

Winnebago County
Planning and Zoning Department

The Wave of the Future

July 2, 1990

Dept. of Ag. Trade & Consumer Protection
c/o Jeanne A. Storm
801 W. Badger Rd.
P.O. Box 8911
Madison, WI 53708

Re: Country Side Estates (Final Plat)
City of Oshkosh

Dear Jeanne:

The Winnebago County Planning Department has finished its review of the aboved-named plat. The County does not foresee any problems with drainage and therefore certifies this plat as nonobjectionable. However, Winnebago County recommends that site specific erosion control measures be implemented during construction. These measures are outlined in the Wisconsin Construction Site Manual.

If you have any questions, please call. Thank you.

Sincerely,

Jerry L. Bougie
County Principal Planner

cc: David Schmidt, County Planning Director
Steve Chronis, Aero-Metric
Carol Owens, County Planning & Zoning Committee Chairperson

enclosure

NONOBJECTIONABLE
WINNEBAGO COUNTY PLANNING & ZONING COMMITTEE
BY Jerry L. Bougie
County Planner
DATE 7/2/90

WISCONSIN
FEDERAL
LAND

INSTRUCTIONS TO SENDER:
REMOVE YELLOW COPY FOR YOUR FILE.
SEND REMAINDER OF FORM INTACT WITH CARBONS TO PERSON ADDRESSED.

Steven Y. Chronis
ALBA-METRIC ENGINEERING, INC.
539 North Madison St
Chilton, WI 53014

FROM: Jeanne A. Storm
Plat Review Unit DATCP
801 West Badger Road
Madison, WI 53708

ACT-MESSAGE

JUN 20 1990

COPY

The Original drawing of COUNTRY SIDE ESTATES is being returned to you. Meander lines
aced to be added to lots 6, 7, 13 and 14. In your phone conversation with Mary Pamperin-
Volk, you mentioned that 1" pipes had been placed along the "limits of floodway".
Meander lines shown to those pipes would be satisfactory.
A time extension of 10 days from the date the plat is received back at our office
will be necessary.

SIGNED

Jeanne A. Storm

DATE 5/30/90

Enclosed is the Original drawing of COUNTRY SIDE ESTATES with the meander
line for Lots 6, 7, 13 and 14 you requested.

~~As a condition of the grant, you agree to return the original drawing to the Department of Natural Resources within 10 days of the date you receive the plat.~~

SIGNED

Steven Y. Chronis

DATE

6/4/90



State of Wisconsin

Department of Agriculture, Trade & Consumer Protection

Alan T. Tracy
Secretary

601 West Badger Road
PO Box 8911
Madison, WI 53708-8911

June 29, 1990

JUL 6 1990

Mr. Steven T. Chronis
AERO-METRIC ENGINEERING INC.
539 North Madison Street
Chilton, WI 53014

PERMANENT FILE NO. 17145

Subject: COUNTRY SIDE ESTATES
SW 1/4 S 21 T18N R16E
City of Oshkosh
Winnebago County

Dear Mr. Chronis:

We have examined COUNTRY SIDE ESTATES and do not object to this final plat. We have been notified by the Winnebago County Planning & Zoning Committee that they do not object to this plat. Therefore, the original drawing has been certified as complying with the requirements of: s. 236.15, s. 236.16, s. 236.20, and s. 236.21 (1) and (2), Wis. Stats.; and, the Winnebago County Planning & Zoning Committee.

The following changes must be made to satisfy the conditional certification. Underlining indicates corrected information that must be shown. Any variances with these conditions will require written notification to and verification by this office prior to plat approval.

- s. 236.20 (2) (b) In the Legend:
- The weight for the 2" x 30" iron pipe must be changed to 3.65 lbs./ft.; and,
 - "All other lot corners staked with 1" x 24" iron pipe ..." must be changed to "All other lot and outlet corners staked with 1" x 24" pipe ...".
- s. 236.21 (1) A revision date, "Revised this ____ day of _____, 19____", must be placed near the land surveyor's seal and signature on the revised sheets of the plat.

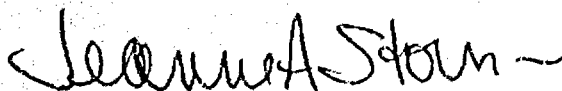
Page 2
 Mr. Steven T. Chronis
 COUNTRY SIDE ESTATES
 June 29, 1990

After all conditions of the certifications of no objection have been met, the plat may be submitted to the local governing bodies for approval. Local government units, during their review of the plat, will resolve when applicable that the plat:

- complies with local master plans, official map or subdivision control ordinances;
- conforms with areawide water quality management regulations;
- complies with Wisconsin shoreland management regulations;
- resolves possible problems with storm water runoff;
- fits the design to the topography;
- displays well designed lot and street layout;
- includes service or is serviceable by necessary utilities.

Any changes to the plat involving details checked by this Department or the Winnebago County Planning & Zoning Committee will require submission of the plat to the Department for recertification before the plat is eligible for recording. Such changes can be found by comparing the original drawing with the copy of this plat we furnish the letter recipients listed.

Sincerely,



Jeanne A. Storm, Supervisor
 Plat Review Unit

JAS:njh

Enc: Muslin-backed Drawing, Original, Marked Print, Closure and Curve Comps.

cc: Security Land Development Inc., Owner
 Clerk, City of Oshkosh
 Winnebago County Planning & Zoning Committee ✓
 Register of Deeds
 ECWRPC

ORIGINAL RECEIVED FROM SURVEYOR ON 5/7/90; REVIEWED BY DATCP ON 6/29/90.

COUNTRY SIDE ESTATES

WINNEBAGO COUNTY

COUNTRY SIDE'S CERTIFICATE OF INCORPORATION

Security Land Development, Inc., a corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, do hereby certify that said corporation owned the land described on this Plat to be surveyed, divided, mapped, and dedicated as represented on this Plat.

Security Land Development, Inc., does further certify that this Plat is required by S. 236.10 or S. 236.12 to be submitted to the following for approval or objection:

- 1.) City of Oshkosh
- 2.) Department of Agriculture, Trade and Consumer Protection
- 3.) The Winnebago County Planning and Zoning Committee

I, ARTHUR MURPHY, the said Security Land Development, Inc., has caused these presents to be signed by John J. Mark, its President, and countersigned by William P. Mark, its Secretary, at Oshkosh, Wisconsin, and its corporate seal to be hereunto affixed on this 4th day of April, 1960.

In the Presence of:

Security Land Development, Inc.

President: John J. Mark

Countersigners:

Secretary: William P. Mark

STATE OF WISCONSIN)
WINNEBAGO COUNTY) ss

Personally came before me this 4th day of April, 1960, John J. Mark, President, and William P. Mark, Secretary, of the above named corporation, to me known to be the persons who executed the foregoing instrument, and to me known to be such President and Secretary of said corporation, and acknowledged that they executed the foregoing instrument as such officers of the said corporation, by the authority.

