



# City of Appleton

100 North Appleton Street  
Appleton, WI 54911-4799  
[www.appleton.org](http://www.appleton.org)

## Meeting Agenda - Final City Plan Commission

*Any questions about items on this meeting are to be directed to  
the Community and Economic Development Department,  
920-832-6468.*

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Monday, May 9, 2016

4:00 PM

Council Chambers, 6th Floor

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1. Call meeting to order
2. Roll call of membership
3. Approval of minutes from previous meeting

[16-702](#) City Plan Minutes from 4-25-16

Attachments: [City Plan Minutes 4-25-16.pdf](#)

#### 4. Public Hearings/Appealances

[16-703](#) Special Use Permit #1-16 for a microbrewery and bar with outdoor alcohol sales and service at 115 S. State Street (Tax Id #31-3-0986-00 and #31-3-0987-00), 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 (Associated with Action Item #16-704)

[16-705](#) Special Use Permit #2-16 for an 85-foot monopole wireless telecommunication tower with associated antennas and ground equipment located in the 2700 block of N. Kesting Court (Tax Id 31-1-4025-00), as shown on the attached maps and per attached plan of operation, subject to the conditions in the attached staff report (Associated with Action Item #16-706)

[16-709](#) Comprehensive Plan 2010-2030 Future Land Use Map Amendment #2-16 for 5715 North Meade Street, north of the intersection of Edgewood Drive (JJ) and Meade Street (Tax Id #31-6-6100-50) from One and Two-Family Residential designation to Multi-Family Residential designation as shown on the attached map and approve the attached resolution (Associated with Action Item #16-710)

[16-711](#) Rezoning #4-16 for 5715 North Meade Street, north of the intersection of Edgewood Drive (JJ) and Meade Street (Tax Id #31-6-6100-50), including to the centerline of the adjacent right-of-way, as shown on the attached map, from R-1A Single-Family District to R-3 Multi-Family District (Associated with Action Item #16-712)



- [16-707](#) Special Use Permit #3-16 for a community living arrangement (CLA) serving 24 persons located at 5715 North Meade Street, north of the intersection of Edgewood Drive (JJ) and Meade Street (Tax Id #31-6-6100-50) to run with the land, subject to the conditions in the attached staff report and as shown on the attached maps (Associated with Action Item #16-708)

## 5. Action Items

- [16-704](#) Request to approve Special Use Permit #1-16 for a microbrewery and bar with outdoor alcohol sales and service at 115 S. State Street (Tax Id #31-3-0986-00 and #31-3-0987-00), 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

**Attachments:** [StaffReport McFleshmans SUP For05-09-16.pdf](#)

- [16-706](#) Request to approve Special Use Permit #2-16 for an 85-foot monopole wireless telecommunication tower with associated antennas and ground equipment located in the 2700 block of N. Kesting Court (Tax Id 31-1-4025-00), as shown on the attached maps and per attached plan of operation, subject to the conditions in the attached staff report

**Attachments:** [StaffReport KestingCtTower SpecialUsePermit#2-16.pdf](#)

[Kesting Ct Cell Tower Petition.pdf](#)

- [16-710](#) Request to approve Comprehensive Plan 2010-2030 Future Land Use Map Amendment #2-16 for 5715 North Meade Street, north of the intersection of Edgewood Drive (JJ) and Meade Street (Tax Id #31-6-6100-50) from One and Two-Family Residential designation to Multi-Family Residential designation as shown on the attached map and approve the attached resolution

**Attachments:** [StaffReport Primrose CompPlanAmend#2-16&Rz#4-16.pdf](#)

- [16-712](#) Request to approve Rezoning #4-16 for 5715 North Meade Street, north of the intersection of Edgewood Drive (JJ) and Meade Street (Tax Id #31-6-6100-50), including to the centerline of the adjacent right-of-way, as shown on the attached map, from R-1A Single-Family District to R-3 Multi-Family District

**Attachments:** [StaffReport Primrose CompPlanAmend#2-16&Rz#4-16.pdf](#)

- [16-708](#) Request to approve Special Use Permit #3-16 for a community living arrangement (CLA) serving 24 persons located at 5715 North Meade Street, north of the intersection of Edgewood Drive (JJ) and Meade Street (Tax Id #31-6-6100-50) to run with the land, subject to the conditions in the attached staff report and as shown on the attached maps

**Attachments:** [StaffReport Primrose SpecialUsePermit#3-16.pdf](#)



**6. Information Items**[16-779](#)

Appleton Downtown &amp; Trails Plan Design Workshop on May 16-18

**Attachments:** [Appleton Downtown Design Workshops Poster May 16-18.pdf](#)**7. 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.*

*Reasonable Accommodations for Persons with Disabilities will be made upon Request and if Feasible.*





# City of Appleton

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Appleton, WI 54911-4799  
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## Meeting Minutes - Final City Plan Commission

*Any questions about items on this meeting are to be directed  
to the Community and Economic Development Department,  
920-832-6468.*

