	10:00 pm
Saturday	11:00 AM	10:00 PM
Sunday	11:00 AM	5:00 PM

**Production/Storage Information:**

(Check applicable proposed business activity(s) proposed for the premises)

Current production of fermented malt beverages: \_\_\_\_\_ U.S. gallons per year

Proposed production of fermented malt beverages: \_\_\_\_\_ U.S. gallons per year

Current production of wine: \_\_\_\_\_ U.S. gallons per year

Proposed production of wine: \_\_\_\_\_ U.S. gallons per year

Current production of intoxicating liquor: \_\_\_\_\_ proof gallons per year

Proposed production of intoxicating liquor: \_\_\_\_\_ proof gallons per year

X None. If none, leave the following two storage questions blank.

Identify location of grains and/or juice, grapes, other fruits or other agricultural product storage and type of storage container(s) used:

---

---

Identify the storage location of spent grains and/or grapes, other fruits or other agricultural products and type of storage container(s) used:

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---

**Outdoor Space Uses:**

(Check applicable outdoor space uses)

Patio

Deck

Sidewalk Café

Other \_\_\_\_\_.

X None. If none, leave the following questions in this section blank.

Size: \_\_\_\_\_ square feet

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

Fencing      Landscaping      Other \_\_\_\_\_  
Height \_\_\_\_\_ feet

Is there any alcohol consumption incorporated within the outdoor facility? Yes \_\_\_ No \_\_\_

If yes, please describe:

---

---

Are there plans for outdoor music/entertainment? Yes \_\_\_ No \_\_\_

If yes, describe how the noise will be controlled:

---

Is there any food service incorporated in this outdoor facility proposal? Yes \_\_\_ No \_\_\_

**Proposed Hours of Operation for Outdoor Space:**

Day	From	To
Monday thru Thursday		
Friday		
Saturday		
Sunday		

**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.**

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

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

Estimated 90 decibels at high point internally. No external impact expected.

---

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

No impact externally, internally we will be installing acoustical panels on the ceiling and utilizing sound absorbing materials in the design such as carpet.

---

**Off-Street Parking:**

Number of spaces existing on-site: 62

Number of spaces proposed on-site: N/A

**Street Access:**

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?

No improvements are planned. Ingress/egress is existing along North Oneida Street and North Appleton Street.

**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:

The Grand Meridian

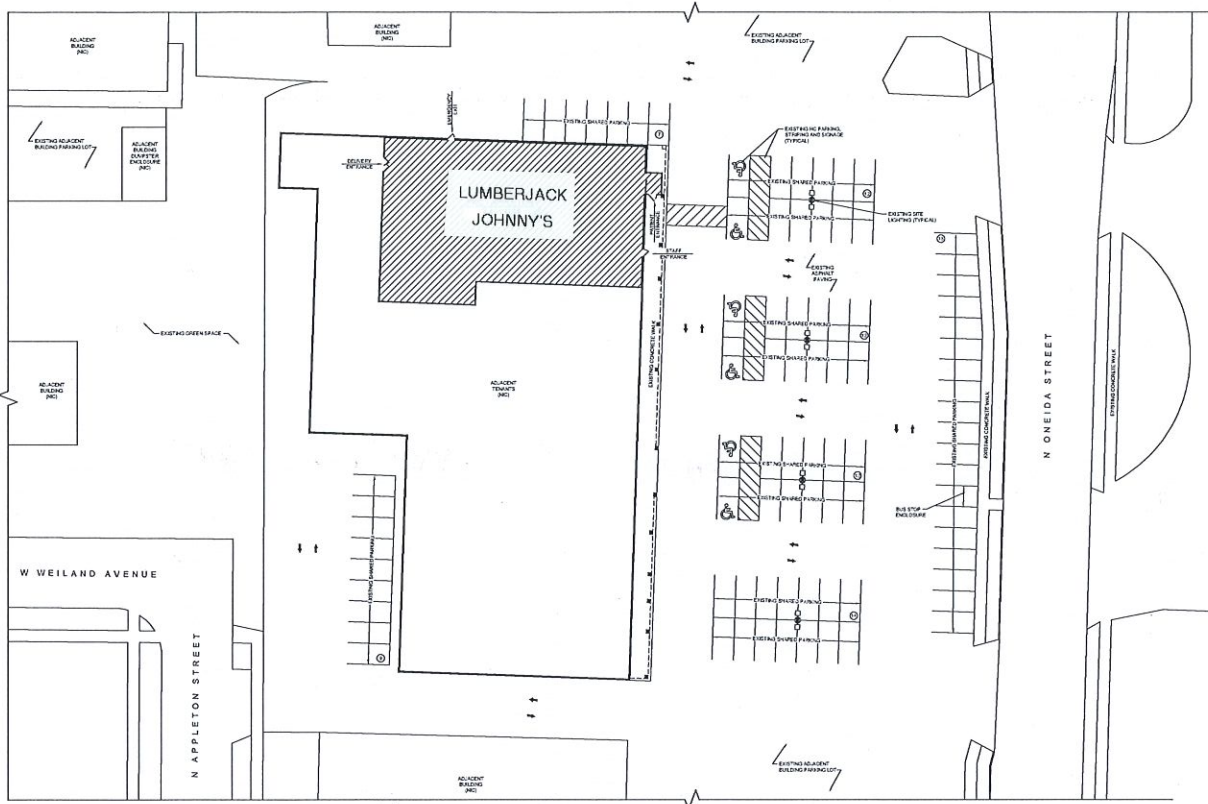
**Number of Employees:**

Number of existing employees: 8

Number of proposed employees: 16 by end of year 2023

Number of employees scheduled to work on the largest shift: Typically 4

**WHAT IS A SPECIAL USE PERMIT?**



**GENERAL NOTES**

1. EXISTING CONDITIONS SHOWN OR NOT SHOWN FIELD SURVEY AND THE ACCURACY OF THE SITE PLAN DRAWINGS SHALL BE THE RESPONSIBILITY OF THE CLIENT. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR VERIFYING THE EXISTING CONDITIONS PRIOR TO BE.



**ARCHITECTURAL SITE PLAN**  
SCALE 1/8" = 1'-0"

Prepared For: Christopher Kidd, No. 102053, State of Wisconsin, Architect  
Date: 1/23/2017



Proposed Renovation for:  
**FKC - Appleton**  
FKC Location #06055-1-RN-W-2017  
2701 N Oneida Street, Suite E  
Appleton, Wisconsin 54911

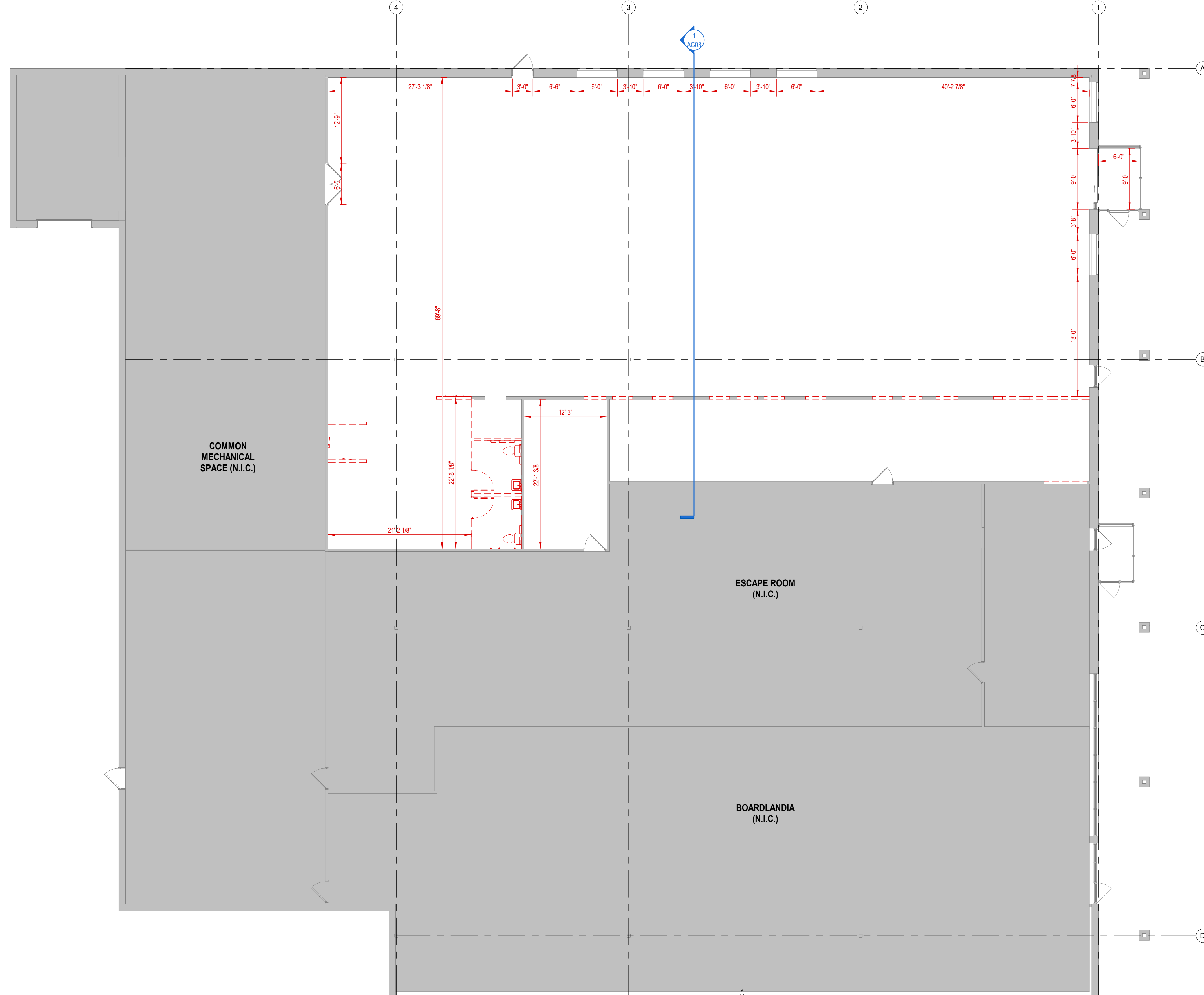


This drawing, as prepared, is the property of the Architect and shall remain the property of the Architect. Any changes, publication, or use of any kind is prohibited unless expressly authorized by the Architect. Copyright © 2017.

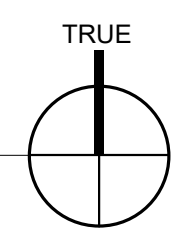
Drawn By: N/A  
Checked By: ESM  
Date Drawn: 02/23/2017  
Project #: 07048-01

NO.	REVISION DESCRIPTION	DATE

A1.0



1 CONCEPTUAL EXISTING/  
DEMO PLAN  
1/8" = 1'-0"



\*THESE RENDERINGS ARE FOR ILLUSTRATIVE PURPOSES ONLY AND ARE NOT MEANT TO BE AN EXACT DEPICTION OF THE RENDITION SHOWN. ANY RELIANCE ON THESE RENDERINGS SHALL BE AT THE USER'S SOLE RISK. ALLIANCE CONSTRUCTION & DESIGN, INC. IS NOT RESPONSIBLE FOR ANY RELIANCE OR MISUSE OF THESE RENDERINGS AND/OR DAMAGES, CLAIMS, LOSSES OR LIABILITY THAT MAY RESULT.\*



ALLIANCEBUILDS.COM  
PHONE: (920)-336-3400 | FAX: (920)-336-3401  
1550 BROADWAY ST., WRIGHTSTOWN, WI 54180

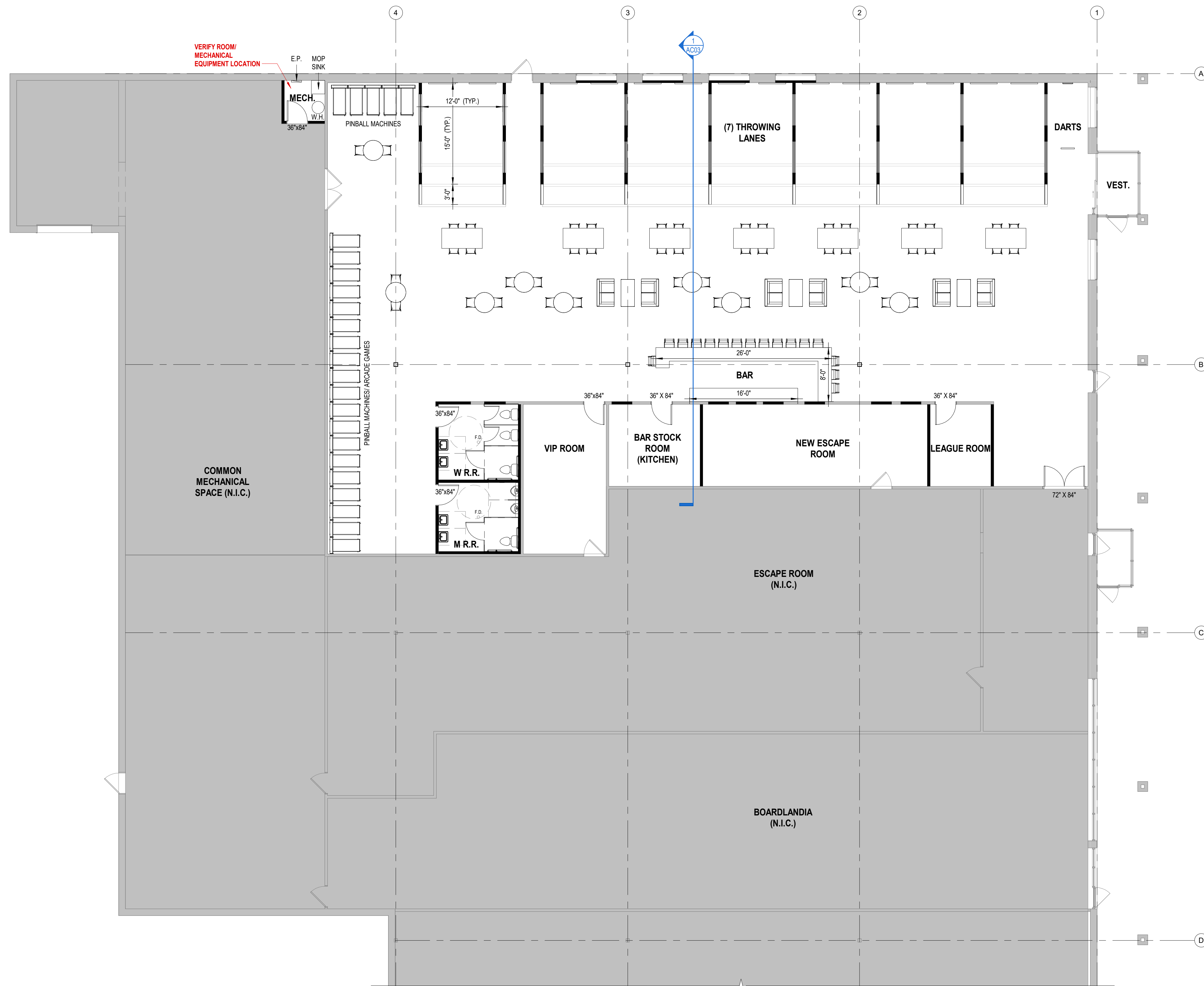
# AXE THROWING TENANT

PROJECT NUMBER: 23-039  
STATUS: CONCEPTUAL

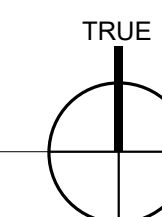
**NOT FOR  
CONSTRUCTION**

CONCEPTUAL EXISTING/  
DEMO PLAN

# AC01



1  
**CONCEPTUAL FLOOR PLAN**  
 1/8" = 1'-0"



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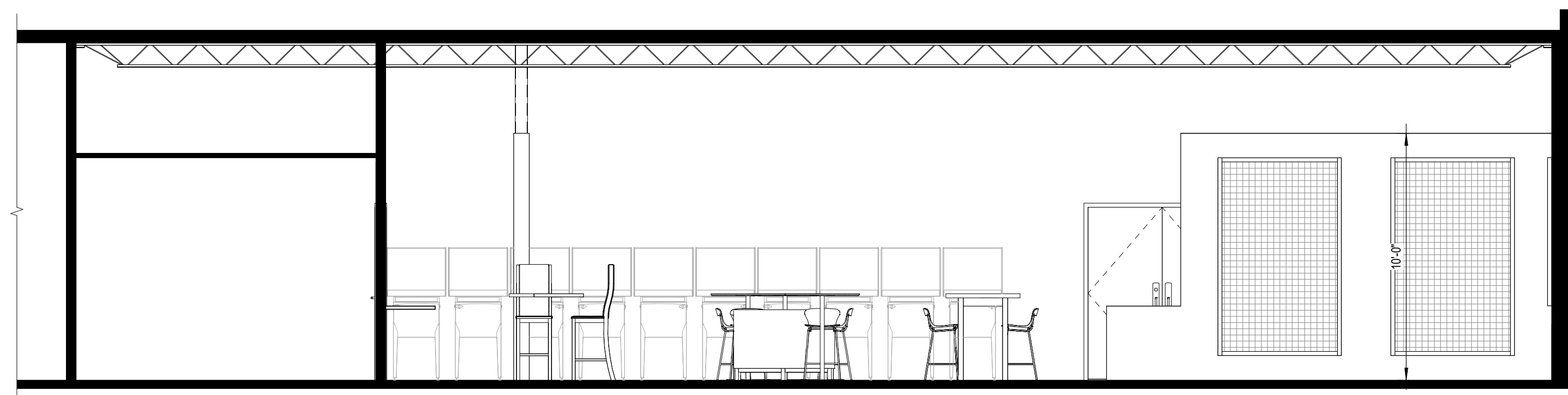
# AXE THROWING TENANT

PROJECT NUMBER: 23-039  
 STATUS: CONCEPTUAL

**NOT FOR CONSTRUCTION**

CONCEPTUAL PLAN

# AC02



1 TRANSVERSE BUILDING SECTION  
1/4" = 1'-0"

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ALLIANCEBUILDS.COM  
PHONE: (920)-336-3400 | FAX: (920)-336-3401  
1850 BROADWAY ST., WRIGHTSTOWN, WI 54180

## AXE THROWING TENANT

PROJECT NUMBER: 23-039  
STATUS: CONCEPTUAL

**NOT FOR  
CONSTRUCTION**

CONCEPTUAL SECTION

# AC03





## REPORT TO CITY PLAN COMMISSION

**Plan Commission Public Hearing Date:** May 24, 2023

**Common Council Meeting Date:** June 7, 2023

**Item:** Special Use Permit #5-23 for a bar & grill with alcohol sales and consumption inside an existing building formerly used as an auto maintenance garage (approximately 1,550 sq. ft. floor area) at 2811 East Newberry Street

**Case Manager:** Don Harp, Principal Planner

### **GENERAL INFORMATION**

---

**Owner/Applicant:** SPG Investments, LLC, Sudhansh and Suyash Goel

**Address/Parcel #:** 2811 East Newberry Street (Tax Id #31-4-5747-00)

**Petitioner's Request:** Establish a bar & grill with alcohol sales and consumption (serving liquor, wine, beer and food) inside an existing building formerly used as an auto maintenance garage (approximately 1,550 sq. ft. floor area).

### **BACKGROUND**

---

The building was constructed in 1953, and the property contains Exxon Mobil Gas Station/Convenience Store with retail alcohol sales and an off-street parking lot. The rear portion of the building was formerly used as an automobile maintenance garage.

In 1994, the subject property was annexed from the Town of Buchanan to the City of Appleton.

### **STAFF ANALYSIS**

---

**Project Summary:** The applicant proposes to establish a bar & grill with alcohol sales and consumption (serving liquor, wine, beer and food) inside an existing building formerly used as an automobile maintenance garage on the subject site, which would occupy approximately 1,550 square feet of the existing building.

