



# 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, September 27, 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

[23-1116](#) City Plan Minutes from 9-13-23

**Attachments:** [City Plan Minutes 9-13-23.pdf](#)

### 5. Public Hearing/Apearances

[23-1117](#) Rezoning #7-23 for the subject parcels located at 4704 N. Ballard Road (Tax Id #31-1-8008-00), including to the centerline of the adjacent right-of-way, and the adjacent land locked parcel directly to the east (Tax Id #31-1-8007-00), as shown on the attached maps, from Temporary AG Agricultural District and R-1A Single-Family District to C-2 General Commercial District (Associated with Action Item #23-1118)

**Attachments:** [InformalPublicHearingNotice\\_4704NBallardRdandParceltoEast\\_Rezoning#7-23](#)

### 6. Action Items

[23-1118](#) Request to approve Rezoning #7-23 for the subject parcels located at 4704 N. Ballard Road (Tax Id #31-1-8008-00), including to the centerline of the adjacent right-of-way, and the adjacent land locked parcel directly to the east (Tax Id #31-1-8007-00), as shown on the attached maps, from Temporary AG Agricultural District and R-1A Single-Family District to C-2 General Commercial District

**Attachments:** [StaffReport\\_4704NBallardRdandParceltoEast\\_Rezoning\\_For9-27-23.pdf](#)

[23-1131](#) Request to approve the Fourth Addition to Clearwater Creek Final Plat as shown on the attached maps and subject to the conditions in the attached staff report

**Attachments:** [StaffReport\\_4th Addn Clearwater Creek\\_FinalPlat\\_For9-27-23.pdf](#)

## 7. Information Items

[23-1120](#)

Contract for consulting services related to the City of Appleton Housing Development Policy, Process and Stakeholder Engagement Services

**Attachments:** [RecommendationtoAward\\_HousingDevelopmentServices09202023\\_Final.pdf](#)  
[Green Bicycle Co Housing Development Policy Guide 9-19-23.pdf](#)  
[RFPQ Housing Development Task Force Final Document 8-4-23.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.*



# City of Appleton

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## Meeting Minutes - Final City Plan Commission

---

Wednesday, September 13, 2023

3:30 PM

Council Chambers, 6th Floor

---

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

**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, September 27, 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 following proposed rezoning request.

**Common Description:**

4704 N. Ballard Road (Tax Id #31-1-8008-00) and adjacent land locked parcel directly to the east (Tax Id #31-1-8007-00)

**Rezoning Request:** A rezoning request has been initiated by the owner, Prospera Credit Union, and applicant, Mark Boehlke of Hoffman Planning, Design & Construction, in the matter of amending Chapter 23 (Zoning Ordinance) of the Municipal Code of the City of Appleton for the above-described real estate, which is currently zoned Temporary AG Agricultural District and R-1A Single-family District. The owner & applicant propose to rezone the property to C-2 General Commercial District (see attached maps). The C-2 General Commercial District is intended for businesses which serve city and regional markets; provide goods and services to other businesses, as well as consumers; provide services to automobiles and serve the traveling public.

**Purpose of the Rezoning:** Prospera Credit Union recently acquired the subject properties, which are adjacent to their existing corporate offices. Prospera Credit Union is exploring options to expand on the subject properties.

**Aldermanic District:** 13 – Alderperson Sheri Hartzheim

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.

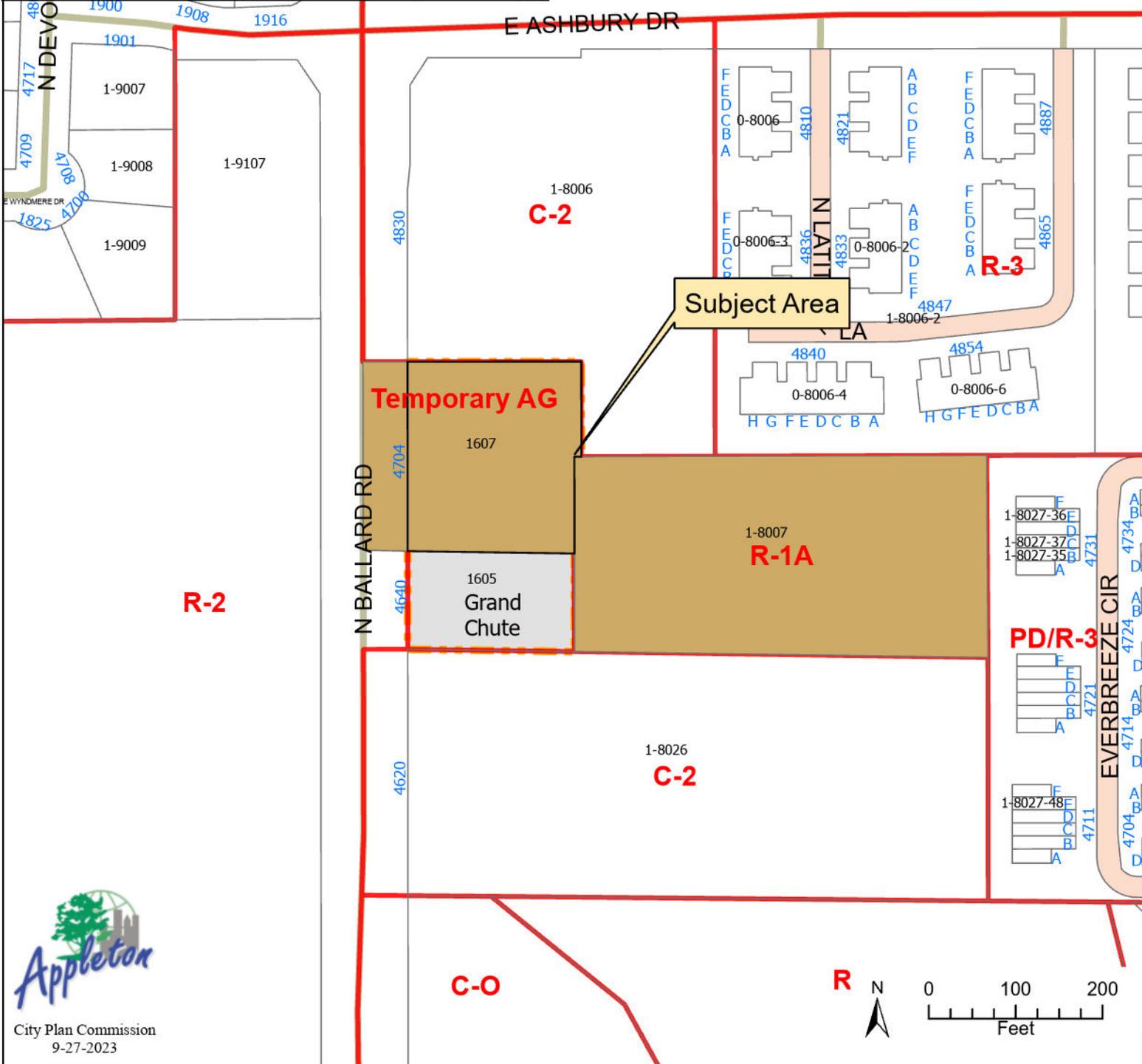
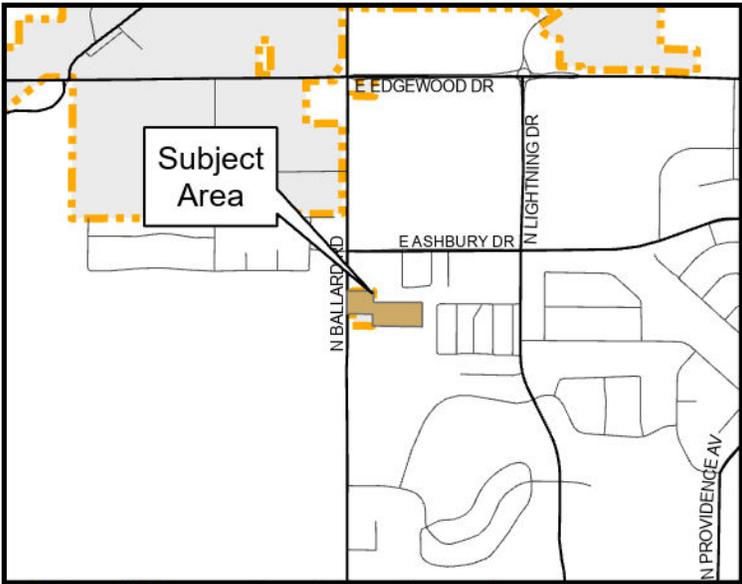
Any questions regarding this matter should be directed to Lindsey Smith, Principal Planner, in the Community and Economic Development Department at 920-832-3943 or by email at [lindsey.smith@appleton.org](mailto:lindsey.smith@appleton.org).

CITY PLAN COMMISSION  
APPLETON, WISCONSIN

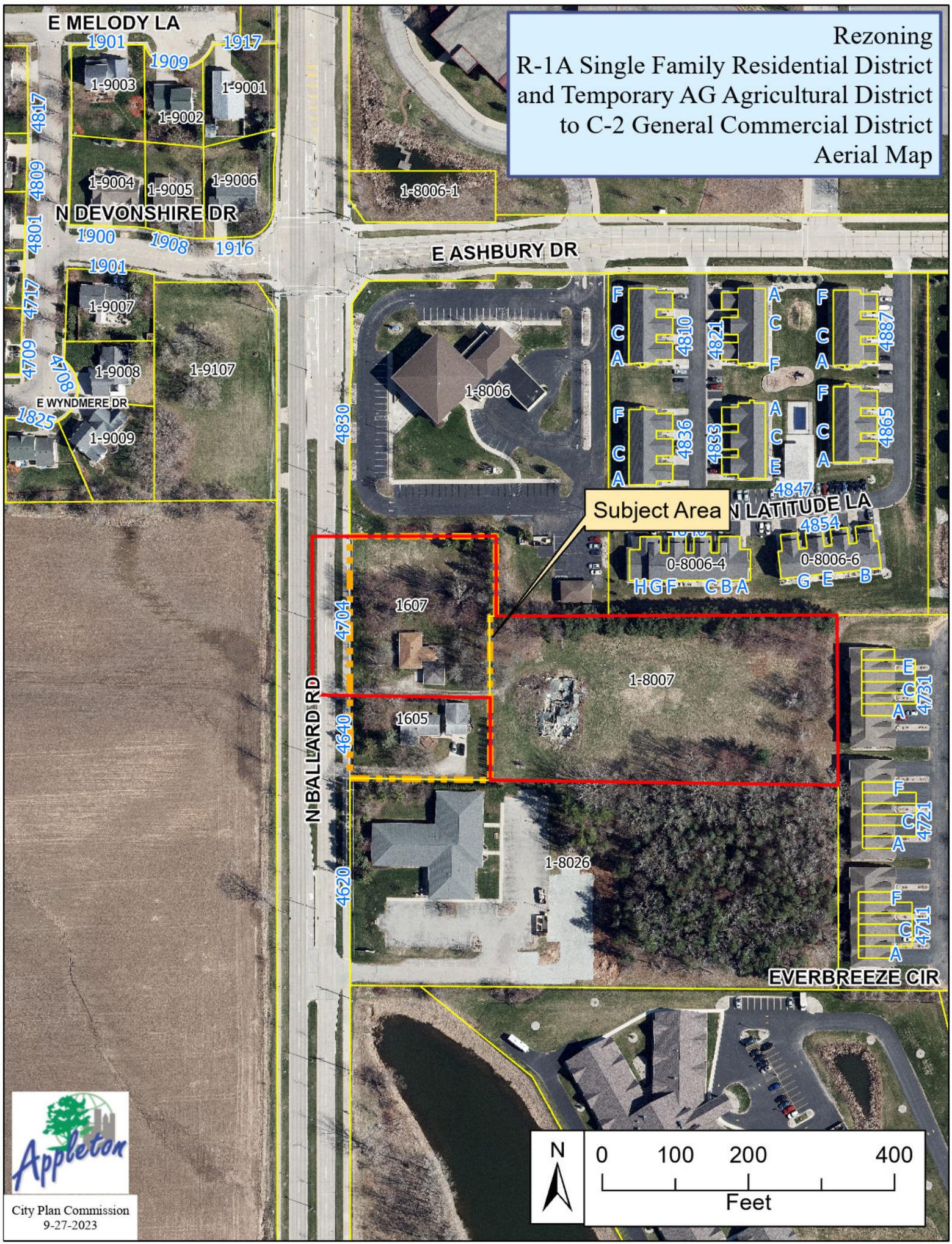
COMMUNITY & ECONOMIC DEVELOPMENT  
CITY HALL – 100 NORTH APPLETON STREET  
APPLETON, WISCONSIN 54911-4799  
(920) 832-6468

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

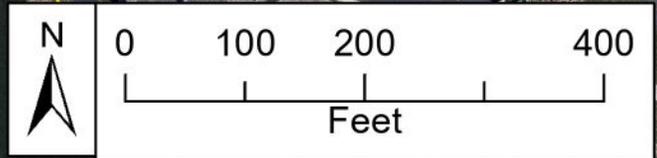
Rezoning  
 R-1A Single Family Residential District  
 and Temporary AG Agricultural District  
 to C-2 General Commercial District  
 Vicinity Map



Rezoning  
 R-1A Single Family Residential District  
 and Temporary AG Agricultural District  
 to C-2 General Commercial District  
 Aerial Map



Subject Area





## REPORT TO CITY PLAN COMMISSION

**Plan Commission Informal Hearing Meeting Date:** September 27, 2023

**Common Council Public Hearing Meeting Date:** October 18, 2023  
(Public Hearing on Rezoning)

**Item:** Rezoning #7-23 – 4704 N. Ballard Road (Tax Id #31-1-8008-00) & adjacent land locked parcel directly to the east (Tax Id #31-1-8007-00)

**Case Manager:** Lindsey Smith, Principal Planner

### GENERAL INFORMATION

**Applicant:** Mark Boehlke of Hoffman Planning, Design & Construction

**Owner:** Prospera Credit Union, Sheila Schinke, CEO

**Address/Parcel #:** 4704 N. Ballard Road (Tax Id #31-1-8008-00) and adjacent land locked parcel directly to the east (Tax Id #31-1-8007-00)

**Petitioner's Request:** The owner/applicant proposes to rezone the subject parcels from Temporary AG Agricultural District and R-1A Single-family District to C-2 General Commercial District. The proposed C-2 General Commercial District zoning classification is consistent with the current *Comprehensive Plan 2010-2030* Future Land Use Map and would allow the subject parcels to be developed in accordance with C-2 District Regulations.

