



# City of Appleton

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

## Meeting Minutes - Final City Plan Commission

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Wednesday, September 13, 2023

3:30 PM

Council Chambers, 6th Floor

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1. Call meeting to order

**Meeting called to order by Chair Mayor Woodford at 3:31 p.m.**

2. Pledge of Allegiance

3. Roll call of membership

**Present:** 5 - Robins, Mayor Woodford, Dane, Neuberger and Fenton

**Excused:** 2 - Palm and Uitenbroek

*Others present:*

*Aldersperson Vered Meltzer, District #2*

*Aldersperson Israel Del Toro, District #4*

*Aldersperson Patrick Hayden, District #7*

*Aldersperson Alex Schultz, District #9*

*Aldersperson Sheri Hartzheim, District #13*

*Kara Homan, Director of Community & Economic Development*

*David Kress, Deputy Director of Community & Economic Development*

*Don Harp, Principal Planner*

*Jessica Titel, Principal Planner*

*Lindsey Smith, Principal Planner*

*Chief Jeremy Hansen, Fire Department*

*Danielle Block, Director of Public Works*

*Michelle Mader, 275 E. Spartan Drive*

*Jeff Schultz, Martenson & Eisele*

*Abby Maslanka, Martenson & Eisele*

*Jill Hendricks, Clearwater Creek Development LLC*

*Kara Harbick, 5733 N. Summerland Court*

*Susan Danielson, 5750 N. Summerland Court*

*Lori Vegso, 310 E. Flintrock Drive*

*Jennifer Stephany, Appleton Downtown Inc.*

4. Approval of minutes from previous meeting

[23-1045](#)

City Plan Minutes from 8-23-23

**Attachments:** [City Plan Minutes 8-23-23.pdf](#)

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

**Aye:** 5 - Robins, Mayor Woodford, Dane, Neuberger and Fenton

**Excused:** 2 - Palm and Uitenbroek

## 5. Public Hearing/Appearances

[23-1046](#)

Special Use Permit #10-23 for a restaurant with alcohol sales and consumption use located at 1619 W. College Avenue, Suite A (Tax Id #31-3-0049-00), 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 #23-1047)

**Attachments:** [ClassIIPublicHearingNoticeNewspaper\\_1619WCollegeAv\\_SUP#10-23.pdf](#)  
[PublicHearingNoticeNeighborhood\\_1619WCollegeAv\\_SUP#10-23.pdf](#)

This public hearing was held, and no one spoke.

[23-1048](#)

Rezoning #6-23 for the subject parcel located at 303 E. Fremont Street (Tax Id #31-4-0670-00), including to the centerline of the adjacent right-of-way, as shown on the attached maps, from PD/C-2 Planned Development Overlay #5-04/General Commercial District to R-1B Single-family District (Associated with Action Item #23-1049)

**Attachments:** [InformalPublicHearingNotice\\_303EFremontSt\\_Rezoning#6-23.pdf](#)

This public hearing was held, and no one spoke.

[23-1050](#)

Proposed text amendments to Chapter 23 Zoning Ordinance of the Municipal Code relating to *Article II Definitions*: Section 23-22; *Article III General Provisions*: Sections 23-43, 23-47, and 23-49; *Article IV Administration*: Section 23-66; *Article V Residential Districts*: Sections 23-91, 23-92, 23-93, 23-94, 23-95, 23-96, 23-100, and 23-101; *Article VI Commercial Districts*: Sections 23-111, 23-112, 23-113, 23-114, and 23-115; *Article VII Industrial Districts*: Sections 23-131 and 23-132; *Article VIII Overlay Districts*: Section 23-152; *Article IX Off-Street Parking and Loading*: Section 23-172; *Article XIII Wireless Telecommunications Facilities*: Sections 23-420 thru 427; and *Article XV Site Plan Review and Approval*: Section 23-570, as identified in the attached document (Associated with Action Item #23-1051)

**Attachments:** [InformalPublicHearingNotice\\_ZOTextAmendments\\_2023Bundle.pdf](#)

This public hearing was held, and no one spoke.

## 6. Action Items

[23-1047](#)

Request to approve Special Use Permit #10-23 for a restaurant with alcohol sales and consumption use located at 1619 W. College Avenue, Suite A (Tax Id #31-3-0049-00), 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\\_1619WCollegeAv\\_SUP\\_For9-13-23.pdf](#)

**Fenton moved, seconded by Neuberger, that Special Use Permit #10-23 be recommended for approval. Roll Call. Motion carried by the following vote:**

**Aye:** 5 - Robins, Mayor Woodford, Dane, Neuberger and Fenton

**Excused:** 2 - Palm and Uitenbroek

[23-1049](#)

Request to approve Rezoning #6-23 for the subject parcel located at 303 E. Fremont Street (Tax Id #31-4-0670-00), including to the centerline of the adjacent right-of-way, as shown on the attached maps, from PD/C-2 Planned Development Overlay #5-04/General Commercial District to R-1B Single-family District

**Attachments:** [StaffReport\\_303EFremontSt\\_Rezoning\\_For9-13-23.pdf](#)

*Proceeds to Council on October 4, 2023.*

**Neuberger moved, seconded by Fenton, that Rezoning #6-23 be recommended for approval. Roll Call. Motion carried by the following vote:**

**Aye:** 5 - Robins, Mayor Woodford, Dane, Neuberger and Fenton

**Excused:** 2 - Palm and Uitenbroek

[23-1051](#)