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

**Proposed Indoor Seating Capacity:** 30 persons per plan of operation.

**Outdoor Seating Area:** No outdoor alcohol sales and consumption is requested with this application.

**Existing Site Conditions:** The existing gas station/convenience store with retail alcohol sales totals approximately 2,020 square feet (per City Assessor records), 2 gas pumps serving 4 vehicles, includes a 12-stall off-street parking lot. The rear of the property has been used for outdoor storage of vehicles, trailers, trucks and random items. Access is provided by curb cuts on East Newberry Street.

## Special Use Permit #5-23

May 24, 2023

Page 2

**Off-Street Parking Requirements:** Section 23-172(m) of the Municipal Code requires a minimum number of off-street parking spaces based on the use of a property. Based on the existing convenience store and proposed bar & grill use, a total of 15 parking spaces would be required (1 space per 250 square feet of gross floor area) for multiple uses within a single building. There are 12 existing parking spaces identified on the development plan drawing.

The owner is proposing to construct 5 additional parking spaces to satisfy Section 23-172(m) of the Municipal Code. Site Plan Review and Approval, in accordance with Section 23-570 of the Municipal Code, is required prior to construction of the 5 proposed parking spaces prior to the issuance of a paving permit.

The subject property contains a historic lot line (annexed condition from the Town of Buchannan) and no formal platting documents have been recorded to officially combine the two parcels and eliminate the old parcel line. The existing paved parking lot and outdoor storage gravel parking area are bisected by this historic lot line. The proposed conversion of the outdoor storage gravel parking area to asphalt parking is not increasing the degree of the existing nonconformity regarding the minimum setback requirements from a lot line. Therefore, a Certified Survey Map to combine the historic lots into one lot is not needed as part of the Site Plan Review process.

The existing building and gas pump canopy are not bisected by this historic lot line. However, future building/gas pump canopy additions or above ground buildings/structures that cross the historic lot line and/or encroach into required setbacks will require the submittal of a one-lot CSM to combine the historic parcels and create one parcel.

**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 bar & grill use with alcohol sales and consumption 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.

**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 industrial, commercial and residential in nature.

North: R-2 Two-family District. The adjacent land uses to the north are single and two family residential. (Future land use map recommends Single/Two family for adjacent properties)

South: M-2 General Industrial District and R-1A Single-family District. The adjacent land use to the south are Industrial warehouses and the Wisconsin Central Railroad. (Future land use map recommends Business/Industrial for this adjacent properties)

East: R-1A Single-family residential District. The adjacent land use to the east is single-family residential. (Future land use map recommends Commercial for this adjacent property)

## Special Use Permit #5-23

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West: C-2 General Commercial District. The adjacent land use to the west is currently single-family residential and excavation business. (Future land use map recommends Commercial for this adjacent property)

**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.*

**Technical Review Group (TRG) Report:** This item appeared on the May 2, 2023 TRG agenda. Comments from participating departments are identified in the “substantial evidence conditions of approval” section (below).

**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 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.

### **Substantial Evidence Conditions of Approval:**

- Section 23-40(a)(1) Application of district regulations, no structure or land shall hereafter be used or occupied, and no structure or part thereof shall hereafter be constructed, reconstructed or structurally altered except in conformity with all of the regulations specified for the C-2 District with respect to this proposed use. (Relates to change of use from auto maintenance garage to bar & grill with alcohol sales and consumption)

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- Section 23-172(m) a total of 15 parking spaces would be required (1 space per 250 square feet of gross floor area) for multiple uses occupying one building. (Relates to change of use from auto maintenance garage to bar & grill with alcohol sales and consumption)
- Section 23-570(c)(1)c. construction of less than 20 parking spaces requires minor site plan approval prior to the issuance of paving permit. Section 23-172(b)(2) parking lots and spaces shall be constructed and maintained in accordance with including but not limited to the applicable regulations of Article IX, Section 23-601, Landscaping and screening, on-site storm drainage (underground storm sewer connection to the lateral in Newberry Street) shall be provided in accordance with the State Plumbing Code, City Plumbing Code, and the City Stormwater Management Ordinance and Chapter 23 Zoning. (Relates to the construction of the 5 proposed parking spaces)
- Per 1028.5 of the IFC and IBC, a direct and unobstructed access to a public way shall be provided from every exit. The exit from the convenience store into the drive aisle poses an obstruction to the safe travel of people from the exit to the public way. To remedy this, shift the drive aisle to the west and install two bollards outside of the exit to ensure safe pedestrian passage. These bollards should be a minimum of 48” from the building to not create an impediment to egress. (See Exhibit A attached) (Relates to compliance with Fire Codes)
- The Wisconsin Food Code requires plans to be repaired showing the layout of this proposed use including equipment, sinks, and finishing details. (Relates to change of use from auto maintenance garage to bar & grill with alcohol sales and consumption)

**Findings 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 a bar & grill with alcohol sales and consumption as a special use permit; *2. zoning district regulations:* the district regulations appear to be satisfied pursuant to the attached development plan, formal verification of regulations being satisfied will occur during the Site Plan Review process per stipulation 4 (below); *3. special regulations:* stipulations 1, 2, 3 and 4 (below) address the special regulations for alcohol sales and consumption; *4. consistent with comprehensive plan and other plans:* yes, see above analysis; *5. traffic:* the proposed use is not expected to create undue traffic congestion, it is anticipated customers will utilize existing and proposed on-site parking spaces to park their cars; *6. landscaping and screening:* this will be reviewed during the Site Plan Review process per stipulation 4 (below); *7. neighborhood compatibility with predominant land uses in this area:* the proposed use is located near other existing and future commercial/industrial uses in this area of City; *8. impact on services:* the City has existing utilities and services in place to serve this proposed use. These standards were found in the affirmative, as long as all stipulations are satisfied.

## **RECOMMENDATION**

Staff recommends, based on the above analysis, that Special Use Permit #5-23 for a bar & grill with alcohol sales and consumption located at 2811 East Newberry Street (Tax Id #31-4-5747-00) 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:

**Special Use Permit #5-23**

**May 24, 2023**

**Page 5**

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.

- a. The owner/applicants shall continue working with the City of Appleton Police Department staff to address Crime Prevention Through Environmental Design (CPTED) recommendations for this proposed use to enhance and maintain a safe environment for customers and community members. The CPTED recommendations will be reviewed during the minor site plan approval process for the parking lot expansion. The City of Appleton Police Department staff will verify the CPTED recommendations are satisfied prior to the issuance of the liquor license.

*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 (Article IV. Noise) and all applicable State and Federal laws shall be complied with, including but not limited to the following:

- a. Section 23-172(b)(2) parking lots and spaces shall be constructed and maintained in accordance with the applicable regulations of Article IX - Chapter 23 Zoning, including on-site storm drainage (underground storm sewer connection to the lateral in Newberry Street) shall be provided in accordance with the State Plumbing Code, City Plumbing Code, and the City Stormwater Management Ordinance.
- b. Section 23-172(m) a total of 15 parking spaces would be required (1 space per 250 square feet of gross floor area) for multiple uses occupying one building.
- c. Section 23-570(c)(1)c. construction of less than 20 parking spaces requires minor site plan approval prior to the issuance of paving permit per Chapter 23 Zoning.
- d. Section 1028.5 of the International Fire and Building Code shall be complied with, per Exhibit A attached.
- e. Section 23-601, Landscaping and screening shall be complied with.
- f. Wisconsin Food Code plans shall be repaired to show the layout of this proposed use including equipment, sinks, and interior finishing details.

*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 #5-23**

**May 24, 2023**

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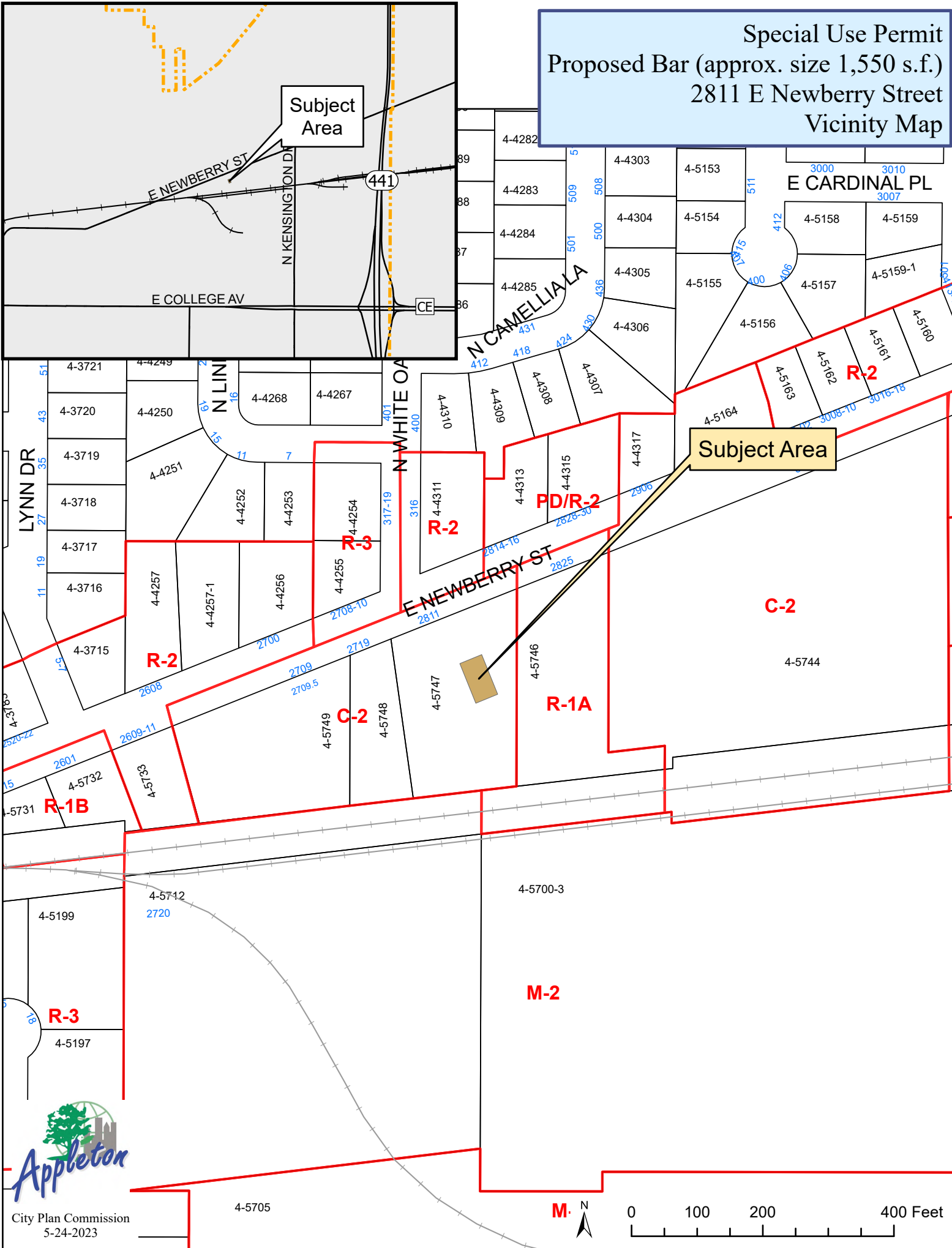
5. The serving and consumption of alcohol is limited to the interior tenant space, as identified on the attached development plan and floor plan drawings. Any future expansions for the serving and/or consumption of alcohol may require a major or minor amendment request to this Special Use Permit, pursuant to Section 23-66(g) of the Municipal Code.

*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.*

6. 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.*

Special Use Permit  
Proposed Bar (approx. size 1,550 s.f.)  
2811 E Newberry Street  
Vicinity Map



Subject Area

Subject Area



E NEWBERRY ST

Special Use Permit  
Proposed Bar (approx. size 1,550 s.f.)  
2811 E Newberry Street  
Aerial Map



Subject Area



City Plan Commission  
5-24-2023





**CITY OF APPLETON  
RESOLUTION FOR SPECIAL USE PERMIT #5-23  
BAR & GRILL WITH ALCOHOL  
2811 EAST NEWBERRY STREET**

**WHEREAS**, Sudhansh Goel, Newberry Bar & Grill has applied for a Special Use Permit to establish a bar & grill with alcohol sales and consumption located at 2811 East Newberry Street, also identified as Parcel Number 31-4-5747-00; and

**WHEREAS**, the proposed bar & grill with alcohol sales and consumption 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 May 24, 2023 on Special Use Permit #5-23, 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 #5-23 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 June 7, 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 YES or NO (CIRCLE ONE)
2. If NO, the City of Appleton Common Council hereby denies Special Use Permit #5-23 for a bar & grill with alcohol sales and consumption located at 2811 East Newberry Street, also identified as Parcel Number 31-4-5747-00, 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#5-23 for a bar & grill with alcohol sales and consumption located at 2811 East Newberry Street, also identified as Parcel Number

31-4-5747-00, 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 #5-23:**

- 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.
  - 1) The owner/applicants shall continue working with the City of Appleton Police Department staff to address Crime Prevention Through Environmental Design (CPTED) recommendations for this proposed use to enhance and maintain a safe environment for customers and community members. The CPTED recommendations will be reviewed during the minor site plan approval process for the parking lot expansion. The City of Appleton Police Department staff will verify the CPTED recommendations are satisfied prior to the issuance of the liquor license.
- C. The site shall be kept free of litter and debris.
- D. All Zoning, Building, Fire, Engineering, Utility and other Municipal Codes (Article IV. Noise) and all applicable State and Federal laws shall be complied with, including but not limited to the following:
  - 1) Section 23-172(b)(2) parking lots and spaces shall be constructed and maintained in accordance with the applicable regulations of Article IX - Chapter 23 Zoning, including on-site storm drainage (underground storm sewer connection to the lateral in Newberry Street) shall be provided in accordance with the State Plumbing Code, City Plumbing Code, and the City Stormwater Management Ordinance.
  - 2) Section 23-172(m) a total of 15 parking spaces would be required (1 space per 250 square feet of gross floor area) for multiple uses occupying one building.
  - 3) Section 23-570(c)(1)c. construction of less than 20 parking spaces requires minor site plan approval prior to the issuance of paving permit per Chapter 23 Zoning.
  - 4) Section 1028.5 of the International Fire Code and International Fire Code shall be complied with, per Exhibit A attached.
  - 5) Section 23-601, Landscaping and screening shall be complied with.
  - 6) Wisconsin Food Code plans shall be repaired to show the layout of this proposed use including equipment, sinks, and interior finishing details.

- E. The serving and consumption of alcohol is limited to the interior tenant space, as identified on the attached development plan and floor plan drawings. Any future expansions for the serving and/or consumption of alcohol may require a major or minor amendment request to this Special Use Permit, pursuant to Section 23-66(g) of the Municipal Code.
  - F. 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 \_\_\_\_\_, 2023.

\_\_\_\_\_  
Jacob A. Woodford, Mayor

ATTEST:

\_\_\_\_\_  
Kami Lynch, City Clerk

**Business Information:**

Name of business: Newberry Bar & Grill

Years in operation: New

(Check applicable proposed business activity(s) proposed for the premises)

- Restaurant
- Tavern/Night Club/Wine Bar
- Painting/Craft Studio
- Microbrewery/Brewpub (manufacturing a total of not more than 310,000 U.S. gallons of fermented malt beverages per calendar year)
- Brewery (manufacturing a total of more than 310,000 U.S. gallons of fermented malt beverages per calendar year)
- Winery (manufacturing of wine)
- Craft-Distillery (manufacturing a total of not more than 100,000 proof gallons of intoxicating liquor per calendar year)
- Distillery (manufacturing a total of more than 100,000 proof gallons of intoxicating liquor per calendar year)
- Tasting room offering fermented malt beverages, wine or intoxicating liquor for consumption and/or retail sales on the premises where the fermented malt beverages, wine or intoxicating liquor is manufactured and/or at an off-premises location associated with premises. Tasting rooms may include food sales.
- Other \_\_\_\_\_

Detailed explanation of proposed business activities:

Drinking Liquor/Wine/Beers & Eating food at Bars Location.

Existing gross floor area of building/tenant space, including outdoor spaces:

(square feet) <sup>Convenience market = ± 2,020 sq. ft.</sup> Bldg. 3300 Sq ft. + Outdoor 13020 Sq ft.

Proposed gross floor area of building/tenant space, including outdoor spaces:

(square feet) <sup>Bar/Grill = ± 1,550 sq. ft.</sup> Bldg. 2170 Sq ft. + Outdoor 9180 Sq ft.

**Occupancy Limits:**

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: 30 persons.

**Proposed Hours of Operation for Indoor Uses:**

Day	From	To
Monday thru Thursday	8 AM	10 PM
Friday	8 AM	12 AM
Saturday	8 AM	1 AM
Sunday	8 AM	11 PM

**Production/Storage Information:**

(Check applicable proposed business activity(s) proposed for the premises)

- Current production of fermented malt beverages: \_\_\_\_\_ U.S. gallons per year
- Proposed production of fermented malt beverages: \_\_\_\_\_ U.S. gallons per year
- Current production of wine: \_\_\_\_\_ U.S. gallons per year
- Proposed production of wine: \_\_\_\_\_ U.S. gallons per year
- Current production of intoxicating liquor: \_\_\_\_\_ proof gallons per year
- Proposed production of intoxicating liquor: \_\_\_\_\_ proof gallons per year
- None. If none, leave the following two storage questions blank.

Identify location of grains and/or juice, grapes, other fruits or other agricultural product storage and type of storage container(s) used:

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Identify the storage location of spent grains and/or grapes, other fruits or other agricultural products and type of storage container(s) used:

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**Outdoor Space Uses:**

(Check applicable outdoor space uses)

- Patio
- Deck
- Sidewalk Café
- Other \_\_\_\_\_.

None. If none, leave the following questions in this section blank.

Size: \_\_\_\_\_ square feet

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

Fencing  Landscaping  Other \_\_\_\_\_ Height \_\_\_\_\_ feet

Is there any alcohol consumption incorporated within the outdoor facility? Yes \_\_\_ No

If yes, please describe:

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Are there plans for outdoor music/entertainment? Yes \_\_\_ No

If yes, describe how the noise will be controlled:

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Is there any food service incorporated in this outdoor facility proposal? Yes \_\_\_ No

**Proposed Hours of Operation for Outdoor Space:**

Day	From	To
Monday thru Thursday		
Friday		
Saturday		
Sunday		

**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.**

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

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

stereo sound system

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

Staff

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**Off-Street Parking:**

Number of spaces existing on-site: 12

Number of spaces proposed on-site: 17

**Street Access:**

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?

Adequate

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**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:

Wishing Well

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MT Pockets

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**Number of Employees:**

Number of existing employees: 0

Number of proposed employees: 6

Number of employees scheduled to work on the largest shift: 4-5

**WHAT IS A SPECIAL USE PERMIT?**

Special Uses are those uses having some uniqueness or unusual impact which require careful review of their location, design, and configuration to determine against fixed standards, the desirability of permitting their establishment at any given site. There are uses which may or may not be appropriate in a particular location depending on a weighing, in each case, of the public need and benefit against the community and neighborhood impact and effect as well as

NEWBERRY ST.