### BACKGROUND

The land locked parcel (Tax Id #31-1-8007-00) was annexed into the City of Appleton through the Van Handel Annexation on July 24, 1993, and the subject parcel officially came into the City with R-1A Single-family District zoning classification.

On September 6, 2023, the Common Council approved the 4704 N. Ballard Road Annexation Ordinance. The property was officially annexed to the City on September 12, 2023, at 12:01 a.m. The subject parcel officially came into the City with Temporary AG Agricultural District zoning classification. If the temporary zoning classification is not amended within 90 days, the zoning reverts to AG Agricultural District, per Section 23-65(e) of the Municipal Code.

### STAFF ANALYSIS

**Existing Site Conditions:** The subject parcels total approximately 3.48 acres. 4704 N. Ballard Road has frontage on Ballard Road, which is classified as an arterial street on the City's Arterial/Collector Plan. 4704 N. Ballard Road is developed with a single-family residence. The adjacent land locked parcel directly to the east consists of vacant, undeveloped land.

## Rezoning #7-23 – 4704 N. Ballard Road & adjacent land locked parcel

September 27, 2023

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**Nonconforming Use:** 4704 N. Ballard Road was zoned AGD Agriculture District in the Town of Grand Chute when the existing single-family residence was constructed. The proposed rezone to C-2 General Commercial District will create a legal, nonconforming use of the existing single-family residence. The legal, nonconforming use may be allowed to continue at this location pursuant to the applicable current requirements and subsequent amendments to Chapter 23 Zoning Ordinance. The owner/applicant has expressed their intent to remove the existing single-family residence, which will remove the legal, nonconforming use.

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

North: C-2 General Commercial District and R-3 Multi-family District. The adjacent land use is Prospera Credit Union Corporate Office and Latitude 44° Apartments Homes.

South: Town of Grand Chute and C-2 General Commercial District. The adjacent land use to the south is currently a single-family residence and Northwestern Mutual Financial Office.

East: PD/R-3 Planned Development/Multi-family Residential District. The adjacent land use to the east is currently Northbrook Crossing Condos.

West: R-2 Two-family Residential District. The adjacent land use to the west is currently agricultural land.

**Proposed Zoning Classification:** The purpose of the C-2 General Commercial District is intended for businesses which serve city and regional markets; provide goods and services to other businesses, as well as consumers; provide services to automobiles and serve the traveling public. Per Section 23-113(h) of the Municipal Code, the development standards for the C-2 District are listed below:

- 1) **Minimum lot area:** 14,000 square feet
- 2) **Maximum lot coverage:** 75%
- 3) **Minimum lot width:** 60 feet
- 4) **Minimum front yard:** 10 feet
- 5) **Minimum rear yard:** 20 feet
- 6) **Minimum side yard:** 0 feet, 10 feet if abutting a residentially zoned district
- 7) **Maximum building height:** 35 feet

**Appleton Comprehensive Plan 2010-2030:** The City of Appleton 2010-2030 Comprehensive Plan Map identifies the subject area as future commercial land 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.*

**Rezoning #7-23 – 4704 N. Ballard Road & adjacent land locked parcel**

**September 27, 2023**

**Page 3**

*Goal 8 – Economic Development*

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

*OBJECTIVE 9.5 Economic Development:*

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

*Policy 9.5.1 Ensure a continued adequate supply of industrial and commercial land to sustain new business development.*

*OBJECTIVE 10.2 Land Use:*

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

*OBJECTIVE 10.5 Land Use:*

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

**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:
  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 future commercial land uses.*
  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:

**Rezoning #7-23 – 4704 N. Ballard Road & adjacent land locked parcel**

**September 27, 2023**

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1. The adequacy of public facilities such as transportation, utilities and other required public services to serve the proposed site. *The subject area can be served by existing infrastructure, and the transportation network should be able to accommodate the proposed rezoning.*
2. The effect of the proposed rezoning on surrounding uses. *Commercial uses are already established to the north and south of the subject area, while multi-family uses are located to the north and east, and single-family to the south. Therefore, the proposed rezoning request is unlikely to create adverse impacts in the surrounding uses.*

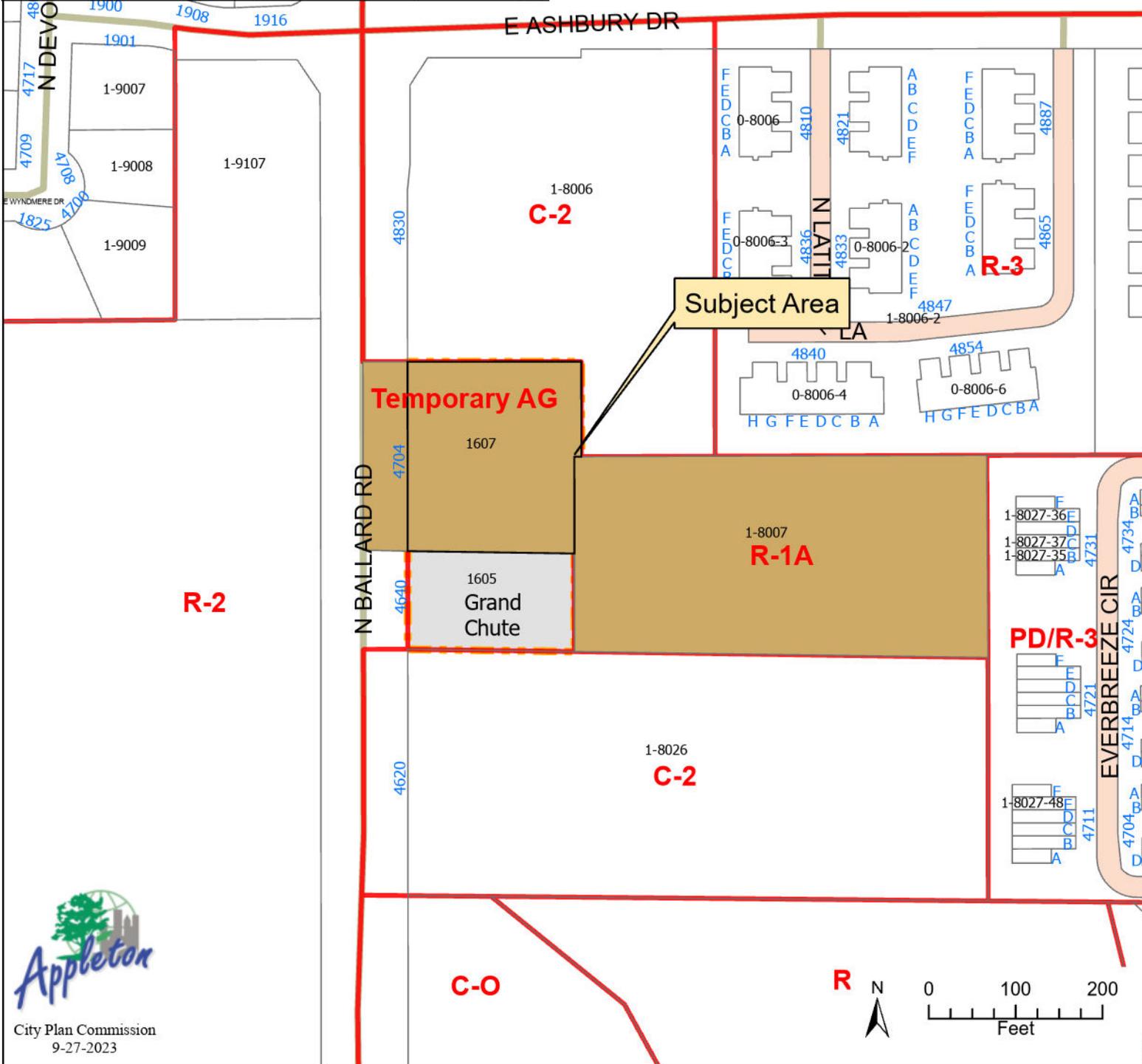
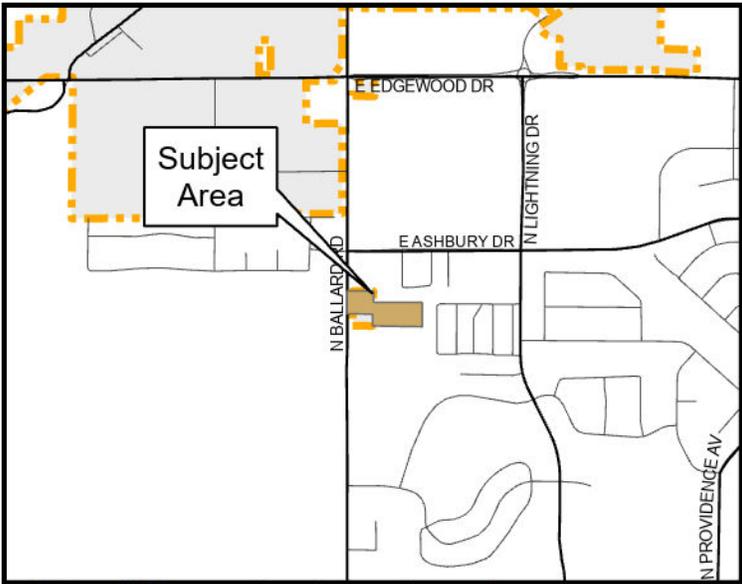
**Review Criteria:** Based upon the above analysis, it would appear the criteria established by Section 23-65(d)(3) Zoning Amendments has been satisfied.

**Technical Review Group Report (TRG):** This item appeared on the September 5, 2023 TRG Agenda. No negative comments were received from participating departments.

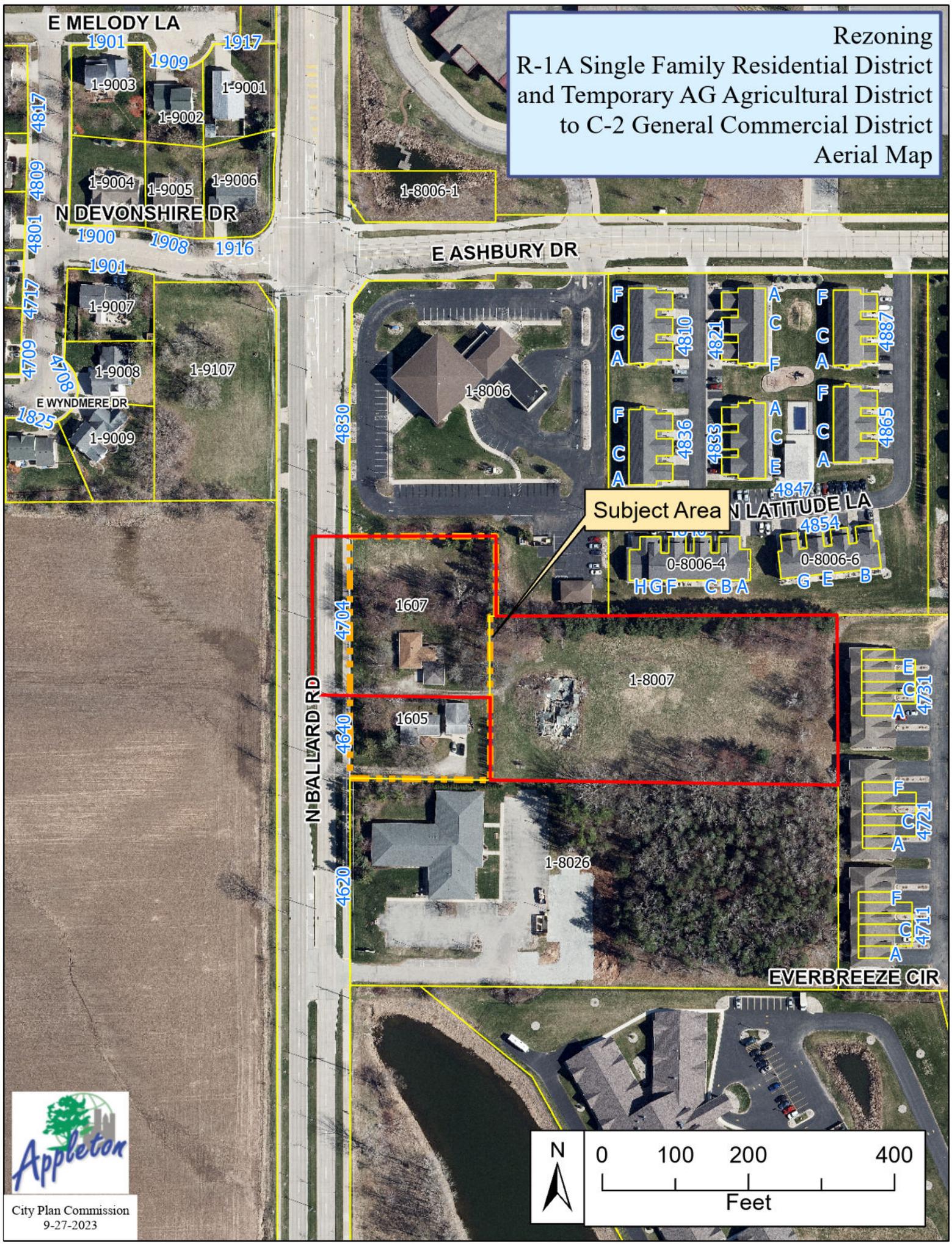
**RECOMMENDATION**

Staff recommends, based upon the standards for map amendments as required by Section 23-65(d)(3) of the Zoning Ordinance, that Rezoning Application #7-23 to rezone the subject parcels located at 4704 N. Ballard Road (Tax Id # 31-1-8008-00) and adjacent land locked parcel directly to the east (31-1-8007-00) from Temporary AG Agricultural District and R-1A Single-family Residential District to C-2 General Commercial District, including to the centerline of the adjacent right-of-way as shown on the attached maps, **BE APPROVED.**