(Notary Seal)

Notary Public, Winnebago, Wisconsin

My Commission Expires

CITY COUNCIL VERIFICATION

Resolved, that COUNTRY SIDE ESTATES a subdivision in the City of Oshkosh, Security Land Development, Inc., owner, is hereby approved by the Common Council.

Date Attest:

Date Attest:

I hereby certify that the foregoing is a copy of a resolution adopted by the Common Council of the City of Oshkosh.

City Clerk - Steven C. Surian

CERTIFICATE OF CITY PLANNING

STATE OF WISCONSIN)
WINNEBAGO COUNTY) ss

I, Ed Debus, being the duly appointed, qualified and acting City Planner of the City of Oshkosh, do hereby certify that in accordance with the records in my office, there are no unpaid taxes or unpaid special assessments on or , 1960 on any of the land included in the COUNTRY SIDE ESTATES SUBDIVISION.

Date

City Planner - Ed Debus

COUNTY CLERK'S CERTIFICATION

STATE OF WISCONSIN)
WINNEBAGO COUNTY) ss

I, Bob E. Bradley, being the duly appointed, qualified and acting Treasurer of the County of Winnebago, do hereby certify that this plat is in my office, there are no unpaid taxes or unpaid special assessments on or , 1960 on any of the land included in the COUNTRY SIDE ESTATES SUBDIVISION.

Date County Treasurer - Bob E. Bradley

Noted this 2nd day of May, 1960.
Steven C. Surian
Winnebago Register Land Surveyor, S-6242
Oshkosh, Wis.



CHAIN	CORNER NO.	EASTING	NORTH	EASTING	NORTH	EASTING	NORTH	EASTING	NORTH
1-2	1	30.00'	S. 12°-33'-01"W.	84.57'	34°-37'-34"	213.47'	N. 89°-43'-47"E.	9.23°-48'-17"E.	
	2	30.00'	S. 71°-28'-57"E.	30.03'	34°-37'-37"	30.31'	N. 89°-43'-47"E.	5.34°-48'-34"E.	
	3	30.00'	S. 73°-23'-58"E.	68.79'	58°-24'-36"	30.91'	N. 54°-48'-24"E.	5.07°-36'-17"E.	
	4	30.00'	S. 30°-24'-54"E.	43.36'	53°-27'-04"	47.08'	N. 05°-24'-27"E.	5.37°-33'-38"E.	
	5	30.00'	N. 08°-21'-35"E.	58.90'	27°-10'-12"	62.48'	N. 57°-33'-36"E.	9.30°-24'-37"E.	
	6	30.00'	N. 37°-42'-26.5"E.	21.74'	35°-08'-13"	22.93'	N. 50°-14'-17"E.	N. 23°-03'-17"E.	
2-3	7	30.00'	N. 57°-28'-39"E.	21.38'	64°-37'-34"	22.36'	S. 27°-08'-17"E.	N. 89°-43'-47"E.	
4-5	8	30.00'	S. 09°-21'-38"E.	100.00'	180°-00'-00"	137.08'	N. 89°-28'-22"E.	N. 89°-28'-22"E.	
	9	30.00'	S. 7°-22'-38"E.	28.36'	27°-11'-27"	18.49'	N. 89°-28'-22"E.	N. 89°-28'-22"E.	
	10	30.00'	S. 47°-12'-39"E.	33.93'	47°-05'-35"	36.76'	N. 54°-24'-25"E.	N. 54°-08'-23"E.	
	11	30.00'	S. 02°-49'-11.5"E.	60.45'	47°-28'-22"	41.94'	N. 34°-08'-03"E.	N. 31°-30'-07"E.	
	12	30.00'	S. 40°-27'-54"E.	31.95'	37°-43'-57"	32.32'	N. 31°-50'-07"E.	N. 38°-05'-32"E.	
	13	30.00'	S. 34°-48'-45"E.	27.08'	31°-21'-46"	27.45'	N. 58°-05'-57"E.	N. 58°-25'-02"E.	

There are no objections to this plat with respect to Secs. 234.13, 234.14, 234.20 and 234.21 (1) and (2), Wis. Stat., or by the County Planning Agency.

Noted this 29th day of April, 1960.
Steven C. Surian
Department of Agriculture, Trade & Consumer Protection



State of Wisconsin

Department of Agriculture, Trade & Consumer Protection

Alan T. Tracy
Secretary

201 West Badger Road
PO Box 8911
Madison, WI 53704-8911

0191

May 7, 1990

Mr. David Schmidt
Winnebago County Planning
& Zoning Committee
Courthouse, Box 2808
Oshkosh, Wisconsin 54901

PERMANENT FILE NO. 17145

Subject: COUNTRY SIDE ESTATES
SW 1/4 S 21 T18N R16E
City of Oshkosh, Winnebago County

Dear Mr. Schmidt:

We have received the above-named plat. Your county planning agency has the authority to object to this plat under the provisions of s. 236.12 (2) (b), Wis. Stats. Enclosed are four copies for your review. Your agency must either object, or certify no objection within 20 days of your receipt of this submittal.

- If the plat is objected to, we must be notified by letter (the original drawing will be returned to the surveyor for revisions).

- If the plat is certified as nonobjectionable, we must receive a print bearing your certification so that we may finalize our review (see s. 236.12 (6), Wis. Stats.).

It is important that this matter be expedited to avoid delays in processing the plat and to comply with the time limits set by statute. By the date shown below this office must either object to or certify the plat as nonobjectionable for all the objecting agencies involved, or, the subdivider can demand immediate certification of no objection.

Sincerely,

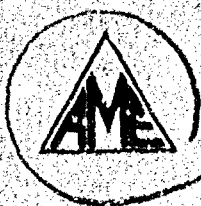
Joanne A. Storm
Joanne A. Storm, Supervisor *by mas*
Plat Review Unit

JAS:mas

Enc: Prints (4)

cc: Clerk
Surveyor

DEPARTMENT OF AGRICULTURE, TRADE & CONSUMER PROTECTION TIME LIMIT EXPIRES: 6/6/90



Aero-metric
ENGINEERING, INC.

636 NORTH MADISON STREET, P.O. BOX 111, CHILTON, WISCONSIN 53014-0111 (414) 849-7708
OCT 472-6513

May 3, 1990

MAY 7 1990

Mr. Jerry L. Bougie
County Principal Planner
Winnebago County Court House
415 Jackson Street
P.O. Box 2808
Oshkosh, Wisconsin 54903-2808

Re: Country Side Estates (Final Plat) City of Oshkosh

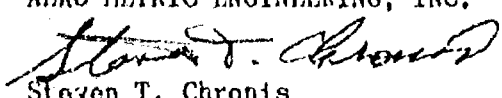
Dear Jerry:

Enclosed please find four (4) prints of the Final Plat of Country Side Estates for your review. As you can see, we have revised Lot 9 to comply with the 10,000 square foot minimum Lot size and also have shown the floodway on the Final Plat.