186'4"

5 BAYS EXISTING

7 BAYS EXISTING

C. STORE

PROPOSED  
REMODEL  
BAR

HOUSE

245'9"

12' MULCH & GRASS

5 BAYS  
9'x18'

ASPHALT

DOOR

DOOR

DOOR

SNOW STORAGE

CONSTRUCTIONS

PARKINGS

STORM WATER DRAIN

PRIVATE PROPERTY

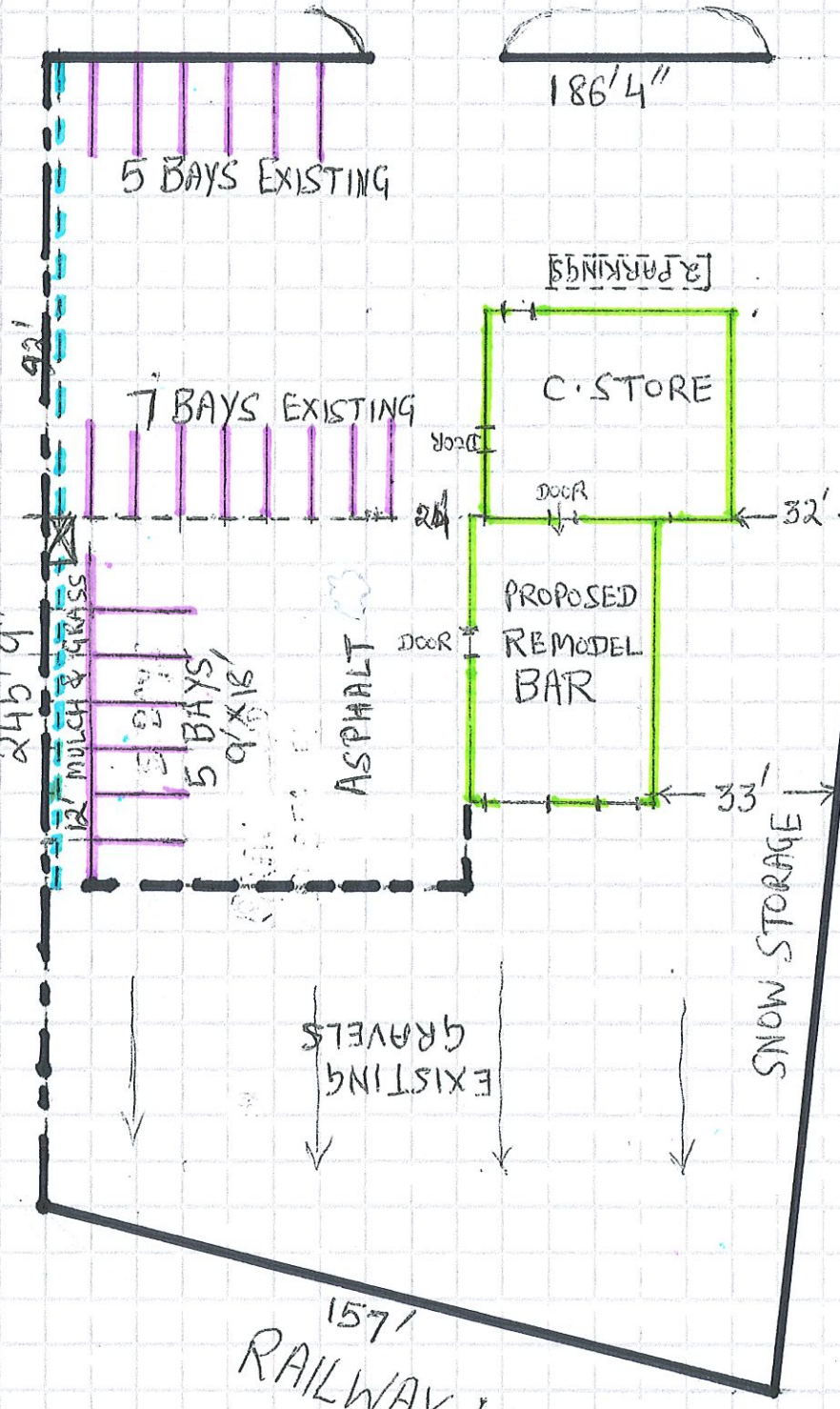
NEWBERRY BAR & GRILL

2811 E NEWBERRY ST. APPLETON

NOT TO SCALE

157'  
RAILWAY LINE

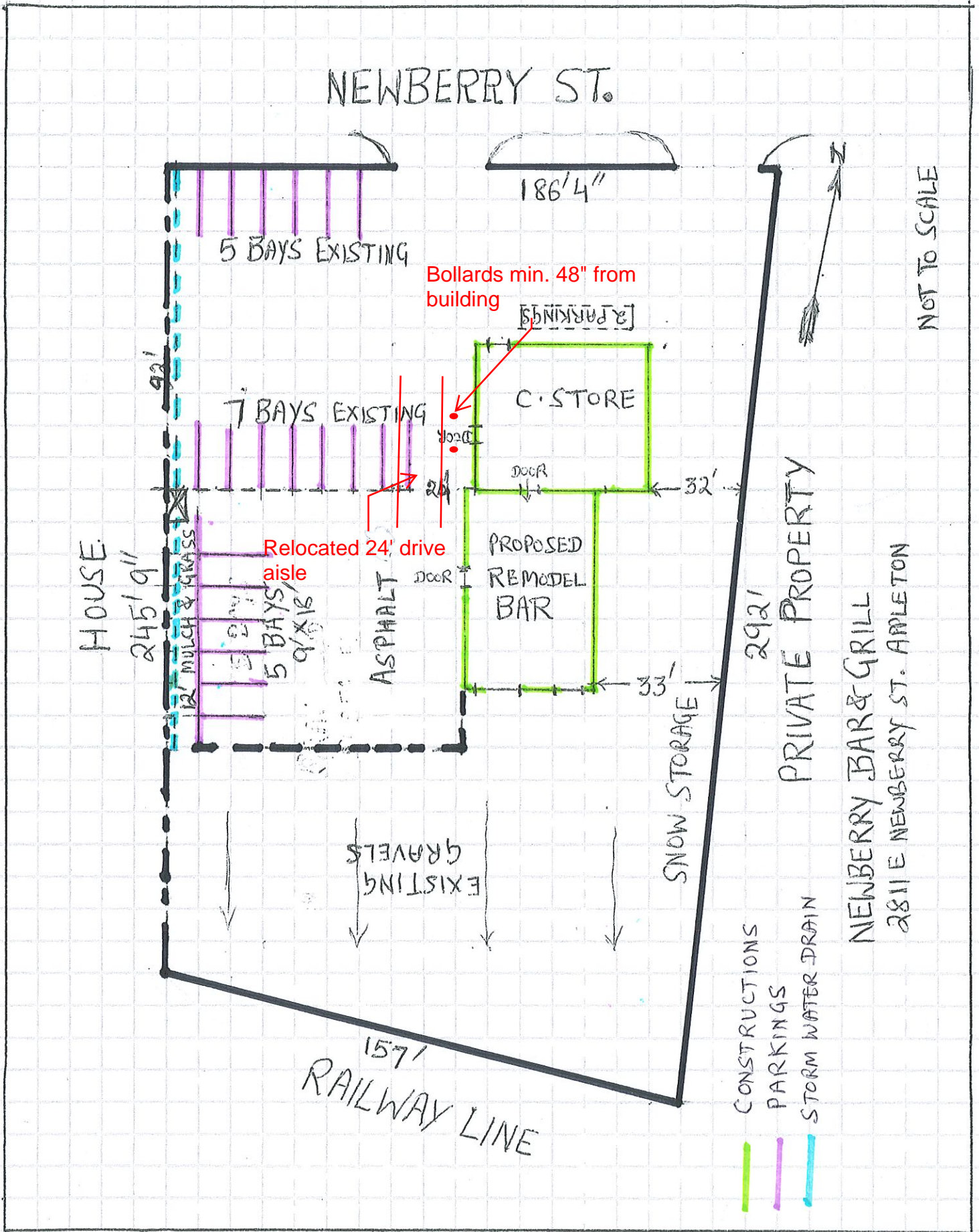
EXISTING  
GRAVELS







# EXHIBIT A



NOT TO SCALE

NEWBERRY BAR & GRILL  
2811 E NEWBERRY ST. APPLETON

- CONSTRUCTIONS
- PARKINGS
- STORM WATER DRAIN



## REPORT TO CITY PLAN COMMISSION

**Plan Commission Informal Hearing Meeting Date:** May 24, 2023

**Common Council Public Hearing Meeting Date:** June 21, 2023

**Item:** Rezoning #2-23 – Baldeagle Drive & Providence Avenue (Right-of-Way) Annexation

**Case Manager:** Jessica Titel, Principal Planner

### GENERAL INFORMATION

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**Owner:** City of Appleton

**Applicant/Petitioner:** City of Appleton Plan Commission

**Parcel Numbers/Location:** 31-1-8301-11 (formerly Town of Grand Chute Parcel #101158298) and Part of 101157000 (formerly Town of Grand Chute), included in the “Baldeagle Drive & Providence Avenue (Right-of-Way) Annexation,” located in the vicinity of North Lightning Drive to extend Baldeagle Drive and Providence Avenue to connect with future Lightning Drive.

**Petitioner’s Request:** To assign a zoning classification to newly annexed property, pursuant to Section 23-65(e) of the Municipal Code, from temporary AG Agricultural District to P-I Public Institutional District. The request is being made to facilitate future construction to extend Baldeagle Drive and Providence Avenue to connect with officially mapped Lightning Drive with associated utilities and stormwater management facilities.

### BACKGROUND

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On May 3, 2023, the Common Council approved the Baldeagle Drive & Providence Avenue (Right-of-Way) Annexation Ordinance. The property was officially annexed to the City on May 9, 2023 at 12:01 a.m.

On April 26, 2023, the Plan Commission recommended approval of the Baldeagle Drive & Providence Avenue (Right-of-Way) Annexation. During review of the annexation, the Plan Commission initiated the rezoning for the subject property from temporary AG Agricultural District to the zoning classification of P-I Public Institutional District.

Officially mapped Lightning Drive from Edgewood Drive to Broadway Drive and officially mapped Providence Avenue from Lightning Drive to East Edgewood Drive went into effect on May 3, 2012 via Ordinance No. 36-12.

The southern portion of future Lightning Drive from East Edgewood Drive to approximately Providence Avenue was annexed to the City on November 9, 2021.

## Rezoning #2-23 - Baldeagle Drive & Providence Avenue (Right-of-Way) Annexation

May 24, 2023

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### STAFF ANALYSIS

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**Existing Site Conditions:** The subject area is approximately 1.63 acres in size. The subject property is currently undeveloped agriculture. The City is planning to install sanitary sewer, storm sewer, and water infrastructure and extend Baldeagle Drive and Providence Avenue to connect with future Lightning Drive. The City is also planning to construct a stormwater pond within the annexation area.

**Street Classification:** Future Providence Avenue is classified as a collector street on the City's Arterial/Collector Plan. Future Baldeagle Drive is classified as a collector street on the City's Arterial/Collector Plan.

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

North: Town of Grand Chute. AGD – General Agricultural District. The adjacent land use to the north is currently agricultural land.

South: City of Appleton. P-I Public Institutional District and Town of Grand Chute. AGD – General Agricultural District. The adjacent land use to the south is currently agricultural land.

West: City of Appleton. P-I Public Institutional District and R-1B Single-family District. The adjacent land use to the west is currently public right-of-way.

East: City of Appleton. P-I Public Institutional District, AG Agricultural District and Town of Grand Chute. AGD – General Agricultural District. The adjacent land use to the east is currently agricultural land and public right-of-way.

**Proposed Zoning Classification:** The purpose of the P-I Public Institutional District is to provide for public and institutional uses (roads/utilities) and buildings utilized by the community and to provide open space standards where necessary for the protection of adjacent residential properties. Per Section 23-100(h) of the Municipal Code, the development standards for the P-I District are listed below:

- 1) **Minimum lot area:** None.
- 2) **Maximum lot coverage:** 70%.
- 3) **Minimum lot width:** None.
- 4) **Minimum front yard:** 20 feet plus an additional one foot for each two feet that the building or structure exceeds 35 feet in height.
- 5) **Minimum rear yard:** 20 feet plus an additional one foot for each two feet that the building or structure exceeds 35 feet in height.
- 6) **Minimum side yard:** 20 feet plus an additional one foot for each two feet that the building or structure exceeds 35 feet in height.
- 7) **Maximum building height:** 60 feet.

**Zoning Ordinance Review Criteria:** Per Section 23-65(e) of the Municipal Code, a temporary zoning classification is assigned to newly annexed territory, with rezoning taking place following the annexation process. All territory annexed to the City is assigned a zoning classification as recommended by Plan

## Rezoning #2-23 - Baldeagle Drive & Providence Avenue (Right-of-Way) Annexation

May 24, 2023

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Commission. The Plan Commission shall consider the following criteria in selection of an appropriate zoning district for the annexed land:

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

In this case, the Plan Commission initiated a rezoning for the subject property from temporary AG Agricultural District to the zoning classification of P-I Public Institutional District. A rezoning initiated directly by Plan Commission is processed in accordance with Section 23-65(d), Zoning Map Amendments, which includes review and action by the Common Council. If approved, any future development would need to conform to the P-I District zoning regulations listed above and other sections of the Zoning Ordinance.

**Appleton Comprehensive Plan 2010-2030:** The City of Appleton 2010-2030 Comprehensive Plan Map identifies the subject area as Officially Mapped Providence Avenue, One/Two Family Residential and Mixed Use. The proposed rezoning is consistent with the following goals and objectives of the *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 4 – Transportation*

*Appleton will support a comprehensive transportation network that provides viable options for pedestrian, bicycle, highway, rail, and air transportation, both locally and within the region.*

### **OBJECTIVE 6.1 Transportation:**

*Plan for the safe and efficient movement of vehicles on local and regional roads.*

### **OBJECTIVE 6.8 Transportation:**

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

### **OBJECTIVE 7.5 Utilities and Community Facilities:**

*Implement effective stormwater management practices.*

**Standards for Zoning Map Amendments:** Per Section 23-65(d)(3) of the Municipal Code, all recommendations for Official Zoning Map amendments shall be consistent with the adopted plans, goals, and policies of the City and with the intent of the Zoning Ordinance. Related excerpts are listed below.

- a. Prior to making a recommendation on a proposed rezoning, the Plan Commission shall make a finding to determine if the following conditions exist. No rezoning of land shall be approved prior to finding at least one of the following:

## Rezoning #2-23 - Baldeagle Drive & Providence Avenue (Right-of-Way) Annexation

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Page 4

1. The request for a zone change is in conformance with the Comprehensive Plan for the City of Appleton. *The rezoning request is in conformance with the Comprehensive Plan 2010-2030 goals and objectives stated above and the Future Land Use Map, which identifies this area for officially mapped Providence Drive, other roads, and a stormwater pond.*
  2. A study submitted by the applicant that indicates that there has been an increase in the demand for land in the requested zoning district, and as a result, the supply of land within the City mapped as such on the Official Zoning Map is inadequate to meet the demands for such development.
  3. Proposed amendments cannot be accommodated by sites already zoned in the City due to lack of transportation, utilities or other development constraints, or the market to be served by the proposed use cannot be effectively served by the location of the existing zoning district(s).
  4. There is an error in the code text or zoning map as enacted.
- b. In addition to the findings required to be made by subsection (a), findings shall be made by the Plan Commission on each of the following matters based on the evidence presented:
1. The adequacy of public facilities such as transportation, utilities and other required public services to serve the proposed site. *City infrastructure will be installed along the construction of future Lightning Drive. Stormwater pond, sewer, and water infrastructure will be included with the future construction of Lightning Drive and the subject area.*
  2. The effect of the proposed rezoning on surrounding uses. *Officially mapped Lightning Drive from Edgewood Drive to Broadway Drive and officially mapped Providence Avenue from Lightning Drive to Edgewood Drive went into effect on May 3, 2012 via Ordinance No. 36-12. The recent annexation will allow for the future extension of Baldeagle Drive and Providence Avenue to connect with future Lightning Drive, along with associated stormwater pond, sewer, and water infrastructure within the annexation area. Therefore, the proposed rezoning request is unlikely to create adverse impacts in the surrounding neighborhood.*

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

**Technical Review Group (TRG) Report:** This item appeared on the March 21, 2023 TRG Agenda. No negative comments were received from participating departments.

**Future Actions:** It is anticipated that a Certified Survey Map (CSM) will be prepared to reconfigure lot lines and dedicate public right-of-way. The dedication of land for public right-of-way for Baldeagle Drive and Providence Avenue requires action by Plan Commission and Common Council. CSMs are administratively reviewed and approved by City staff.

**Rezoning #2-23 - Baldeagle Drive & Providence Avenue (Right-of-Way) Annexation**

**May 24, 2023**

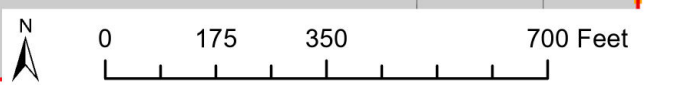
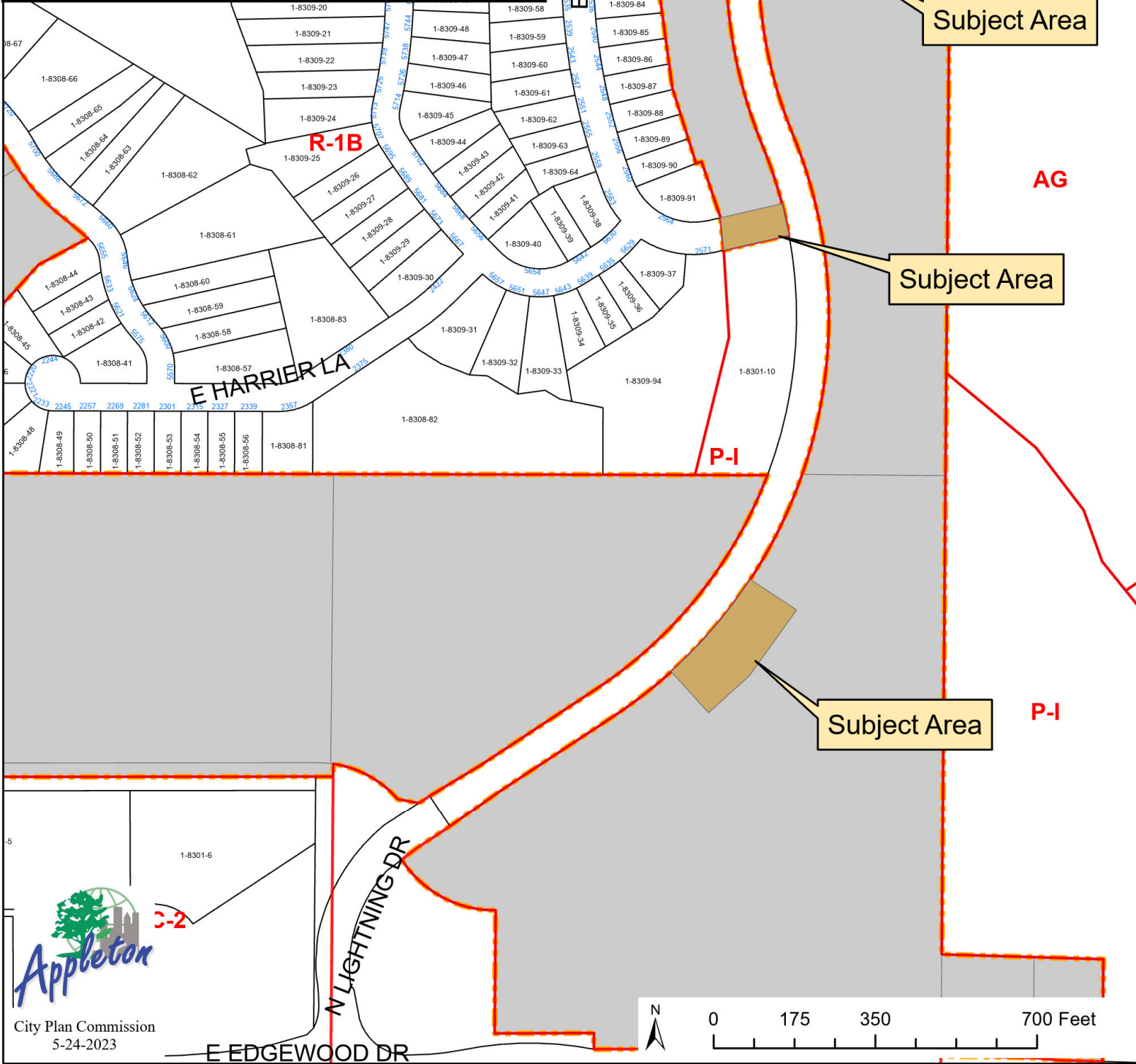
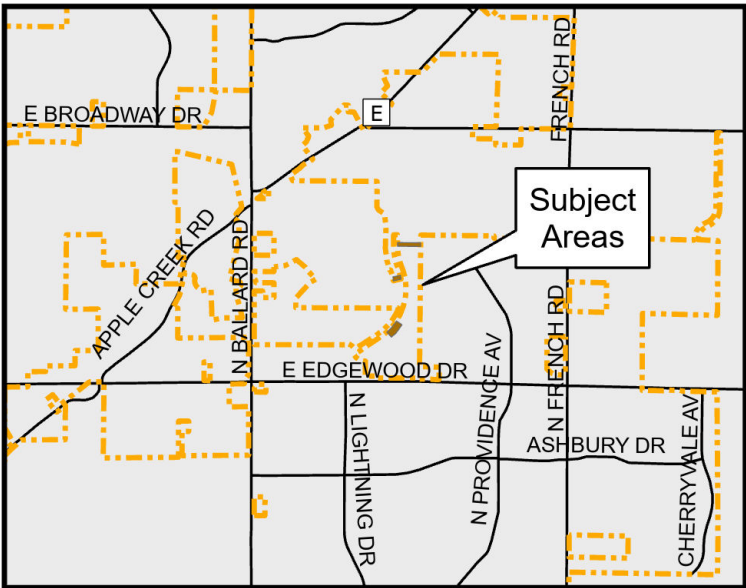
**Page 5**