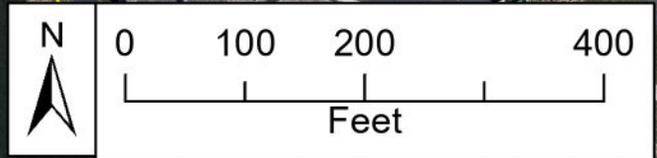
Rezoning  
 R-1A Single Family Residential District  
 and Temporary AG Agricultural District  
 to C-2 General Commercial District  
 Vicinity Map



Rezoning  
 R-1A Single Family Residential District  
 and Temporary AG Agricultural District  
 to C-2 General Commercial District  
 Aerial Map



Subject Area





## REPORT TO CITY PLAN COMMISSION

**Plan Commission Meeting Date:** September 27, 2023

**Common Council Meeting Date:** October 4, 2023

**Item:** Final Plat – Fourth Addition to Clearwater Creek

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

### **GENERAL INFORMATION**

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**Applicant:** Jeff Schultz – Martenson & Eisele, Inc.

**Owner:** Clearwater Creek, LLC

**Address/Parcel #:** E. Sweetwater Way (Tax Id #31-6-6201-00 & part of #31-6-6200-00). The subject property is located south of E. Spartan Drive and east of N. Haymeadow Drive.

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

### **BACKGROUND**

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The subject properties were annexed to the City of Appleton through the Paltzer/Jacobs Annexation on May 10, 2004, and the subject parcels officially came into the City with AG Agricultural District zoning classification.

In 2005, Clearwater Creek was approved and consisted of 63 lots and 1 outlet.

In 2006, Replat of Lots 3-8, 20-24, 27-32, 36-41 and 44-48 of Clearwater Creek was approved and consisted of 23 lots.

In 2007, the First Addition to Clearwater Creek was approved and consisted of 56 lots and 2 outlets.

In 2014, the Second Addition to Clearwater Creek was approved and consisted of 6 lots.

In 2020, the Third Addition to Clearwater Creek was approved and consisted of 26 lots and 1 outlet.

The public hearing for the rezoning request on the subject property was held at the September 6, 2023 Common Council meeting. The Common Council referred the rezoning item, as well as the preliminary plat, back to the September 13, 2023 Plan Commission meeting for more discussion. The Plan Commission recommended approval of the rezoning request from AG Agricultural District to R-1B Single-family Residential District and the Fourth Addition to Clearwater Creek Preliminary Plat at the September 13, 2023 meeting.

The Common Council approved a rezoning for the subject property from AG Agricultural District to R-1B Single-family Residential District on September 20, 2023. The Preliminary Plat was also approved by the Common Council on September 20, 2023.

**STAFF ANALYSIS**

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**Existing Conditions:** The subject area to be subdivided is currently undeveloped. The Fourth Addition to Clearwater Creek consists of 7.164 acres and will be divided into 14 single-family lots and 2 outlots.

**Comparison Between Final Plat and Preliminary Plat:** The Final Plat is consistent with the Preliminary Plat layout in terms of the shape, size, and location of the lots.

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

- Minimum lot area: Six thousand (6,000) square feet.
  - *The proposed average lot size is 15,290 square feet. All lots exceed the minimum lot area requirement.*
  
- Minimum lot width: Fifty (50) feet.
  - *All lots exceed this minimum requirement.*
  
- Minimum front, side and rear yard setbacks: Twenty (20) foot front yard, Six (6) foot side yard, and Twenty-five (25) foot rear yard.
  - *Required front yard setback has been shown on the Preliminary Plat. Required setbacks will be reviewed through the building permit review process.*
  
- Maximum building height: Thirty-five (35) feet.
  - *This will be reviewed through the building permit review process.*
  
- Maximum lot coverage. Fifty percent (50%).
  - *This will be reviewed through the building permit review process.*

**Compliance with the Appleton Subdivision Regulations:** This subdivision complies with the Appleton Subdivision Regulations.

**Access and Traffic:** The primary vehicular access to the Fourth Addition to Clearwater Creek is via East Sweetwater Way. The proposed public right-of-way within the subdivision will be dedicated to the City with the Final Plat.

**Surrounding Zoning and Land Uses:**

**North:** R-1B Single Family Residential and Town of Grand Chute. The adjacent land uses to the north are currently residential (Third Addition to Clearwater Creek) and agricultural.

**South:** P-I Public Institutional. The adjacent land use to the south is currently a City-owned stormwater management facility.

**East:** P-I Public Institutional. The adjacent land use to the east is currently a City-owned stormwater management facility.

## Final Plat – Fourth Addition to Clearwater Creek

September 27, 2023

Page 3

West: R-1B Single Family Residential and P-I Public Institutional. The adjacent land uses to the west are currently residential (Third Addition to Clearwater Creek) and a City-owned stormwater management facility.

**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 10.1 Land Use:**

*Provide an adequate supply of suitable land meeting the demand for development of various land uses.*

### **OBJECTIVE 10.4 Land Use:**

*Plan for compact, efficient, and fiscally responsible growth of residential, commercial, and industrial development in new neighborhoods in order to implement the principles of smart growth.*

*Policy 10.4.1 Continue to guide residential growth to locations either contiguous to or within presently urbanized areas. As peripheral development occurs, it should be at a compact, urban density to ensure new neighborhoods can be efficiently served by public infrastructure.*

**Parks and Open Space:** The Appleton Subdivision Regulations do require parkland dedication or fee in lieu for residential subdivisions. Since no parkland will be dedicated on the subject property, park fees will be required pursuant to Section 17-29 of the Municipal Code and the final Development Agreement (once approved).

**Technical Review Group (TRG) Report:** This item appeared on the August 22, 2023 TRG agenda. Comments were received from participating departments and captured in the stipulations found below.

- The drive from Spartan to Richmond would count as a secondary emergency access for the fourth phase of Clearwater Creek. This drive would need to be maintained as such.

## **RECOMMENDATION**

The Final Plat for the Fourth Addition to Clearwater Creek, **BE APPROVED** subject to the following conditions and as shown on the attached maps:

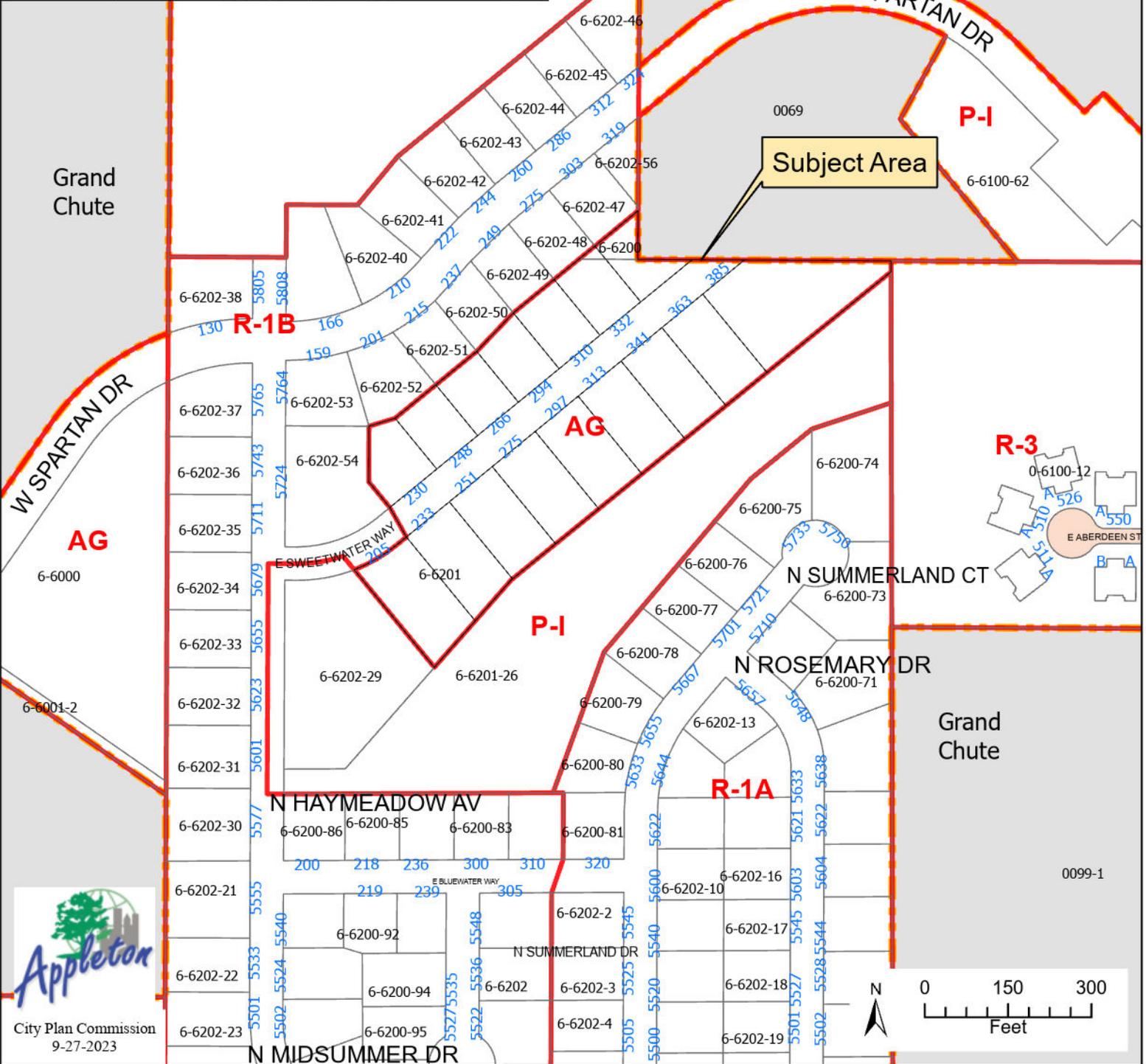
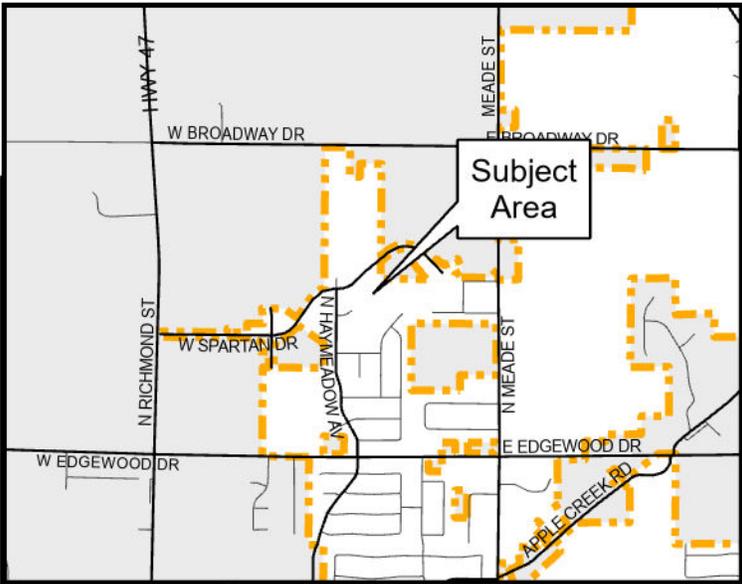
**Final Plat – Fourth Addition to Clearwater Creek**

