



## REPORT TO CITY PLAN COMMISSION

**Plan Commission Public Hearing Meeting Date:** November 10, 2014

**Common Council Public Hearing Meeting Date:** December 17, 2014  
(Public Hearing on Rezoning and Adoption of Ordinance)

**Item:** Rezoning #9-14 – 802 East John Street

**Case Manager:** David Kress

### GENERAL INFORMATION

**Owner/Applicant:** Oscar C. Boldt f/b/o Memorial Presbyterian Church

**Address/Parcel #:** 802 East John Street (Tax Id #31-1-0534-00)

**Petitioner's Request:** The applicant is requesting a Rezoning to change the Zoning Map from the R-3 Multi-Family District to P Parking District for the subject parcel. The requests are being made to accommodate a future surface parking lot to be utilized by Memorial Presbyterian Church.

### BACKGROUND

*Comprehensive Plan 2010-2030* Future Land Use Map Amendment #3-14 is being requested in conjunction with this Rezoning. With that item, the applicant is requesting to amend the City's *Comprehensive Plan 2010-2030* Future Land Use Map from the One and Two-Family Residential designation to the Public / Institutional designation for the subject site.

The applicant's site consists of a 0.33 acre lot that is located on the northeast corner of the South Meade Street and East John Street intersection. The site is currently developed with a 2,432 square foot, two-family dwelling that was built in 1895. The remainder of the site includes a shed, paved driveway, and fenced yard.

### STAFF ANALYSIS

**Proposed Zoning Classification:** The purpose of the P Parking District is to provide for the off-street parking of motor vehicles in close proximity to uses which create a need for substantial amounts of vehicle parking, on properly screened and landscaped lots. The development standards for the P Parking District are listed below.

- Maximum Lot Coverage: Ninety percent (90%).

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

North: R-1C Central City Residential District and P-I Public Institutional District. The adjacent land uses to the north are currently a mix of single-family residential and institutional uses, including a place of worship.

South: P-I Public Institutional 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, multi-family residential, and institutional uses, including group housing.

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East: R-3 Multi-Family 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: P-I Public Institutional District. The adjacent land uses to the west are currently a mix of institutional uses, including group housing and educational buildings.

**General Information:** This general area of the City is identified for future one and two-family residential uses, as well as public / institutional uses mostly associated with Lawrence University. A rezoning is often triggered by development proposals or changing circumstances in the City. In this case, the demand for additional parking in this area prompted the applicant to submit a rezoning request. The "Sundays Only" parking restrictions on East College Avenue and opening of the Warch Campus Center have affected the availability of parking in the neighborhood. In an effort to better accommodate their congregation, Memorial Presbyterian Church (803 East College Avenue) has been pursuing various options to increase parking near their facility. Reusing the subject site as a surface parking lot would help meet the parking needs without making a detrimental impact on the surrounding neighborhood.

**Appleton Comprehensive Plan 2010-2030:** Listed below are related excerpts from the City's *Comprehensive Plan 2010-2030*.

*OBJECTIVE 10.1 Land Use:*

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

*Policy 10.1.1 Adopt, and as necessary, amend the Future Land Use Map in the Comprehensive Plan.*

**Standards for Zoning Map Amendments:** Per Section 23-65(d)(3) of the Appleton 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 this 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 (1) of the following:
  1. The request for a zone change is in conformance with the Comprehensive Plan for the City of Appleton.
  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). *The market to be served by the proposed use is the congregation of Memorial Presbyterian Church. Although other P Parking Districts are located within the City, none are in close proximity to the church site to be served by the proposed surface parking lot. Had the*

*applicant been able to negotiate the purchase of properties directly adjacent to the church, which he attempted to do, a different type of rezoning still would have been necessary.*

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:
  1. The adequacy of public facilities such as transportation, utilities and other required public services to serve the proposed site. *The subject area is served by existing infrastructure, and the proposed rezoning to P Parking District should not have a significant impact on traffic.*
  2. The effect of the proposed rezoning on surrounding uses. *Public / institutional uses are already located to the north, south, and west of the subject area. The rezoning request is being made to accommodate a future surface parking lot that would serve the needs of a neighborhood institution, Memorial Presbyterian Church. Parking lots of a similar size are already located near the intersection of South Meade Street and East Alton Street.*

**Review Criteria:** Based upon the above analysis, it would appear the criteria established by Section 23-65(d)(3) Zoning Amendments has been satisfied. It is important to note, the Zoning Code requires that a rezoning request conform to the City's *Comprehensive Plan 2010-2030* Future Land Use Map. Until Future Land Use Map Amendment #3-14 is approved, the proposed P Parking zoning classification would not be consistent with the Future Land Use Map, which currently identifies the subject site as One and Two-Family Residential. However, if Future Land Use Map Amendment #3-14 is approved, the rezoning would conform to the Comprehensive Plan.