I am currently working on the Drainage Plan as we are waiting for the Established Street Grades for Nicole Court and Westhaven Court. As soon as it is complete, I will send you and Pete copies. Hopefully this should be next week.

Very truly yours,

AERO-METRIC ENGINEERING, INC.


Steven T. Chronis
Manager-Property Surveys

STC/dmb
Enclosures



Winnebago County
Planning and Zoning Department

March 27, 1990

The Wave of the Future

Steve Chronis
Aero-Metric Engineering, Inc.
639 N. Madison Street
P.O. Box 111
Oshkosh, WI 53014-0111

Re: Country Side Estates (Preliminary Plat), City of Oshkosh

Dear Steve:

The Winnebago County Planning and Zoning Department has reviewed the aboved named preliminary plat. The County certifies this plat as nonobjectionable. However, before final plat approval the following items must be addressed:

1. Revise Lot 9 to comply with the 10,000 sq. ft. minimum lot size in a shoreland district (s. 17.20(3)(1)(a) of the Winnebago County Zoning Ordinance), as per your letter of March 21, 1990.
2. Winnebago County must review the completed drainage plan. Based on our interpretation of drainage plan requirements in s. 18.58 of the County Land Division Ordinance, the County is requesting that the Floodway be shown on the drainage plan and final plat. Also, the following "Restriction for Public Benefit" must be added on the face of the final plat:

RESTRICTION FOR PUBLIC BENEFIT - WINNEBAGO COUNTY

Pursuant to section 18.58 of the Winnebago County Land Division Ordinance, upon final grading, the developer and/or owner shall comply with the surface water drainage plan as approved by the Winnebago County Land and Water Conservation and Planning and Zoning Departments.

If you have any questions please call or write. Thank you.

Sincerely,

Jerry L. Bougie
Jerry L. Bougie, County Principal Planner

NONOBJECTIONABLE

WINNEBAGO COUNTY PLANNING & ZONING COMMISSION

cc: D. Schmidt, Carol Owens, Jeanne Storm

Jerry L. Bougie

DATE 3/27/90



State of Wisconsin

Department of Agriculture, Trade & Consumer Protection

Howard C. Richards
Secretary

801 West Walnut Road
P.O. Box 8911
Madison, WI 53708

April 4, 1990

Mr. Steven T. Chronis
AERO-METRIC ENGINEERING INC.
539 North Madison St.
Chilton, WI 53014

PERMANENT FILE NO. 17145

Subject: COUNTRY SIDE ESTATES
SW 1/4 S 21 T18N R16E
City of Oshkosh, Winnebago County

APR 16 1990

Dear Mr. Chronis:

The Department of Agriculture, Trade and Consumer Protection certifies this preliminary plat as nonobjectionable. The Department of Transportation, Division of Highways and Transportation Services will review the plat if it is an "abutting plat" as defined by s. Hy 33.03 (3), Wis. Admin. Code. The Department of Industry, Labor and Human Relations will review the plat, if unserved, in accordance with Chapter ILHR 85, Wis. Admin. Code. The Winnebago County Planning & Zoning Committee has objecting agency review authority on this preliminary, as well as on the final plat.

Local government units, during their review of the plat, will resolve, when applicable, that the plat:

- complies with local master plans, official map or subdivision control ordinances;
- conforms with areawide water quality management plans, if sewered;
- complies with Wisconsin shoreland management regulations;
- resolves possible problems with storm water runoff;
- fits the design to the topography;
- displays well designed lot and street layout;
- includes service or is serviceable by necessary utilities.

COMMENTS FROM PRELIMINARY PLAT REVIEW:

s. 236.16 (1) The lots have the minimum width and area required by this section. However, when public sewer is not available, lot sizes are also determined by soil tests completed in accordance with Chapter ILHR 85, Wis. Admin. Code (Rules of the Department of Industry, Labor and Human Relations).

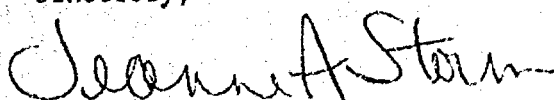
s. 236.16 (2) The streets meet the minimum width required by this section.

Page 2
Mr. Steven T. Chronis
COUNTRY SIDE ESTATES
April 4, 1990

- s. 236. 20 (2) (e) Lots may not extend across Sawyer Creek. 66 OAG 2 (1977) specifies that a body of navigable water separates a parcel of land as effectively as a public highway. The portions of lots 6, 7, 13 and 14 east of Sawyer Creek must be shown as separate consecutively numbered outlots or as a part of outlot 17 on the final plat.
- s. 236.21 (2) (a) When the final plat of the subdivision is received in this office, either the Department of Industry, Labor and Human Relations must be listed in the Owner's Certificate as a reviewing agency or we must receive the clerk's certification regarding sewerage facilities.

If there are any questions concerning this review or preparation and submittal of the final plat, please contact our office.

Sincerely,



Jeanne A. Storm, Supervisor
Plat Review Unit

J43:njh

Enc: Original

cc: Clerk, City of Oshkosh (w/print and sewer certification form)
Security Land Development Inc., Owner
Winnebago County Planning & Zoning Committee
Department of Natural Resources

ORIGINAL DRAWING RECEIVED FROM SURVEYOR ON 3/15/90; REVIEWED BY DATCP ON 4/4/90.

The Oshkosh

Northwestern

Monday, March 15, 1990

Oshkosh/Regional

Neighbors challenge annexation

By STEPHEN WUERGER
of the Northwestern

Public Intervenor investigates case

The state Public Intervenor's office is looking into the environmental issues related to Sawyer Creek and a development project scheduled on the city's west side.

Residents along Abbey Avenue requested a public intervenor after the Oshkosh Common Council voted 3-2 earlier this month in favor of a 38-acre annexation in the town of Algoma which lies west of the creek and between Witzel and Abbey Avenues. Developer John Mark plans to build a 280-unit apartment complex and single family residences on the property.

Mark intends to begin construction this spring. As part of

the development, the city must extend Westhaven Drive from Abbey Avenue north across Sawyer Creek to Witzel Avenue. That work is not expected to be started until early summer, according to Gerald Konrad, public works director.

Tom Dawson, public intervenor with the state attorney general's office, said a clinical intern is looking at the issue and talking to people in the area about the annexation and the construction project.

"Our intern will do the research and then convey what we found

on procedures or issues the residents should consider," Dawson said.

Dawson said he has no idea how long it will take to research the matter.

Residents have been opposed to the development since the annexation was announced late last year. Melanie Bloechl, 2388 Abbey Ave., she and her new neighbors will do whatever necessary to stop this project.

"We're not just concerned with the environment, but with the surrounding property owners," Bloechl said. "We don't feel our

voice was heard (during the council deliberations)," she said.