**RECOMMENDATION**

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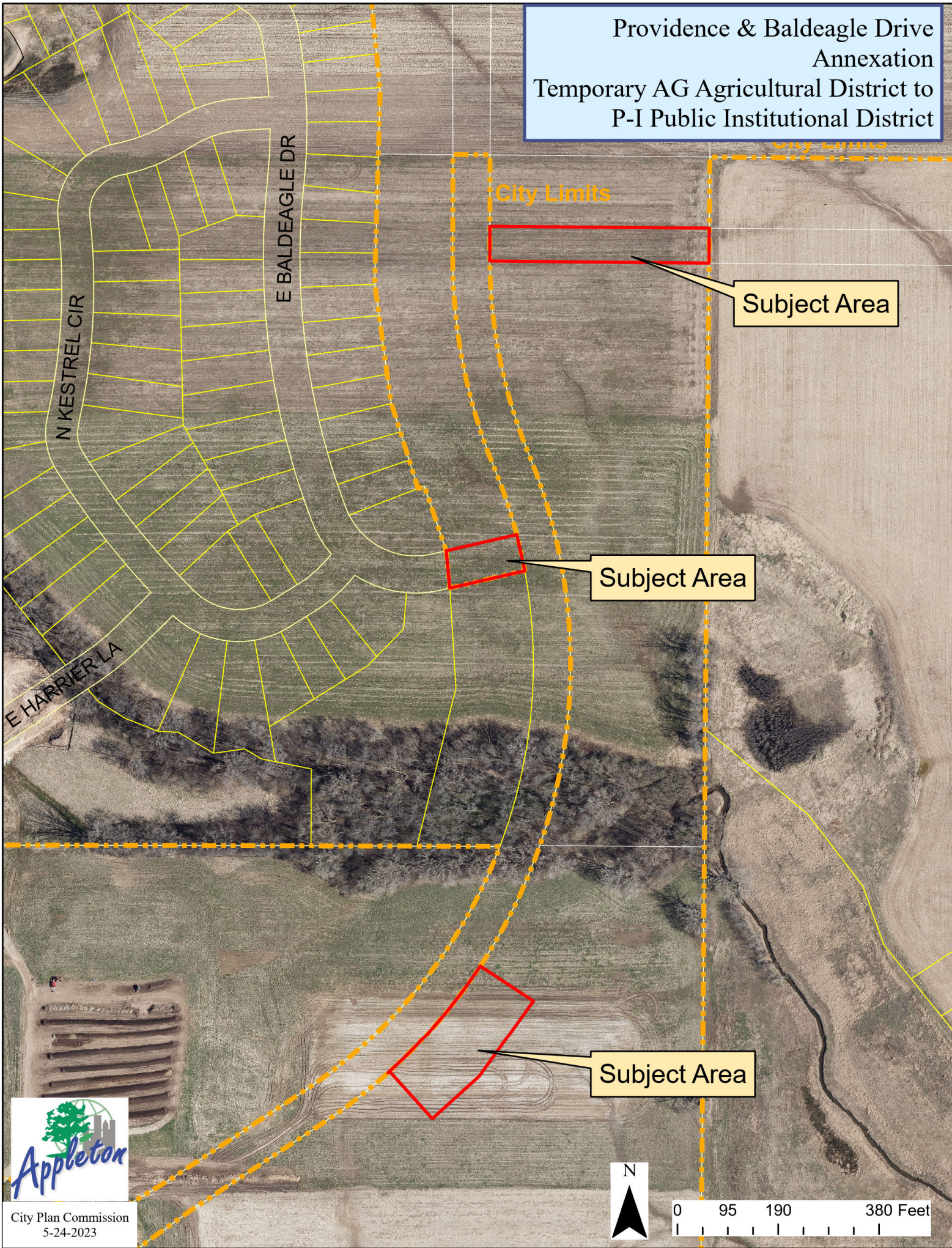
Staff recommends, based upon the standards for zoning map amendments as required by Section 23-65(d)(3) of the Zoning Ordinance, that Rezoning Application #2-23 to rezone the Baldeagle Drive & Providence Avenue (Right-of-Way) Annexation area from temporary AG Agricultural District to P-I Public Institutional District as shown on the attached maps, **BE APPROVED**.

Providence & Baldeagle Drive  
Annexation  
Temporary AG Agricultural District  
to P-I Public Institutional District





Providence & Baldeagle Drive  
Annexation  
Temporary AG Agricultural District to  
P-I Public Institutional District



Subject Area

Subject Area

Subject Area



City Plan Commission  
5-24-2023



0 95 190 380 Feet

# ANNEXATION EXHIBIT "A"

Part of the Fractional Southwest 1/4 of Section 6, Township 21 North, Range 18 East, Town of Grand Chute, Outagamie County, Wisconsin.

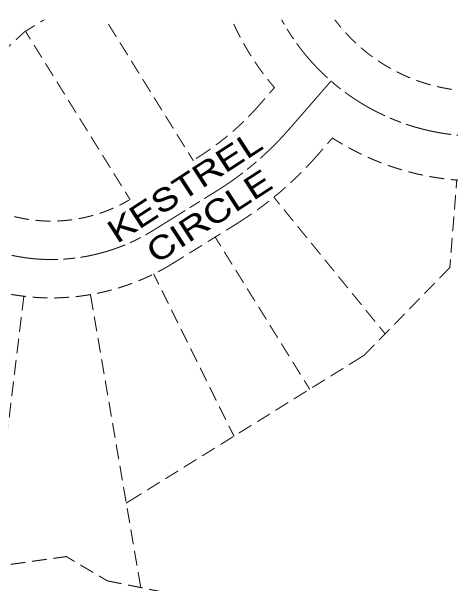
CURVE DATA TABLE				
CURVE	RADIUS	LENGTH	LC	LCB
C1	1035.00'	263.34'	262.63'	N40°36'48"E
C2	965.00'	70.02'	70.00'	S12°35'31"E
C3	965.00'	7.83'	7.83'	N00°05'59"W

SCALE IN FEET



0' 150' 300'

BEARINGS ARE REFERENCED TO THE WISCONSIN COUNTY COORDINATE SYSTEM, OUTAGAMIE COUNTY, SOUTH LINE OF THE FRACTIONAL SW 1/4 SECTION 6, T.21N., R. 18E.; WHICH BEARS N89°44'38"E  
H:\Acad\Annex\2023\Providence\_Baldeagle\_Pond\_2023



Outlot 4  
Apple Ridge

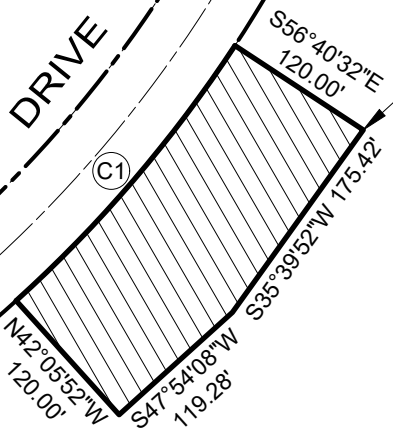
Outlot 10  
Apple Ridge 2

CITY OF APPLETON

TOWN OF GRAND CHUTE

Lynn Wenzel, Steven Petersen,  
Karen Petersen and Mark Petersen  
Parcel No. 101158200  
Unplatted Lands  
E. 80 rods of the S.45 Ac of SW  
1/4 less lands sold, Section 6,  
T21N, R18E, Town of Grand Chute

Lynn Wenzel, Steven Petersen,  
Karen Petersen and Mark Petersen  
Parcel No. 101158200  
Unplatted Lands  
E. 80 rods of the S.45 Ac of SW  
1/4 less lands sold, Section 6,  
T21N, R18E, Town of Grand Chute



SW CORNER OF SECTION  
6, T21N, R18E  
CHISEL X, MH

S 1/4 COR. SECTION  
6, T 21 N, R 18 E  
MAG NAIL

South line of the Fractional SW 1/4, Section 6, T21N, R18E, S89°44'38"W 2996.27'

CENTER OF SECTION 6,  
T 21 N, R 18 E, TOP OF  
MON. GONE, FOUND BASE

TOWN OF GRAND CHUTE  
CITY OF APPLETON

OFFICIALLY  
MAPPED  
PROVIDENCE  
AVENUE

**FUTURE  
PROVIDENCE  
AVENUE**  
27,293 Sq. Ft.  
0.6266 Ac.

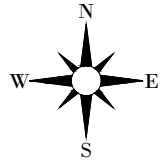
Apple Tree Appleton Four LLC  
Parcel No. 101157000  
Unplatted Lands  
NE/SW, less lands annexed to  
City of Appleton,  
Section 6, T21N, R18E,  
Town of Grand Chute

**FUTURE  
BALDEAGLE  
DRIVE**  
9,882 Sq. Ft.  
0.2269 Ac.

Apple Tree Appleton  
Four LLC  
Parcel No.  
31-1-8301-10  
Unplatted Lands

**FUTURE  
POND**  
33,825 Sq. Ft.  
0.7765 Ac.

East line of the Fractional SW 1/4, Section 6, T21N, R18E, N00°27'14"E 2599.64'



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

# EXHIBIT "B"

## LIGHTNING DRIVE

### Pond

**PARCEL: 101158298**

**Owner: City of Appleton**

A part of the East 80 Rods of the South 45 Acres of the Fractional Southwest  $\frac{1}{4}$  of Section 6, Township 21 North, Range 18 East, City of Appleton, Outagamie County, Wisconsin, containing 33,825 Square Feet (0.7765 Acres) of land and being further described as follows:

Commencing at the South  $\frac{1}{4}$  corner of said Section 6;

Thence South  $89^{\circ}44'38''$  West 1059.68 feet along the South line of the Fractional SW  $\frac{1}{4}$  of said Section 6;

Thence North  $00^{\circ}15'22''$  West 544.45 feet to point number 185 of Transportation Project Plat No: 0000-0G-17-4.02 recorded as document number 2070341 of the Outagamie County Register of Deeds Office;

Thence North  $54^{\circ}21'43''$  East 127.60 feet;

Thence North  $56^{\circ}36'28''$  East 300.625 feet;

Thence Northeasterly 157.26 feet along the arc of curve to the left having a radius of 1,035.00 feet and the chord of which bears North  $52^{\circ}15'18''$  East 157.10 feet to the point of beginning;

Thence continue Northeasterly 263.34 feet along the arc of a curve to the left having a radius of 1035.00 feet and the chord of which bears North  $40^{\circ}36'48''$  East 262.63 feet;

Thence South  $56^{\circ}40'32''$  East 120.00 feet;

Thence South  $35^{\circ}39'52''$  West 175.42 feet;

Thence South  $47^{\circ}54'08''$  West 119.28 feet;

Thence North  $42^{\circ}05'52''$  West 120.00 feet to the point of beginning.

### Baldeagle right of way

**PARCEL: Part of 101157000**

**Owner: City of Appleton**

A part of the Northeast  $\frac{1}{4}$  of the Fractional Southwest  $\frac{1}{4}$  of Section 6, Township 21 North, Range 18 East, City of Appleton, Outagamie County, Wisconsin, containing 9,882 Square Feet (0.2269 Acres) of land and being further described as follows:

Commencing at the South  $\frac{1}{4}$  corner of said Section 6;

Thence South  $89^{\circ}44'38''$  West 1059.68 feet along the South line of the Fractional SW  $\frac{1}{4}$  of said Section 6;

Thence North  $00^{\circ}15'22''$  West 544.45 feet to point number 185 of Transportation Project Plat No: 0000-0G-17-4.02 recorded as document number 2070341 of the Outagamie County Register of Deeds Office;

Thence North  $33^{\circ}23'32''$  West 80.00 feet;

Thence North  $58^{\circ}51'13''$  East 127.60 feet;

Thence North  $56^{\circ}36'28''$  East 300.63 feet;

Thence Northeasterly 1130.48 feet along the arc of curve to the left having a radius of 965.00 feet and the chord of which bears North  $23^{\circ}02'50''$  East 1066.94 feet to the point of beginning;

Thence South  $77^{\circ}06'07''$  West 145.09 feet to the Southeast end of Baldeagle Drive according to Apple Ridge 2;

Thence North  $03^{\circ}30'35''$  West 0.06 feet coincident with the East line of Apple Ridge 2;

Thence North  $05^{\circ}31'46''$  West 70.52 feet coincident with the East line of Apple Ridge 2 to the Northeast end of Baldeagle Drive;

Thence North  $77^{\circ}06'07''$  East 136.41 feet;

Thence Southerly 70.02 feet along the arc of a curve to the right having a radius of 965.00 feet and the chord of which bears South  $12^{\circ}35'31''$  East 70.00 feet to the point of beginning.

### Providence right of way

**PARCEL: Part of 101157000**

**Owner: City of Appleton**

A part of the Northeast  $\frac{1}{4}$  of the Fractional Southwest  $\frac{1}{4}$  of Section 6, Township 21 North, Range 18 East, City of Appleton, Outagamie County, Wisconsin, containing 27,293 Square Feet (0.6266 Acres) of land and being further described as follows:

## **EXHIBIT "B"**

### **LIGHTNING DRIVE**

Commencing at the South  $\frac{1}{4}$  corner of said Section 6;  
Thence South 89°44'38" West 1059.68 feet along the South line of the Fractional SW  $\frac{1}{4}$  of said Section 6;  
Thence North 00°15'22" West 544.45 feet to point number 185 of Transportation Project Plat No: 0000-0G-17-4.02 recorded as document number 2070341 of the Outagamie County Register of Deeds Office;  
Thence North 54°21'43" East 127.60 feet;  
Thence North 56°36'28" East 300.63 feet;  
Thence Northerly 1429.04 feet along the arc of a curve to the left having a radius of 1,035.00 feet and the chord of which bears North 17°03'12" East 1318.20 feet;  
Thence Northerly 373.38 feet along the arc of a curve to the right having a radius of 965.00 feet and the chord of which bears North 11°25'01" West 371.05 feet to the point of beginning;  
Thence continue Northerly 7.83 feet along the arc of a curve to the right having a radius of 965.00 feet and the chord of which bears North 00°05'59" West 7.83 feet;  
Thence North 00°07'58" East 58.17 feet;  
Thence South 89°27'33" East 413.71 feet to the East line of the Fractional Southwest  $\frac{1}{4}$  of said Section 6;  
Thence South 00°27'14" West 66.00 feet coincident with the East line of the Fractional Southwest  $\frac{1}{4}$  of said Section 6;  
Thence North 89°27'33" West 413.31 feet to the point of beginning.



## REPORT TO CITY PLAN COMMISSION

**Plan Commission Meeting Date:** May 24, 2023

**Common Council Meeting Date:** June 7, 2023

**Item:** Final Plat – The Villas at Meade Pond

**Case Manager:** Don Harp, Principal Planner

### GENERAL INFORMATION

**Owner:** James Feeney, President of Meade Pond Condominium Association, on behalf of all property owners of the Meade Pond Condominium Association

**Applicant:** Gary Zahringer, PLS – Martenson & Eisele, Inc.

**Addresses:** 806, 812, 813, 818, 819, 824, 825, 830, 831, 836, 837, 842, 843, 900, 901, 906, 907, 912, 913, 918, 919, 924, 925, 930, 931, 936, 937, and 940 Pondview Court

**Parcel Numbers:** 31-1-8200-01 through 31-1-8200-28

### BACKGROUND

The subject property was annexed into the City in 1998, pursuant to the Meade Street Annexation.

On March 7, 2001, the Meade Pond, L.L.C. Planned Development PD Overlay District #1-01 (PD Overlay District #1-01) was approved by the Common Council. The subject property was rezoned from R-1A One-family District to PD/R-1B Planned Development One-family District. The purpose of the Planned Development Rezoning was to allow for the construction of twenty-eight (28) single-family detached dwelling units by condominium plat with customized development regulations unique to this development. The customized development regulations approved under PD Overlay District #1-01 allowed for specific land uses, development and density standards, design guidelines and ordinance exceptions to promote an integrated development that maximized the use of the property.

On March 29, 2001, Certified Survey Map No. 4009 was recorded in Outagamie County Register of Deeds' Office. The subject property is currently described as Lot 2 of Certified Survey Map No. 4009.

On July 19, 2001, Implementation Plan Document PD Overlay District PD #1-01 was recorded in the Outagamie County Register of Deeds' Office, a/k/a Document No. 1417611.

On March 8, 2023, PD Overlay District #1-01 amendments and the Preliminary Plat for The Villas at Meade Pond were recommended for approval by the Plan Commission.

On April 5, 2023, PD Overlay District #1-01 amendments and the Preliminary Plat for The Villas at Meade Pond were approved by the Common Council. In addition to Implementation Plan Document No. 1417611, the amendments to the PD Overlay District will serve as the development regulations, once recorded in the Outagamie County Register of Deeds Office.

**Final Plat – The Villas at Meade Pond**

**May 24, 2023**

**Page 2**

**STAFF ANALYSIS**

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**Existing Conditions:** The subject site consists of 28 single-family detached condominium units, 1 neighborhood sign and 1 detention pond. All said improvements are located on Lot 2 of Certified Survey Map No. 4009.

**Proposed Conditions:** The Final Plat for The Villas at Meade Pond subdivides Lot 2 of Certified Survey Map No. 4009 into 28 individual lots and 3 outlots. The outlots will be owned and maintained by the Homeowners’ Association (HOA), per discussions with representatives from the Meade Pond Condominium Association.

**Comparison Between Final Plat and Preliminary Plat:** The Final Plat is consistent with the Preliminary Plat layout in terms of the shape, size, building setback dimensions, and location of the lot lines.

**Zoning Ordinance Review Criteria:** The development standards prescribed by Implementation Plan Document PD #1-01, Document No. 1417611 and the Amended Implementation Plan Document PD #1-01.