Request to approve proposed text amendments to Chapter 23 Zoning Ordinance of the Municipal Code relating to *Article II Definitions*: Section 23-22; *Article III General Provisions*: Sections 23-43, 23-47, and 23-49; *Article IV Administration*: Section 23-66; *Article V Residential Districts*: Sections 23-91, 23-92, 23-93, 23-94, 23-95, 23-96, 23-100, and 23-101; *Article VI Commercial Districts*: Sections 23-111, 23-112, 23-113, 23-114, and 23-115; *Article VII Industrial Districts*: Sections 23-131 and 23-132; *Article VIII Overlay Districts*: Section 23-152; *Article IX Off-Street Parking and Loading*: Section 23-172; *Article XIII Wireless Telecommunications Facilities*: Sections 23-420 thru 427; and *Article XV Site Plan Review and Approval*: Section 23-570, as identified in the attached document

**Attachments:** [StaffReport\\_ZOTextAmendments\\_2023Bundle\\_For9-13-23.pdf](#)

*Proceeds to Council on October 4, 2023.*

**Neuberger moved, seconded by Fenton, that the proposed text amendments to Chapter 23 Zoning Ordinance be recommended for approval. Roll Call. Motion carried by the following vote:**

**Aye:** 5 - Robins, Mayor Woodford, Dane, Neuberger and Fenton

**Excused:** 2 - Palm and Uitenbroek

[23-1052](#)

Request to approve Resolution #2023-04 to update the land use applications fee schedule for the Community and Economic Development Department as described in the attached document (Associated with File #23-1051)

**Attachments:** [Resolution #2023-04\\_Update Land Use Application Fees.pdf](#)

*Proceeds to Council on October 4, 2023.*

**Fenton moved, seconded by Robins, that Resolution #2023-04 be recommended for approval. Roll Call. Motion carried by the following vote:**

**Aye:** 5 - Robins, Mayor Woodford, Dane, Neuberger and Fenton

**Excused:** 2 - Palm and Uitenbroek

[23-0994](#)

**\*\*CRITICAL TIMING\*\*** Annual review and request to approve the Downtown Appleton Business Improvement District (BID) 2024 Operating Plan

**Attachments:** [StaffReport 2024BIDOperatingPlan For09-13-23.pdf](#)  
[2024 BID Operational Plan.pdf](#)  
[2022 BID Annual Report.pdf](#)  
[2022 BID Audit - Financial Statements.pdf](#)

**Fenton moved, seconded by Neuberger, that the Downtown Appleton Business Improvement District (BID) 2024 Operating Plan be recommended for approval. Roll Call. Motion carried by the following vote:**

**Aye:** 5 - Robins, Mayor Woodford, Dane, Neuberger and Fenton

**Excused:** 2 - Palm and Uitenbroek

[23-0934](#)

Request to approve Rezoning #5-23 to rezone the vacant land generally located along the extension of E. Sweetwater Way, south of E. Spartan Drive and east of N. Haymeadow Avenue, for the Fourth Addition to Clearwater Creek (Tax Id #31-6-6201-00 and part of #31-6-6200-00), as shown on the attached maps, from AG Agricultural District to R-1B Single-Family District

**Attachments:** [StaffReport 4th Addn Clearwater Creek Rezoning For8-9-23.pdf](#)  
[Scott Berg Email.pdf](#)  
[Gregg Mader Email.pdf](#)  
[Email to Ald Hayden with Responses 8-25-23.pdf](#)  
[Resident Handout-Clearwater Creek 9-6-23.pdf](#)  
[Resident Opposition Handout- Clearwater Creek 9-6-23.pdf](#)  
[Jill Hendricks Response 9-12-23.pdf](#)

*Staff received an email from Jill Hendricks of Clearwater Creek Development LLC dated September 12, 2023. The email was distributed to the Plan Commission members at the meeting and is attached.*

**Neuberger moved, seconded by Fenton, that Rezoning #5-23 be recommended for approval. Roll Call. Motion carried by the following vote:**

**Aye:** 5 - Robins, Mayor Woodford, Dane, Neuberger and Fenton

**Excused:** 2 - Palm and Uitenbroek

[23-0935](#)

Request to approve the Fourth Addition to Clearwater Creek Preliminary Plat as shown on the attached maps and subject to the conditions in the attached staff report

**Attachments:** [StaffReport 4th Addn Clearwater Creek PreliminaryPlat\\_For8-9-23.pdf](#)  
[Email to Ald Hayden with Responses 8-25-23.pdf](#)  
[Resident Handout-Clearwater Creek 9-6-23.pdf](#)  
[Resident Opposition Handout- Clearwater Creek 9-6-23.pdf](#)  
[Jill Hendricks Response 9-12-23.pdf](#)

*Staff received an email from Jill Hendricks of Clearwater Creek Development LLC dated September 12, 2023. The email was distributed to the Plan Commission members at the meeting and is attached.*

**Fenton moved, seconded by Robins, that the Fourth Addition to Clearwater Creek Preliminary Plat be recommended for approval. Roll Call. Motion carried by the following vote:**

**Aye:** 5 - Robins, Mayor Woodford, Dane, Neuberger and Fenton

**Excused:** 2 - Palm and Uitenbroek

## 7. Information Items

## 8. Adjournment

**Fenton moved, seconded by Robins, that the meeting be adjourned at 4:54 p.m. Roll Call. Motion carried by the following vote:**

**Aye:** 5 - Robins, Mayor Woodford, Dane, Neuberger and Fenton

**Excused:** 2 - Palm and Uitenbroek