**September 27, 2023**

**Page 4**

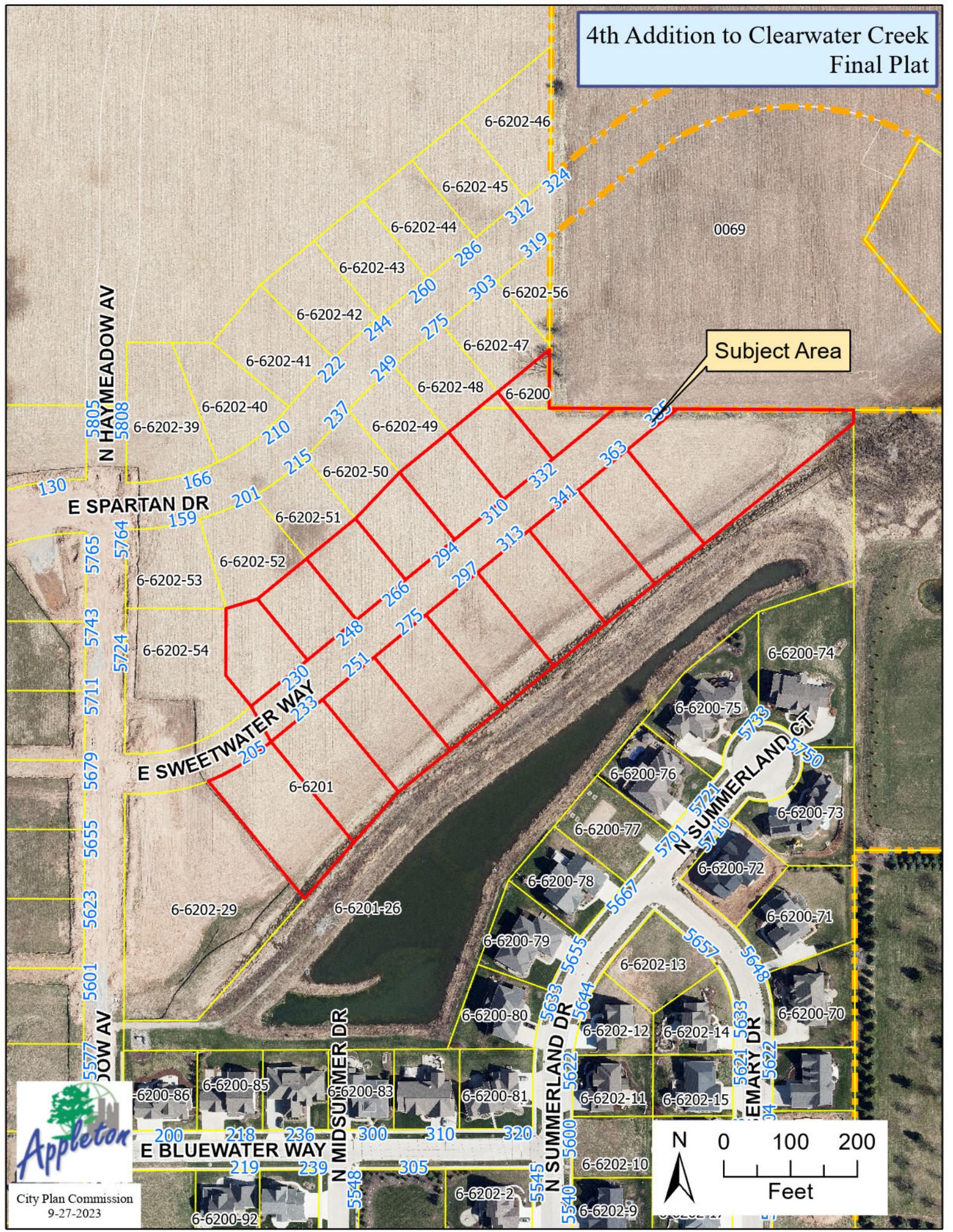
1. The Final Plat shall be recorded within 12 months from the approval date of the last approving authority and within 36 months from the approval date of the first approving authority. Failure to do so requires the subdivider to recommence the entire procedure for Final Plat approval.
2. A Development Agreement is required between the City and owner that identifies the duties and responsibilities with respect to development of the subject land. The Development Agreement shall be signed by the City of Appleton and the owner prior to the issuance of any permit to commence grading and/or construction of any public improvement.
3. A Stormwater Permit Application, Stormwater Management Plan and Engineering Plans have been submitted for review. Technical review comments have been provided to the consultant and all such comments must be addressed on the Final Plat.
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. Note shall be added to the Final Plat that references the monumentation waiver on file with the City.
6. Park fees shall be paid to the pursuant to Section 17-29 of the Municipal Code and the final Development Agreement (once approved).

# 4th Addition to Clearwater Creek Final Plat

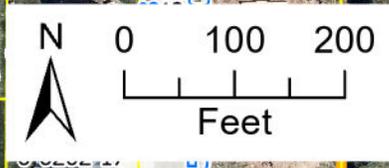


# 4th Addition to Clearwater Creek Final Plat

Subject Area



City Plan Commission  
9-27-2023



# FOURTH ADDITION TO CLEARWATER CREEK

PART OF LOT 2 OF CERTIFIED SURVEY MAP NO. 3927 FILED IN VOLUME 21 OF CERTIFIED SURVEY MAPS ON PAGE 3927 AS DOCUMENT NO. 1388606, BEING PART OF THE SOUTHWEST 1/4 OF THE FRACTIONAL NORTHEAST 1/4; AND UNPLATTED LANDS BEING PART OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4; ALL IN SECTION 2, TOWNSHIP 21 NORTH, RANGE 17 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN.

BEARINGS ARE REFERENCED TO THE OUTAGAMIE COUNTY COORDINATE SYSTEM NAD83(1991) IN WHICH THE NORTH LINE OF THE SOUTHEAST 1/4 OF SECTION 2, BEARS N89°40'21"W

1" = 60'  
SCALE IN FEET

CENTER OF SECTION 2 T21N-R17E BERTENSEN MONUMENT FOUND

N89°40'21"W 845.07'

NORTH LINE OF THE SE 1/4

LOT 145 ZONED: R-1B

LOT 146 ZONED: R-1B

LOT 147 ZONED: R-1B

LOT 148 ZONED: R-1B

LOT 149 ZONED: R-1B

LOT 150 ZONED: R-1B

LOT 151 ZONED: R-1B

LOT 152 ZONED: R-1B

LOT 153 12,086 SQ.FT.

LOT 154 11,240 SQ.FT.

LOT 155 11,240 SQ.FT.

LOT 156 11,799 SQ.FT.

LOT 157 12,357 SQ.FT.

LOT 158 12,357 SQ.FT.

LOT 159 17,311 SQ.FT.

LOT 160 17,268 SQ.FT.

LOT 161 18,129 SQ.FT.

LOT 162 18,079 SQ.FT.

LOT 163 18,030 SQ.FT.

LOT 164 17,981 SQ.FT.

LOT 165 18,730 SQ.FT.

LOT 166 22,922 SQ.FT.

LOT 167 22,922 SQ.FT.

LOT 168 22,922 SQ.FT.

LOT 169 22,922 SQ.FT.

LOT 170 22,922 SQ.FT.

LOT 171 22,922 SQ.FT.

LOT 172 22,922 SQ.FT.

LOT 173 22,922 SQ.FT.

LOT 174 22,922 SQ.FT.

LOT 175 22,922 SQ.FT.

LOT 176 22,922 SQ.FT.

LOT 177 22,922 SQ.FT.

LOT 178 22,922 SQ.FT.

LOT 179 22,922 SQ.FT.

LOT 180 22,922 SQ.FT.

SOUTH 1/4 CORNER SECTION 2 T21N-R17E MAG NAIL W/WASHER FOUND

**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. 1-0822-003  
Sheet 1 of 2  
This instrument drawn by: C. Cleary

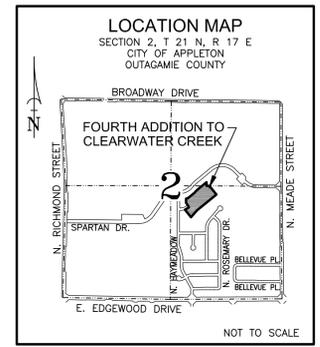
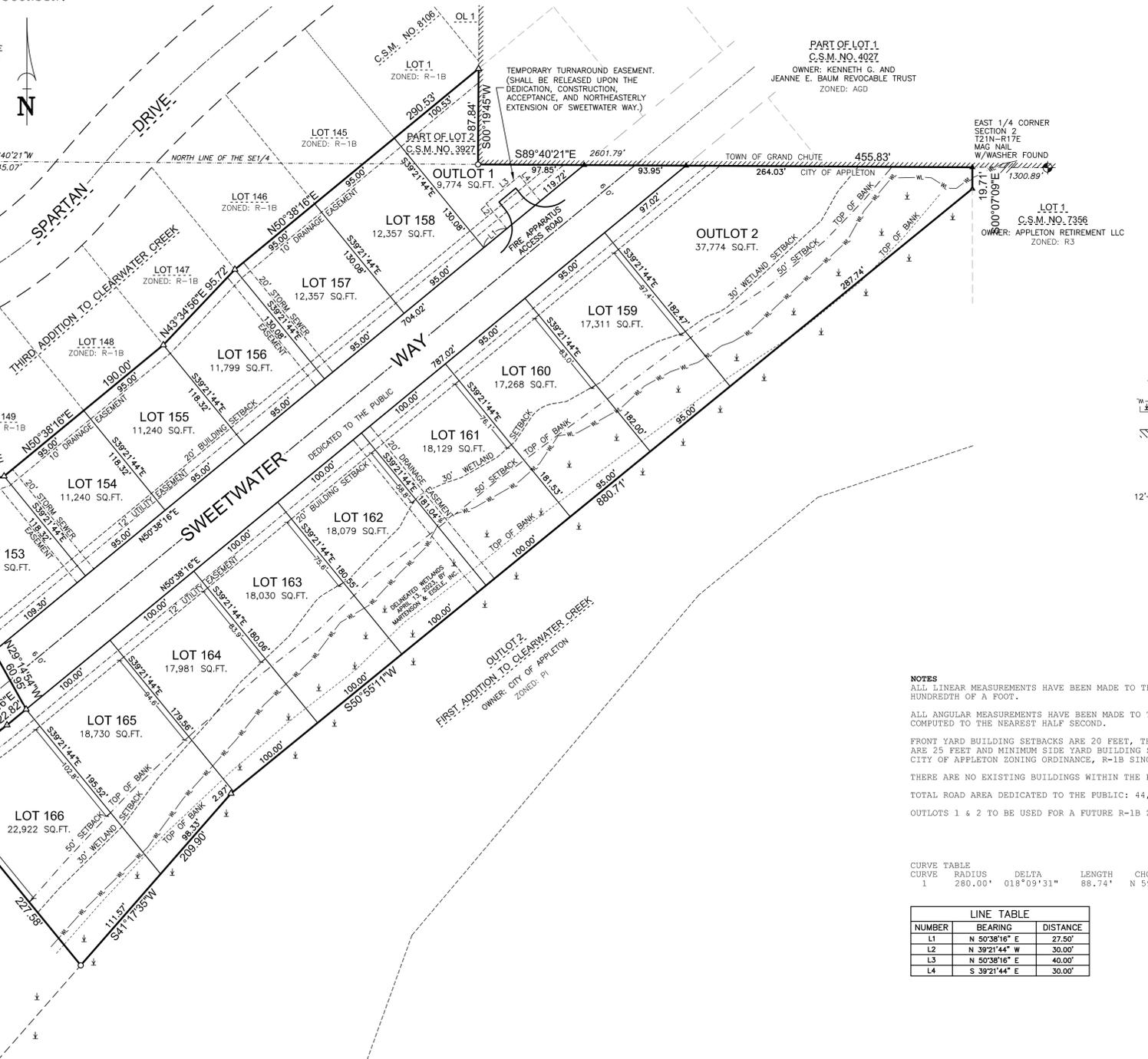
There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2), Wis. Stats. as provided by s. 236.12, Wis. Stats.

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

Department of Administration



Department of Administration



- LEGEND**
- ▲ 1" O.D. ROUND IRON PIPE SET, 24" LONG, WEIGHING 1.13 LBS. PER LINEAL FOOT AT ALL OTHER LOT CORNERS
  - ▲ 1-1/4" O.D. ROUND REINFORCING BAR SET, 30" LONG WEIGHING 4.303 LBS. PER LINEAL FOOT
  - ▲ 1-1/4" O.D. ROUND REINFORCING BAR FOUND, 30" LONG WEIGHING 4.303 LBS. PER LINEAL FOOT
  - 3/4" ROD FOUND
  - GOVERNMENT CORNER
  - W W DELINEATED WETLANDS
  - MUNICIPAL BOUNDARY

**UTILITY EASEMENTS** - NO POLES OR BURIED CABLES ARE TO BE PLACED SUCH THAT THE INSTALLATION WOULD DISTURB ANY SURVEY STAKE OR OBSTRUCT VISION ALONG ANY LOT LINE OR STREET LINE. THE DISTURBANCE OF A SURVEY STAKE BY ANYONE IS A VIOLATION OF SECTION 236.32 OF WISCONSIN STATUTES. UTILITY EASEMENTS AS HEREIN SET FORTH ARE FOR THE USE OF PUBLIC BODIES AND PRIVATE PUBLIC UTILITIES HAVING THE RIGHT TO SERVE THE AREA.