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Monday, April 25, 2016

4:00 PM

Council Chambers, 6th Floor

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1. Call meeting to order

**Meeting called to order at 4:00 p.m.**

2. Roll call of membership

**Present:** 5 - Mayor Hanna, Buetow, Priddis, Lobner and Uslabar

**Excused:** 1 - Dukelow

*Others present:*

*Aldersperson Kathleen Plank, District #7*

*Ken Kurey, 1660 E. Broadway Drive*

*Daniel Immel, 1354 Wittmann Park Lane, Menasha*

3. Approval of minutes from previous meeting

[16-618](#)

City Plan Minutes from 4-11-16

**Attachments:** [City Plan Minutes 4-11-16.pdf](#)

**Uslabar moved, seconded by Buetow, that the Minutes be approved. Roll Call.**

**Motion carried by the following vote:**

**Aye:** 5 - Mayor Hanna, Buetow, Priddis, Lobner and Uslabar

**Excused:** 1 - Dukelow

4. Public Hearings/Appealances

[16-619](#)

Rezoning #3-16 to rezone the subject site located on E. Broadway Drive (Tax Id #31-1-9310-11 and #31-1-9310-12) from AG Agricultural District to R-1A Single-Family District as shown on the attached maps (Associated with Action Item #16-620)

**This Appearance was presented.**



## 5. Action Items

## 6. Information Items

### [16-620](#)

Request to approve Rezoning #3-16 to rezone the subject site located on E. Broadway Drive (Tax Id #31-1-9310-11 and #31-1-9310-12) from AG Agricultural District to R-1A Single-Family District as shown on the attached maps

**Attachments:** [StaffReport\\_Kurey Property Broadway Dr Rezoning.pdf](#)

*Proceeds to Council on May 18, 2016.*

**Priddis moved, seconded by Uslabar, that the Report Action Item be recommended for approval. Roll Call. Motion carried by the following vote:**

**Aye:** 5 - Mayor Hanna, Buetow, Priddis, Lobner and Uslabar

**Excused:** 1 - Dukelow

### [16-643](#)

Organizational Matters:

1. Elect a Vice-Chair
2. Set Meeting Date and Time
3. Designate a Contact Person

*Steve Uslabar will be the Vice-Chair.*

*The City Plan Commission will meet at 4:00 p.m. on Mondays the week following Council.*

*Karen Harkness will be the Contact Person.*

**This Presentation was received and filed.**

### [16-657](#)

Appleton Downtown & Trails Plan Design Workshop on May 16-18

**Attachments:** [Appleton Downtown and Trail Plans Design Workshop-Detailed Working Schedule\\_4 14 16.pdf](#)

**This Presentation was presented.**

## 7. Adjournment

**Uslabar moved, seconded by Lobner, that the meeting be adjourned at 4:13 p.m. Roll Call. Motion carried by the following vote:**

**Aye:** 5 - Mayor Hanna, Buetow, Priddis, Lobner and Uslabar

**Excused:** 1 - Dukelow





## REPORT TO CITY PLAN COMMISSION

**Plan Commission Public Hearing Date:** May 9, 2016

**Common Council Meeting Date:** May 18, 2016

**Item:** Special Use Permit #1-16 for a microbrewery and bar with outdoor alcohol sales

**Case Manager:** David Kress

### **GENERAL INFORMATION**

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**Owner:** McFleshman's Commons, LLC

**Applicant:** Bobby Fleshman

**Address/Parcel #:** 115 South State Street (Tax Id #31-3-0986-00 and #31-3-0987-00)

**Petitioner's Request:** The applicant is requesting a Special Use Permit for a microbrewery with on and off-premises sales and a bar with outdoor alcohol sales and service.

### **BACKGROUND**

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The subject area, located along South State Street between West College Avenue and West Lawrence Street, currently consists of a vacant building and lot. The applicant has yet to apply for a Liquor License, but intends to do so after action is taken on this Special Use Permit request.

A Certified Survey Map (CSM) was recently submitted to combine the subject parcels. CSMs are administratively reviewed and approved by City staff.

### **STAFF ANALYSIS**

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**Project Summary:** The applicant proposes to establish a microbrewery and bar with outdoor alcohol sales on the subject site. The proposed microbrewery's initial production capacity is anticipated at 15,500 gallons per year, with a future capacity of 84,000 gallons per year. The proposed microbrewery and bar would occupy nearly all of the first and second floors of the existing building, which is approximately 5,420 square feet in size. Based on the attached development plan, this request will not increase existing building area. An off-street loading area is proposed to the west of the building, with access provided by the adjacent alley. The applicant also proposes an outdoor beer garden, with alcohol sales and service, immediately south of the existing building.

**Existing Site Conditions:** Parcel #31-3-0986-00 is currently developed with an existing, vacant building. The building was constructed in 1920. Parcel #31-3-0987-00 is paved and has previously been used for off-street parking, with a curb cut on South State Street.

