



CITY OF APPLETON

MEMORANDUM

Date: August 27, 2025
To: City Plan Commission
From: Colin Kafka, Principal Planner
Subject: Dedication of Public Right-of-Way for West Johnston Street

GENERAL INFORMATION

Owner/Applicant: David Baehr / Oshkosh Investment LLC and Lofgren Properties 6 LLC

Address/Parcel Number: 200 West College Avenue (Tax Id #31-2-0263-00)

Applicant's Request: The applicant is requesting a dedication of land for public right-of-way for West Johnston Street.

Plan Commission Meeting Date: August 27, 2025

Common Council Meeting Date: September 3, 2025

BACKGROUND

The public right-of-way dedication is proposed to provide complete public right-of-way access through the 200 block of West College Avenue. The basement of 200 W. College Avenue will encroach under the proposed dedication; therefore, the owner/applicant has submitted a permanent street occupancy permit for review and approval by the Municipal Services Committee and Common Council.

Wis. State Statute 62.23(5) states that the location, acceptance and/or acquisition of land to be used as a public way, (i.e. public alley) or public grounds shall be referred to the Plan Commission for its consideration and report before final action is taken by the Common Council.

STAFF ANALYSIS

Public Right-of-Way Dedication: The owner/applicant has submitted an application to dedicate a portion of parcel #31-2-0263-00 for right-of-way. The limits and dimensions of the proposed dedication are identified in Exhibit A.

Surrounding Zoning and Land Uses: The surrounding zoning and uses (north, south, east, and west) are generally commercial in nature.

North: CBD Central Business District. The adjacent land use to the north is commercial (parking lot).

South: CBD Central Business District. The adjacent land use to the south is mixed use (apartments and ground floor commercial).

East: CBD Central Business District. The adjacent land use to the east is N. Appleton Street right-of-way.

West: CBD Central Business District. The adjacent land use to the west is W. Johnston Street right-of-way.

Appleton Comprehensive Plan 2010-2030: The City of Appleton 2010-2030 Comprehensive Plan Map identifies the subject area as future Central Business District. The proposed public right-of-way dedication is consistent with the following goals and objectives of the *Comprehensive Plan 2010-2030*.

Goal 4 – Transportation

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.

OBJECTIVE 6.1 Transportation:

Plan for the safe and efficient movement of vehicles on local and regional roads.

OBJECTIVE 6.8 Transportation:

Implement transportation improvements which also support the City's desired land use, housing and neighborhood goals, objectives, and policies.

Development Review Team (DRT) Report: This item appeared on the April 22, 2025 DRT agenda. No negative comments were received from participating departments. Staff did note that a permanent street occupancy permit would be required due to basement portions of the building located at 200 W. College Avenue encroaching under the proposed dedication. A permanent street occupancy permit would be required to be submitted for review and approval by the Municipal Services Committee and Common Council.

RECOMMENDATION

Staff recommends the dedication of land for public right-of-way for West Johnston Street, as shown on the attached map, **BE APPROVED**, subject to Common Council approval of the permanent street occupancy permit.

EXHIBIT "A"

A portion of land for street right way and being more fully described by: The North 16 feet of Lot Eight (8), of Block Twenty-Six (26), **SECOND WARD PLAT (aka APPLETON PLAT)**, according to the recorded Assessor's Map of said City, being located in the Northeast Quarter (NE ¼) of the Southwest Quarter (SW ¼) of Section Twenty-Six (26), Township Twenty-One (21) North, Range Seventeen (17) East, City of Appleton, Outagamie County, Wisconsin, less all that part of said Lot 8 that has previously been dedicated to the public for street right of way.