**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.

FRONT YARD BUILDING SETBACKS ARE 20 FEET, THE MINIMUM REAR YARD BUILDING SETBACKS ARE 25 FEET AND MINIMUM SIDE YARD BUILDING SETBACKS ARE 6 FEET AS LISTED IN THE CITY OF APPLETON ZONING ORDINANCE, R-1B SINGLE-FAMILY DISTRICT.

THERE ARE NO EXISTING BUILDINGS WITHIN THE PLATTED AREA.

TOTAL ROAD AREA DEDICATED TO THE PUBLIC: 44,731 SQUARE FEET (1.027 ACRES)

OUTLOTS 1 & 2 TO BE USED FOR A FUTURE R-1B ZONED RESIDENTIAL LOT.

CURVE	RADIUS	DELTA	LENGTH	CHORD BEARING	CHORD	TANGENT IN	TANGENT OUT
1	280.00'	018°09'31"	88.74'	N 59°43'01.5" E	88.37'	N 68°47'47" E	N 50°38'16" E

LINE TABLE		
NUMBER	BEARING	DISTANCE
L1	N 50°38'16" E	27.50'
L2	N 39°21'44" W	30.00'
L3	N 50°38'16" E	40.00'
L4	S 39°21'44" E	30.00'

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

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

Department of Administration



Drawing No. 1-0822-003  
Sheet 1 of 2  
This instrument drawn by: C. Cleary

# FOURTH ADDITION TO CLEARWATER CREEK

PART OF LOT 2 OF CERTIFIED SURVEY MAP NO. 3927 FILED IN VOLUME 21 OF CERTIFIED SURVEY MAPS ON PAGE 3927 AS DOCUMENT NO. 1388606, BEING PART OF THE SOUTHWEST 1/4 OF THE FRACTIONAL NORTHEAST 1/4; AND UNPLATTED LANDS BEING PART OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4; ALL IN SECTION 2, TOWNSHIP 21 NORTH, RANGE 17 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN.

## SURVEYOR'S CERTIFICATE

I, CHRISTOPHER R. CLEARY, PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY:

THAT I HAVE SURVEYED, DIVIDED, AND MAPPED FOURTH ADDITION TO CLEARWATER CREEK, AT THE DIRECTION OF CLEARWATER CREEK, LLC, PART OF LOT 2 OF CERTIFIED SURVEY MAP NO. 3927 FILED IN VOLUME 21 OF CERTIFIED SURVEY MAPS ON PAGE 3927 AS DOCUMENT NO. 1388606, BEING PART OF THE SOUTHWEST 1/4 OF THE FRACTIONAL NORTHEAST 1/4; AND UNPLATTED LANDS BEING PART OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4; ALL IN SECTION 2, TOWNSHIP 21 NORTH, RANGE 17 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN, MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST 1/4 CORNER OF SAID SECTION 2; THENCE NORTH 89 DEGREES 40 MINUTES 21 SECONDS WEST, ALONG THE NORTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION, A DISTANCE OF 1300.89 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 00 DEGREES 07 MINUTES 09 SECONDS EAST, ALONG THE EAST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION, A DISTANCE OF 19.71 FEET; THENCE SOUTH 50 DEGREES 55 MINUTES 11 SECONDS WEST, ALONG THE NORTHERLY LINE OF OUTLOT 2, FIRST ADDITION TO CLEARWATER CREEK, A DISTANCE OF 880.71 FEET; THENCE SOUTH 41 DEGREES 17 MINUTES 35 SECONDS WEST, CONTINUING ALONG THE NORTHERLY LINE OF SAID OUTLOT 2, A DISTANCE OF 209.90 FEET; THENCE NORTH 39 DEGREES 21 MINUTES 44 SECONDS WEST, ALONG THE NORTHEASTERLY LINE OF OUTLOT 1, CERTIFIED SURVEY MAP NO. 7827, A DISTANCE OF 227.58 FEET; THENCE 88.74 FEET ALONG AN ARC OF A CURVE TO THE LEFT, ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF SWEETWATER WAY, SAID CURVE HAVING A RADIUS OF 280.00 FEET AND A CHORD THAT BEARS NORTH 59 DEGREES 43 MINUTES 01.5 SECONDS EAST, 88.37 FEET; THENCE NORTH 50 DEGREES 38 MINUTES 16 SECONDS EAST, CONTINUING ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF SWEETWATER WAY, A DISTANCE OF 22.82 FEET; THENCE NORTH 29 DEGREES 14 MINUTES 54 SECONDS WEST, ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SWEETWATER WAY, A DISTANCE OF 60.95 FEET; THENCE THE FOLLOWING SIX CALLS ARE ALONG THE SOUTHERLY LINE OF THE THIRD ADDITION TO CLEARWATER CREEK AND CERTIFIED SURVEY MAP NO. 8104:

THENCE NORTH 39 DEGREES 21 MINUTES 44 SECONDS WEST, 59.84 FEET;  
 THENCE NORTH 00 DEGREES 15 MINUTES 15 SECONDS EAST, 100.20 FEET;  
 THENCE NORTH 73 DEGREES 01 MINUTES 34 SECONDS EAST, 49.11 FEET;  
 THENCE NORTH 50 DEGREES 38 MINUTES 16 SECONDS EAST, 190.00 FEET;  
 THENCE NORTH 43 DEGREES 34 MINUTES 56 SECONDS EAST, 95.72 FEET;  
 THENCE NORTH 50 DEGREES 38 MINUTES 16 SECONDS EAST, 290.53 FEET;

THENCE SOUTH 00 DEGREES 19 MINUTES 45 SECONDS WEST, ALONG THE EAST LINE OF LOT 2, CERTIFIED SURVEY MAP NO. 3927, A DISTANCE OF 87.84 FEET; THENCE SOUTH 89 DEGREES 40 MINUTES 21 SECONDS EAST, ALONG THE NORTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 2, A DISTANCE OF 455.83 FEET TO THE POINT OF BEGINNING. CONTAINING 312,063 SQ.FT. [7.164 ACRES].

THAT SUCH PLAT IS A CORRECT REPRESENTATION OF ALL EXTERIOR BOUNDARIES OF THE LAND SURVEYED AND THE SUBDIVISION THEREOF MADE.

THAT I HAVE MADE SUCH LAND DIVISION AND PLAT BY THE DIRECTION OF THE OWNERS SHOWN HEREIN.

THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF CHAPTER 236 OF THE WISCONSIN STATUTES, AND THE SUBDIVISION REGULATIONS OF OUTAGAMIE COUNTY AND THE CITY OF APPLETON IN SURVEYING, DIVIDING AND MAPPING THE SAME.

GIVEN UNDER MY HAND THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023.

CHRISTOPHER R. CLEARY, PROFESSIONAL LAND SURVEYOR S-2551

## CORPORATE OWNER'S CERTIFICATE OF DEDICATION

CLEARWATER CREEK, LLC, DULY ESTABLISHED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF WISCONSIN, AS OWNER, DOES HEREBY CERTIFY THAT SAID KUREY RIDGE, LLC, CAUSED THE LAND DESCRIBED ON THIS PLAT TO BE SURVEYED, DIVIDED, MAPPED AND DEDICATED ALL AS SHOWN AND REPRESENTED ON THIS PLAT.

CLEARWATER CREEK, LLC, FURTHER CERTIFIES 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(S) THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023.

ROBERT DEBRUIN - MEMBER

STATE OF WISCONSIN )  
 ) SS  
 OUTAGAMIE COUNTY )

PERSONALLY CAME BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023,  
 THE ABOVE OWNER(S) TO ME KNOWN TO BE THE PERSON(S), WHO EXECUTED THE FOREGOING  
 INSTRUMENT AND ACKNOWLEDGE THE SAME.

NOTARY PUBLIC  
 MY COMMISSION EXPIRES \_\_\_\_\_

## UTILITY EASEMENT PROVISIONS

AN EASEMENT FOR ELECTRIC, NATURAL GAS, AND COMMUNICATIONS SERVICE IS HEREBY GRANTED BY CLEARWATER CREEK, LLC, GRANTORS, TO

WISCONSIN ELECTRIC POWER COMPANY, A WISCONSIN CORPORATION DOING BUSINESS AS WE ENERGIES, GRANTEE,  
 WISCONSIN BELL, INC. D/B/A AT&T WISCONSIN, A WISCONSIN CORPORATION, GRANTEE, AND  
 TIME WARNER ENTERTAINMENT COMPANY, L.P., GRANTEE

THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, TO CONSTRUCT, INSTALL, OPERATE, REPAIR, MAINTAIN AND REPLACE FROM TIME TO TIME, FACILITIES USED IN CONNECTION WITH OVERHEAD AND UNDERGROUND TRANSMISSION AND DISTRIBUTION OF ELECTRICITY AND ELECTRIC ENERGY, NATURAL GAS, TELEPHONE AND CABLE TV FACILITIES FOR SUCH PURPOSES AS THE SAME IS NOW OR MAY HEREAFTER BE USED, ALL IN, OVER, UNDER, ACROSS, ALONG AND UPON THE PROPERTY SHOWN WITHIN THOSE AREAS ON THE PLAT DESIGNATED AS "UTILITY EASEMENT AREAS" AND THE PROPERTY DESIGNATED ON THE PLAT FOR STREETS AND ALLEYS, WHETHER PUBLIC OR PRIVATE, TOGETHER WITH THE RIGHT TO INSTALL SERVICE CONNECTIONS UPON, ACROSS WITHIN AND BENEATH THE SURFACE OF EACH LOT TO SERVE IMPROVEMENTS, THEREON, OR ON ADJACENT LOTS; ALSO THE RIGHT TO TRIM OR CUT DOWN TREES, BRUSH AND ROOTS AS MAY BE REASONABLY REQUIRED INCIDENT TO THE RIGHTS HEREIN GIVEN, AND THE RIGHT TO ENTER UPON THE SUBDIVIDED PROPERTY FOR ALL SUCH PURPOSES. THE GRANTEEES AGREE TO RESTORE OR CAUSE TO HAVE RESTORED, THE PROPERTY, AS NEARLY AS IS REASONABLY POSSIBLE, TO THE CONDITION EXISTING PRIOR TO SUCH ENTRY BY THE GRANTEEES OR THEIR AGENTS. THIS RESTORATION, HOWEVER, DOES NOT APPLY TO THE INITIAL INSTALLATION OF SAID UNDERGROUND AND/OR ABOVE GROUND ELECTRIC FACILITIES, NATURAL GAS FACILITIES, OR TELEPHONE AND CABLE TV FACILITIES OR TO ANY TREES, BRUSH OR ROOTS WHICH MAY BE REMOVED AT ANY TIME PURSUANT TO THE RIGHTS HEREIN GRANTED. STRUCTURES SHALL NOT BE PLACED OVER GRANTEEES' FACILITIES OR IN, UPON OR OVER THE PROPERTY WITHIN THE LINES MARKED "UTILITY EASEMENT AREAS" WITHOUT THE PRIOR WRITTEN CONSENT OF GRANTEEES. 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 GRANTEEES. THE GRANT OF EASEMENT SHALL BE BINDING UPON AND INURE TO THE BENEFIT OF THE HEIRS, SUCCESSORS AND ASSIGNS OF ALL PARTIES HERETO.

ROBERT DEBRUIN - MEMBER

## DRAINAGE EASEMENT PROVISIONS

AN EASEMENT FOR DRAINAGE IS HEREBY GRANTED BY CLEARWATER CREEK, LLC, GRANTOR, TO

CITY OF APPLETON, GRANTEE.

THE GRANTOR, THEIR RESPECTIVE LESSEES, SUCCESSORS, HEIRS OR ASSIGNS, SHALL HAVE FULL USE AND ENJOYMENT OF THE PROPERTY REFERENCED ABOVE PROVIDED THAT SUCH USE DOES NOT INTERFERE WITH GRANTEE'S RIGHT TO INSTALL, REPLACE, OPERATE, MAINTAIN AND REPAIR SAID DRAINAGEWAY AND ASSOCIATED APPURTENANCES. IT IS FURTHER AGREED THAT AFTER MAINTAINING, REPAIRING, REPLACING OR RELOCATING OF SAID DRAINAGEWAY AND ASSOCIATED APPURTENANCES GRANTEE SHALL RESTORE UNIMPROVED SURFACES SUCH AS GRASS, GRAVEL AND DIRT ON SAID PROPERTY, AS CLOSELY AS POSSIBLE, TO THE CONDITION PREVIOUSLY EXISTING. GRANTEE SHALL NOT BE REQUIRED TO RESTORE OR COMPENSATE FOR ANY IMPROVEMENTS OR IMPROVED SURFACES SUCH AS, BUT NOT LIMITED TO, CURB AND GUTTER, HARD PAVEMENTS, TREES, SHRUBS AND LANDSCAPING, DISTURBED AS A RESULT OF THE MAINTENANCE ACTIVITIES DESCRIBED HEREIN. GRANTEE DOES HEREBY AGREE TO COMPENSATE FULLY FOR ANY DAMAGE CAUSED DIRECTLY OR INDIRECTLY FROM SAID MAINTENANCE, REPAIR, REPLACEMENT OR RELOCATION OF SAID DRAINAGEWAY AND ASSOCIATED APPURTENANCES, THAT OCCUR OUTSIDE OF THE ABOVE DESCRIBED EASEMENT AREA. BUILDINGS OR ANY OTHER TYPE OF STRUCTURE OR IMPEDIMENT TO DRAINAGE SHALL NOT BE PLACED OVER GRANTEE'S FACILITIES OR IN, UPON OR OVER THE PROPERTY WITHIN THE LINES MARKED "DRAINAGE EASEMENT". GRANTEE AGREES THAT IT SHALL GIVE TIMELY NOTICE TO THE GRANTOR OF ROUTINE MAINTENANCE WORK. GRANTOR SHALL MAINTAIN GROUND SURFACE AND VEGETATION SO AS NOT TO IMPEDE DRAINAGE.