Bloechl explained that the city, in its master plan done more than 15 years ago, designated the area in question to be developed for single family residences. "When they do have a master plan set in place it should be followed," she said.

She said the neighborhood has contacted state legislators and hired an attorney and is ready to do what it takes have the area developed for single family homes. "We had over 200 people say that (the apartment complex)

is not what we want."

If the public intervenor and the neighborhood's attorney say we have no case and nothing to stand on, we will be protesting every phase of the construction," Bloechl said.

City Manager William Frueh said earlier this week he was not aware that the public intervenor was looking at the matter. "I don't see how annexing a piece of property from the town into the jurisdiction of the city has anything to do with the environment," Frueh said. "We haven't touched that."

Tuesday

The
Oshkosh

Northwestern

Feb. 13, 1990

28 pages

Serving all of Mid-Wisconsin daily

Published in Oshkosh, Wis.

35¢

City planners OK Manske annex

By STEPHEN WUERGER
of the Northwestern

A revamped plan to annex 38 acres of town of Algoma land for residential use won approval by the city's Plan Commission Monday and will now be given to the Oshkosh Common Council.

The commission voted 5-0 with two abstentions in favor of zoning the annexation for both single and multiple-family housing. Donald Pressley and David Borsuk abstained from voting. Borsuk did not vote because the company he works for has dealings with the proposed developer, and Pressley said there

are still a few questions about the annexation that he needs solved.

The original annexation proposal passed the Plan Commission, 4-3, in November. That plan was withdrawn.

The original proposal called for developer John Mark to use all but 8 acres of land to build up to 400 one- and two-bedroom apartment units. But because of "tremendous objection" by neighbors, Mark said he changed his plan.

The annexation lies directly west of the Graceland subdivision, south of Witze Avenue and north of Abbey Avenue. Sawyer Creek runs through the proposed

Related story on Page 7

annexation, owned jointly by William Manske and Richard Naslund. As part of the proposal, Westhaven Drive would be extended north from Abbey Avenue to Witze Avenue.

Mark told commission members Monday that all land west of the Westhaven Drive extension, between 17 to 20 acres, would remain multi-family housing. He asked that the land east of the road ex-

tension, about 13 acres, be rezoned for single-family homes.

The number of apartment units would decrease from around 400 to about 280 units under the new proposal, Mark said. There are currently no plans on how many lots would be sold for the single-family subdivision.

Mark admitted that some of the criticism against the original proposal had merit, but much of it did not. This new proposal "should remove any objections the neighbors had," Mark told the commission.

Residents along Abbey Avenue and in

the Graceland subdivision, along with the developer of Graceland, came out against the original annexation because they believed a multiple-family complex would lower their property values. They also objected to having to look out at the apartment complex, and to the increased traffic and noise generated from multi-family housing.

Some of the same residents voiced concern over the new proposal as well. Dawn Ruby, 2420 Abbey Ave., said the developers could leave the single resi-

Please turn to Manske / Page 2

Manske ...

Continued from Page 1

denial area undeveloped for a year and then come back and ask that it be rezoned for multiple family. "That is a prime concern of mine," she told the commission.

Melanie Bloechl, 2358 Abbey Ave., was concerned that a "montage" of homes will be built on the land, or that the land won't even be developed and she and her neighbors will have a clear view of the apartment complex.

"You are asking us to bring this into our neighborhood with open arms," Bloechl said. "That's hard to do when we don't know what will be going in there."

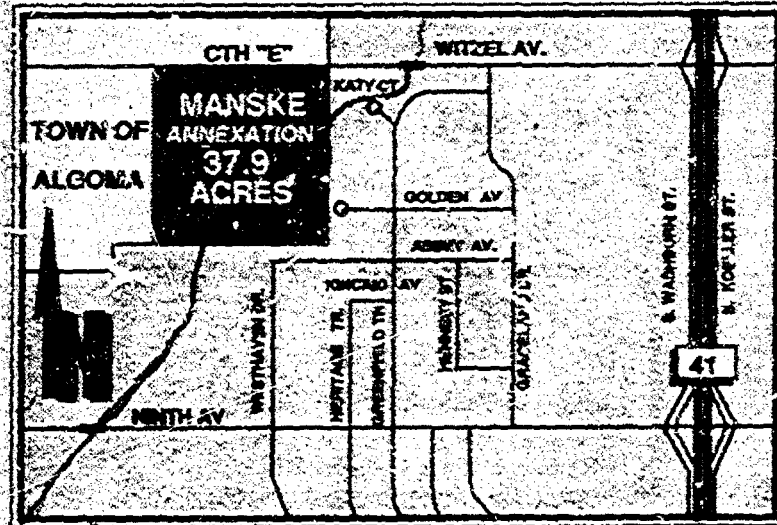
Chairman Lurton Blasingsame, who said he voted against the original proposal because he was concerned about the concentration of apartment units, voted for this proposal. He said the changes made provided a better buffer between the single-family homes and the apartment units.

But Borsuk disagreed. "I don't know how something as controversial as this doesn't have a more detailed plan."

The council will take up the issue Thursday but is not expected to take action until its March 1 meeting.

Council gets sticky annexation issue

2/28/90



NORTHWESTERN - SOURCE GRAPHIC

By STEPHEN WUERGER
of the Northwestern

The controversial annexation will be decided by the Oshkosh Common Council Thursday.

The land in question, commonly known as the Manske annexation, is in the town of Algoma, west of the Graceland subdivision, south of Witzel Avenue and north of Abbey Avenue. Sawyer Creek runs through the proposed annexation, owned jointly by William Manske and Richard Naslund. If the annexation is approved, Westhaven Drive would be extended from Abbey Avenue north to Witzel Avenue.

Developer John Mark, owner of Security Investments, would like to use about 20 acres of land west

of the Westhaven Drive extension to build up to 280 one- and two-bedroom apartment units. The nearly 13 acres of land lying east of the Westhaven Drive extension would be zoned for single-family homes. Manske and Naslund plan to either sell the land to developers or develop a subdivision themselves.

Common Council

Date: March 1

Time: 7 p.m.

Place: Fourth floor council chambers, City Hall

Another five acres of land in the annexation located south of Sawyer Creek and west of the road extension would be donated to the city for a neighborhood.

The annexation is being opposed by neighbors for a variety of reasons, including environmental concerns associated with Sawyer Creek, increased vehicular traffic in the area, increased children as a result of the park and the apartment complex, and concerns that an apartment complex will lower existing residential property values.

State statutes say that a two-thirds majority of the council membership, or five members, needs to vote in favor of an annexation in order for it to pass.

Annexation plan revamped

2/9/90

By STEPHEN WUERGER
of the Northwestern

A developer who ran into opposition for wanting to annex 38 acres of land on the city's west side and build an apartment complex has come up with an alternative plan that would mix single and multiple housing on the site.