**Zoning Ordinance Requirements:** The subject property has a zoning designation of CBD Central Business District. Per Section 23-114(e) of the Municipal Code, a microbrewery and a bar require a Special Use Permit in the CBD District. The definition of microbrewery, per the Zoning Ordinance,



## **Special Use Permit #1-16**

**May 9, 2016**

**Page 2**

means a use at which beer, fermented on the premises, is bottled and sold and where food may or may not be sold for eat in or carry out. The volume of production of such facility may not exceed one hundred thousand (100,000) gallons a year. The definition of bar, per the Zoning Ordinance, means a use, licensed by the City, to sell retail alcoholic beverages to be consumed on or off premises and which may provide dancing, entertainment, and food. The term tavern shall include bar, pub, nightclub, and cocktail lounge. In order to permit a microbrewery and bar, the Plan Commission makes a recommendation to the Common Council who will make the final decision on the Special Use Permit. A two-thirds (2/3) vote of the Common Council is required for approval.

Based on the attached development plan, the proposed outdoor beer garden is shown on parcel #31-3-0987-00. Per Section 23-43(d)(5) of the Municipal Code, accessory uses, buildings and/or structures shall be located on the same lot as the principal use, structure or building. Therefore, a lot combination is needed before the outdoor beer garden could be established, because it would need to be on the same lot as the principal use or building (microbrewery and bar). CSM #6-16 is currently going through the administrative review process.

**Operational Information:** A plan of operation is attached to the Staff Report.

**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 commercial in nature.

North: CBD Central Business District. The adjacent land uses to the north are currently a mix of commercial uses, including a microbrewery (Appleton Beer Factory).

South: CBD Central Business District. The adjacent land uses to the south are currently a mix of commercial and single-family residential.

East: CBD Central Business District. The adjacent land uses to the east are currently a mix of commercial uses.

West: CBD Central Business District. The adjacent land uses to the west are currently a mix of commercial uses.

**Appleton Comprehensive Plan 2010-2030:** Community and Economic Development staff has reviewed this proposal and determined it is compatible with the Central Business District use 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 8 – Economic Development*

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



*OBJECTIVE 7.1 Utilities & Community Facilities:*

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

*OBJECTIVE 9.3 Economic Development:*

*Ensure the continued vitality of downtown and the City's neighborhood commercial districts.*

*Chapter 14 Downtown Plan, Initiative 4 Business and Office Development:*

*Strategy 4.5 – Encourage entrepreneurial business development in the downtown.*

**Finding of Fact:** This request was reviewed in accordance with the standards for granting a Special Use Permit under Sections 23-66(e)(1-6) and 23-66(h)(6) of the Municipal Code, which were found in the affirmative.

**Technical Review Group (TRG) Report:** This item was discussed at the April 19, 2016 Technical Review Group meeting.

- Health Department Comments: The microbrewery will require a Health Department Public Eating and Drinking (Tavern) permit to operate. The operator will need to provide the Environmental Health Supervisor with a set of building plans for review to ensure they meet the Health code requirements.

**Written Public Comments:** No questions, concerns, or comments have been received from the surrounding neighborhood.

## **RECOMMENDATION**

Staff recommends, based on the above, that Special Use Permit #1-16 for a microbrewery and bar with outdoor alcohol sales at 115 South State Street (Tax Id #31-3-0986-00 and #31-3-0987-00), as shown on the attached maps and per attached plan of operation, **BE APPROVED** to run with the land, subject to the following conditions:

1. All applicable codes, ordinances, and regulations, including but not limited to Fire, Building, and Health Codes and the Noise Ordinance, shall be complied with.
2. The applicant shall apply for and receive approval of a Liquor License from the City Clerk prior to serving or consuming alcohol on the premises.
3. The microbrewery will require a Health Department Public Eating and Drinking (Tavern) permit to operate. The operator will need to provide the Environmental Health Supervisor with a set of building plans for review to ensure they meet the Health code requirements.
4. Any deviations from the approved development plan may require a major or minor amendment request to this Special Use Permit, pursuant to Section 23-66(g) of the Municipal Code.



**Special Use Permit #1-16**

**May 9, 2016**

**Page 4**

5. Compliance with the plan of operation is required at all times. Changes to the plan of operation shall be submitted to the Community and Economic Development Department for review and approval.
6. Prior to establishing the outdoor beer garden on what is currently parcel #31-3-0987-00, the subject parcels shall be combined via Certified Survey Map.
7. The use shall conform to the standards established in Chapter 9, Article III, Alcoholic Beverages, of the Municipal Code.