THE GRANT OF EASEMENTS SHALL BE BINDING UPON AND INURE TO THE BENEFIT OF THE HEIRS, SUCCESSORS AND ASSIGNS OF ALL PARTIES HERETO.

ROBERT DEBRUIN - MEMBER

## STORM SEWER EASEMENTS PROVISION

AN EASEMENT FOR STORM SEWER IS HEREBY GRANTED BY CLEARWATER CREEK, LLC, GRANTOR, TO

CITY OF APPLETON, GRANTEE.

THE GRANTOR, THEIR RESPECTIVE LESSEES, SUCCESSORS, HEIRS OR ASSIGNS, SHALL HAVE FULL USE AND ENJOYMENT OF THE PROPERTY REFERENCED ABOVE PROVIDED THAT SUCH USE DOES NOT INTERFERE WITH GRANTEE'S RIGHT TO INSTALL, REPLACE, OPERATE, MAINTAIN AND REPAIR SAID STORM SEWER AND ASSOCIATED APPURTENANCES. IT IS FURTHER AGREED THAT AFTER MAINTAINING, REPAIRING, REPLACING OR RELOCATING OF SAID STORM SEWER AND ASSOCIATED APPURTENANCES GRANTEE SHALL RESTORE UNIMPROVED SURFACES SUCH AS GRASS, GRAVEL AND DIRT ON SAID PROPERTY, AS CLOSELY AS POSSIBLE, TO THE CONDITION PREVIOUSLY EXISTING. GRANTEE SHALL NOT BE REQUIRED TO RESTORE OR COMPENSATE FOR ANY IMPROVEMENTS OR IMPROVED SURFACES SUCH AS, BUT NOT LIMITED TO, CURB AND GUTTER, HARD PAVEMENTS, TREES, SHRUBS AND LANDSCAPING, DISTURBED AS A RESULT OF THE MAINTENANCE ACTIVITIES DESCRIBED HEREIN. GRANTEE DOES HEREBY AGREE TO COMPENSATE FULLY FOR ANY DAMAGE CAUSED DIRECTLY OR INDIRECTLY FROM SAID MAINTENANCE, REPAIR, REPLACEMENT OR RELOCATION OF SAID STORM SEWER AND ASSOCIATED APPURTENANCES, THAT OCCUR OUTSIDE OF THE ABOVE DESCRIBED EASEMENT AREA. BUILDINGS OR ANY OTHER TYPE OF STRUCTURE SHALL NOT BE PLACED OVER GRANTEE'S FACILITIES OR IN, UPON OR OVER THE PROPERTY WITHIN THE LINES MARKED "STORM SEWER EASEMENT" GRANTEE AGREES THAT IT SHALL GIVE TIMELY NOTICE TO THE GRANTOR OF ROUTINE MAINTENANCE WORK.

THE GRANT OF EASEMENTS SHALL BE BINDING UPON AND INURE TO THE BENEFIT OF THE HEIRS, SUCCESSORS AND ASSIGNS OF ALL PARTIES HERETO.

ROBERT DEBRUIN - MEMBER

## COMMON COUNCIL RESOLUTION:

RESOLVED, THAT THE FOURTH ADDITION TO CLEARWATER CREEK, IN THE CITY OF APPLETON, IS HEREBY APPROVED BY THE COMMON COUNCIL OF THE CITY OF APPLETON.

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

JACOB A. WOODFORD, CITY MAYOR

I HEREBY CERTIFY THAT THE FOREGOING IS A COPY OF A RESOLUTION ADOPTED BY THE COMMON COUNCIL OF THE CITY OF APPLETON.

KAMI LYNCH, CITY CLERK DATE

## OUTAGAMIE COUNTY ZONING COMMITTEE

I, HEREBY CERTIFY THAT THE PLAT OF THE FOURTH ADDITION TO CLEARWATER CREEK, IN THE CITY OF APPLETON, WAS APPROVED AND ACCEPTED BY THE OUTAGAMIE COUNTY ZONING COMMITTEE ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023.

ISAAC UITENBROAK, ZONING ADMINISTRATOR

## CITY TREASURER'S CERTIFICATE:

I, JERI A. OHMAN, BEING THE DULY QUALIFIED AND ACTING FINANCE DIRECTOR OF THE CITY OF APPLETON, DO HEREBY CERTIFY THAT IN ACCORDANCE WITH THE RECORDS IN MY OFFICE, THERE ARE NO UNPAID TAXES OR UNPAID SPECIAL ASSESSMENTS AS OF \_\_\_\_\_ ON ANY OF THE LAND INCLUDED IN THE FOURTH ADDITION TO CLEARWATER CREEK.

JERI A. OHMAN, CITY FINANCE DIRECTOR DATE

## COUNTY TREASURER'S CERTIFICATE:

I, \_\_\_\_\_, BEING THE DULY ELECTED, QUALIFIED AND ACTING TREASURER OF THE COUNTY OF OUTAGAMIE, DO HEREBY CERTIFY THAT THE RECORDS IN MY OFFICE SHOW NO UNREDEEMED TAX SALES AND NO UNPAID TAXES OR UNPAID SPECIAL ASSESSMENTS AS OF \_\_\_\_\_ AFFECTING THE LANDS INCLUDED IN THE FOURTH ADDITION TO CLEARWATER CREEK.

DATE \_\_\_\_\_ SIGNED \_\_\_\_\_ COUNTY TREASURER

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

Drawing No. 1-0822-003  
 Sheet 2 of 2  
 This instrument drawn by: C. Cleary



# MEMORANDUM

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

TO: Community & Economic Development Committee  
FROM: Kara Homan, AICP, Director  
CC: City Plan Commission  
DATE: September 20, 2023  
RE: Request to award contract to Green Bicycle Co. for Housing Development Policy, Process & Stakeholder Engagement Services

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**Background & Analysis:** The Mayor, using prior year excess fund balance, budgeted \$25,000 in funding for an Economic Development Study related to improving the City’s economic development experience. The policy area of housing has, over time, become one of the most critical economic development matters facing the City of Appleton. As such, the City of Appleton issued a Request for Proposals/Quotes (RFPQ) for consulting services related to Housing Development Policy, Process and Stakeholder Engagement (attached). Proposals were solicited in accordance with the City’s Procurement and Contract Management Policy. One proposal was received from [Green Bicycle Co.](#), a Planning/Consulting Firm based in Sheboygan, WI. The initial proposal had a quoted price of \$40,000.

The proposal was evaluated by a CED team consisting of myself; David Kress, Deputy Director of CED; Matt Rehbein, Economic Development Specialist; and Lindsey Smith, Principal Planner. The evaluation consisted of internal technical review of their proposal and an onsite interview.

After internal review and determination of the firm’s qualifications and ability to perform the desired work, staff negotiated the scope of services to achieve a total price of \$32,000 for the services outline in the revised Green Bicycle Co. proposal (attached). Funding for this project is derived from the Mayor’s Economic Development Study Budget (\$25,000 – Acct # 10520 - 640400) and the CED New/Redevelopment Projects Budget (\$7,000 – Acct # 15040 - 640400).

Per the City’s organizational structure and procurement policies, contracts for services in excess of \$25,000 by the Community & Economic Development Department fall under the jurisdiction of the Community and Economic Development Committee (CEDC) for review/recommendation and Common Council for final award. Some of the content/recommendations of this project may fall under the statutory jurisdiction of the City’s Plan Commission. This item is being included as an information item for Plan Commission to bring this project to their attention.

**Staff Recommendation:** In accordance with city policy, staff recommends the CEDC recommend approval to award a contract to Green Bicycle Co., in an amount of \$32,000, to perform the scope of services outlined in the attached Green Bicycle Co.’s proposal.



**GREEN BICYCLE CO.**

*Building conscious communities*

# Housing Development Policy Guide

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CITY OF APPLETON | WISCONSIN

## Project Proposal

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Version 3  
September 19, 2023

**Contact** Heather Cleveland (Authorized Rep)  
920-287-3661  
heather@greenbicycleco.com

**Address** 1117 N 8th Street | Sheboygan, WI 53081  
**Website** [www.greenbicycleco.com](http://www.greenbicycleco.com)



# Statement of Qualifications

Green Bicycle Co. was established in early 2020. We have a home office in the heart of Sheboygan with three project dedicated staff members and several dedicated support staff.

Green Bicycle Co. has served a variety of clients, providing services that include cultural asset mapping, non-profit strategic planning, community building, outreach planning and facilitation, and organizational structure and policy development. Collectively, Green Bicycle Co. staff hold over 45 years of experience in planning and have successfully developed strategic implementation plans for our clients near-term and long-term initiatives. While we are seasoned professionals, we pride ourselves on a fresh perspective for every project.

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**The Green Bicycle Co. team is a group of critical thinkers and patient listeners whose varied experiences make us a great fit for the City of Appleton's Housing Development Policy, Process & Stakeholder Engagement Services project.**

# Contents

## TOPICS OF THE PROPOSAL



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# About Us



Green Bicycle Co. is dedicated to **Creating Conscious Communities**. This is a commitment to ensure radically inclusive engagement, meaningful communication, and a fresh perspective to every community we work with for the duration of our project and beyond. Green Bicycle Co. will engage in intensive community outreach methods to ensure that this project is equitable, sustainable, and thoughtfully constructed.

Heather Cleveland, Green Bicycle Co. 's Founder and President, Urban Planner, Environmental Engineer, and Community Developer, will serve as Project Manager, and she brings strong leadership, communication, and strategic planning skills to the team. Chelsea Couette, Economic Development Planner, brings nearly a decade of commercial real estate development and investment experience and an education in urban planning and economic development to help provide valuable insight to the project. Nancy Maring, Urban Planner, has specific economic and community development experience through her previous career in municipal planning.

All members of the Green Bicycle Co. team are committed to creating a great experience and project for the City of Appleton. Green Bicycle Co. staff have access to a variety of resources, professionals, and organizations to further collaborate and contribute to our understanding of the unique needs of our clients and the projects we undertake.

## Vision

Green Bicycle Co. is a vibrant, inclusive, sustainable, and engaged community of individuals that support and learn from and with each other.

## Mission

The Green Bicycle Co. mission is to educate and engage with the community in a way that encourages and inspires a sustainable lifestyle. Green Bicycle Co. goods, projects, and experiences focus around a way of life that is thoughtful, collaborative, and sustainable.

# Meet Our Team



**Heather Cleveland**  
Project Manager

Heather will manage the project and work closely with the City to ensure the project moves in the right direction, engages stakeholders with radical inclusion, and milestones that allow opportunities for feedback.

Heather's leadership experience in non-profits and community projects, consulting experience and military experience, along with her education and ability for critical thinking and communication make her a great fit for the role. Heather holds Bachelor of Science in Civil Engineering and Master of Urban Planning degrees from the University of Wisconsin-Milwaukee. She is a compassionate listener and visionary that quickly sees processes and systems and finds inspiration and challenge from different viewpoints and experiences.



**Chelsea Couette**  
Economic  
Development Planner

Chelsea will lead a variety of tasks and phases of the project to help facilitate activities and engagement to create a well-rounded final product that provides relevant strategies for both near term, as well as future implementation.

Chelsea has extensive experience in real estate development and will use this knowledge to identify strategic opportunities for policy feedback and future investment and growth. Chelsea holds a Master of Urban Planning degree from the University of Wisconsin-Milwaukee with concentrations in Real Estate Development and Economic Development, as well as a Bachelor of Science degree from the University of Wisconsin-Madison.



**Nancy Maring**  
Urban Planner

Nancy will assist with a variety of tasks and phases of the project. Her municipal experience and continued education of best and innovative practices will help the evolution of the project be both within reach to the City while introducing new ideas.

As an Urban Planner with Green Bicycle Co. Nancy will draw on her experience and expertise while supporting public engagement and analysis efforts. Nancy holds a Master of Urban Planning degree from the University of Wisconsin-Milwaukee and has nearly a decade of municipal planning experience which has provided her exposure to many varied projects, issues, and plans. Nancy has experience in economic development, community development and placemaking efforts.

Additional staff may join our team should Green Bicycle Co. be awarded the project.

# Project Approach

Green Bicycle Co.'s ("GBC") project approach aims to engage with relevant stakeholders and evaluate existing market conditions, ordinances, policies and procedures as it pertains to housing availability, density and development in the City of Appleton in order to create a reference resource ("Guide") for the Task Force, staff and City officials. The Guide will also include housing policy and entitlement procedure recommendations to ease and streamline any identified barriers to development.

The Guide shall be a reflective, responsive and accessible resource to inform the community, stakeholders and policy makers about the direction set forth for the growth of housing and potential investment opportunities in the City.



## Components to Success

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Community Metrics

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Scenario Planning

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Engagement & Feedback

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Accessibility

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Accountability

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Action Plan

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Existing Resources

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Innovation

# Project Approach Components



## 1| Metrics

Focus on specific metrics that pertain to quality and availability of housing types and economic and population growth to generate a quantitative understanding of existing housing conditions and opportunities in the community.