- Minimum lot area (Lots 1-28): 5,500 square feet minimum.
  - *All lots described above comply with this minimum requirement.*
- Minimum lot width (Lots 1-28): 38 feet minimum.
  - *All lots described above comply with this minimum requirement.*
- Minimum front, side and rear yard setbacks:

<b>Yard</b>	<b>Lot Numbers</b>	<b>Minimum Building Setback Dimension (Per PD Overlay District #1-01)</b>
Front	Lots 1-28 & Outlot 3	20 feet
Front	Outlots 1 and 2	None, unless required by applicable regulations per Chapter 23, Zoning
Side	Lots 1-5, 7-28 & Outlot 3	4.5 feet, including decks
Side	Lot 6	4.5 feet, including 2.85 feet for deck
Side	Lot 10	None, for concrete patio
Side	Outlots 1 and 2	None, unless required by applicable regulations per Chapter 23, Zoning
Rear	Lots 1-15 & Outlot 3	11 feet, including decks
Rear	Lot 16	6 feet, including decks
Rear	Lots 17-19	15 feet, including decks
Rear	Lots 20-24	13 feet, including decks
Rear	Lots 25-28	25 feet, including decks
Rear	Outlots 1 and 2	None, unless required by applicable regulations per Chapter 23, Zoning

- *All buildings, decks, concrete patios, and other accessory structures illustrated on the final plat appear to comply with minimum requirements listed above.*

## Final Plat – The Villas at Meade Pond

May 24, 2023

Page 3

- Maximum lot coverage (Lots 1-28 and Outlots 1-3): 65% maximum.
  - *All lots described above comply with this requirement.*

**Compliance with the Appleton Subdivision Regulations:** This subdivision complies with the Appleton Subdivision Regulations. As stated in the staff report for the preliminary plat, there is small deviation in the proposed side lot line between Lot 9 and Lot 10, this deviation did not warrant a modification request because the intersecting portion of the side lot line is at a right angle to the right-of-way line. This deviation in the lot line occurs at the rear of said lots due to the existing location of site improvements on Lot 10. The configuration of both Lots shown on the Final Plat are consistent with the Preliminary Plat.

**Access and Traffic:** The primary vehicular access to the development is by Pondview Court. The 50-foot road right-of-way width was dedicated to the public by Certified Survey Map No. 4009.

### Surrounding Zoning and Land Uses:

North: PD/R-1B Planned Development Single-Family District – City Stormwater Pond  
South: R-1A Single-Family District – residential uses  
East: Town of Grand Chute – residential uses  
West: R-1A Single-Family District – residential uses

**Appleton Comprehensive Plan 2010-2030:** Community and Economic Development staff has reviewed this proposal and determined it is compatible with the One and Two-Family Residential designation shown on the City's *Comprehensive Plan 2010-2030* Future Land Use Map. Listed below are related excerpts from the City's *Comprehensive Plan 2010-2030*.

#### *Goal 1 – Community Growth*

*Appleton will continue to provide opportunities for residential, commercial, and industrial growth, including appropriate redevelopment sites within the downtown and existing neighborhoods, and greenfield development sites at the City's edge.*

#### *Goal 3 – Housing Quality, Variety, and Affordability*

*Appleton will provide a variety of rental and ownership housing choices in a range of prices affordable to community residents, and ensure that existing housing is adequately maintained in terms of physical quality and market viability.*

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

#### *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.*

**Park Fees or Dedication of Public Parks and Other Public Sites:** In 2001, park fees of \$4,200 (28 dwelling units x \$150.00) in lieu of dedication requirements were paid by the developer pursuant to receipt #1709628 associated with Certified Survey Map No. 4009. No additional dwelling unit sites are being created with this final plat. Therefore, the recent amendments made to Section 17-29 dedication of public parks and other public sites of the Municipal Code do not apply to this final plat.

**Technical Review Group (TRG) Report:** This item appeared on the May 2, 2023 TRG agenda. Comments from participating departments are identified as conditions of approval.

**RECOMMENDATION**

---

The Final Plat for The Villas at Meade Pond, **BE APPROVED** subject to the following conditions and as shown on the attached maps:

1. Section 17-12(23) add information on the ownership of, use of, or restrictions on Outlots 1, 2, and 3 to the notes section of the Final Plat, prior to City signatures being affixed to the Final Plat.
2. Section 17-12(c) The legal instruments creating a property owners association for the ownership and/or maintenance of common lands in the subdivision shall be filed with the Final Plat, prior to City signatures being affixed to the Final Plat.
3. On Sheet 3 of 8, remove the references to the term “resolution” in the Common Council Certificate.
  - The current subdivision ordinance does not require a resolution to approval a final plat.
4. 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.
5. Prior to City signatures being affixed to the Final Plat, the Amended Implementation Plan Document for PD Overlay District #1-01 must be signed by all property owners and then be submitted to the City along with the Final Plat. Record the Final Plat subsequent to the Amended Implementation Plan Document in the Outagamie County Register of Deeds’ Office.



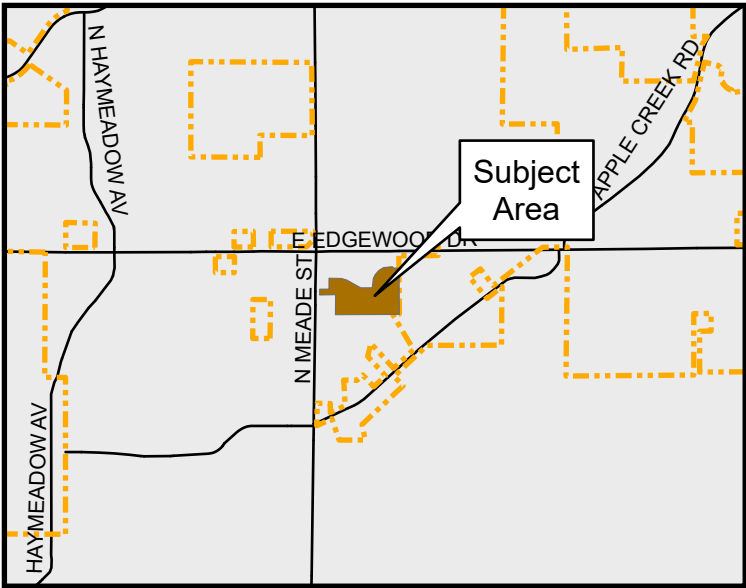
**Final Plat – The Villas at Meade Pond**

**May 24, 2023**

**Page 5**

6. The Development Agreement, dated March 23, 2001, will need to be amended between the City and the future Homeowners' Association pursuant to Section 3.04B of the current Development Agreement to formalize the specific maintenance obligations for the City pond located north of The Villas at Meade Pond plat prior to the City affixing signatures on the Final Plat.
7. The Final Plat shall be recorded within 12 months from the approval date of the last approving authority and within 36 months from the approval date of the first approving authority. Failure to do so requires the subdivider to recommence the entire procedure for Final Plat approval.

Final Plat  
The Villas at Meade Pond  
Vicinity Map

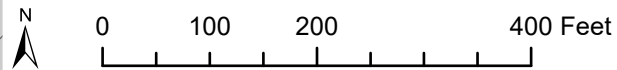


P-1

E EDGEWOOD DR



Subject Area



Final Plat  
The Villas at Meade Pond  
Aerial Map



N MEADE ST  
5105

E EDGEWOOD DR

E PONDVIEW CT

E SIERRA LA

Subject Area



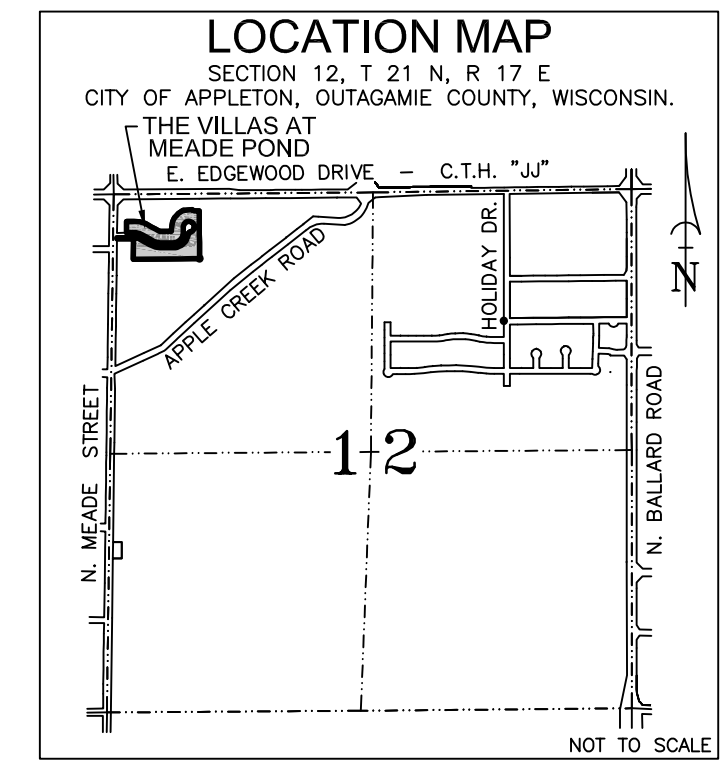
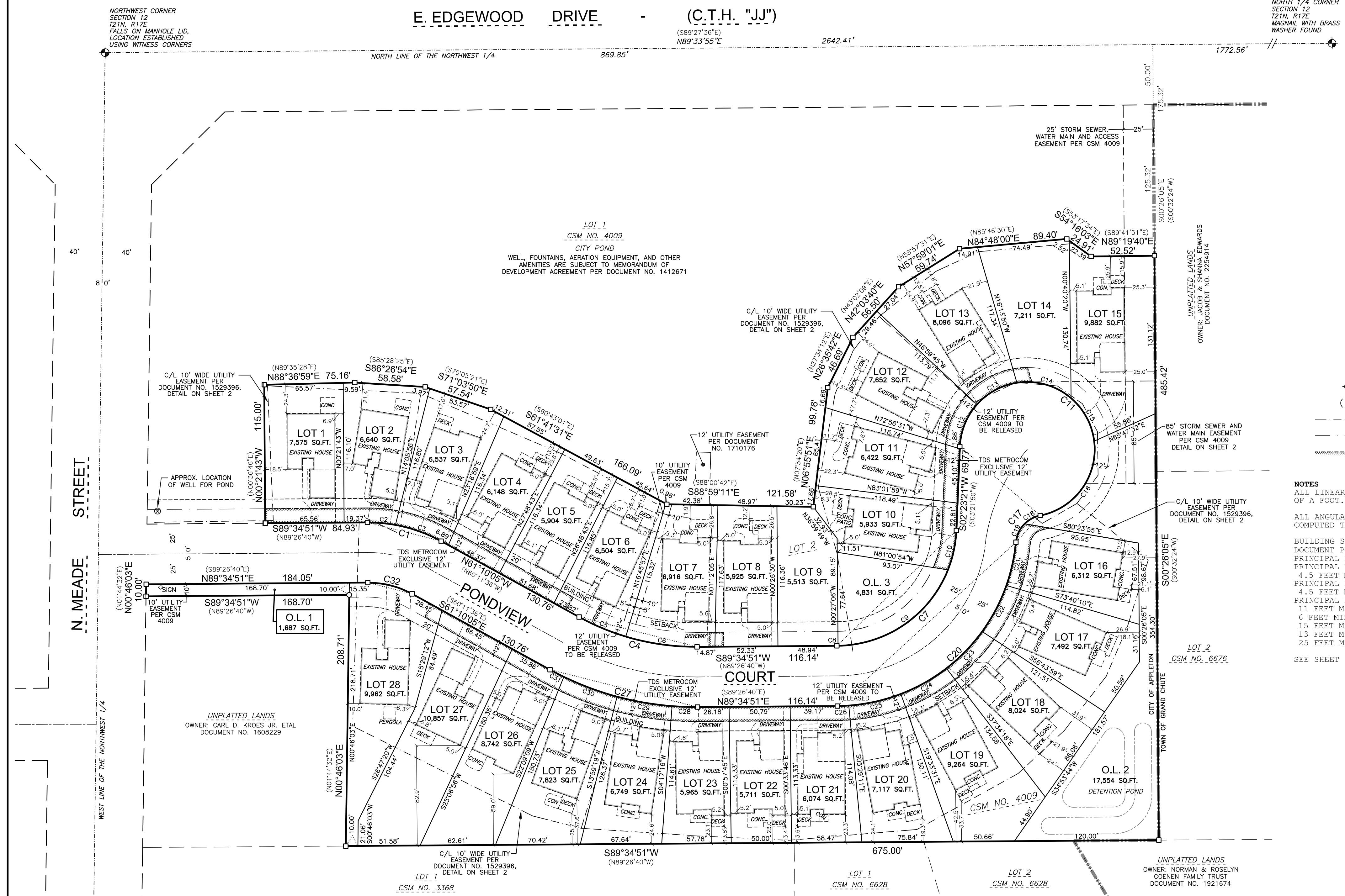
City Plan Commission  
5-24-2023



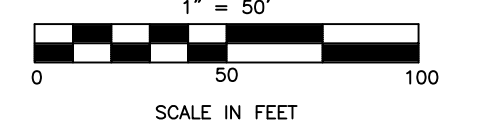
# THE VILLAS AT MEADE POND

ALL OF LOT 2 OF CERTIFIED SURVEY MAP NO. 4009, LOCATED IN THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 12, TOWNSHIP 21 NORTH, RANGE 17 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN

E. EDGEWOOD DRIVE - (C.T.H. "JJ")



BEARINGS ARE REFERENCED TO THE OUTAGAMIE COUNTY COORDINATE SYSTEM MADS(1991) IN WHICH THE NORTH LINE OF THE NORTHWEST 1/4 OF SECTION 12 BEARING N 89°33'55" E



- LEGEND**
- 1" O.D. ROUND IRON PIPE SET, 24" LONG, WEIGHING 1.13 LBS. PER LINEAL FOOT AT ALL OTHER LOT CORNERS
  - 1" O.D. ROUND IRON PIPE FOUND
  - 3/4" REBAR FOUND
  - GOVERNMENT CORNER
  - ( ) PREVIOUSLY RECORDED AS
  - - - EXISTING EASEMENT
  - - - EASEMENT TO BE RELEASED BY SEPARATE INSTRUMENT
  - TDS METROCOM EXCLUSIVE 12' UTILITY EASEMENT

**NOTES**

ALL LINEAR MEASUREMENTS HAVE BEEN MADE TO THE NEAREST ONE HUNDREDTH OF A FOOT.

ALL ANGULAR MEASUREMENTS HAVE BEEN MADE TO THE NEAREST 20 SECONDS AND COMPUTED TO THE NEAREST HALF SECOND.

BUILDING SETBACKS AS LISTED IN THE AMENDED IMPLEMENTATION PLAN DOCUMENT PD #1-01

PRINCIPAL BUILDING FRONT YARD SETBACK: 20 FEET (LOTS 1-28 & OUTLOT 3)

PRINCIPAL BUILDING (INCLUDING DECK) SIDE YARD SETBACK: 4.5 FEET MINIMUM (LOTS 1-5, 7-28 & OUTLOT 3)

PRINCIPAL BUILDING SIDE YARD SETBACK: 4.5 FEET MINIMUM AND DECK SIDE YARD: 2.85 MINIMUM (LOT 6)

PRINCIPAL BUILDING (INCLUDING DECK) REAR YARD SETBACK: 11 FEET MINIMUM (LOTS 1-15 & OUTLOT 3)

6 FEET MINIMUM (LOT 16)

15 FEET MINIMUM (LOTS 17-19)

13 FEET MINIMUM (LOT 20-24)

25 FEET MINIMUM (LOTS 25-28)

SEE SHEET 2 FOR DETAIL OF EASEMENTS

CURVE	RADIUS	DELTA	LENGTH	CHORD BEARING	CHORD	TANGENT IN	TANGENT OUT	CURVE	RADIUS	DELTA	LENGTH	CHORD BEARING	CHORD	TANGENT IN	TANGENT OUT
1	125.00'	029°15'04"	63.82'	N 75°42'37.5" W	63.13'	N 61°10'05" W	S 89°34'51" W	17	25.00'	073°38'51"	32.13'	N 42°10'07.5" E	29.91'	S 78°59'33" W	S 05°20'42" W
2	125.00'	010°42'57"	23.38'	N 85°03'41.0" W	23.34'	N 79°42'13" W	S 89°34'51" W	18	25.00'	034°05'03"	14.87'	N 61°57'01.5" E	14.65'	S 78°59'33" W	S 44°54'30" W
3	125.00'	018°32'07"	40.44'	N 70°26'09.5" W	40.26'	N 61°10'05" W	N 79°42'13" W	19	25.00'	039°33'18"	37.26'	N 23°49'38.5" E	16.92'	S 44°54'30" W	S 05°20'42" W
4	200.00'	029°15'04"	102.11'	N 75°42'37.5" W	101.00'	N 61°10'05" E	N 89°34'51" E	20	150.00'	084°14'09"	220.53'	N 47°27'46.5" E	201.20'	N 89°34'51" E	N 05°20'42" E
5	200.00'	012°03'57"	42.12'	N 87°12'04.5" W	42.04'	S 61°10'05" E	S 79°14'03" E	21	150.00'	014°04'35"	36.85'	N 12°22'59.5" E	36.76'	N 19°25'17" E	N 05°20'42" E
6	200.00'	017°11'07"	59.99'	N 81°40'36.0" W	59.76'	N 73°14'03" W	N 89°34'51" W	22	150.00'	016°38'23"	43.56'	N 60°39'44.5" E	43.25'	N 36°00'00" E	N 19°25'17" E
7	100.00'	087°11'30"	152.18'	S 45°59'06.0" E	137.91'	N 89°34'51" E	N 02°23'21" E	23	150.00'	016°20'33"	42.79'	N 44°10'16.5" E	42.64'	N 52°20'33" E	N 36°00'00" E
8	100.00'	000°31'00"	0.90'	N 46°57'35.0" E	0.90'	N 89°34'51" E	N 89°03'51" E	24	150.00'	016°38'23"	43.56'	N 60°39'44.5" E	43.41'	N 68°58'56" E	N 52°20'33" E
9	100.00'	067°25'21"	117.68'	S 55°21'10.5" W	111.00'	N 89°03'51" E	N 21°38'30" E	25	150.00'	016°57'59"	44.41'	N 73°27'45.5" E	44.24'	N 85°56'35" E	N 68°58'56" E
10	100.00'	019°15'09"	33.60'	S 12°00'55.5" W	33.44'	N 21°38'30" E	N 02°23'21" E	26	150.00'	003°38'16"	9.52'	N 87°45'43.0" E	9.52'	N 89°34'51" E	N 85°56'35" E
11	56.00'	256°36'11"	250.80'	N 49°18'33.0" W	87.89'	N 78°59'33" E	S 02°23'21" W	27	250.00'	029°15'04"	127.63'	S 75°47'37.5" E	126.25'	S 61°10'05" E	N 89°34'51" E
12	56.00'	039°22'21"	38.48'	S 22°04'31.5" W	37.73'	S 41°45'42" W	S 02°23'21" W	28	250.00'	004°50'47"	21.15'	S 87°49'08.0" E	21.14'	S 85°34'22" E	N 89°34'51" E
13	56.00'	039°26'17"	38.55'	S 61°28'50.5" W	37.79'	S 81°11'59" W	S 41°45'42" W	29	250.00'	010°37'55"	46.39'	S 80°15'24.5" E	46.39'	S 74°56'27" E	N 85°34'22" E
14	56.00'	049°20'29"	48.23'	N 74°07'46.5" W	46.75'	N 49°27'32" W	S 81°11'59" W	30	250.00'	010°48'38"	47.17'	S 69°32'08.0" E	47.10'	S 64°07'49" E	S 74°56'27" E
15	56.00'	042°29'16"	41.53'	N 28°12'54.0" W	40.58'	N 06°58'16" W	N 49°27'32" W	31	250.00'	029°15'04"	12.92'	S 62°38'57.5" E	12.92'	S 61°10'05" E	S 64°07'49" E
16	56.00'	085°57'49"	84.01'	N 36°00'38.5" E	76.36'	N 78°59'33" E	N 06°58'16" W	32	75.00'	029°15'04"	38.29'	S 75°47'37.5" E	37.88'	N 61°10'05" W	S 89°34'51" W