The Oshkosh Plan Commission will take a second look at the Manske Annexation Monday. The annexation lies directly west of the Graceland subdivision, south of Witzel Avenue and north of Abbey Avenue. Sawyer Creek runs through the proposed annexation, owned jointly by Wil Manske and Richard Naslund. As part of the proposal,

Westhaven Drive would be extended north from Abbey Avenue to Witzel Avenue.

Developer John Mark had proposed to develop all but eight acres of the land into an apartment complex. The first phase of the project would have consisted of a 5,000-square-foot clubhouse and a 100-unit building consisting of one- and two-bedroom apartments. Depending on the market, up to 400 units could be built on the site.

Mark was unavailable to comment this week on his new proposal.

Concerns from neighbors caused Mark to ask that the annexation request be withdrawn and referred back to the Plan

Commission.

Under the new proposal, all land west of the Westhaven Drive extension, about 17 acres, would remain multi-family housing. The land east of the road extension totaling 13 acres, would be rezoned for single family homes.

Residents along Abbey Avenue and Ron Leichtfuss, the developer of Graceland, came out against the original annexation because they believed multiple family would lower property values in their neighborhood. They also objected to increased traffic and noise generated from multi-family housing.

Connected with this annexation is a proposal to build a neighborhood park in the area. If the

annexation is approved, Manske and Naslund would donate 5 1/2 acres of land along the Sawyer Creek flood plain to the city for the purposes of building a neighborhood park, which needs to consist of at least five acres.

The original proposal had the owners donating 8 acres of land, but Parks Director Boyd Kraemer said today that also has been changed. "I don't know what they intend to do with that 2 1/2 acres of land," Kraemer said. "The important thing is that it is still over 5 acres and the area can be used for a neighborhood park," he said.

The Parks Advisory Board will review the new park plans at its

Meeting to Plan/Page 5

Annexation debate turns to flood issue

2/16/90

By CLARENCE WUERGER
of the Northwestern

The annexation debate on whether a 260-unit apartment complex will be built along Sawyer Creek on the city's west side continued Thursday.

The discussion at Thursday's Common Council meeting centered around a federal study that may conclude the creek's flood plain is wider than first expected. There was also an allegation that the council may already be in favor of the annexation because the owners of the property in question are offering five acres of land for a neighborhood park.

The council will be asked to decide March 1 whether a 38-acre parcel of town of Algoma land owned by William Manske and Richard Naslund should be brought into the city.

The proposal the council is considering is a revised version of a plan withdrawn by developer John Mark of Security Investments in January. Originally, Mark intended to develop the entire annexation except for eight acres as multi-family housing. The proposal now seeks a combination of single family and multiple family dwellings.

Neighborhood residents, who have opposed this development since it was originally proposed in November, told the council they are still opposed to it.

Ron Bruch, 818 Hennessy St., told the council that a federal study was started Feb. 8 which is looking into Sawyer Creek and its flood plain. There is a good possibility the flood plain may be extended, which would not only cut it to both the apartment and the single-family development, but could also extend the flood plain, Bruch told the council.

"Wouldn't it be better to see what the study finds before the city goes ahead with this?" Bruch asked.

Both Rod Oilschlager, vice president for Security Investments, and City Manager William Frueli said it could take at least two years before that study is completed. "We have to go by the existing map and rules," Frueli said. "We can't presume something that might be different."

"We have other communities along the creek and we have not had any problems," Oilschlager

Please turn to Manske / Page 2

Manske ...

Continued from Page 1
said. "We don't plan to build in the flood plain."

Mark said none of his other apartment complexes along Sawyer Creek have had flooding problems, and at this new development "we can build without impinging on the flood plain," he said.

Mark pointed out that the Graceland subdivision has a "substantial amount of land in the flood plain but building has not been stopped there."

But Vern Klenast, 765 N. Washburn, said the flooding of Sawyer Creek should be a major concern. Klenast, whose home is built near the creek, said he has experienced a lot of flooding.

"You'll be making a concrete jungle and the creek won't be able to handle the runoff," he said.

Hap Ruhlman, who is building a home in Graceland, said the council may have already decided to annex the land. "This annexation had better not be pre-disposed," he told the council.

Ruhlman said he believes both the city's Plan Commission and council is in favor of the annexation because the owners are willing to donate land for a park.

"No one I know of on the council or in the administration have that idea," Councillor Floyd Chapin said.

"This is a legitimate request and a legitimate hearing," said Kathleen Propp. "I hope that these underhanded innuendos stop. The issue is really about zoning and not about a free park."

Councillor Robert Jungwirth said he could not support the proposal because there are no firm guarantees that the single-family property will go through. While the developer and owners say they intend to sell or develop the property, "I don't think it will happen," Jungwirth said.

Mark said the revised proposal takes into account earlier objections from city officials and neighbors and is meant to ease a housing problem in the city. "This project has undergone major

modifications," Mark said.

"We need all types of housing in Oshkosh. This will benefit the community," he said.

The annexation, commonly known as the Manske Annexation, lies directly west of the Graceland subdivision, south of Witzel Avenue and north of Abbey Avenue. Sawyer Creek runs through the area. As part of the proposal, Westhaven Drive would be extended north from Abbey Avenue to Witzel Avenue.

If annexed, Mark is proposing to use about 20 acres west of the Westhaven Drive extension to build up to 280 one- and two-bedroom apartment units.

The nearly 13 acres of land lying east of the Westhaven Drive extension would be zoned for single residential homes. Manske and Naslund plan to either sell the land to developers or develop a subdivision themselves.

Another five acres located south of Sawyer Creek and west of the road extension would be donated to the city for a neighborhood park.

Manske annexation passe

By BARNARA A. SCHMITZ
of the Northwestern

The Oshkosh Common Council approved a controversial annexation plan Thursday after the developer offered a compromise that mixes single-family and multi-family housing.

After 3 1/2 hours of sometimes heated discussion, the council voted 5-2 to annex a 38-acre parcel of land in the town of Algoma owned by William Manske and Richard Naslund.

Councilors Floyd Chapin and Robert J. Jurguth voted against the annexation, while Tom Binner, Don Prosser, James Mather, Kathleen Propp and Don Kutchera voted in favor.

Council members had called their decision a win for the neighbors since they succeeded in changing the developer's original plan that called for all multi-family housing. Melanie Bloechl, who helped spearhead the neighborhood's opposition to the plan, disagreed.

"It's a rotten call. I think it stinks," said Bloechl, of 2388 Abbey Ave. "A compromise was made by the council members — but it was based on nothing we said. We wanted the whole area to be zoned R-1 (for single-family homes)."

The annexation could have been done amicably, if Security Investments had agreed to put its apartments on other land available, including land available across the road from that proposed, Bloechl said. Then, single-family homes could have been built on the Manske property, she said.

"But that aspect was not addressed," she said. "Probably because it made too much sense."

John Mark, who will be developing the property, said he was naturally pleased with the council's decision. "This is just a process you have to go through — and the neighbors did contribute a lot to the final plan."