**Technical Review Group (TRG) Report:** This item was discussed at the October 28, 2014 Technical Review Group meeting. No negative comments were received from participating departments.

**Public Comments:** Staff has received one (1) letter from Memorial Presbyterian Church (see attached). No other questions, concerns, or comments have been received from the surrounding neighborhood.

## **RECOMMENDATION**

Staff recommends, based upon the standards for zoning map amendments as required by Section 23-65(d)(3) of the Zoning Ordinance, that Rezoning Application #9-14 to rezone the subject site located at 802 East John Street (Tax Id #31-1-0534-00) from R-3 Multi-Family District to P Parking District, including to the midpoint of the adjacent road right-of-way and as shown on the attached map, **BE APPROVED.**

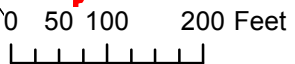
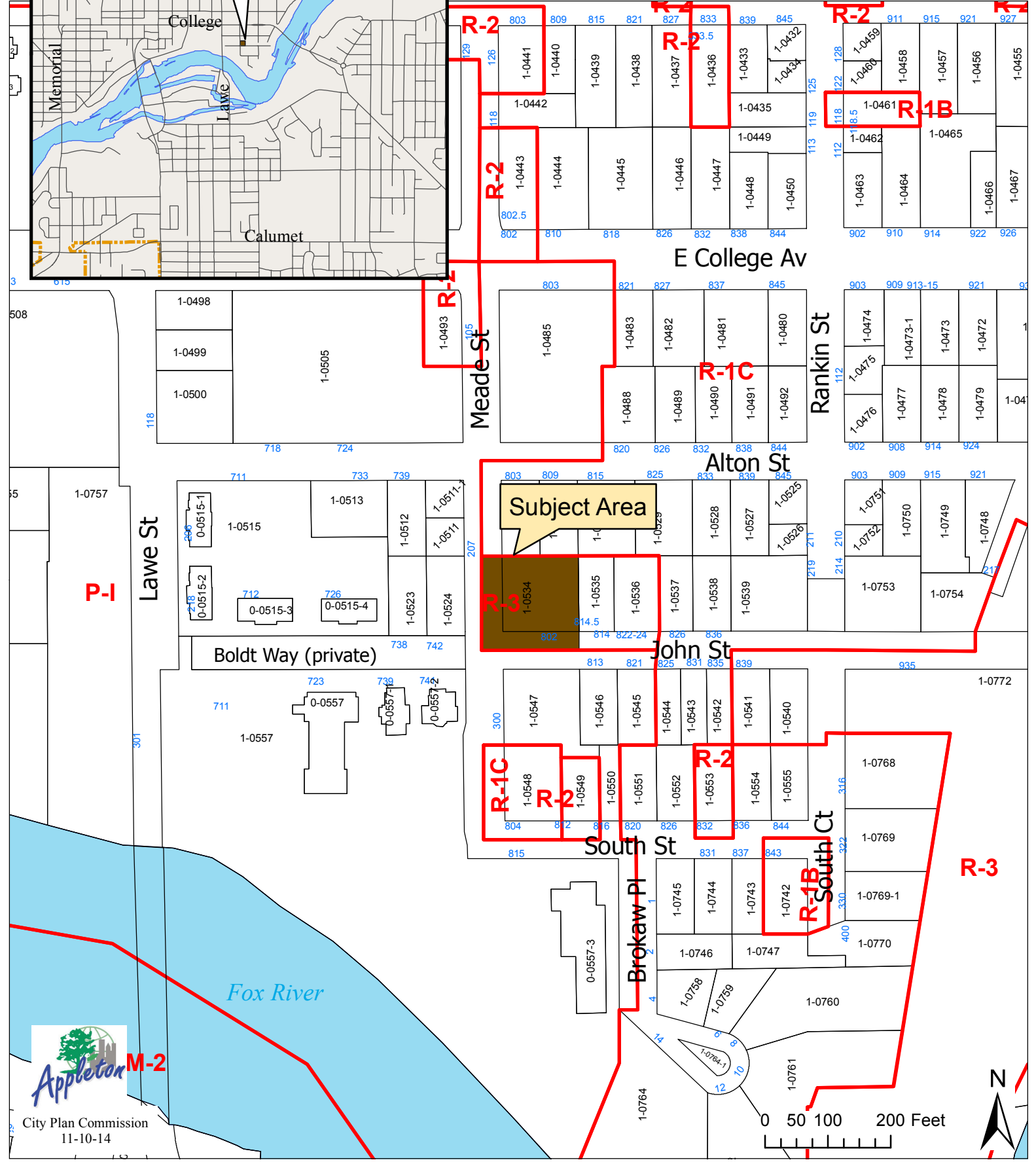
**NOTE:** If approved, Rezoning #9-14 will be reported out at the same Common Council meeting as the proposed Comprehensive Plan Amendment #3-14 to accurately reflect the change in future land use from One and Two-Family Residential designation to Public / Institutional designation.