## 2| Scenario Planning

Include scenario planning to contrast the range of policy choice affecting the built environment and the metrics being evaluated. This approach, in addition to narrative, helps stakeholders understand future housing development potential. These scenarios offer compelling visuals and info-graphics on metrics that will keep people engaged and solicit critical thinking and insightful feedback.

## 3| Engagement & Feedback

A comprehensive group of stakeholders will be engaged to provide input and feedback during the development process and before the final Guide is presented to ensure representation and buy-in from staff, officials, and the community.

## 4| Accessibility

Design a Guide that can be accessed and understood by people of all backgrounds and abilities, as well as City staff and officials who need a relied-upon resource to assist decision making based on a variety of metrics. The Guide should be available in a format that is accessible and acceptable to feedback on an ongoing basis.

## 5| Accountability

The Guide will include accountability strategies for the recommendations being made that are developed alongside the Task Force. Ideally, the Guide will be utilized by stakeholders to positively influence change in policy and procedures and future planning and investment efforts.

## 6| Action Plan

As part of the Recommendations being made in the Guide, GBC and the Task Force will collaborate to suggest follow-up action items to move forward and/or achieve the goals of the Recommendations (e.g. responsible parties, timelines and potential funding options, etc)

## 7| Existing Resources

Existing resources will be reviewed and evaluated in the development of the Guide to the fullest extent possible to supplement the project team understanding of the community and enhance the impact of the Guide recommendations.

## 8| Innovation

Housing development and policy are high priority topics throughout the State of Wisconsin and the U.S.; our team will identify and recommend innovative ways encourage housing development projects through a combination of research and partnerships.

# Scope of Work

## Task 1: Introduction & Stakeholder Engagement Plan

GBC will discuss and propose a meeting and reporting schedule with the established Task Force participants, with at least one meeting per month to begin. Additionally, work will be done to create the foundational elements on which the Guide will be built and completed. See Project Timeline for overall project timing schedule.

A stakeholder engagement plan ("Stakeholder Engagement Plan") will be developed. The Stakeholder Engagement Plan will identify strategies to gather data and feedback from relevant internal and external stakeholders, making sure to reach pertinent community stakeholders through multiple mechanisms, as well as identify specific audiences that are often not represented in outreach efforts, or who may not traditionally participate in engagement opportunities.

Deliverables: Task Force Meeting Schedule and Stakeholder Engagement Plan



## Innovative Guide Element: Housing Redevelopment Scenario Planning

GBC, Task Force participants and stakeholders will work together through scenario planning activities and stakeholder meetings to provide input and guidance for the redevelopment of strategically identified City- or privately-owned parcel(s) to create a pattern book of potential housing development options which seek to encourage the construction of and investment in higher-density, more affordable housing options.

- Task 1: GBC and Task Force to identify site(s) most suitable for Housing Redevelopment
- Task 2: GBC to present sites(s) to Stakeholders (Internal & External) during stakeholder engagement period. Stakeholders to provide Recommendations for potential housing redevelopment projects based on professional experience and market conditions.
- Task 3: GBC to summarize Recommendations in the Guide, along with necessary approval procedures and policy adjustments to accommodate the Recommendations.

GBC will also research alternative and/or supplemental funding opportunities that may be utilized to bridge financing gaps or ease potential burdens to development that would prohibit or encumber future investment in multi-family housing in the City of Appleton.

## **Task 2: Policy Review & Stakeholder Engagement**

### **Policy Review**

Prior to engagement with stakeholders, GBC will conduct a thorough review of the policy, planning, ordinance and procedural materials provided by the Task Force. These efforts will allow GBC to engage in thoughtful conversations with a variety of Internal and External Stakeholders and provide productive feedback to potential impediments to housing development from a policy perspective.

In conjunction with Policy Review, GBC will review the following reports provided by the City of Appleton: Fox Cities and Greater Outagamie County Regional Housing Strategy and College North Neighborhood Plan.

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### **Stakeholder Engagement – Internal Stakeholders**

Engagement with Internal Stakeholders, to be identified by GBC and Task Force participants, will be integral in providing feedback and insight into current regulation, review, approval and inspection policies and processes of housing-centric projects. During this process, Internal Stakeholders will aid in identifying operational and policy deficiencies and participate in the prioritization of policy or procedural adjustments to ease barriers to development and investment based on both Internal and External Stakeholder feedback.

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### **Stakeholder Engagement – External Stakeholders**

GBC will conduct outreach and engagement efforts with strategically identified External Stakeholders. Local and regional economic development organizations and housing development, construction, sales, leasing and investment firms and professionals, through surveys and interviews, will provide valuable insight into historical housing trends and a snapshot of current market conditions. These External Stakeholders will be key in identifying market gaps, future housing development potential and recommendations for impactful municipal policy and ordinance adjustments to favorably position the City for on-going and future housing growth and investment.

**Deliverables: Internal & External Stakeholder Feedback Summary,  
Market Summary & Draft Recommendations**

### **Task 3: Draft Guide**

#### **Summary of Findings & Recommendations**

In the final phase of the project, a draft Guide will be prepared for the Task Force, which summarizes the findings conducted in the Stakeholder Engagement efforts, the market research and information gathered from the provided reports, as well the Recommendations being made to the Task Force. The Recommendations will be focused on opportunities to improve the review and approval of potential housing development projects and strategic policy adjustments to encourage the development of higher-density, more affordable housing options.

Deliverables: Draft Guide

### **Task 4: Final Guide**

GBC will deliver the final Guide document and make a presentation of the Guide to the Task Force participants.

Deliverables: Final Guide & Presentation to Task Force

# Deliverables & Meeting Schedule

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October 10, 2023 - Task Force Meeting & Meeting Schedule

October 24, 2023 - Stakeholder Engagement Plan

November 21, 2023 - Monthly Task Force Meeting/Update

December 19, 2023 - Monthly Task Force Meeting  
Draft Stakeholder & Market Feedback Summary

January 16, 2023 - Monthly Task Force Meeting  
Draft Recommendations Summary

February 20, 2024 - Final Guide & Presentation to Task Force

TBD 2024 - Additional Presentation Date



# Project Timeline

Task	2023			2024	
	Oct	Nov	Dec	Jan	Feb
0 Project Commencement	10/05/2023				
1 Stakeholder Engagement Plan					
2 Policy Review					
2 Data & Market Information Review					
2 Internal Stakeholder Engagement					
2 External Stakeholder Engagement					
3 Draft Guide & Recommendations					
4 Final Guide & Presentation					

# Investment v3

Task	Description	Investment v3	
		Hours	Investment
1	Stakeholder Engagement Plan	20	\$2,000
2	Policy Review	40	\$4,000
2	Data & Market Information Review	30	\$3,000
2	Stakeholder Engagement (Internal & External)	120	\$12,000
3	Draft Guide Summary of Findings & Recommendations	50	\$5,000
4	Final Guide & Presentation to Task Force	20	\$2,000
-	Travel, Accommodations, Guide & Engagement Expenses	Lump	\$4,000
<b>TOTAL INVESTMENT</b>		<b>\$32,000</b>	
Alt. Option Costs	Formal Presentation (In Person)	Per Mtg	\$500
	Formal Presentation (Virtual)	Per Mtg	\$300

Hourly rates are average \$100/hour and vary depending on staff experience. A retainer invoice will be sent upon being awarded the project, and subsequently on the first of the month for the duration the project per below:

- October 2023–February 2024: \$6,400 Monthly

Additional Fees: Additional fees for employees to complete additional items not identified in the Scope of Work is \$100/hour plus reimbursement for mileage and supplies.

# Investment v3

Investment v3; \$32,000. Data & Market Information Review will include a review of the existing reports, Fox Cities and Greater Outagamie County Regional Housing Strategy and College North Neighborhood Plan, provided by the City of Appleton. Additional data and market information research and sources may be recommended to fill in potential gaps discovered during internal and external engagement efforts. Scenario Planning work will be reduced slightly from the initial proposal, but it will still be a part of the Draft Guide for consideration.

# Contract

City of Appleton to provide GBC with City of Appleton Consultant Services Contract for review. The terms of the contract shall be mutually agreed upon by GBC and the City of Appleton prior to execution of the contract and commencement of project work.

# Insurance

Green Bicycle Co. certificate of insurance attached, see Exhibit B.

# Project Experience & References



## Cultural Asset Mapping

The John Michael Kohler Arts Center (JMKAC) engaged Green Bicycle Co. to begin a process of cultural asset mapping in September 2020. Cultural asset mapping identifies the resources in an area that make it unique. These assets include the people, places, and organizations that make valuable contributions to the community; they influence the cultural fabric of a region. By identifying and recognizing these assets within the City of Sheboygan, this project will make all these treasures, both tangible and intangible, more visible.

In Phase II of the project, Green Bicycle Co. worked alongside several JMKAC departments and community partners, engaged surveys and interviews, and worked towards recommendation implementation to increase representation, ownership, and a sense of belonging at Levitt AMP Sheboygan Music Series and beyond.

Ann Brusky—Deputy Director of Programming, John Michael Kohler Arts Center

## Telling the Full History

In 2022 Green Bicycle Co. partnered with the Sheboygan County Historical Museum, with funding through from the Telling the Full History Fund - a grant program of the National Trust for Historic Preservation, made possible through the National Endowment for the Humanities. The project's goals were to highlight the roles that underrepresented communities played in the history and evolution of Sheboygan County, as well as educating and creating a model for continued data collection, communications, and partnerships. Green Bicycle Co. worked alongside the Sheboygan County LGBTQ Alliance, Hmong community, and women in politics to collect and archive information and create opportunities for engagement and exhibition of local stories.

Travis Gross—Executive Director, Sheboygan County Historical Society and Museum

## Neighborhood Engagement & Development

The City of Sheboygan has made neighborhood development and engagement a focus area in the recent past, which creates a stronger tie and better communication between the City and its residents, and also helps empower neighborhood groups to advocate for themselves, solve problems and improve quality of life. Nancy, as a Planner with the City of Sheboygan, was the key City liaison engaging with neighborhoods, helping them find resources, form official associations, set goals and accomplish improvement projects. Nancy helped the Sheboygan PD become more involved with neighborhood groups and supported the new Beat Cop program - where officers made deeper connections in designated neighborhoods to reduce calls for service and open lines of communication to be proactive in those areas. Heather was involved in neighborhood engagement and development as a non-profit leader in one of the designated Beat Cop neighborhoods. Heather and her group hosted events and became an incredibly valuable community resource and connector.

Sgt. Andrew Kunding, Sheboygan Police Department

Contact Information will be provided upon request.

# **Exhibit A**

CITY OF APPLETON PRICE QUOTATION FORM  
TO BE UPDATED UPON APPROVAL OF THE REVISED PROPOSAL AND BUDGET  
BY COMMON COUNCIL AT THE OCTOBER 4, 2023 MEETING.



DEPARTMENT OF COMMUNITY &  
 ECONOMIC DEVELOPMENT  
 100 North Appleton Street  
 Appleton, WI 54911  
 TEL (920) 832-6468

**PRICE QUOTATION**

For

**Housing Development Process, Policy, &  
 Stakeholder Engagement Services**

Vendor Name: Green Bicycle Co.  
 Mailing Address: 1117 N 8<sup>th</sup> Street  
Sheboygan, WI 53081  
 Telephone: 920-287-3661  
 Email: heather@greenbicycleco.com

TOTAL COST OF PROJECT SERVICES..... \$ 40,000

ALT. OPTION COST: Cost for each formal presentation of  
 findings per Final Deliverable 6.d.

IN PERSON..... \$ 500

VIRTUAL..... \$ 300

Heather Cleveland  
 Quote Prepared By

8/18/23  
 Date

# **Exhibit B**





# Thank you.

**Contact** Green Bicycle Co.  
Heather Cleveland (Authorized Rep)  
920-287-3661  
heather@greenbicycleco.com

Chelsea Couette  
612-834-0379  
chelsea@greenbicycleco.com

Nancy Maring  
920-287-3661  
nancy@greenbicycleco.com

**Website** [www.greenbicycleco.com](http://www.greenbicycleco.com)

**Address** 1117 N 8th Street | Sheboygan, WI 53081



"...meeting community needs...enhancing quality of life."

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## CITY OF APPLETON

# Request for Proposal/Quotes for Housing Development Policy, Process, & Stakeholder Engagement Services

Issued by:  
City of Appleton, WI  
August 4, 2023

Proposals/Quotes must be received no later than:  
4:00 PM, Friday, August 18, 2023

Submit Quotes to:  
Kara Homan, AICP  
Director of Community & Economic Development

By mail:  
100 N. Appleton Street  
Appleton, WI 54911

Or electronically:  
[kara.homan@appleton.org](mailto:kara.homan@appleton.org)

For further information regarding this request contact:  
Kara Homan, Director of Community & Economic Development  
[kara.homan@appleton.org](mailto:kara.homan@appleton.org)  
920-832-6408

## **1.0 GENERAL INFORMATION**

### **1.1 Introduction**

The purpose of this document is to provide interested, qualified parties with the information to enable them to prepare and submit a quote for a consulting services contract. The selected consultant will complete and coordinate services related to the City of Appleton Housing Development Policy taskforce.