Subject  
Area



609

607

115 South State Street  
Special Use Permit  
Microbrewery and Bar with Outdoor Alcohol Sales  
Aerial Map

3-0979

3-0983

3-0985

Subject Area

SOUTH ALLEY

3-0986

3-0987

3-0988

115

118

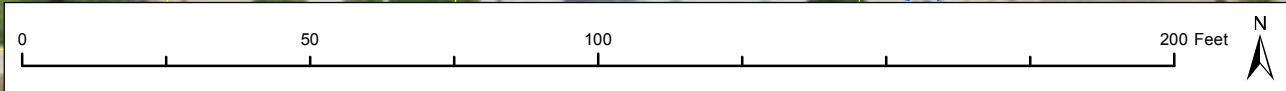
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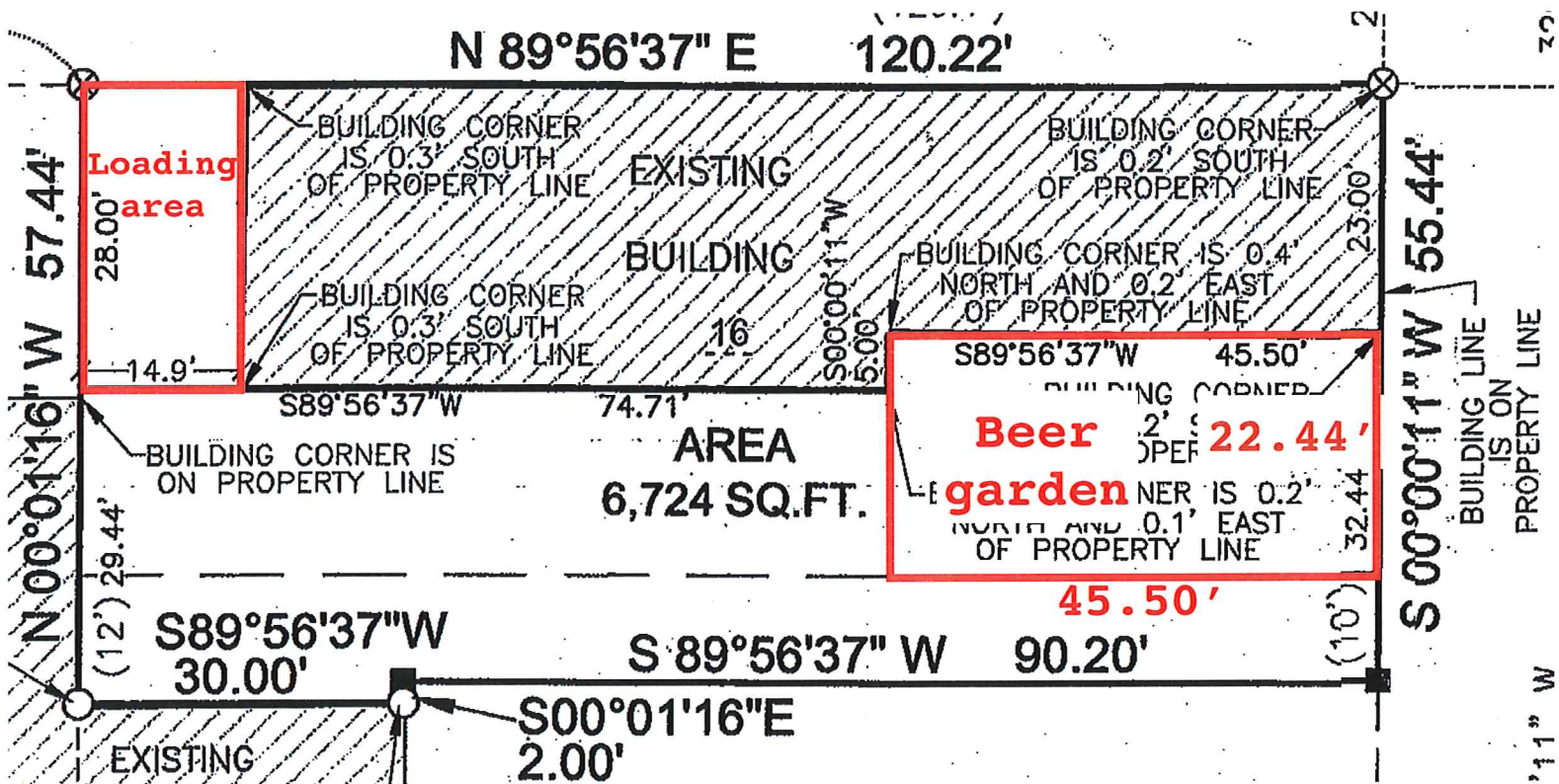
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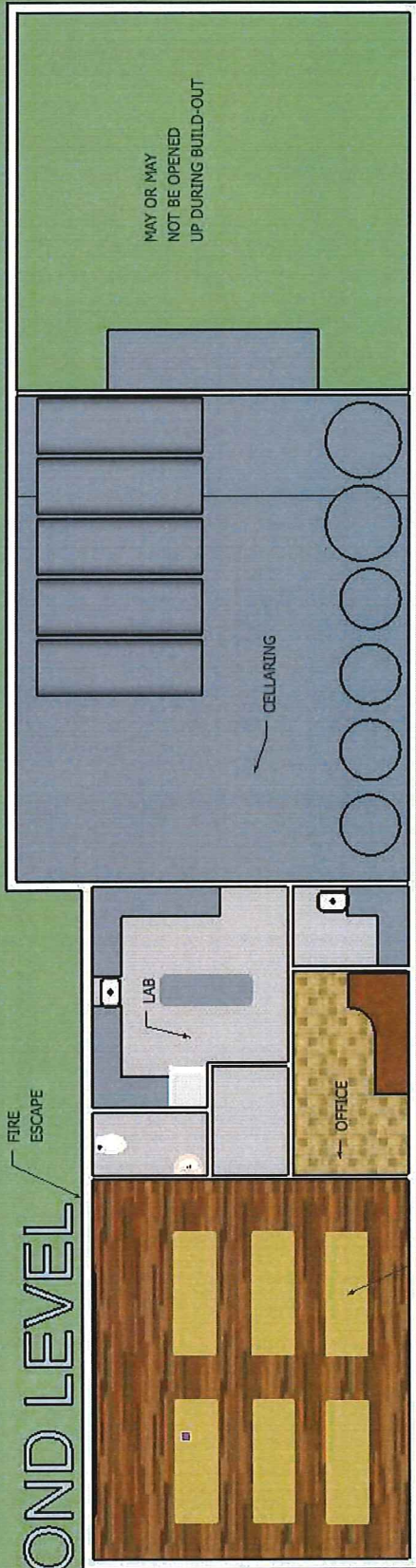




