



## REPORT TO CITY PLAN COMMISSION

**Plan Commission Public Meeting Date:** September 23, 2013

**Common Council Meeting Date:** October 2, 2013

**Item:** Dedication of Public-Right-of-Way, 1937 E. John Street (C.T.H "KK")

**Case Manager:** Brad Schmidt, AICP *BS*

### GENERAL INFORMATION

**Owner/Applicant:** Henry Grishaber (Hank and Karen's Tavern), Owner

**Location:** 1937 E. John Street (C.T.H "KK")

**Petitioner's Request:** "Dedicate existing road right-of-way and widen portions of existing road to 33 feet in conjunction with proposed CSM."

### BACKGROUND

A one (1) lot certified survey map (CSM) is resulting in the dedication of a portion of public right-of-way. The CSM identifies the existing property line extending to the centerline of E. John Street. There will be no physical widening of the existing street with this proposal, but rather the dedication redefines the property line along E. John Street to conform to the existing street right-of-way (See Attached Map).

In addition to the public dedication of right-of-way, the property owner has submitted a request obtain a Permanent Street Occupancy Permit to allow for a portion of the existing building to encroach into the right-of-way once the subject area is dedicated to the public.

### STAFF ANALYSIS

**Public Right-of-Way Dedication:** The proposed area of public right-of-way along E. John Street is 4,473 square feet (approximately 33 feet wide by 135 feet long).

**Street Classification:** The City's Arterial Plan identifies this portion of E. John Street as an arterial street.

**Surrounding zoning and land uses:**

- North: R-1B – Single-Family Residences
- South: C-2 – JD's Family Restaurant
- East: P-I – Cross Walk Church of Appleton
- West: R-1B – Single-Family Residences

**2010-2030 Comprehensive Plan:** The City of Appleton 2010-2030 Comprehensive Plan identifies this area for future Single and Two-Family Residential uses. The proposed public land dedication is consistent with the following goal of the 2010-2030 Comprehensive Plan:

- **Goal 4 – Transportation** (Chapter 6)

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

**Technical Review Group Report (TRG):** This item was discussed at the September 10, 2013 Technical Review Group meeting. No negative comments were received from participating departments.

**RECOMMENDATION**

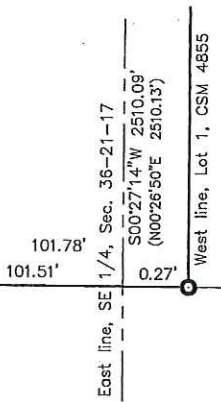
---

Staff recommends the dedication of public right-of-way along E. John Street (C.T.H. “KK”) of 4,473 square as shown on the attached map, **BE APPROVED.**