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

Certified \_\_\_\_\_, 20\_\_

Department of Administration

**Martenson & Eisele, Inc.**  
 1377 Midway Road  
 Menasha, WI 54952  
 www.martenson-eisele.com  
 Info@martenson-eisele.com  
 920.731.0381 1.800.236.0381

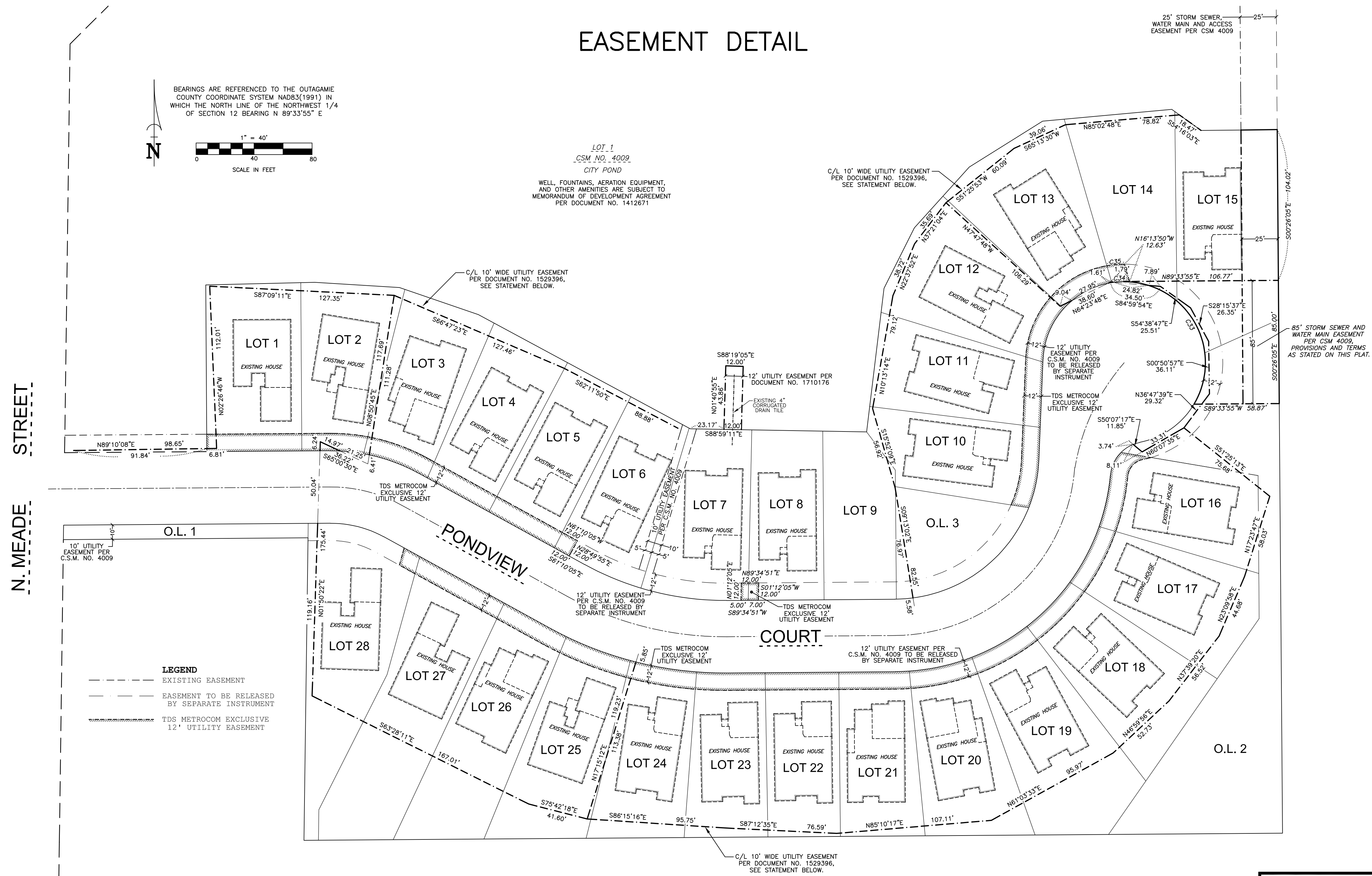
Planning  
 Environmental  
 Surveying  
 Engineering  
 Architecture

Drawing No. 1-1745-001  
 Sheet 1 of 8  
 This instrument drawn by: Amy Sedlar

# THE VILLAS AT MEADE POND

ALL OF LOT 2 OF CERTIFIED SURVEY MAP NO. 4009, LOCATED IN THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 12, TOWNSHIP 21 NORTH, RANGE 17 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN

## EASEMENT DETAIL



AS STATED IN EASEMENT DOCUMENT NO. 1529396:  
 7. THE ACTUAL BOUNDARIES OF THE VARIOUS UNITS OF MEADE POND CONDOMINIUM HAVE ALREADY BEEN ESTABLISHED AND ARE SHOWN IN THE CONDOMINIUM PLAT. THERE IS MINIMAL SPACE BETWEEN THE VARIOUS UNITS. THE ELECTRIC LINES WHICH ARE THE SUBJECT OF THIS EASEMENT HAVE ALREADY BEEN INSTALLED BY WE ENERGIES AND, IN SEVERAL INSTANCES, APPEAR TO BE LOCATED IN CLOSE PROXIMITY TO VARIOUS UNITS. THE PURPOSE FOR GRANTING AN EASEMENT TEN FEET WIDE IS TO MAKE CERTAIN THE GRANTEE HAS PHYSICAL ACCESS TO THE ELECTRIC LINES, AS INTENDED BY THIS EASEMENT; NOT TO REQUIRE THE GRANTOR TO RELOCATE ANY OF THE UNIT BOUNDARIES. THEREFORE, NOTWITHSTANDING THE DESCRIPTION OF THE EASEMENT AS BEING TEN FEET WIDE, THE EASEMENT IS NOT INTENDED TO RESULT IN AN ENCRoACHMENT OF THE CONDOMINIUM UNITS ONTO THE EASEMENT. IN SUCH LOCATIONS WHERE THE TEN FOOT WIDE PATH AND A UNIT WOULD INTERFERE WITH ONE ANOTHER, THE EASEMENT SHALL BE CONSIDERED TO DEVIATE FROM THE DESCRIBED ROUTE TO THE EXTENT REASONABLY NECESSARY FOR THE GRANTEE TO HAVE THE INTENDED ACCESS TO THE ACTUAL ELECTRIC LINE.

CURVE	RADIUS	DELTA	LENGTH	CHORD BEARING	CHORD	TANGENT IN	TANGENT OUT
33	56.00'	121°11'19"	118.45'	N 29°50'25.5" W	97.57'	N 30°45'14" E	S 89°33'55" W
34	56.00'	012°39'59"	12.38'	N 87°31'58.5" E	12.35'	N 86°08'02" W	S 81°11'59" W
35	68.00'	010°19'27"	12.25'	S 85°02'41.5" W	12.24'	N 89°47'35" W	S 79°52'58" W

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

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 Planning  
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Drawing No. 1-1745-001  
 Sheet 2 of 8  
 This instrument drawn by: Amy Sedlar



# THE VILLAS AT MEADE POND

ALL OF LOT 2 OF CERTIFIED SURVEY MAP NO. 4009, LOCATED IN THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 12, TOWNSHIP 21 NORTH, RANGE 17 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN

**TDS METROCOM EXCLUSIVE 12' UTILITY EASEMENT PROVISION**

AN EASEMENT FOR COMMUNICATIONS SERVICE IS HEREBY BY GRANTED BY ALL THE MEMBERS OF THE MEADE POND HOMEOWNERS ASSOCIATION, INC., GRANTORS, TO

**TDS METROCOM, LLC, GRANTEE,**

THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, TO CONSTRUCT, USE, MAINTAIN OPERATE, ALTER, ADD TO, REPAIR, REPLACE, AND/OR REMOVE ITS FACILITIES CONSISTING OF ELECTRONIC TELECOMMUNICATIONS CABINETS, OVERHEAD AND UNDERGROUND CABLES, WIRES, DUCTS AND CONDUITS, AND FOR APPURTENANCES FOR COMMUNICATION AND/OR OTHER PURPOSES PERTAINING TO THE OPERATION OF GRANTEE'S TELECOMMUNICATIONS SYSTEMS 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 "TDS METROCOM EXCLUSIVE 12' UTILITY EASEMENT" 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 GRANTEE'S AGREE TO RESPOND OR CAUSE TO HAVE RESTORED, THE PROPERTY, AS NEARLY AS IS REASONABLY POSSIBLE, TO THE CONDITION EXISTING PRIOR TO SUCH ENTRY BY THE GRANTEE'S OR THEIR AGENTS. STRUCTURES SHALL NOT BE PLACED OVER GRANTEE'S FACILITIES OR IN, UPON OR OVER THE PROPERTY WITHIN THE LINES MARKED "TDS METROCOM EXCLUSIVE 12' UTILITY EASEMENT" WITHOUT THE PRIOR WRITTEN CONSENT OF GRANTEE'S. 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 GRANTEE'S. THE GRANT OF EASEMENT SHALL BE BINDING UPON AND INURE TO THE BENEFIT OF THE HEIRS, SUCCESSORS AND ASSIGNS OF ALL PARTIES HERETO.

JODA J. WUNDERLICH, LOT 1

PATRICIA A. POLLEN, LOT 11

CHARLES L. LUKAS, LOT 20

RUSSELL E. JACOBUS, LOT 2

VIRGINIA R. RUSLER, TRUSTEE, LOT 12  
VIRGINIA R. RUSLER REVOCABLE TRUST

CATHY A. LUKAS, LOT 20

JERRIE E. JACOBUS, LOT 2

MARTIN A. WALTHO, LOT 13

JOHN C. SHARP, LOT 21

LARRY W. CAIN, TRUSTEE, LOT 3  
LARRY W. AND CHERYL S. CAIN REVOCABLE TRUST

PHYLLIS WALTHO, LOT 13

JACQUELINE B. SHARP, LOT 21

CHERYL S. CAIN, TRUSTEE, LOT 3  
LARRY W. AND CHERYL S. CAIN REVOCABLE TRUST

MICHAEL G. SPEEL, LOTS 14 & 15  
MICHAEL G. SPEEL AND LAVERN R. SPEEL LIVING TRUST

LAWRENCE C. SILTON, TRUSTEE, LOT 22  
SILTON JOINT REVOCABLE TRUST

MARGARET J. KOSTELNIK, LOT 4  
MARGARET J. KOSTELNIK REVOCABLE TRUST

LAVERN R. SPEEL, LOTS 14 & 15  
MICHAEL G. SPEEL AND LAVERN R. SPEEL LIVING TRUST

SUSAN B. SILTON, TRUSTEE, LOT 22  
SILTON JOINT REVOCABLE TRUST

RICHARD C. VAN DRIEST, LOT 5

EDWIN HAMMOND, LOT 16

DANIEL M. ALBERS, LOT 23

TEENA L. VAN DRIEST, LOT 5

JANE HAMMOND, LOT 16

MARY E. ALBERS, LOT 23

ERNESTINE E. ROUMAN, LOT 6

BEN J. VANDEN HEUVEL, TRUSTEE, LOT 17  
VANDEN HEUVEL REVOCABLE TRUST

LEONARD R. VANDER WYST, LOT 24

THOMAS C. SCHELBLE, LOT 7  
THOMAS C. SCHELBLE & MICHELE R. SCHELBLE JOINT REVOCABLE TRUST

PRISCILLA M. VANDEN HEUVEL, TRUSTEE, LOT 17  
VANDEN HEUVEL REVOCABLE TRUST

ALICE A. VANDER WYST, LOT 24

MICHELE R. SCHELBLE, LOT 7  
THOMAS C. SCHELBLE & MICHELE R. SCHELBLE JOINT REVOCABLE TRUST

GARY L. GEHRKE, LOT 18

LINDA E. KELLETT, TRUSTEE, LOT 25  
LINDA E. KELLETT LIVING TRUST

PATRICK J. HAWLEY, LOT 8 AND 9  
PATRICK J. AND CARRIE JO HAWLEY JOINT REVOCABLE TRUST

JAMES J. FEENEY, TRUSTEE, LOT 19  
JAMES J. FEENEY AND SHERYL L. FEENEY REVOCABLE TRUST

WILLIAM C. GRIFFITH, LOT 26  
WILLIAM C. GRIFFITH REVOCABLE TRUST


CARRIE JO HAWLEY, LOT 8 AND 9  
PATRICK J. AND CARRIE JO HAWLEY JOINT REVOCABLE TRUST

SHERYL L. FEENEY, TRUSTEE, LOT 19  
JAMES J. FEENEY AND SHERYL L. FEENEY REVOCABLE TRUST

PHYLLIS J. ZEISS, LOT 27  
PHYLLIS J. ZEISS REVOCABLE TRUST

G. JOHN SIVERTSEN, AS INITIAL TRUSTEE, LOT 10  
JOHN AND GLORIA SIVERTSEN JOINT REVOCABLE LIVING TRUST

SUSAN J. DUVEN, LOT 28  
SUSAN J. DUVEN REVOCABLE TRUST

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

# THE VILLAS AT MEADE POND

ALL OF LOT 2 OF CERTIFIED SURVEY MAP NO. 4009, LOCATED IN THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 12, TOWNSHIP 21 NORTH, RANGE 17 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN

## LOT 1 OWNER'S CERTIFICATE OF DEDICATION

AS OWNER, I HEREBY CERTIFY THAT I CAUSED THE LAND DESCRIBED ON THIS PLAT TO BE SURVEYED, DIVIDED, MAPPED AND DEDICATED ALL AS SHOWN AND REPRESENTED ON THIS PLAT.

I ALSO CERTIFY THAT THIS PLAT IS REQUIRED BY S.236.10 OR S.236.12 TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL OR OBJECTION: DEPARTMENT OF ADMINISTRATION, OUTAGAMIE COUNTY AND CITY OF APPLETON

WITNESS THE HAND AND SEAL OF SAID OWNER THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023.

JODA J. WUNDERLICH

STATE OF WISCONSIN )  
 ) SS  
 ) COUNTY )

PERSONALLY CAME BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023,  
THE ABOVE NAMED JODA J. WUNDERLICH TO ME KNOWN TO BE THE SAME PERSON WHO EXECUTED  
THE FOREGOING INSTRUMENT AND ACKNOWLEDGE THE SAME.

NOTARY PUBLIC, STATE OF WISCONSIN  
MY COMMISSION EXPIRES \_\_\_\_\_

## LOT 2 OWNER'S CERTIFICATE OF DEDICATION

AS OWNERS, WE HEREBY CERTIFY THAT WE CAUSED THE LAND DESCRIBED ON THIS PLAT TO BE SURVEYED, DIVIDED, MAPPED AND DEDICATED ALL AS SHOWN AND REPRESENTED ON THIS PLAT.

WE ALSO CERTIFY THAT THIS PLAT IS REQUIRED BY S.236.10 OR S.236.12 TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL OR OBJECTION: DEPARTMENT OF ADMINISTRATION, OUTAGAMIE COUNTY AND CITY OF APPLETON

WITNESS THE HAND AND SEAL OF SAID OWNERS THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023.

RUSSELL E. JACOBUS

JERRIE E. JACOBUS

STATE OF WISCONSIN )  
 ) SS  
 ) COUNTY )

PERSONALLY CAME BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023,  
THE ABOVE NAMED RUSSELL E. JACOBUS AND JERRIE E. JACOBUS TO ME KNOWN TO BE THE SAME  
PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGE THE SAME.

NOTARY PUBLIC, STATE OF WISCONSIN  
MY COMMISSION EXPIRES \_\_\_\_\_

## LOT 2 CONSENT OF CORPORATE MORTGAGEE

GUARANTEED RATE, INC., A CORPORATION DULY ORGANIZED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF DELAWARE, MORTGAGEE OF THE LANDS HERE IN DESCRIBED, DOES HEREBY CONSENT TO THE SURVEYING, DIVIDING, MAPPING AND DEDICATION OF THE LAND DESCRIBED ON THIS PLAT, AND DOES HEREBY CONSENT TO THE ABOVE CERTIFICATE OF RUSSELL E. JACOBUS AND JERRIE E. JACOBUS, OWNERS.

IN WITNESS WHEREOF, THE SAID GUARANTEED RATE, INC., HAS CAUSED THESE PRESENTS TO BE SIGNED BY \_\_\_\_\_ (NAME), \_\_\_\_\_ (TITLE), WHOSE ADDRESS IS \_\_\_\_\_ AND ITS CORPORATE SEAL TO BE HEREUNTO AFFIXED

THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023.

SIGNATURE \_\_\_\_\_ PRINT NAME AND TITLE \_\_\_\_\_

STATE OF \_\_\_\_\_ )  
 ) SS  
 ) COUNTY )

PERSONALLY CAME BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023,  
(NAME), \_\_\_\_\_ (TITLE),  
OF THE ABOVE NAMED CORPORATION, TO ME KNOWN TO BE THE PERSON(S) WHO EXECUTED THE  
FOREGOING INSTRUMENT, AND TO ME KNOWN TO BE SUCH \_\_\_\_\_ (TITLE)  
OF SAID CORPORATION, AND ACKNOWLEDGED THAT THEY EXECUTED THE FOREGOING INSTRUMENT  
AS SUCH OFFICERS AS THE DEED OF SAID CORPORATION, BY ITS AUTHORITY.

NOTARY PUBLIC, STATE OF \_\_\_\_\_  
MY COMMISSION EXPIRES \_\_\_\_\_

## LOT 3 OWNER'S CERTIFICATE OF DEDICATION

AS OWNERS, WE HEREBY CERTIFY THAT WE CAUSED THE LAND DESCRIBED ON THIS PLAT TO BE SURVEYED, DIVIDED, MAPPED AND DEDICATED ALL AS SHOWN AND REPRESENTED ON THIS PLAT.

WE ALSO CERTIFY THAT THIS PLAT IS REQUIRED BY S.236.10 OR S.236.12 TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL OR OBJECTION: DEPARTMENT OF ADMINISTRATION, OUTAGAMIE COUNTY AND CITY OF APPLETON

WITNESS THE HAND AND SEAL OF SAID OWNERS THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023.

LARRY W. CAIN, TRUSTEE

CHERYL S. CAIN, TRUSTEE

LARRY W. AND CHERYL S. CAIN REVOCABLE TRUST

LARRY W. AND CHERYL S. CAIN REVOCABLE TRUST

STATE OF WISCONSIN )  
 ) SS  
 ) COUNTY )

PERSONALLY CAME BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023,  
THE ABOVE NAMED LARRY W. CAIN AND CHERYL S. CAIN TO ME KNOWN TO BE THE SAME  
PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGE THE SAME.

NOTARY PUBLIC, STATE OF WISCONSIN  
MY COMMISSION EXPIRES \_\_\_\_\_

**Martenson & Eisele, Inc.**

1377 Midway Road Planning  
Menasha, WI 54952 Environmental  
www.martenson-eisele.com Surveying  
info@martenson-eisele.com Engineering  
920.731.0381 1.800.236.0381 Architecture

## LOT 4 OWNER'S CERTIFICATE OF DEDICATION

AS OWNER, I HEREBY CERTIFY THAT I CAUSED THE LAND DESCRIBED ON THIS PLAT TO BE SURVEYED, DIVIDED, MAPPED AND DEDICATED ALL AS SHOWN AND REPRESENTED ON THIS PLAT.

I ALSO CERTIFY THAT THIS PLAT IS REQUIRED BY S.236.10 OR S.236.12 TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL OR OBJECTION: DEPARTMENT OF ADMINISTRATION, OUTAGAMIE COUNTY AND CITY OF APPLETON

WITNESS THE HAND AND SEAL OF SAID OWNER THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023.