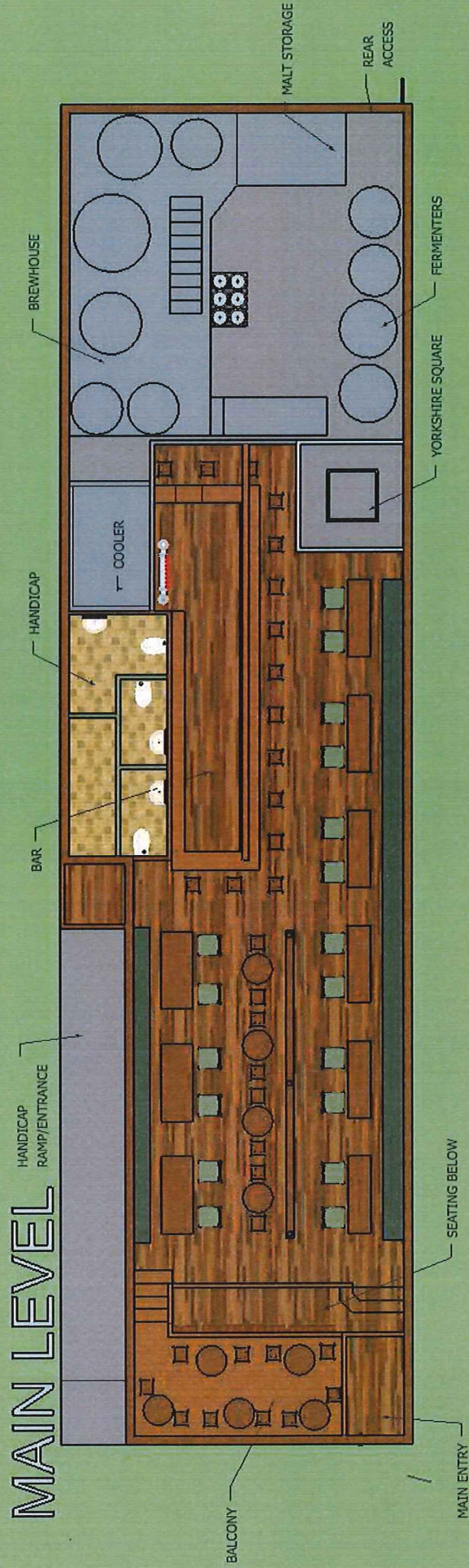




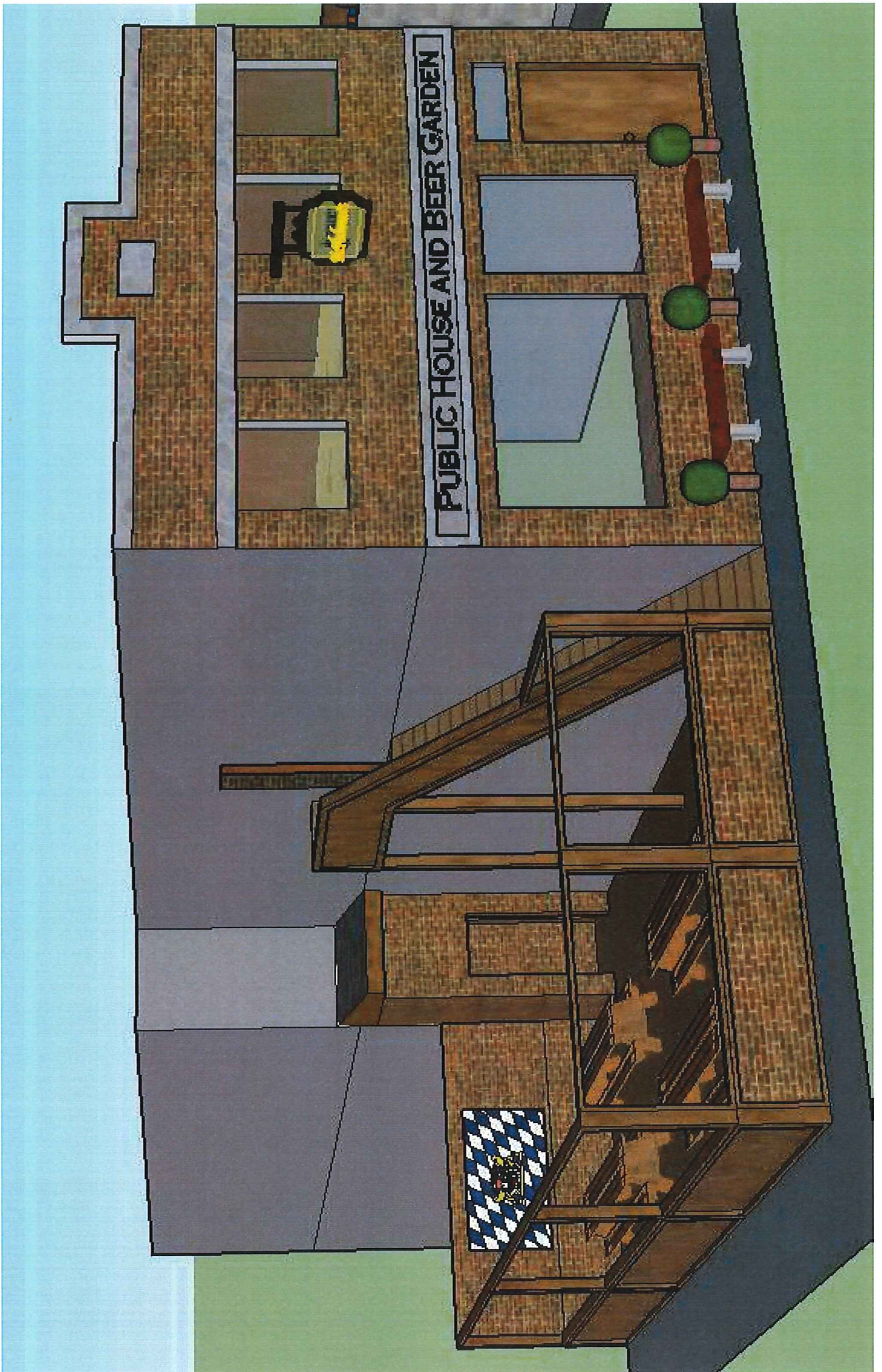
# SECOND LEVEL



# MAIN LEVEL









**PLAN OF OPERATION AND LOCATIONAL INFORMATION  
MICROBREWERY**

**Business information:**

Name of Business: McFleshman's Commons, LLC.

Years in operation: 0, Start-Up

Type of the proposed establishment (detailed explanation of business): \_\_\_\_\_

We are planning to open a microbrewery at the above location. We will operate a tasting room serving beer only. Food will be carried in from nearby restaurants and food trucks parked on site. Growlers for off-premise consumption will expand sales beyond the tasting room. Future self distribution is planned to begin at month 18, culminating in an expansion during years 3 and 4 to meet expected demand.

Are there plans for a tasting/tap room? Yes X No \_\_\_\_\_

If applicable, percentage of business derived from the sale of alcohol for on-site consumption in the tasting/tap room: 100 %

\*100% year 1, decreasing to 50% with distribution by year 5

Hours of Operation: \_\_\_\_\_ Days of Operation: 7 days per week

3p-9p M-Th, 3p-midnight F, noon-midnight Sat, noon-6p Sun

Maximum number of persons permitted to occupy the building or tenant space as determined by the International Building Code (IBC) or the International Fire Code (IFC), whichever is more restrictive: ? persons. \*unknown at this time. Plan is for fire suppression to allow 7 sq ft per customer. 1260 sq ft = 180 customer indoors.

Current production of fermented malt beverages: 0 gallons per year.