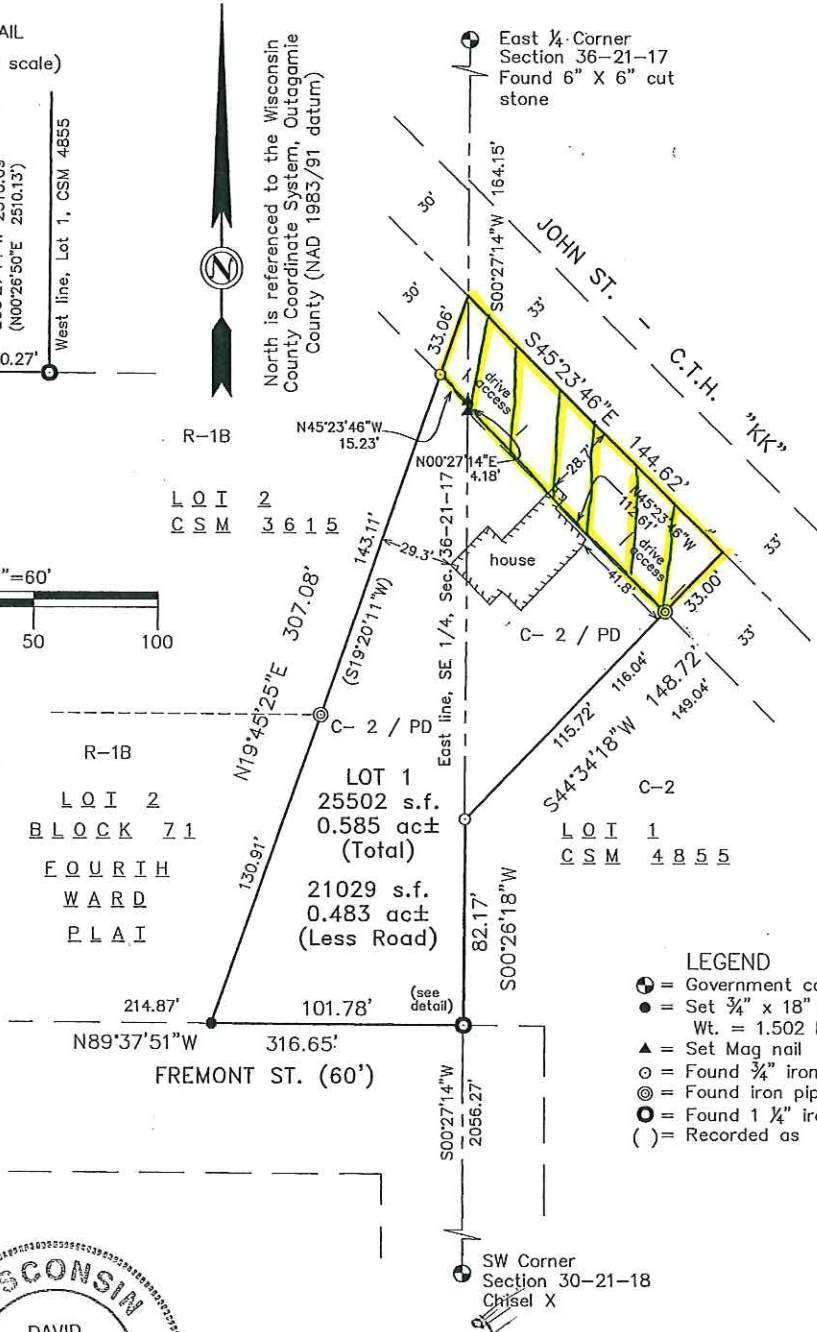
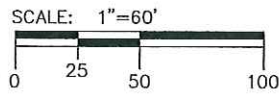
# Certified Survey Map

Part of Lot 2 of Block 71, Fourth Ward Plat according to the recorded Assessor's Map of the City of Appleton, located in the Northeast 1/4 of the Southeast 1/4, Section 36, T21N, R17E and part of Government Lot 4, Section 30, T21N, R18E; all in the City of Appleton, Outagamie County, Wisconsin

DETAIL  
(not to scale)



North is referenced to the Wisconsin County Coordinate System, Outagamie County (NAD 1983/91 datum)



- LEGEND**
- = Government corner
  - = Set 3/4" x 18" iron rebar  
Wt. = 1.502 lbs/lf
  - ▲ = Set Mag nail
  - = Found 3/4" iron rod
  - ⊙ = Found iron pipe, 1" i.d.
  - = Found 1 1/4" iron rod
  - ( ) = Recorded as