802 East John Street  
 Rezoning R-3 Multi-Family District  
 to P Parking District  
 Zoning Map

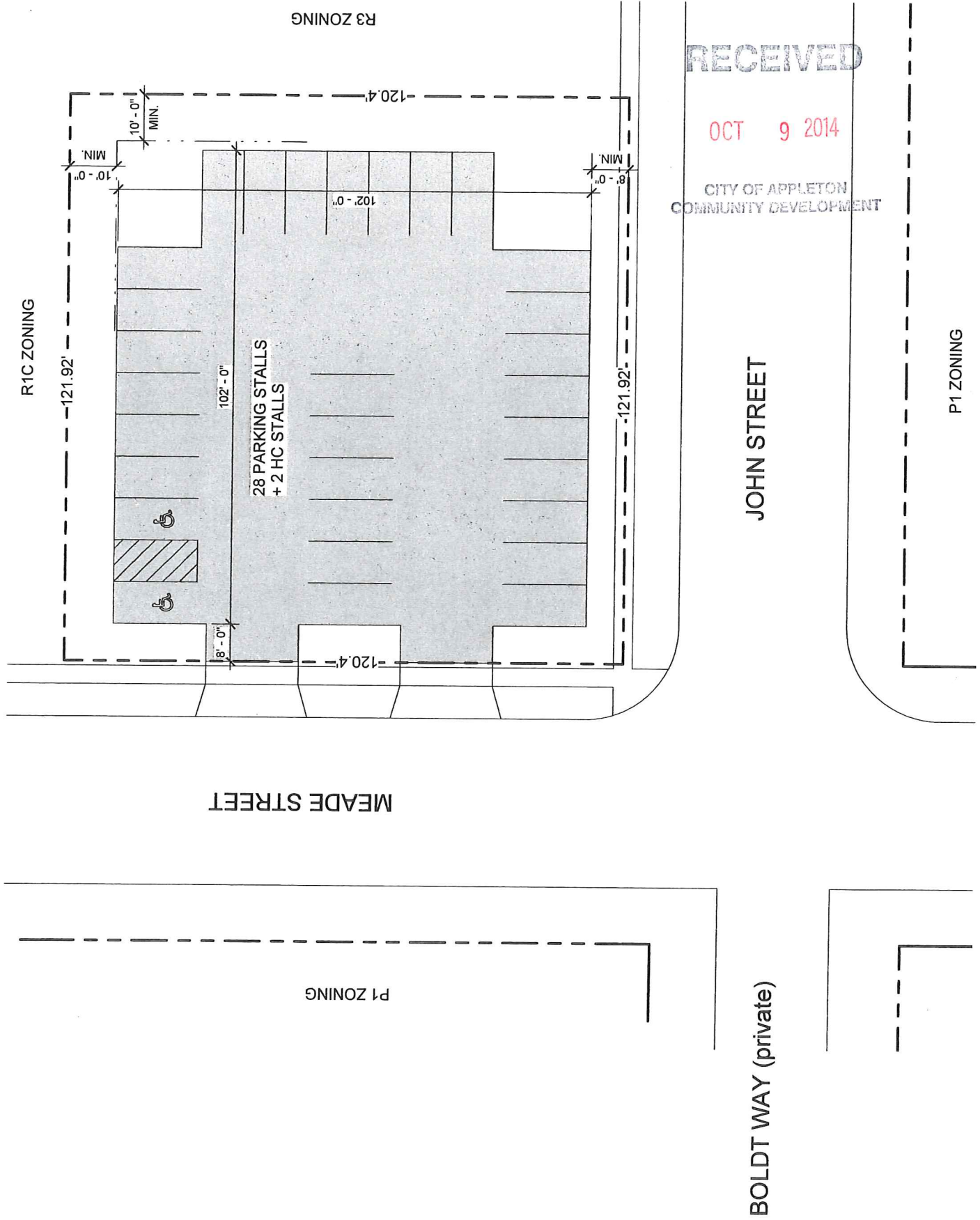


Subject Area

Subject Area



LOT IS CURRENTLY HAS A R3 ZONING.  
 WILL NEED TO RE-ZONE THIS PROPERTY TO A C-2  
 (GENERAL COMMERCIAL) OR P (PARKING DISTRICT)  
 AREA OF PROPERTY: 14,679 sqft  
 AREA OF ASPHALT: 9,905 sqft (67% COVERAGE)



RECEIVED

OCT 9 2014

CITY OF APPLETON  
 COMMUNITY DEVELOPMENT

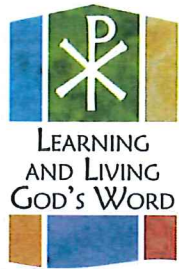
JOHN STREET

P1 ZONING

MEADE STREET

P1 ZONING

BOLDT WAY (private)



# MEMORIAL PRESBYTERIAN CHURCH

Presbyterian Church (U.S.A.)

803 E. College Avenue • Appleton, WI 54911 • (920) 734-1787 tel • (920) 734-5686 fax  
mpc@athenet.net • www.memorialpresbyterianappleton.org

RECEIVED

October 8, 2014  
Mayor and Common Council  
100 N. Appleton Street  
Appleton, WI 54911

OCT 9 2014

CITY OF APPLETON  
COMMUNITY DEVELOPMENT

Dear Mayor Hanna and Members of Common Council:

Please allow me to introduce myself. My name is Mike Goodwin, and I am the pastor of Memorial Presbyterian Church at 803 E. College Avenue and South Meade Street. Much has changed since our congregation anchored its new building in the area. Appleton families which once had one car now have two, even three. Lawrence University continues to grow, highlighted particularly by the construction of the Warch Campus Center in 2009. If one were to observe the streets in the immediate area of Memorial, such as Alton, John, South River, and Brokaw there is not a single vacant space for parking during the day. On days when our church has a need for additional parking for funerals, weddings, and Presbytery meetings as well as other church or community gatherings, adequate parking is often not available. Occasionally, some church members have returned home on Sunday without attending worship because they are unable to find parking.