Proposed production of fermented malt beverages: 15,500 gallons per year. (500 BBL/yr)

\*this # is initially, with a maximum of capacity of 84,000 (2700 BBL/yr) gallons per year

Identify location of grain storage and type of storage container(s) used: \_\_\_\_\_

2nd floor on steel/concrete mezzanine in supplier sacks/containers

Identify location of spent or used grain storage and type of storage container(s) used: \_\_\_\_\_

Exterior of west side; food grade, plastic 55 gallon barrels

**Outdoor uses:**

Location, type, size and design of outdoor facilities: \_\_\_\_\_

proposed - 22ft x 45 ft for beer garden/ deck on West side of South parcel

(see attached sketch)

constructing a hops

Type and height of screening: plantings/fencing/gating trellis for shading

Is there any alcohol service incorporated in this outdoor facility proposal? Yes X No \_\_\_\_\_

3p-9p M-Th, 3p-midnight F, noon-

Hours of Operation: midnight Sat, noon-6p Sun Days of Operation: 7 days per week

\*the hours and days of operation for the outdoor use is weather provided with seasonal considerations

Are there plans for outdoor music/entertainment? Yes x No \_\_\_\_\_



If yes, describe soundproofing measures: \_\_\_\_\_

surrounded on three sides with our property on the north, a warehouse on the west, and a bicycle shop on the south (both closed during most of our operating hours); the hops trellis will also mitigate some of the sound and our location is 2 blocks from residential neighborhoods

Is there any food service incorporated in this outdoor facility proposal? Yes \_\_\_\_\_ No X

**Outdoor lighting:**

4 downward facing lamps

Type: on the east and 4 down fire facades on the south

Location: overlooking State Street and the beer garden, respectively

**Off-street parking:**

Number of parking spaces provided 0.

**Off-street loading:**

Number of loading spaces or loading docks provided 1 loading space

**Other Licensed Premises:**

The number of licensed premises within the immediate geographic area of the proposed location will be considered in order to avoid an undue concentration that may have the potential of creating public safety problems or deterring neighborhood development.

List nearby taverns, restaurants or microbrewers Mr. Taco,  
Appleton Beer Factory, Mai's Deli, and Muncheez Pizza

**Amusement Devices:**

Number of video games: 0 Pool Tables: 0

Other amusement devices: none

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## REPORT TO CITY PLAN COMMISSION

**Plan Commission Public Hearing Date:** May 9, 2016

**Common Council Meeting Date:** May 18, 2016

**Item:** Special Use Permit #2-16 for a Wireless Telecommunication Tower

**Case Manager:** Jeff Towne

### GENERAL INFORMATION

**Owner/Applicant:** Professional Associates, LLC; Property Owner  
Guy Stewart (representing Central States Tower III, LLC); Applicant

**Address/Parcel #:** 2700 block North Kesting Court (31-1-4025-00)

**Petitioner's Request:** The applicant is requesting a Special Use Permit for the construction of a new mobile service structure consisting of an 85-foot monopole tower with associated antennas and equipment at the base of the tower.

### STAFF ANALYSIS

**Existing Site Conditions:** The subject property is zoned C-2 General Commercial District. Per the City of Appleton Zoning Ordinance, wireless telecommunication towers require a Special Use Permit in the C-2 General Commercial District. The western portion of the lot contains a parking lot, and the eastern portion is a grass area without improvements. The parcel is 10,088 square feet, which is nonconforming based on the minimum 14,000 square foot lot size of the C-2 District; however, as a nonconforming lot of record, the parcel can be developed without a variance per Sec. 23-42(f) *Nonconforming lots of record* of the Zoning Ordinance.

**Special Use Permit:** The applicant is proposing an 85-foot monopole wireless telecommunication tower with associated antennas and ground equipment. This facility will be located in the southeastern portion of the site within a 2,500 square feet (50' x 50') leased area (see attached Development Plan). The proposed location of the tower and ground equipment meet the minimum setback standards of the C-2 District. The proposed tower and ground equipment will be located within a chainlink fence enclosure.

Zoning Code Article XIII Sec. 23-424 (i) (1) requires a 4-foot wide landscape buffer of plant materials that effectively screen the view of the tower site from adjacent property. The applicant is showing a buffer that meets this standard.

The applicant is proposing a new telecommunication tower as opposed to co-locating on an existing tower or structure. The Zoning Code requires that the applicant demonstrate why co-location of their wireless telecommunication equipment was not chosen as an alternative to constructing a new tower. The applicant submitted a statement from Mustafa Siamof, RF Engineer for Verizon Wireless, describing the reasons for constructing a new tower over co-locating on an existing tower or structure (see attached letter).



**State Statute Revision (2013):** In 2013, the State of Wisconsin revised State Statutes Section 66.0404 (attached) regarding local requirements for mobile towers. Local governments can no longer regulate a number of aspects of tower construction, including, but not limited to:

- Enact an ordinance prohibiting the placement of mobile service support structures in particular locations within the political subdivision.
- Disapprove an application based solely on the height of the mobile service support structure or on whether the structure requires lighting.
- Prohibit the placement of emergency power systems.
- Limit the duration of any permit that is granted.
- Limit the height of a mobile service support structure to under 200 feet.