MARGARET J. KOSTELNIK

MARGARET J. KOSTELNIK REVOCABLE TRUST

STATE OF WISCONSIN )  
 ) SS  
 ) COUNTY )

PERSONALLY CAME BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023,  
THE ABOVE NAMED MARGARET J. KOSTELNIK TO ME KNOWN TO BE THE SAME PERSON WHO EXECUTED  
THE FOREGOING INSTRUMENT AND ACKNOWLEDGE THE SAME.

NOTARY PUBLIC, STATE OF WISCONSIN  
MY COMMISSION EXPIRES \_\_\_\_\_

## LOT 5 OWNER'S CERTIFICATE OF DEDICATION

AS OWNERS, WE HEREBY CERTIFY THAT WE CAUSED THE LAND DESCRIBED ON THIS PLAT TO BE SURVEYED, DIVIDED, MAPPED AND DEDICATED ALL AS SHOWN AND REPRESENTED ON THIS PLAT.

WE ALSO CERTIFY THAT THIS PLAT IS REQUIRED BY S.236.10 OR S.236.12 TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL OR OBJECTION: DEPARTMENT OF ADMINISTRATION, OUTAGAMIE COUNTY AND CITY OF APPLETON

WITNESS THE HAND AND SEAL OF SAID OWNERS THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023.

RICHARD C. VAN DRIEST

TEENA L. VAN DRIEST

STATE OF WISCONSIN )  
 ) SS  
 ) COUNTY )

PERSONALLY CAME BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023,  
THE ABOVE NAMED RICHARD C. VAN DRIEST AND TEENA L. VAN DRIEST TO ME KNOWN TO BE THE SAME  
PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGE THE SAME.

NOTARY PUBLIC, STATE OF WISCONSIN  
MY COMMISSION EXPIRES \_\_\_\_\_

## LOT 5 CONSENT OF CORPORATE MORTGAGEE

BANK FIRST, N.A., A CORPORATION DULY ORGANIZED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE UNITED STATES OF AMERICA, MORTGAGEE OF THE LANDS HERE IN DESCRIBED, DOES HEREBY CONSENT TO THE SURVEYING, DIVIDING, MAPPING AND DEDICATION OF THE LAND DESCRIBED ON THIS PLAT, AND DOES HEREBY CONSENT TO THE ABOVE CERTIFICATE OF RICHARD C. VAN DRIEST AND TEENA L. VAN DRIEST, OWNERS.

IN WITNESS WHEREOF, THE SAID BANK FIRST, N.A., HAS CAUSED THESE PRESENTS TO BE SIGNED BY \_\_\_\_\_ (NAME), \_\_\_\_\_ (TITLE), WHOSE ADDRESS IS \_\_\_\_\_ AND ITS CORPORATE SEAL TO BE HEREUNTO AFFIXED

THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023.

SIGNATURE \_\_\_\_\_ PRINT NAME AND TITLE \_\_\_\_\_

STATE OF \_\_\_\_\_ )  
 ) SS  
 ) COUNTY )

PERSONALLY CAME BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023,  
(NAME), \_\_\_\_\_ (TITLE),  
OF THE ABOVE NAMED CORPORATION, TO ME KNOWN TO BE THE PERSON(S) WHO EXECUTED THE  
FOREGOING INSTRUMENT, AND TO ME KNOWN TO BE SUCH \_\_\_\_\_ (TITLE)  
OF SAID CORPORATION, AND ACKNOWLEDGED THAT THEY EXECUTED THE FOREGOING INSTRUMENT  
AS SUCH OFFICERS AS THE DEED OF SAID CORPORATION, BY ITS AUTHORITY.

NOTARY PUBLIC, STATE OF \_\_\_\_\_  
MY COMMISSION EXPIRES \_\_\_\_\_

## LOT 6 OWNER'S CERTIFICATE OF DEDICATION

AS OWNER, I HEREBY CERTIFY THAT I CAUSED THE LAND DESCRIBED ON THIS PLAT TO BE SURVEYED, DIVIDED, MAPPED AND DEDICATED ALL AS SHOWN AND REPRESENTED ON THIS PLAT.

I ALSO CERTIFY THAT THIS PLAT IS REQUIRED BY S.236.10 OR S.236.12 TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL OR OBJECTION: DEPARTMENT OF ADMINISTRATION, OUTAGAMIE COUNTY AND CITY OF APPLETON

WITNESS THE HAND AND SEAL OF SAID OWNER THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023.

ERNESTINE E. ROUMAN

STATE OF WISCONSIN )  
 ) SS  
 ) COUNTY )

PERSONALLY CAME BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023,  
THE ABOVE NAMED ERNESTINE E. ROUMAN TO ME KNOWN TO BE THE SAME  
PERSON WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGE THE SAME.

NOTARY PUBLIC, STATE OF WISCONSIN  
MY COMMISSION EXPIRES \_\_\_\_\_

## LOT 7 OWNER'S CERTIFICATE OF DEDICATION

AS OWNERS, WE HEREBY CERTIFY THAT WE CAUSED THE LAND DESCRIBED ON THIS PLAT TO BE SURVEYED, DIVIDED, MAPPED AND DEDICATED ALL AS SHOWN AND REPRESENTED ON THIS PLAT.

WE ALSO CERTIFY THAT THIS PLAT IS REQUIRED BY S.236.10 OR S.236.12 TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL OR OBJECTION: DEPARTMENT OF ADMINISTRATION, OUTAGAMIE COUNTY AND CITY OF APPLETON

WITNESS THE HAND AND SEAL OF SAID OWNERS THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023.

THOMAS C. SCHELBLE,  
THOMAS C. SCHELBLE AND MICHELE R. SCHELBLE  
JOINT REVOCABLE TRUST

MICHELE R. SCHELBLE,  
THOMAS C. SCHELBLE AND MICHELE R. SCHELBLE  
JOINT REVOCABLE TRUST

STATE OF WISCONSIN )  
 ) SS  
 ) COUNTY )

PERSONALLY CAME BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023,  
THE ABOVE NAMED THOMAS C. SCHELBLE AND MICHELE R. SCHELBLE TO ME KNOWN TO BE  
THE SAME PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGE THE SAME.

NOTARY PUBLIC, STATE OF WISCONSIN  
MY COMMISSION EXPIRES \_\_\_\_\_

## LOT 8 AND 9 OWNER'S CERTIFICATE OF DEDICATION

AS OWNERS, WE HEREBY CERTIFY THAT WE CAUSED THE LAND DESCRIBED ON THIS PLAT TO BE SURVEYED, DIVIDED, MAPPED AND DEDICATED ALL AS SHOWN AND REPRESENTED ON THIS PLAT.

WE ALSO CERTIFY THAT THIS PLAT IS REQUIRED BY S.236.10 OR S.236.12 TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL OR OBJECTION: DEPARTMENT OF ADMINISTRATION, OUTAGAMIE COUNTY AND CITY OF APPLETON

WITNESS THE HAND AND SEAL OF SAID OWNERS THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023.

PATRICK J. HAWLEY,  
PATRICK J. HAWLEY AND CARRIE JO HAWLEY  
JOINT REVOCABLE TRUST

CARRIE JO HAWLEY,  
PATRICK J. HAWLEY AND CARRIE JO HAWLEY  
JOINT REVOCABLE TRUST

STATE OF WISCONSIN )  
 ) SS  
 ) COUNTY )

PERSONALLY CAME BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023,  
THE ABOVE NAMED PATRICK J. HAWLEY AND CARRIE JO HAWLEY TO ME KNOWN TO BE THE SAME  
PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGE THE SAME.

NOTARY PUBLIC, STATE OF WISCONSIN  
MY COMMISSION EXPIRES \_\_\_\_\_

## LOT 10 OWNER'S CERTIFICATE OF DEDICATION

AS OWNER, I HEREBY CERTIFY THAT I CAUSED THE LAND DESCRIBED ON THIS PLAT TO BE SURVEYED, DIVIDED, MAPPED AND DEDICATED ALL AS SHOWN AND REPRESENTED ON THIS PLAT.

I ALSO CERTIFY THAT THIS PLAT IS REQUIRED BY S.236.10 OR S.236.12 TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL OR OBJECTION: DEPARTMENT OF ADMINISTRATION, OUTAGAMIE COUNTY AND CITY OF APPLETON

WITNESS THE HAND AND SEAL OF SAID OWNER THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023.

G. JOHN SIVERTSEN, AS INITIAL TRUSTEE  
JOHN AND GLORIA SIVERTSEN JOINT REVOCABLE LIVING TRUST

STATE OF WISCONSIN )  
 ) SS  
 ) COUNTY )

PERSONALLY CAME BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023,  
THE ABOVE NAMED G. JOHN SIVERTSEN TO ME KNOWN TO BE THE SAME PERSON WHO EXECUTED  
THE FOREGOING INSTRUMENT AND ACKNOWLEDGE THE SAME.

NOTARY PUBLIC, STATE OF WISCONSIN  
MY COMMISSION EXPIRES \_\_\_\_\_

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

Drawing No. 1-1745-001  
Sheet 5 of 8  
This instrument drawn by: Amy Sedlar





# THE VILLAS AT MEADE POND

ALL OF LOT 2 OF CERTIFIED SURVEY MAP NO. 4009, LOCATED IN THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 12, TOWNSHIP 21 NORTH, RANGE 17 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN

## LOT 18 OWNER'S CERTIFICATE OF DEDICATION

AS OWNER, I HEREBY CERTIFY THAT I CAUSED THE LAND DESCRIBED ON THIS PLAT TO BE SURVEYED, DIVIDED, MAPPED AND DEDICATED ALL AS SHOWN AND REPRESENTED ON THIS PLAT.

I ALSO CERTIFY THAT THIS PLAT IS REQUIRED BY S.236.10 OR S.236.12 TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL OR OBJECTION: DEPARTMENT OF ADMINISTRATION, OUTAGAMIE COUNTY AND CITY OF APPLETON

WITNESS THE HAND AND SEAL OF SAID OWNER THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023.

\_\_\_\_\_  
GARY L. GEHRKE

STATE OF WISCONSIN )  
 ) SS  
 ) \_\_\_\_\_  
 ) COUNTY )

PERSONALLY CAME BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023,  
THE ABOVE NAMED GARY L. GEHRKE TO ME KNOWN TO BE THE SAME PERSON WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGE THE SAME.

\_\_\_\_\_  
NOTARY PUBLIC, STATE OF WISCONSIN  
MY COMMISSION EXPIRES \_\_\_\_\_

## LOT 19 OWNER'S CERTIFICATE OF DEDICATION

AS OWNERS, WE HEREBY CERTIFY THAT WE CAUSED THE LAND DESCRIBED ON THIS PLAT TO BE SURVEYED, DIVIDED, MAPPED AND DEDICATED ALL AS SHOWN AND REPRESENTED ON THIS PLAT.

WE ALSO CERTIFY THAT THIS PLAT IS REQUIRED BY S.236.10 OR S.236.12 TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL OR OBJECTION: DEPARTMENT OF ADMINISTRATION, OUTAGAMIE COUNTY AND CITY OF APPLETON

WITNESS THE HAND AND SEAL OF SAID OWNERS THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023.

\_\_\_\_\_  
JAMES J. FEENEY, TRUSTEE  
JAMES J. FEENEY AND SHERYL L. FEENEY  
REVOCABLE TRUST

\_\_\_\_\_  
SHERYL L. FEENEY, TRUSTEE  
JAMES J. FEENEY AND SHERYL L. FEENEY  
REVOCABLE TRUST

STATE OF WISCONSIN )  
 ) SS  
 ) \_\_\_\_\_  
 ) COUNTY )

PERSONALLY CAME BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023,  
THE ABOVE NAMED JAMES J. FEENEY AND SHERYL L. FEENEY TO ME KNOWN TO BE THE SAME PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGE THE SAME.

\_\_\_\_\_  
NOTARY PUBLIC, STATE OF WISCONSIN  
MY COMMISSION EXPIRES \_\_\_\_\_

## LOT 20 OWNER'S CERTIFICATE OF DEDICATION

AS OWNERS, WE HEREBY CERTIFY THAT WE CAUSED THE LAND DESCRIBED ON THIS PLAT TO BE SURVEYED, DIVIDED, MAPPED AND DEDICATED ALL AS SHOWN AND REPRESENTED ON THIS PLAT.

WE ALSO CERTIFY THAT THIS PLAT IS REQUIRED BY S.236.10 OR S.236.12 TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL OR OBJECTION: DEPARTMENT OF ADMINISTRATION, OUTAGAMIE COUNTY AND CITY OF APPLETON

WITNESS THE HAND AND SEAL OF SAID OWNERS THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023.

\_\_\_\_\_  
CHARLES L. LUKAS

\_\_\_\_\_  
CATHY A. LUKAS

STATE OF WISCONSIN )  
 ) SS  
 ) \_\_\_\_\_  
 ) COUNTY )

PERSONALLY CAME BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023,  
THE ABOVE NAMED CHARLES L. LUKAS AND CATHY A. LUKAS TO ME KNOWN TO BE THE SAME PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGE THE SAME.

\_\_\_\_\_  
NOTARY PUBLIC, STATE OF WISCONSIN  
MY COMMISSION EXPIRES \_\_\_\_\_

## LOT 20 CONSENT OF CORPORATE MORTGAGEE

AMERICAN NATIONAL BANK - FOX CITIES, A CORPORATION DULY ORGANIZED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF WISCONSIN, MORTGAGEE OF THE LANDS HERE IN DESCRIBED, DOES HEREBY CONSENT TO THE SURVEYING, DIVIDING, MAPPING AND DEDICATION OF THE LAND DESCRIBED ON THIS PLAT, AND DOES HEREBY CONSENT TO THE ABOVE CERTIFICATE OF CHARLES L. LUKAS AND CATHY A. LUKAS, OWNERS.

IN WITNESS WHEREOF, THE SAID AMERICAN NATIONAL BANK - FOX CITIES, HAS CAUSED THESE PRESENTS TO BE SIGNED BY \_\_\_\_\_ (NAME), \_\_\_\_\_ (TITLE), WHOSE ADDRESS IS \_\_\_\_\_ AND ITS CORPORATE SEAL TO BE HEREUNTO AFFIXED

THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023.

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
PRINT NAME AND TITLE

STATE OF WISCONSIN )  
 ) SS  
 ) \_\_\_\_\_  
 ) COUNTY )

PERSONALLY CAME BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023,  
(NAME), \_\_\_\_\_ (TITLE),  
OF THE ABOVE NAMED CORPORATION, TO ME KNOWN TO BE THE PERSON(S) WHO EXECUTED THE FOREGOING INSTRUMENT, AND TO ME KNOWN TO BE SUCH \_\_\_\_\_ (TITLE)  
OF SAID CORPORATION, AND ACKNOWLEDGED THAT THEY EXECUTED THE FOREGOING INSTRUMENT AS SUCH OFFICERS AS THE DEED OF SAID CORPORATION, BY ITS AUTHORITY.

\_\_\_\_\_  
NOTARY PUBLIC, STATE OF \_\_\_\_\_  
MY COMMISSION EXPIRES \_\_\_\_\_

**Martenson & Eisele, Inc.**

1377 Midway Road Planning  
Menasha, WI 54952 Environmental  
www.martenson-eisele.com Surveying  
info@martenson-eisele.com Engineering  
920.731.0381 1.800.236.0381 Architecture

## LOT 21 OWNER'S CERTIFICATE OF DEDICATION

AS OWNERS, WE HEREBY CERTIFY THAT WE CAUSED THE LAND DESCRIBED ON THIS PLAT TO BE SURVEYED, DIVIDED, MAPPED AND DEDICATED ALL AS SHOWN AND REPRESENTED ON THIS PLAT.

WE ALSO CERTIFY THAT THIS PLAT IS REQUIRED BY S.236.10 OR S.236.12 TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL OR OBJECTION: DEPARTMENT OF ADMINISTRATION, OUTAGAMIE COUNTY AND CITY OF APPLETON

WITNESS THE HAND AND SEAL OF SAID OWNERS THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023.

\_\_\_\_\_  
JOHN C. SHARP

\_\_\_\_\_  
JACQUELINE B. SHARP

STATE OF WISCONSIN )  
 ) SS  
 ) \_\_\_\_\_  
 ) COUNTY )

PERSONALLY CAME BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023,  
THE ABOVE NAMED JOHN C. SHARP AND JACQUELINE B. SHARP TO ME KNOWN TO BE THE SAME PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGE THE SAME.

\_\_\_\_\_  
NOTARY PUBLIC, STATE OF WISCONSIN  
MY COMMISSION EXPIRES \_\_\_\_\_

## LOT 22 OWNER'S CERTIFICATE OF DEDICATION

AS OWNERS, WE HEREBY CERTIFY THAT WE CAUSED THE LAND DESCRIBED ON THIS PLAT TO BE SURVEYED, DIVIDED, MAPPED AND DEDICATED ALL AS SHOWN AND REPRESENTED ON THIS PLAT.

WE ALSO CERTIFY THAT THIS PLAT IS REQUIRED BY S.236.10 OR S.236.12 TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL OR OBJECTION: DEPARTMENT OF ADMINISTRATION, OUTAGAMIE COUNTY AND CITY OF APPLETON

WITNESS THE HAND AND SEAL OF SAID OWNERS THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023.

\_\_\_\_\_  
LAWRENCE C. SILTON, TRUSTEE  
SILTON JOINT REVOCABLE TRUST

\_\_\_\_\_  
SUSAN B. SILTON, TRUSTEE  
SILTON JOINT REVOCABLE TRUST

STATE OF WISCONSIN )  
 ) SS  
 ) \_\_\_\_\_  
 ) COUNTY )

PERSONALLY CAME BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023,  
THE ABOVE NAMED LAWRENCE C. SILTON AND SUSAN B. SILTON TO ME KNOWN TO BE THE SAME PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGE THE SAME.

\_\_\_\_\_  
NOTARY PUBLIC, STATE OF WISCONSIN  
MY COMMISSION EXPIRES \_\_\_\_\_

## LOT 23 OWNER'S CERTIFICATE OF DEDICATION

AS OWNERS, WE HEREBY CERTIFY THAT WE CAUSED THE LAND DESCRIBED ON THIS PLAT TO BE SURVEYED, DIVIDED, MAPPED AND DEDICATED ALL AS SHOWN AND REPRESENTED ON THIS PLAT.

WE ALSO CERTIFY THAT THIS PLAT IS REQUIRED BY S.236.10 OR S.236.12 TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL OR OBJECTION: DEPARTMENT OF ADMINISTRATION, OUTAGAMIE COUNTY AND CITY OF APPLETON

WITNESS THE HAND AND SEAL OF SAID OWNERS THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023.

\_\_\_\_\_  
DANIEL M. ALBERS

\_\_\_\_\_  
MARY E. ALBERS

STATE OF WISCONSIN )  
 ) SS  
 ) \_\_\_\_\_  
 ) COUNTY )

PERSONALLY CAME BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023,  
THE ABOVE NAMED DANIEL M. ALBERS AND MARY E. ALBERS TO ME KNOWN TO BE THE SAME PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGE THE SAME.

\_\_\_\_\_  
NOTARY PUBLIC, STATE OF WISCONSIN  
MY COMMISSION EXPIRES \_\_\_\_\_

## LOT 23 CONSENT OF CORPORATE MORTGAGEE

COMMUNITY FIRST CREDIT UNION, A CORPORATION DULY ORGANIZED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF WISCONSIN, MORTGAGEE OF THE LANDS HERE IN DESCRIBED, DOES HEREBY CONSENT TO THE SURVEYING, DIVIDING, MAPPING AND DEDICATION OF THE LAND DESCRIBED ON THIS PLAT, AND DOES HEREBY CONSENT TO THE ABOVE CERTIFICATE OF DANIEL M. ALBERS AND MARY E. ALBERS, OWNERS.