Mark said he has never had so much opposition to any of his developments in Oshkosh or any other city. "But I hope there's no bad feelings over this. I hope the neighbors recognize that this is only part of the process. I generally am thankful for their many good comments. It has been a help in coming up with this plan."

The plan was revised three times before being adopted Thursday. In its final version, Mark agreed to add a buffer zone of single family dwellings between existing homes and the apartment complex; to build three

homes valued at least \$100,000 there by Sept. 1 of this year; to build a 280-

300-unit apartment complex, including clubhouse with swimming pool; to donate land for use as a passive park; and to develop retention ponds to stop the possible flooding of Sawyer Creek during severe storms.

Attorney Gary Yakes, representing Mark, said Mark has signed a purchase agreement to buy the land east of the extended Westhaven Drive for development as single-family homes. The land will be divided into 17 lots, with homes built on 16 and a passive park on the last.

Neighbors scribbled notes, shook their head vehemently in opposition, and murmured among themselves during Yake's presentation.

Charles Burns, of 121 Graceland Dr., questioned what type of development a R-3 zoning would spur. "What about the adjacent 20 acres to the west? Will that be developed R-1 if R-3 is right next to it? I doubt it. Most people don't want to build homes in an area that is next to apartments."

LuVern Kienast, 765 N. Washburn St., opposed the retention ponds being proposed. "All the retention ponds will be is a mosquito nest and a place for children to drown," he said.

Plot turn to Manske / Page 2

Annexation site map
on Page 2

Frid

Manske ...

Continued from Page 1

But more multi-family units are needed, said Mark Schumert, of 923A Cherry St. "It's almost impossible to find adequate, moderate-priced apartments in Oshkosh. There's a desperate need for more apartments here, and approving this annexation will provide for that kind of thing."

Schumert said the city and developer have "bent over backward" to address the neighborhood concerns. But the problem is that the neighbors have developed a "subdivision mentality." "Everyone wants their house to be the last one. They don't want anything to obstruct their view of the universe."

In addition, a lot of the neighbors opposed to the annexation are afraid that low-income people will move into the area, said Frank Alaniz, 810 Greenfield Trail.

"There is nothing wrong with apartment people. They are not some type of disease. Not everybody in the neighborhood is against this annexation. I think it's a fantastic idea — especially with the residential buffer zone."

Low-income people will not be able to afford the apartments, said Rod Ollschlager, vice president for Security Investments. The apartments will rent for \$370 to \$400 for a one-bedroom, and \$415 to \$445 for a two-bedroom.

But Ron Bruch, of 818 Hennessy St., said he was dismayed by the process. "Parts of the annexation process were really disturbing to me because it gave the impression that the neighbors really didn't have an opportunity to provide

input. We had to scratch and dig to get any information on this."

Bruch said the neighbors are not "park haters" as they have been portrayed. "We just don't want R-3. I respect Mr. Mark's ability to make money, but it shouldn't be done at the neighborhood expense."

John Casper, director of commercial development for The Chamber, and Tim Casey, executive vice president of The Chamber, both said more apartments are necessary in Oshkosh. If the city is to attract more people for its labor force. "We've had tremendous industrial growth, and now we're seeing unprecedented retail and commercial growth. For Oshkosh to continue this level of growth, we need places for people to live," Casper said.

But Dawn Ruby, of 2420 Abbey Ave., disagreed. "You look in the

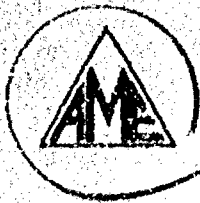
newspaper and see 60 to 70 ads for housing. I'm fearful of our property values dropping if this thing is passed -- and about the increase of traffic."

But the majority of the councilors praised Mark.

"In my 14 years on the council, I have never seen a developer who listened as closely to neighborhood concerns, and amended his plans so promptly," said Mrs. Propp.

"I'm hearing a lot of 'we were here first' comments," Pressley said. "But if the city had that mentality, there would have never been a southwest industrial park. Westhaven residents opposed that, but it's had no detrimental effect. Westhaven has continued to grow."

The annexation lies directly west of the Graceland subdivision, south of Witzel Avenue and north of Abbey Avenue.



Aero-metric
ENGINEERING, INC.

639 NORTH MADISON STREET, P.O. BOX 111, CHILTON, WISCONSIN 53014-0111 (414) 848-7708
(800) 472-5113

March 21, 1990

MAR 23 1990

Mr. Jerry Bougie, Principal Planner
Winnebago County Court House
415 Jackson Street
P.O. Box 2808
Oshkosh, Wisconsin 54903-2808

Re: Country Side Estates

Dear Jerry:

Enclosed please find three (3) copies of a building foot print we had prepared some time ago, late February. This was done so that we would not infringe into the Flood Plain while planning the Lots.

We will revise Lots 9, 11, and 12 so that Lot 9 will conform to the Shoreland Zoning of the 10,000 square foot minimum when preparing the Final Plat.

Very truly yours,

AERO-METRIC ENGINEERING, INC.

Steven T. Chronis

Steven T. Chronis
Manager-Property Surveys

STC/dmb
Enclosures

cc: Security Land Development, Inc.
Attn: John Mark
505 North Westfield Street
Oshkosh, Wisconsin 54901