### **1.2 Background**

The City of Appleton will launch a Housing Development Policy Task Force (hereinafter The Task Force) comprised of representatives from the REALTORS Association of Northeast Wisconsin, the Fox Cities Home Builders Association, the Fox Cities Chamber of Commerce, and Habitat for Humanity Fox Cities, and other stakeholders. The Task Force, chaired by Mayor Jake Woodford, will work for a period of approximately three to four months to oversee a process that engages internal and external housing development stakeholders. The process is intended to review and provide recommendations on current policies, procedures, infrastructure expectations, approval processes, and other aspects of housing development gleaned through the process.

The Task Force will produce a set of recommendations related to future steps aimed at reducing barriers to housing development and streamlining the development process to improve the overall experience the City of Appleton delivers.

### **1.3 Scope**

The City is seeking to work with a team of personnel with experience in stakeholder engagement, housing, infrastructure and development policy and process design.

#### **A. Project Objectives**

1. Understand how current policies, procedures, infrastructure expectations, development review processes, and other aspects of housing development impact housing production.
2. Inform future planning (e.g. Comprehensive Plan Update), policy and code updates, and development-related process improvements.
3. Identify opportunities for win-win solutions between external stakeholders and the city/internal stakeholders.
4. Support housing development policies that wisely uses city infrastructure, capital and service delivery resources in the short- and long-term.
5. Ensure strong market alignment to allow for development of all housing products and types across the income spectrum.

#### **B. Scope of Services**

1. A project process, timeline and stakeholder engagement strategy.
2. Support city staff in liaising and facilitating the Task Force. We anticipate the taskforce will meet 3-5 times over a 3-4 month period.
3. Stakeholder engagement (such as interviews, focus groups, surveys etc.) including but not limited to:
  - a. *External Stakeholders*: homebuilders, contractors, developers,

landowners, sole-proprietors, and others to assess experience with the City.

- b. *Internal Stakeholders*: city staff involved in the development review process – Planning; Economic Development; Inspections; DPW Engineering; Fire; and others, to assess experience and insights on the development review process, regulatory schema, development incentives/constraints, etc.
4. Review existing housing development processes and policies related to key insights / issue areas gleaned from stakeholder engagement. Identify best practices and areas for improvement.
5. Summary of findings and recommendations, including but not limited to:
  - a. Documentation and insights gleaned from stakeholder engagement (e.g., surveys, interviews, focus groups, etc.);
  - b. Potential areas for development review process improvements.
  - c. Policy suggestions/best practices to evaluate to accelerate development of higher-density, more affordable housing in the City of Appleton.
6. Final Deliverables:
  - a. Written report, summarizing process, findings and recommendations.
  - b. Executive summary / overview presentation of findings.
  - c. All documents to be provided to City in original, editable format (e.g. .docx, .ppt, etc.) in addition to .pdf format.
  - d. ALT. OPTION: Formal presentation (in person and/or virtual) of project findings to entity(ies) outside of any the Task Force included in base quote (e.g. city committee(s), partner organizations, etc.).

City staff will assist with supplying project information, stakeholder contacts, relevant city housing policies, coordinating taskforce meetings, and providing other city-specific information related to the project.

#### **1.4 Project Calendar**

Listed below are the estimated dates of actions related to this request. In the event the City of Appleton finds it necessary to change any of the specific dates, it will do so.

<u>DATE</u>	<u>EVENT</u>
August 4, 2023	Issue Request for Proposals/ Quotes (RFPQ).
Aug 18, 2023	RFPQs due on or before 4:00 PM.
Aug 28, 2023	Internal review of RFPQs.
Sept 11, 2023	Enter into contract for services with selected consultant – Contract Start Date / Project Kickoff
Sept – Dec, 2023	Taskforce support; Conduct project work.
January 2024	Prepare final deliverables.

#### **1.5 Contract Terms**

The successful firm will be required to sign a standard City of Appleton Consultant Services Contract and meet the insurance requirements attached to this RFPQ.

## **2.0 PREPARING AND SUBMITTING THE QUOTE**

- 2.1 Consultant responding to this request must include the following information: cover letter, qualifications of the consultant and individuals who will work on the project, project approach, references, and the attached price quotation form.
- 2.2 Consultants may send completed proposal via email or delivery by hard copy on or before 4:00 PM, Friday, August 18, 2023, to:

Kara Homan, AICP  
Director of Community & Economic Development  
City of Appleton  
100 N. Appleton Street  
Appleton, WI 54911-4799  
[kara.homan@appleton.org](mailto:kara.homan@appleton.org)

Submittals received after Friday, August 18, 2023, at 4:00 PM will not be accepted.

- 2.3 The City of Appleton is not liable for any cost incurred by proposers in replying to this request.

## **3.0 ATTACHMENTS**

- 3.1 Price Quotation Form  
3.2 Insurance Requirements



"...meeting community needs...enhancing quality of life."

DEPARTMENT OF COMMUNITY &  
ECONOMIC DEVELOPMENT  
100 North Appleton Street  
Appleton, WI 54911  
TEL (920) 832-6468

## PRICE QUOTATION

For

### Housing Development Process, Policy, & Stakeholder Engagement Services

Vendor Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Telephone: \_\_\_\_\_

Email: \_\_\_\_\_

**TOTAL COST OF PROJECT SERVICES..... \$ \_\_\_\_\_**

**ALT. OPTION COST: Cost for each formal presentation of  
findings per Final Deliverable 6.d.**

**IN PERSON..... \$ \_\_\_\_\_**

**VIRTUAL..... \$ \_\_\_\_\_**

\_\_\_\_\_  
Quote Prepared By

\_\_\_\_\_  
Date

**IR 3.1 – Professional Services: \$2M Umbrella**  
**City of Appleton**  
**Insurance Requirements**

**Project:** \_\_\_\_\_

The contract or purchase order is not considered approved and the Contractor shall not commence work until proof of the required insurance has been provided to the applicable department for the City of Appleton.

It is hereby agreed and understood that the insurance required by the City of Appleton is primary coverage and any insurance or self-insurance maintained by the City of Appleton, its officers, council members, agents, employees or authorized volunteers will not contribute to a loss. All insurance shall be in full force prior to commencing work and remain in force until the entire job is completed or the length of time specified in the contract or listed below, whichever is longer.

- **Professional Liability**
  - Limits
    - Each claim..... \$1,000,000
    - Annual aggregate..... \$1,000,000
  - Must continue coverage for 2 years after final acceptance for service/job
  
- **General Liability Coverage**
  - Commercial General Liability
    - Each occurrence limit ..... \$1,000,000
    - Personal liability and advertising injury ..... \$1,000,000
    - General aggregate ..... \$2,000,000
    - Products/completed operations aggregate ..... \$2,000,000
  - Claims made form of coverage is not acceptable.
  - Insurance must include:
    - Premises and Operations Liability
    - Contractual Liability
    - Personal Injury
    - Explosion, collapse and underground coverage
    - Products/Completed Operations must be carried for 2 years after acceptance of completed work
    - **The general aggregate must apply separately to this project/location**
  
- **Business Automobile Coverage**
  - Combined single limit for bodily injury and property damage
    - Each incident ..... \$1,000,000
  - Must cover liability for Symbol #1 – “Any Auto” – including owned, non-owned, and hired automobile liability

- **Workers Compensation and Employers Liability:** IF required by Wisconsin State Statute or any workers compensation statute of a different state.
  - Must carry coverage for Statutory Workers Compensation and an Employers Liability limit of:
    - Each accident ..... \$100,000
    - Disease policy limit ..... \$500,000
    - Disease – each employee ..... \$100,000
  
- **Umbrella Liability:** IF exposure exists, provide coverage at least as broad as the underlying commercial general liability, automobile liability and employers liability, with a minimum limit of
  - Each occurrence ..... \$2,000,000
  - Aggregate ..... \$2,000,000
  - Maximum self-insured retention ..... \$10,000
  
- **Additional Provisions**
  - **Primary and Non-Contributory requirement: All insurance must be primary and non-contributory to any insurance or self-insurance carried by City of Appleton.**
  - **Acceptability of Insurers:** Insurance is to be placed with insurers who have an *A.M. Best* rating of no less than A- and a Financial Size Category of no less than Class VI, and who are authorized as an admitted insurance company in the state of Wisconsin.
  - **Additional Insured Requirements:** The following must be named as **additional insureds** on the General Liability and Business Automobile Liability Policies for liability arising out of project work: **City of Appleton, and its officers, council members, agents, employees and authorized volunteers. On the Commercial General Liability Policy, the additional insured coverage must be ISO form CG 20 10 07 04 and also include Products/Completed Operations equivalent to ISO form CG 20 37 07 04 or their equivalents for a minimum of 2 years after acceptance of work. This does not apply to Workers Compensation Policies.**
  - Certificates of Insurance acceptable to the City of Appleton shall be submitted prior to commencement of the work to the applicable department. **In addition form CG 20 10 07 04 for ongoing work exposure and form CG 20 37 07 04 for products-completed operations exposure must also be provided or its equivalent.** These certificates shall contain a provision that coverage afforded under the policies will not be canceled or non renewed until at least 30 days’ prior written notice has been given to the City of Appleton.

REQUIREMENTS CONTINUE ON FOLLOWING PAGE

Insurance Requirements for Sub-Contractors, all sub-contractors shall be required to obtain Commercial General Liability, Automobile Liability, Worker's Compensation, Employer's Liability and if applicable, Watercraft Liability, Aircraft Liability and Unmanned Aircraft Liability Insurance. This insurance shall be as broad as and with the same coverage limits as those required of the Contractor.

**The following additional coverages are required where the corresponding box is checked. In addition, Contractor shall be responsible for consulting with its insurance carrier to determine whether any of the other following coverages should be carried based upon the specific project:**

- Bond Requirements**
  - **Bid Bond:** The Contractor's Bid Bond equal to 5% of the contract shall accompany the bid for the project.
  - **Payment and Performance Bond:** If awarded the contract, the Contractor will provide to the Owner a Payment and Performance Bond in the amount of the contract price, covering faithful performance of the contract and payment of obligations arising thereunder, as stipulated in bidding requirements, or specifically required in the contract documents on the date of the contract's execution.
  - **Acceptability of Bonding Company:** The Bid, Payment and Performance Bonds shall be placed with a bonding company with an *A.M. Best* rating of no less than A- and a Financial Size Category of no less than Class VI.
  - **License and Permit Bond:** The Contractor will provide to the City a License and Permit Bond in the amount stipulated in Appleton's Municipal Code.
  
- Property Insurance Coverage (Builder's Risk) to be provided by the Contractor**
  - The property insurance must include engineering or architect fees and must equal the bid amount, plus any change orders.
  - Coverage includes property on the work site/s, property in transit and property stored off the work site/s.
  - Coverage will be on a **Replacement Cost basis**.
  - The City of Appleton, consultants, architects, architect consultants, engineers, engineer consultants, contractors and subcontractors will be added as named insureds to the policy.
  - Coverage must include collapse and be written on a "special perils" or "all risk" perils basis.
  - Coverage must include water damage (including, but not limited to, flood, surface water, hydrostatic pressure) and earth movement.
  - Coverage must include testing and start up.
  - Coverage must include boiler and machinery if the exposure exists.
  - Coverage must include engineers' and architects' fees.
  - Coverage must include building ordinance or law coverage with a limit of 5% of the contract amount.
  - The policy must cover/allow partial utilization by owner.

- Coverage must include a “waiver of subrogation” against any named insureds or additional insureds.
- Contractor is responsible for all deductibles and coinsurance penalties.

**Pollution Liability – Contractors; Motor Vehicle/Automobile; Professional; Environmental Consultants/Engineers**

- Definition of “Covered Operations” in the policy must include the type of work being done for the City of Appleton
- Limits of Liability:
  - \$500,000 each loss for bodily injury, property damage, environmental damage
  - \$1,000,000 Aggregate for bodily injury, property damage, environmental damage (environmental damage includes pollution and clean-up costs)
- Deductible must be paid by the Contractor, consultants/engineers
- The City of Appleton, its Council members and employees must be Additional Insureds
- The policy must also cover subcontractors
- Specify if “Wrongful Delivery” is covered
- Must cover motor vehicle loading and unloading and show on Certificate of Insurance
- Certificate of Insurance must state:
  - If the policy is an Occurrence or a Claims Made Form
  - If the defense costs reduce the limit of liability
  - If the policy covers motor vehicle loading and unloading claims
  - If there is an underground storage tank or a super fund exclusion
  - If there is a Contractual Liability Exclusion
  - If Bodily Injury includes mental anguish and emotional distress

**Aircraft Liability** insurance with a limit of \$3,000,000 per occurrence for bodily injury and property damage including passenger liability and slung cargo if the project includes the use or operation of any aircraft or helicopter.

**Unmanned Aircraft Liability** insurance with a limit of \$1,000,000 per occurrence for bodily injury, property damage liability, and invasion of privacy liability if the project includes the use of or operation of any unmanned aircraft (drones).

**Watercraft Liability insurance** with a limit of \$1,000,000 per occurrence for bodily injury and property damage if the project includes the use and/or operation of any watercraft.

**Cyber Liability and Technology Errors and Omissions Insurance**

- Per occurrence..... \$500,000



**Commercial Crime Policy**

- Per occurrence ..... \$100,000

Last Review: 12/2021