IN WITNESS WHEREOF, THE SAID COMMUNITY FIRST CREDIT UNION, HAS CAUSED THESE PRESENTS TO BE SIGNED BY \_\_\_\_\_ (NAME), \_\_\_\_\_ (TITLE), WHOSE ADDRESS IS \_\_\_\_\_ AND ITS CORPORATE SEAL TO BE HEREUNTO AFFIXED

THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023.

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
PRINT NAME AND TITLE

STATE OF WISCONSIN )  
 ) SS  
 ) \_\_\_\_\_  
 ) COUNTY )

PERSONALLY CAME BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023,  
(NAME), \_\_\_\_\_ (TITLE),  
OF THE ABOVE NAMED CORPORATION, TO ME KNOWN TO BE THE PERSON(S) WHO EXECUTED THE FOREGOING INSTRUMENT, AND TO ME KNOWN TO BE SUCH \_\_\_\_\_ (TITLE)  
OF SAID CORPORATION, AND ACKNOWLEDGED THAT THEY EXECUTED THE FOREGOING INSTRUMENT AS SUCH OFFICERS AS THE DEED OF SAID CORPORATION, BY ITS AUTHORITY.

\_\_\_\_\_  
NOTARY PUBLIC, STATE OF \_\_\_\_\_  
MY COMMISSION EXPIRES \_\_\_\_\_

## LOT 24 OWNER'S CERTIFICATE OF DEDICATION

AS OWNERS, WE HEREBY CERTIFY THAT WE CAUSED THE LAND DESCRIBED ON THIS PLAT TO BE SURVEYED, DIVIDED, MAPPED AND DEDICATED ALL AS SHOWN AND REPRESENTED ON THIS PLAT.

WE ALSO CERTIFY THAT THIS PLAT IS REQUIRED BY S.236.10 OR S.236.12 TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL OR OBJECTION: DEPARTMENT OF ADMINISTRATION, OUTAGAMIE COUNTY AND CITY OF APPLETON

WITNESS THE HAND AND SEAL OF SAID OWNERS THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023.

\_\_\_\_\_  
LEONARD R. VANDER WYST

\_\_\_\_\_  
ALICE A. VANDER WYST

STATE OF WISCONSIN )  
 ) SS  
 ) \_\_\_\_\_  
 ) COUNTY )

PERSONALLY CAME BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023,  
THE ABOVE NAMED LEONARD R. VANDER WYST AND ALICE A. VANDER WYST TO ME KNOWN TO BE THE SAME PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGE THE SAME.

\_\_\_\_\_  
NOTARY PUBLIC, STATE OF WISCONSIN  
MY COMMISSION EXPIRES \_\_\_\_\_

## LOT 24 CONSENT OF CORPORATE MORTGAGEE

EAST WISCONSIN SAVINGS BANK, A CORPORATION DULY ORGANIZED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF WISCONSIN, MORTGAGEE OF THE LANDS HERE IN DESCRIBED, DOES HEREBY CONSENT TO THE SURVEYING, DIVIDING, MAPPING AND DEDICATION OF THE LAND DESCRIBED ON THIS PLAT, AND DOES HEREBY CONSENT TO THE ABOVE CERTIFICATE OF LEONARD R. VANDER WYST AND ALICE A. VANDER WYST, OWNERS.

IN WITNESS WHEREOF, THE SAID EAST WISCONSIN SAVINGS BANK, HAS CAUSED THESE PRESENTS TO BE SIGNED BY \_\_\_\_\_ (NAME), \_\_\_\_\_ (TITLE), WHOSE ADDRESS IS \_\_\_\_\_ AND ITS CORPORATE SEAL TO BE HEREUNTO AFFIXED

THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023.

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
PRINT NAME AND TITLE

STATE OF \_\_\_\_\_ )  
 ) SS  
 ) \_\_\_\_\_  
 ) COUNTY )

PERSONALLY CAME BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023,  
(NAME), \_\_\_\_\_ (TITLE),  
OF THE ABOVE NAMED CORPORATION, TO ME KNOWN TO BE THE PERSON(S) WHO EXECUTED THE FOREGOING INSTRUMENT, AND TO ME KNOWN TO BE SUCH \_\_\_\_\_ (TITLE)  
OF SAID CORPORATION, AND ACKNOWLEDGED THAT THEY EXECUTED THE FOREGOING INSTRUMENT AS SUCH OFFICERS AS THE DEED OF SAID CORPORATION, BY ITS AUTHORITY.

\_\_\_\_\_  
NOTARY PUBLIC, STATE OF \_\_\_\_\_  
MY COMMISSION EXPIRES \_\_\_\_\_

## LOT 25 OWNER'S CERTIFICATE OF DEDICATION

AS OWNER, I HEREBY CERTIFY THAT I CAUSED THE LAND DESCRIBED ON THIS PLAT TO BE SURVEYED, DIVIDED, MAPPED AND DEDICATED ALL AS SHOWN AND REPRESENTED ON THIS PLAT.

I ALSO CERTIFY THAT THIS PLAT IS REQUIRED BY S.236.10 OR S.236.12 TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL OR OBJECTION: DEPARTMENT OF ADMINISTRATION, OUTAGAMIE COUNTY AND CITY OF APPLETON

WITNESS THE HAND AND SEAL OF SAID OWNER THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023.

\_\_\_\_\_  
LINDA E. KELLETT, TRUSTEE  
LINDA E. KELLETT LIVING TRUST

STATE OF WISCONSIN )  
 ) SS  
 ) \_\_\_\_\_  
 ) COUNTY )

PERSONALLY CAME BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023,  
THE ABOVE NAMED LINDA E. KELLETT TO ME KNOWN TO BE THE SAME PERSON WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGE THE SAME.

\_\_\_\_\_  
NOTARY PUBLIC, STATE OF WISCONSIN  
MY COMMISSION EXPIRES \_\_\_\_\_

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

Drawing No. 1-1745-001  
Sheet 7 of 8  
This instrument drawn by: Amy Sedlar

# THE VILLAS AT MEADE POND

ALL OF LOT 2 OF CERTIFIED SURVEY MAP NO. 4009, LOCATED IN THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 12, TOWNSHIP 21 NORTH, RANGE 17 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN

**LOT 26 OWNER'S CERTIFICATE OF DEDICATION**

AS OWNER, I HEREBY CERTIFY THAT I CAUSED THE LAND DESCRIBED ON THIS PLAT TO BE SURVEYED, DIVIDED, MAPPED AND DEDICATED ALL AS SHOWN AND REPRESENTED ON THIS PLAT.

I ALSO CERTIFY THAT THIS PLAT IS REQUIRED BY S.236.10 OR S.236.12 TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL OR OBJECTION: DEPARTMENT OF ADMINISTRATION, OUTAGAMIE COUNTY AND CITY OF APPLETON

WITNESS THE HAND AND SEAL OF SAID OWNER THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023.

\_\_\_\_\_  
WILLIAM C. GRIFFITH,  
WILLIAM C. GRIFFITH REVOCABLE TRUST

STATE OF WISCONSIN )  
 ) SS  
 ) \_\_\_\_\_  
 ) COUNTY )

PERSONALLY CAME BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023,  
THE ABOVE NAMED WILLIAM C. GRIFFITH TO ME KNOWN TO BE THE SAME PERSON WHO  
EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGE THE SAME.

\_\_\_\_\_  
NOTARY PUBLIC, STATE OF WISCONSIN  
MY COMMISSION EXPIRES \_\_\_\_\_

**LOT 27 OWNER'S CERTIFICATE OF DEDICATION**

AS OWNER, I HEREBY CERTIFY THAT I CAUSED THE LAND DESCRIBED ON THIS PLAT TO BE SURVEYED, DIVIDED, MAPPED AND DEDICATED ALL AS SHOWN AND REPRESENTED ON THIS PLAT.

I ALSO CERTIFY THAT THIS PLAT IS REQUIRED BY S.236.10 OR S.236.12 TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL OR OBJECTION: DEPARTMENT OF ADMINISTRATION, OUTAGAMIE COUNTY AND CITY OF APPLETON

WITNESS THE HAND AND SEAL OF SAID OWNER THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023.

\_\_\_\_\_  
PHYLLIS J. ZEISS,  
PHYLLIS J. ZEISS REVOCABLE TRUST

STATE OF WISCONSIN )  
 ) SS  
 ) \_\_\_\_\_  
 ) COUNTY )

PERSONALLY CAME BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023,  
THE ABOVE NAMED PHYLLIS J. ZEISS TO ME KNOWN TO BE THE SAME PERSON WHO EXECUTED  
THE FOREGOING INSTRUMENT AND ACKNOWLEDGE THE SAME.

\_\_\_\_\_  
NOTARY PUBLIC, STATE OF WISCONSIN  
MY COMMISSION EXPIRES \_\_\_\_\_

**LOT 28 OWNER'S CERTIFICATE OF DEDICATION**

AS OWNER, I HEREBY CERTIFY THAT I CAUSED THE LAND DESCRIBED ON THIS PLAT TO BE SURVEYED, DIVIDED, MAPPED AND DEDICATED ALL AS SHOWN AND REPRESENTED ON THIS PLAT.

I ALSO CERTIFY THAT THIS PLAT IS REQUIRED BY S.236.10 OR S.236.12 TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL OR OBJECTION: DEPARTMENT OF ADMINISTRATION, OUTAGAMIE COUNTY AND CITY OF APPLETON

WITNESS THE HAND AND SEAL OF SAID OWNER THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023.

\_\_\_\_\_  
SUSAN J. DUVEN,  
SUSAN J. DUVEN REVOCABLE TRUST

STATE OF WISCONSIN )  
 ) SS  
 ) \_\_\_\_\_  
 ) COUNTY )

PERSONALLY CAME BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023,  
THE ABOVE NAMED SUSAN J. DUVEN TO ME KNOWN TO BE THE SAME PERSON WHO EXECUTED  
THE FOREGOING INSTRUMENT AND ACKNOWLEDGE THE SAME.

\_\_\_\_\_  
NOTARY PUBLIC, STATE OF WISCONSIN  
MY COMMISSION EXPIRES \_\_\_\_\_

**THIS FINAL PLAT IS CONTAINED WHOLLY WITHIN THE PROPERTY DESCRIBED IN THE FOLLOWING RECORDED INSTRUMENTS:**

OWNERS OF RECORD:	RECORDING INFORMATION:	PARCEL NUMBER:
JODA J. WUNDERLICH	DOCUMENT NO. 2140457	311-8200-01
RUSSELL E. JACOBUS AND JERRIE E. JACOBUS	DOCUMENT NO. 2284597	311-8200-02
LARRY W. AND CHERYL S. CAIN REVOCABLE TRUST	DOCUMENT NO. 2199420	311-8200-03
MARGARET J. KOSTELNIK REVOCABLE TRUST	DOCUMENT NO. 2163892	311-8200-04
RICHARD C. VAN DRIEST AND TEENA L. VAN DRIEST	DOCUMENT NO. 2041004	311-8200-05
ERNESTINE E. ROUMAN	DOCUMENT NO. 2066531	311-8200-06
THOMAS C. SCHELEBE AND MICHELE R. SCHELEBE	DOCUMENT NO. 2262860	311-8200-07
JOINT REVOCABLE TRUST		
PATRICK AND CARRIE JO HAWLEY JOINT REVOCABLE TRUST	DOCUMENT NO. 2086150	311-8000-08
PATRICK AND CARRIE JO HAWLEY JOINT REVOCABLE TRUST	DOCUMENT NO. 2123433	311-8200-09
JOHN AND GLORIA JOINT REVOCABLE LIVING TRUST	DOCUMENT NO. 2206274	311-8200-10
PATRICIA A. POLLEN	DOCUMENT NO. 2059184	311-8200-11
VIRGINIA R. RUSSELL REVOCABLE TRUST	DOCUMENT NO. 2184679	311-8200-12
MARTIN A. WALTHO AND PHYLLIS WALTHO	DOCUMENT NO. 2029300	311-8200-13
MICHAEL G. SPEEL AND LAVERN R. SPEEL LIVING TRUST	DOCUMENT NO. 2289264	311-8200-14
MICHAEL G. SPEEL AND LAVERN R. SPEEL LIVING TRUST	DOCUMENT NO. 2260978	311-8200-15
EDWIN HAMMOND AND JANE HAMMOND	DOCUMENT NO. 2146537	311-8200-16
VANDEN HEUVEL REVOCABLE TRUST	DOCUMENT NO. 1831928	311-8200-17
GARY L. GEHRKE	DOCUMENT NO. 2009951	311-8200-18
JAMES J. FEENEY AND SHERYL L. FEENEY REVOCABLE TRUST	DOCUMENT NO. 1946819	311-8200-19
CHARLES L. LUKAS AND CATHY A. LUKAS	DOCUMENT NO. 1893325	311-8200-20
JOHN C. SHARP AND JACQUELINE B. SHARP	DOCUMENT NO. 2097523	311-8200-21
SILTON JOINT REVOCABLE TRUST	DOCUMENT NO. 2021267	311-8200-22
DANIEL M. ALBERS AND MARY E. ALBERS	DOCUMENT NO. 2086580	311-8200-23
LEONARD R. VANDER WYST AND ALICE A. VANDER WYST	DOCUMENT NO. 2115100	311-8200-24
LINDA E. KELLETT LIVING TRUST	DOCUMENT NO. 2245687	311-8200-25
WILLIAM C. GRIFFITH REVOCABLE TRUST	DOCUMENT NO. 2050897	311-8200-26
PHYLLIS J. ZEISS REVOCABLE TRUST	DOCUMENT NO. 1918350	311-8200-27
SUSAN J. DUVEN REVOCABLE TRUST	DOCUMENT NO. 2060978	311-8200-28

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

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Drawing No. 1-1745-001  
Sheet 8 of 8  
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# Proposed Tax Increment Financing District #13



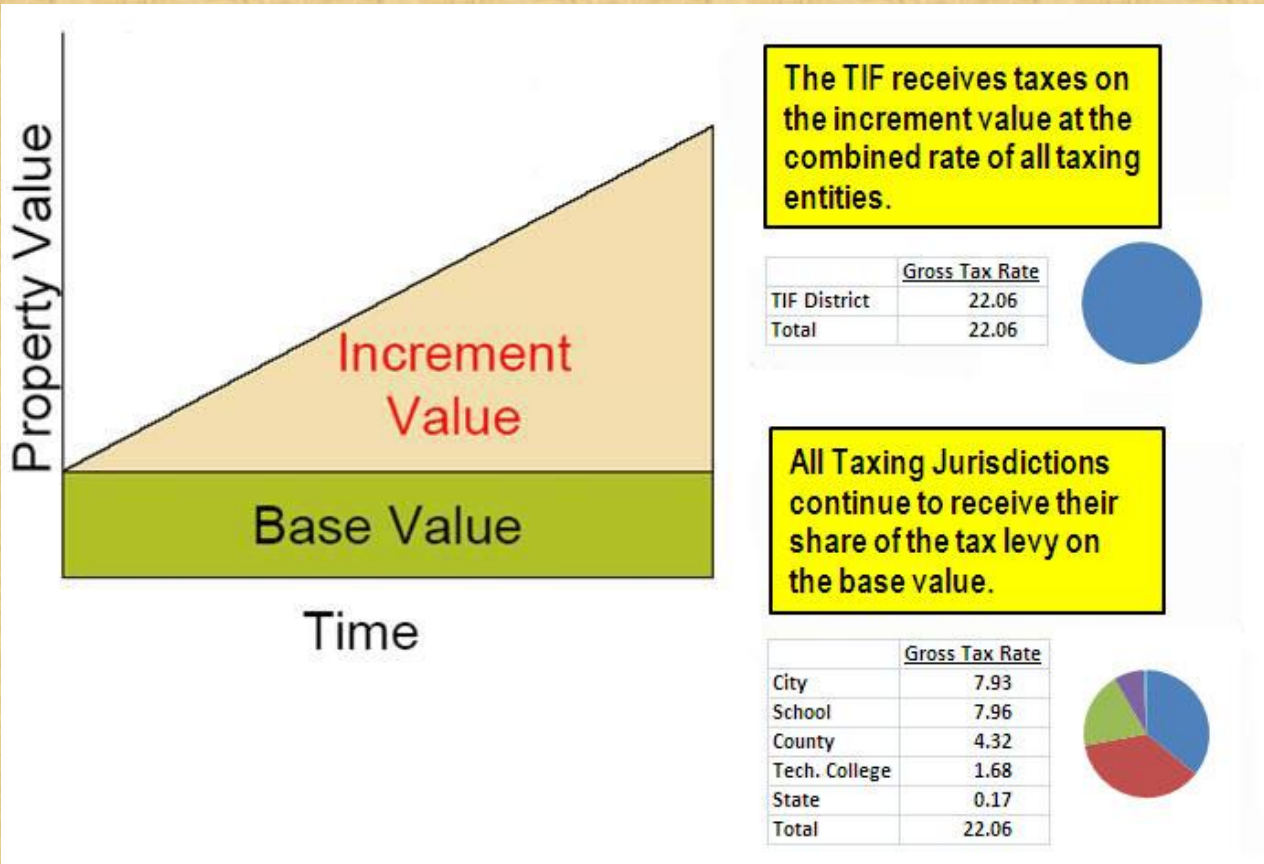
# What is Tax Increment Financing (TIF)?

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- TIF is a financial tool Wisconsin municipalities may use to expand the tax base by providing improvements necessary to promote development.
- The funding for making improvements and investing in projects in the District is provided from the increased property tax revenue from the increases in property values.
- Statute Statutes require a “but for” clause to create a District. Meaning, but for a TIF District, this development would not occur.



# How TIF Districts Work





# How TIF Districts Work: Example

## Development Project Example:

- Base Value: \$1,000,000
- New Construction Value: \$5,000,000
- Total Value: \$6,000,000

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- Base Values Taxes: \$22,060
    - City: \$7,930
    - School: \$7,960
    - County: \$4,320
    - Vocational/Tech: \$1,680
    - State: \$170
  - Increment Value Taxes: \$110,300
  - Total Taxes Paid: \$132,360

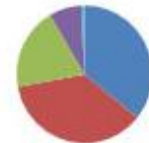
The TIF receives taxes on the increment value at the combined rate of all taxing entities.

	Gross Tax Rate
TIF District	22.06
Total	22.06



All Taxing Jurisdictions continue to receive their share of the tax levy on the base value.

	Gross Tax Rate
City	7.93
School	7.96
County	4.32
Tech. College	1.68
State	0.17
Total	22.06





# Typical TIF District Process

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- A Project Plan is developed by the community creating the District, which defines the project, boundary of the district, costs, financing, economic feasibility, eligibility of community to create a district (limit based on % of equalized value).
- Public notices to all taxing entities, which make up the Joint Review Board.
- Public Hearing at Plan Commission, approval of project plan and boundary.





## Typical TIF District Process, (Continued)

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- Council/Board adopts the boundary and project plan.
- Joint Review Board considers the TIF District proposal and must affirm:
  1. “But for” the TIF, the development would not occur.
  2. The economic benefits of the TIF District are sufficient to compensate for the costs of improvements.
  3. The benefits of the TIF District outweigh the tax increments paid by the taxpayers.
- Department of Revenue must then certify the TIF District.



# Methods of Financing Projects

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## Traditional TIF Investments:

- Community advances the funding for the development on eligible project costs.
- Community repays the debt for projects with annual tax revenues from the increment.

## Developer Financed Projects:

- Community & developer agree on level of investment in project.
- Developer finances the project and is repaid with the annual tax revenues from the increment.



# Plan Commission Role in TIF District

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- Hear public testimony on the proposed boundaries and Project Plan for TIF District #13 (June 28, 2023).
- Consider adoption of the Resolution approving the boundaries and Project Plan, which includes a recommendation to the Common Council to authorize the creation of TIF District #13 (Common Council July 19, 2023)



## Tax Incremental Districts # 13

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# QUESTIONS ???

*“meeting community needs....enhancing quality of life”*