Avenue

Street

Westhaven

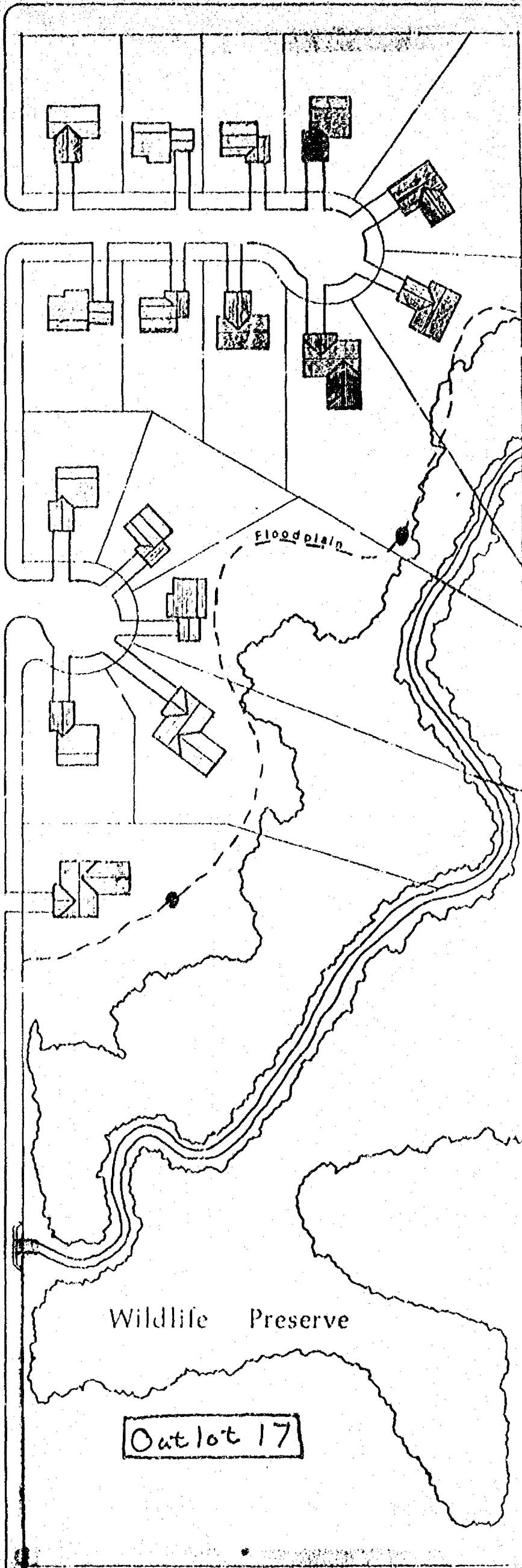
Proposed

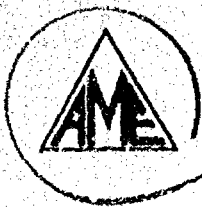
Floodplain

Wildlife Preserve

Outlot 17

Unit Data:





Aero-metric ENGINEERING, INC.

539 NORTH MADISON STREET, P.O. BOX 111, CHILTON, WISCONSIN 53014 0111 (414) 849-7708
(800) 472-5313

March 13, 1990

MAR 14 1990

Mr. Jerry Bougie, Principal Planner
Winnebago County Court House
415 Jackson Street
P.O. Box 2808
Oshkosh, Wisconsin 54903-2808

Re: Country Side Estates; Preliminary Plat

Dear Jerry:

Enclosed please find four (4) prints of the subject Preliminary Plat for your review and records. The Preliminary Plat has been recently submitted to the City of Oshkosh and State for their review.

The property has been recently annexed to the City of Oshkosh. We, of course, are requesting a favorable review so we can proceed onto the Final Plat.

Thank you for your prompt attention in this matter.

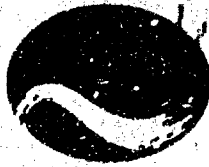
Very truly yours,

AERO-METRIC ENGINEERING, INC.

Steven T. Chronis
Manager-Property Surveys

STC/dmb
Enclosures

cc: Security Land Investments (4 Prints)
505 North Westfield Street
Oshkosh, Wisconsin 54901
Attn: John Mark



Winnebago County
Planning and Zoning Department

The Wave of the Future

March 20, 1990

Dick Koch
DNR Lake Michigan District
1125 N. Military Ave.
P.O. Box 10448
Green Bay, WI 54307-0448

Re: Security Land Investment property (Manske Annexation,

Dear Dick:

Enclosed is a copy of the preliminary subdivision plat for Country Side Estates that you requested. As you will notice, they are proposing some lots that extend into the Sawyer Creek floodplain area and they do not show the floodway area. Some lots may not have enough buildable space (lots 13 & 16).

Also, could you please send me a copy of the letter that you intend to send to Melanie Bloechl that details the role of the DNR in this dispute.

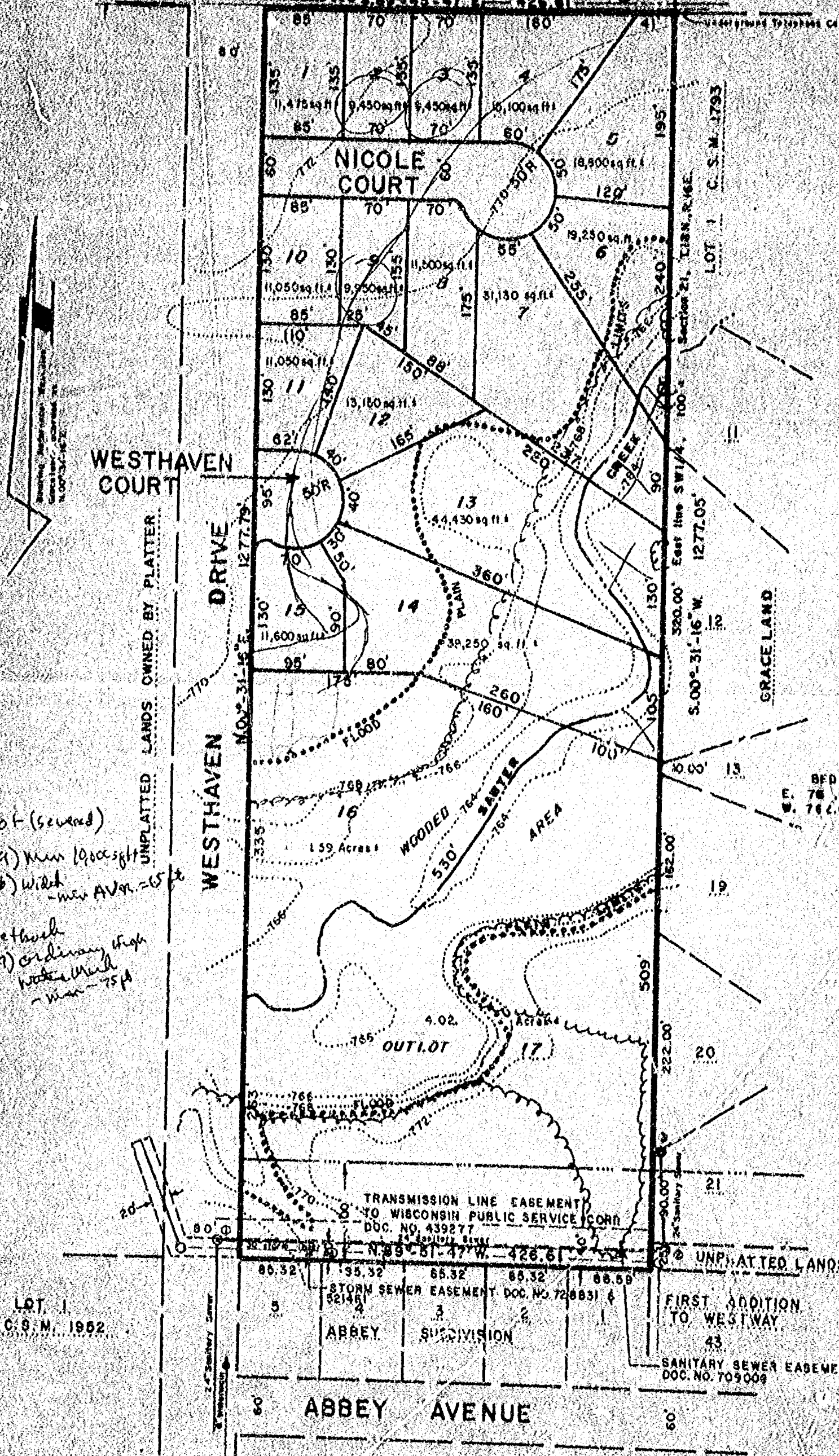
If you have any questions or comments, please contact me at 236-4839. Thank you.

