



REPORT TO CITY PLAN COMMISSION

Plan Commission Meeting Date: October 6, 2014

Common Council Meeting Date: October 15, 2014

Item: Preliminary Plat – Pierce Plat

Case Managers: Don Harp & Dave Kress

GENERAL INFORMATION

Owner: Pierce Manufacturing, Inc.

Applicant: Martenson & Eisele, Inc. c/o Gary Zahringer

Parcel #: 31-3-0922-00 and 31-3-0761-00

Petitioner's Request: The applicant is proposing to subdivide the properties for residential development.

BACKGROUND

A building on the southern property (Tax Parcel 31-3-0761-00) was formerly a manufacturing facility for Pierce Manufacturing, Inc. and was demolished in 2011. The lot has been vacant since that time. The property north of the railroad (Tax Parcel 31-3-0922-00) was previously used for parking and is currently vacant.

A Certificate of Closure was issued by the Wisconsin Department of Natural Resources on November 20, 2012, and the site has been cleaned to residential standards.

Rezoning #5-14 of the subject lots from M-2 General Industrial District and C-2 General Commercial District to R-1B Single-Family Residential District was approved by Common Council on July 2, 2014.

STAFF ANALYSIS

Existing Conditions: The subject lots to be subdivided are currently vacant. The area to be platted for single-family development totals 2.622 acres, which will be divided into 13 lots.

Zoning Ordinance Review Criteria: Lot development standards (Section 23-93) are as follows:

- Minimum lot area: Six thousand (6,000) square feet.
 - *The proposed lots range in size from 7,059 square feet to 11,470 square feet. All lots exceed this requirement.*
- Minimum lot width: Fifty (50) feet.
 - *The proposed lots range in width from 34.30 feet to 141.11 feet. Proposed Lot #7 (34.30 feet) and proposed Lot #13 (43.92 feet) do not meet the lot width requirement. All other lots exceed this requirement.*

Preliminary Plat – Pierce Plat

Page 2

October 6, 2014

- 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 shown on the Preliminary Plat, except on proposed Lots #1 and #11 along West Spencer Street. 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, except for the minimum lot width dimension for proposed Lots #7 and #13.

Zoning and land development regulations may present problems for developing on infill sites. These regulations are typically written to deal with undeveloped greenfield sites. For example, these codes frequently require more frontage (lot width), lot area, setbacks or buffers than will fit on the typical infill lot. The lot width deviation request for proposed Lots #7 and #13 represents an effort to encourage infill development, the specific purposes of which are to: allow for the efficient use of land, promote use of existing infrastructure, meet the needs and demands of the population, and conserve open space.

Per Section 17-3(f) when the Common Council finds that extraordinary hardship or injustice will result from strict compliance with this ordinance, it may vary the terms thereof to the extent deemed necessary and proper to grant relief, provided that the modification meets the following three (3) standards:

- (1) The modification is due to physical features of the site or its location. *Yes, the existing infrastructure and railroad corridor contribute to the challenges of designing proposed Lots #7 and #13 to satisfy the minimum 50 foot lot width requirement of the R-1B District.*
- (2) The modification is the least deviation from this ordinance which will mitigate the hardship. *Yes, granting relief on proposed Lots #7 and #13 allow the other proposed lots to exceed the minimum lot width requirement.*
- (3) The modification is not detrimental to the public interest and is in keeping with the general spirit and intent of this ordinance. *Yes, the proposed lots are similar in size and shape to those already located in the surrounding neighborhood.*

Access and Traffic: Vehicular access to the subject lots is provided by existing local and collector streets. The southern property (Tax Parcel 31-3-0761-00) is bordered by South Story Street, West Spencer Street, and South Pierce Avenue. The northern property (Tax Parcel 31-3-0922-00) abuts West Eighth Street and South Pierce Avenue, but neither street continues across the railroad.

Surrounding Zoning and Land Uses: The surrounding area is under the jurisdiction of the City of Appleton (north, south, east and west). The uses are generally residential and commercial in nature.

North: R-1C Central City Residential District, R-2 Two-Family District, and C-2 General Commercial District. The adjacent land uses to the north are currently a mix of single and two-family residential and commercial uses.

Preliminary Plat – Pierce Plat

Page 3

October 6, 2014

South: R-1B Single-Family Residential District, R-1C Central City Residential District, and R-2 Two-Family District. The adjacent land uses to the south are currently a mix of single and two-family residential.

East: R-1B Single-Family Residential District and R-1C Central City Residential District. The adjacent land uses to the east are currently a mix of single and two-family residential.

West: R-1B Single-Family Residential District, R-1C Central City Residential District, and C-2 General Commercial District. The adjacent land uses to the west are currently a mix of single and two-family residential and commercial uses.

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

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 and Affordability

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

OBJECTIVE 5.1 Housing and Neighborhoods:

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

OBJECTIVE 5.3 Housing and Neighborhoods:

Provide a range of housing styles that meet the needs and appeal to all segments of the community.

OBJECTIVE 6.3 Transportation:

Create an environment that is safe and conducive to walking and bicycling throughout the entire city.

OBJECTIVE 7.1 Utilities and Community Facilities:

Provide a pattern of development that minimizes impacts to municipal services and utilities.

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.

Parks and Open Space: The Appleton Subdivision Regulations require parkland dedication or fee in lieu for residential subdivisions. Since no parkland will be dedicated on the subject properties, park fees will be due prior to the City signing the Final Plat.