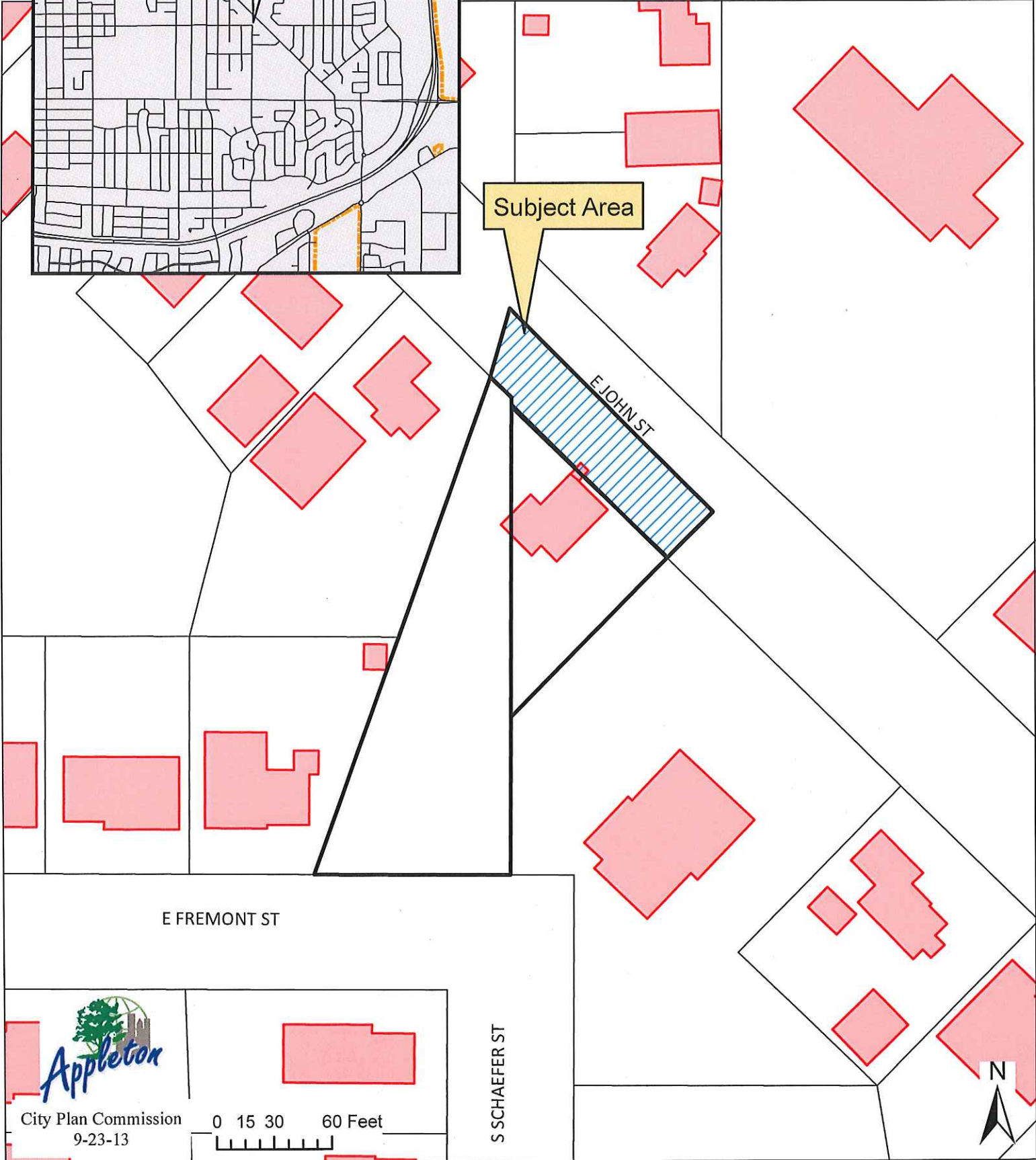
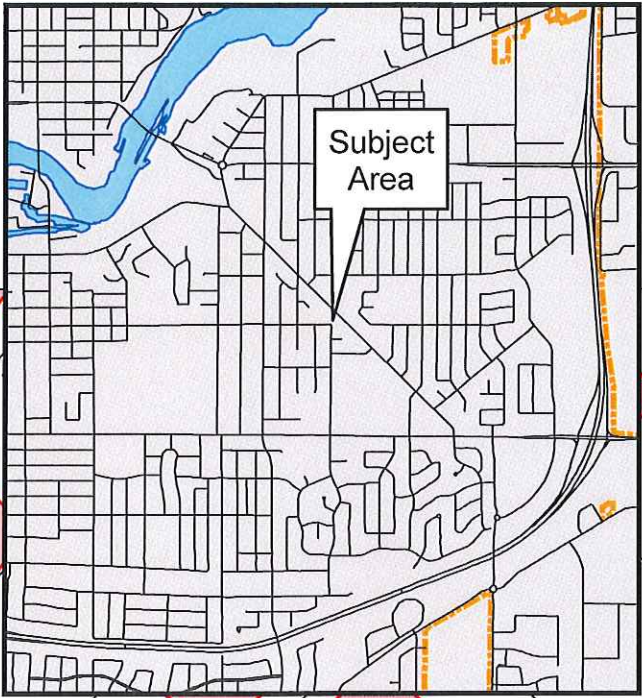
David Hebert RLS 8-15-13  
date

DRAFTED BY:  
**Hebert Associates, Inc.**  
 Land Surveying • Soil Testing  
 1110 W. Wisconsin Ave. 920-734-8373  
 Appleton, WI 54914 Fax: 920-734-3968

PAGE # 1 of 3	FILE # 13062M01
---------------	-----------------



1937 E. John Street  
Public Right-of-Way Dedication  
Zoning Map



City Plan Commission  
9-23-13

0 15 30 60 Feet

The City of Appleton logo features a stylized tree and the word "Appleton" in a blue script font. Below it, the text "City Plan Commission" and the date "9-23-13" are printed. To the right is a scale bar with markings at 0, 15, 30, and 60 feet.