Sincerely,

Jerry L. Bougie
Winnebago County Principal Planner

cc: Dave Schmidt, Carol Owens

22' Right-of-Way Easement
 774.30
WITZE AVENUE
 Center Section 21,
 T.14N., R.14E.
 North line SW 1/4 Section 21, T.14N., R.14E.
 VOL. 1307, PG. 313, 11' Sanitary Sewer
 1.89'-45'-47' E. 426.61
 8.00'-31'-16" W. 1277.05
 1.89'-45'-47' E. 426.61
 8.00'-31'-16" W. 1277.05



Lot (sewer)
 (a) new 1000 sq ft
 (b) width
 - new A.V.M. = 5 ft
 Setback
 (a) ordinary high
 water mark
 - min = 75 ft

North, being
 being done
 Common
 Section 21
 1277.05
 21' chance
 of Lot 5 of
 45'-47' E. 426.61
 The as
 Document as
 easement to
 as Document

SURVEYOR'S CERTIFICATE
 I, Steve
 Metric Engineer
 Plat as above
 of all exist
 complied with
 City of Oshkosh
 Dated this 21st
 Steven T. Car
 Revised March

Sanitary Sewer	Manhole	1	2	3	4	5
		2	3	4	5	6

TOTAL ACRES ZONING =

SAWYER	LOW	HIGH
BFD	765.0	765.0
E. 765.0	765.0	765.0
W. 765.0	765.0	765.0



Elevation
 from
 Bench

LOT 1
 C.S.M. 1962

ABBEY AVENUE

FIRST ADDITION
 TO WESTWAY

SANITARY SEWER EASEMENT
 DOC. NO. 709009

EXTENSION BOUNDARY DESCRIPTION

the Northern Quarter (NE $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section Twenty-one (21), Township Eighteen (18) North, Range Six (6) East, 5th (6th) Ward, City of Oshkosh, Winnebago County, Wisconsin containing 12.3398 Acres and

begin at the Corner of said Section 21; thence S.00°-31'-16"W, 50.00 feet, along the East line of the SW $\frac{1}{4}$ of said Section 21 to the East line of Witzel Avenue and being the true point of beginning; thence continue S.00°-31'-16"W, along the East line of the SW $\frac{1}{4}$ of said Section 21 to the Southeast Corner of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 21; thence S.89°-43'-47"W, 425.67 feet, along the South line of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 21 to the Northwest Corner of said Subdivision; thence N.00°-31'-16"E, 1277.79 feet, to a point on the South line of Witzel Avenue; thence S.89°-43'-47"W, along the South line of Witzel Avenue to the true point of beginning.

The described being subject to a transmission line easement to Wisconsin Public Service Corporation recorded as Document No. 521461, a surface water drainage easement to the City of Oshkosh recorded as Document No. 521461, a storm sewer easement to the City of Oshkosh recorded as Document No. 728831, a sanitary sewer easement to the City of Oshkosh recorded as Document No. 709008 and any other easements of record.

WITNESSES:

I, Steven T. Chronis, Wisconsin Registered Land Surveyor of Aero-Metric, Inc., certify that I have prepared the Preliminary Plat and that it is a correct representation of the land division and features and that I have fully complied with the Land Subdivision Ordinance of the City of Oshkosh.

Steven T. Chronis, 1990.

Registered Land Surveyor, S-6913

1990

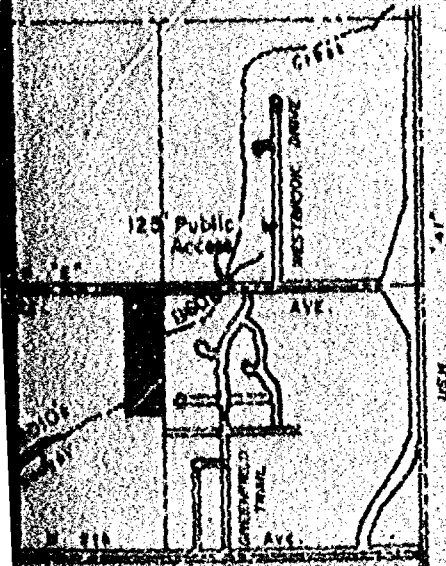


772.21, 756.33
773.91, 765.65
775.29, 765.89
770.75, 761.15
772.09, 762.83

AGE = 12.3398 ACRES

CREEK INFO ---
WATER 3/12/90
765.0
766.0

LOCATION SKETCH ---
Sec. 21, T.18N., R.16E.



Based on City of Oshkosh Datum, Contours taken from City of Oshkosh Topographic Maps
Top Hydrant, NW corner Int. Westbrook & Witzel
E1: 777.52

SCALE IN FEET



DRAFTED BY STEVEN T. CHRONIS

"ITEMS TO BE PLACED ON THE FINAL PLAT"

- NOTES:
- 1.) A covenant shall be placed on the Final Plat stating, "Pursuant to Section 30-69(H) Storm Drainage and Grading Plan of the City of Oshkosh, Subdivision Ordinance, upon final grading, the developer and/or owner shall comply with the approved Storm Drainage and Grading Plan as submitted to the Department of Public Works.
 - 2.) Pursuant to Section 30-65 (c) (6) Proportionate Payment in Lieu of Dedication of the City of Oshkosh, Subdivision Ordinance, a \$100.00 per unit fee shall be paid by the owner/agent prior to issuance of a Building Permit. The fee shall be used for Neighborhood Park and Recreation Area purposes.
 - 3.) There shall be no direct vehicular access to Witzel Avenue for Lots 1, 2, 3, 4, and 5 within this Subdivision. Owner will restrict on the Final Plat.

SURVEYOR:

Steven T. Chronis
Aero-Metric Engineering, Inc.
539 North Madison Street
Chilton, Wisconsin 53014
800/472-5313

OWNER & SUBDIVIDER:

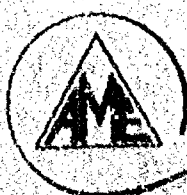
Securly Land Development, Inc.
305 North Westfield Street
Oshkosh, Wisconsin 54901
426-2001

APPROVING AUTHORITY:

City of Oshkosh

OBJECTING AGENCIES:

Department of Agriculture, Trade and Consumer Protection and the Winnebago County Planning and Zoning Committee



Aero-metric
ENGINEERING, INC.
330 NORTH MADISON STREET P.O. BOX 111 CHILTON WISCONSIN 53011

DATE: 2-23-1990 NOTEBOOK: PAGE: SCALE: 1" = 100'

PRELIMINARY PLAT of COUNTRY SIDE ESTATES — Being a part of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$, Section 21, T.18N., R.16E., 6th Ward, City of OSHKOSH, Winnebago County, Wisconsin.

D-342