Preliminary Plat – Pierce Plat

Page 4

October 6, 2014

Technical Review Group Report (TRG): This item was discussed at the September 30, 2014 Technical Review Group Report meeting.

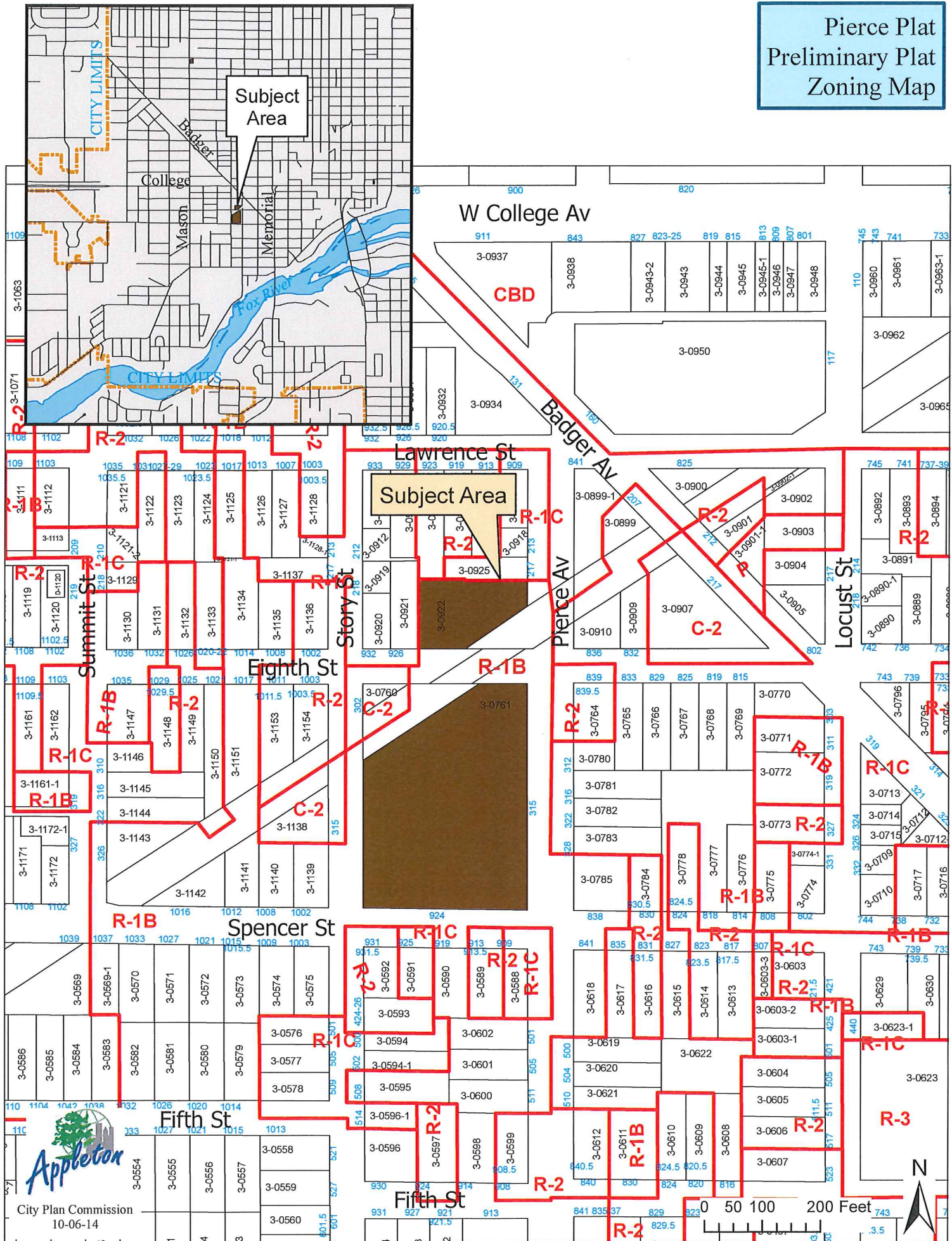
- **Department of Public Works Comments:** Pursuant to Sections 17-7(b)(5) and 17-7(b)(6) of the Appleton Municipal Code, elevations on the Preliminary Plat shall be referenced to City Datum.

RECOMMENDATION

The Preliminary Plat for the Pierce Plat, as shown on the attached map, **BE APPROVED** subject to the following conditions:

1. The owner/applicant shall submit to the City the Final Plat within 36 months after the last required approval of the Preliminary Plat. If the Final Plat is not submitted within said 36 months, the City (and any other approving authority) may refuse to approve the Final Plat and shall recommence the procedure for Preliminary Plat approval or may extend the time for submission of the Final Plat.
2. Illustrate the front yard setback along West Spencer Street per Section 17-7(b)(24) of the Appleton Municipal Code.
3. Grant relief from the minimum lot width requirements for Lots 7 and 13 per Section 17-3(f) of the Appleton Municipal Code as stated previously in the staff report.
4. All elevations shall be referenced to City Datum per Sections 17-7(b)(5) and 17-7(b)(6) of the Appleton Municipal Code.
5. Park fees of \$300 per lot are due prior to the City signing the Final Plat.
6. The Final Plat shall adhere to technical comments provided by the Engineering Division, which will be sent under a separate cover.

Pierce Plat Preliminary Plat Zoning Map



Subject Area

Subject Area



City Plan Commission
10-06-14

0 50 100 200 Feet