While I have heard rumors of two parking studies, one by the City of Appleton and the other by Lawrence University, neither surveyor has been in contact with me, but I understand they did visit with Oscar Boldt. Therefore I bring our concerns directly to you, hoping that you would help solve not only our parking needs, but also continue to ensure that Lawrence and Memorial continue to grow and thrive in this part of Appleton.

In 2009, the City reduced, then eliminated parking on College Avenue near the church. Then it was temporarily restored. It remains unclear how long the "Sundays Only" parking permission will remain and this is a concern.

Over the years since our church was built we have tried to acquire additional parking through the acquisition of property adjacent to our present parking lot. Under no circumstances has this been possible. The owners of one property, although approached many, many times have chosen not to sell their family home. The owner of the other property is very determined to maintain her residence there indefinitely.

In July of this year, Memorial completed a successful capital campaign to upgrade our building. During the needs study leading up to the campaign, church members identified parking as the number one challenge for keeping our congregation's membership healthy and growing.

Then recently, in the block immediately south of the church, one of our members discovered a property, which became available for purchase at 803 E. John Street. It was in fact purchased and is in close proximity to the church. It would provide 30 parking spaces. I am writing in the hope that you will approve zoning of that property for parking and await your decision.

Sincerely,

*Pastor Mike Goodwin*

Rev. Dr. Michael J. Goodwin  
Memorial Presbyterian Church