**Surrounding Zoning and Land Uses:**

North:	Zoning:	C-2 General Commercial
	Land Use(s):	Parking lot/Garage
South:	Zoning:	R-1B Single-Family Residential
	Land Use(s):	Single-family house
West:	Zoning:	C-2 General Commercial
	Land Use(s):	Office - Harris & Associates, Inc.
East:	Zoning:	R-1B Single-Family Residential
	Land Use(s):	Church - Apostolic Truth Church

**2010-2030 Comprehensive Plan:** The Community Development staff has reviewed the City's 2010-2030 Comprehensive Plan which indicates this area is identified as commercial, indicating it is an appropriate location for a wireless telecommunication tower and associated ground equipment.

Chapter 7: "Utilities and Community Facilities" of the Comprehensive Plan states:

**Telecommunications**

Private companies provide numerous alternatives for conventional, cellular, and VOIP telephone services within the City of Appleton. Internet services are provided to most customers by companies offering dial-up, DSL, or cable services. An increasing number of companies are offering Wi-Fi services that cover the community. Businesses and other data-intensive users have access to T-1 or T-3 services.

Appleton is part of a regional consortium that will be deploying a regional Wi-Fi network that includes the City of Appleton, City of Neenah, Town of Grand Chute, Outagamie County, Appleton Area School District, Winnebago County and Fox Valley Technical College. The Interactive Network for the Fox Cities (INFOCIS) will start with a 7-mile corridor along College Avenue from Highway 441 to the outer edge of Outagamie County Regional Airport, which is scheduled to come online in 2009. This system is built off a fiber ring that supports several municipalities and agencies in the area.

Article XIII of Appleton's Zoning Ordinance (Sec. 23-420) addresses the siting and design wireless telecommunication facilities (cell towers). The City's ability to regulate wireless telecommunications facilities is limited by the Telecommunications Act of 1996.



The proposed Special Use Permit for the subject parcel is consistent with the following goal of the 2010-2030 Comprehensive Plan:

**Overall Community Goals**

■ **Goal 1 – Community Growth** (Chapter 10 – Land Use)

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.

**Finding of Fact:** This request was reviewed in accordance with the standards for granting a Special Use Permit under 23-66 (e) (1-6) and Article XIII of the Zoning Code, which were found in the affirmative.

**Technical Review Group Report (TRG):** This item was discussed at the April 19, 2016 Technical Review Group meeting. The tower's location adjacent to residential properties was discussed.

**RECOMMENDATION**

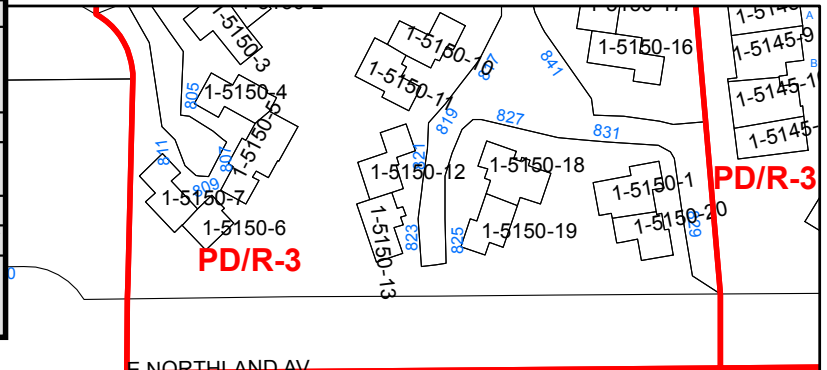
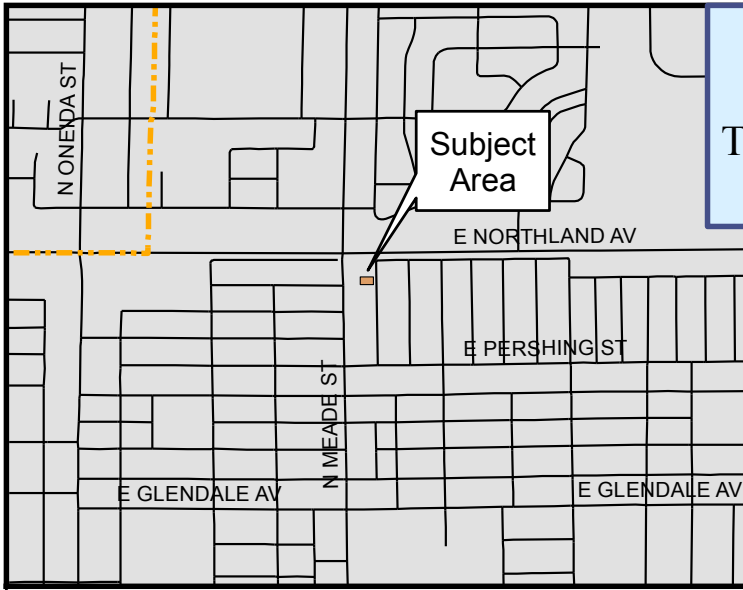
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Staff recommends, based on the above, that Special Use Permit #2-16 for a wireless telecommunication tower and associated ground equipment, as shown on the attached maps and per attached plan of operation, **BE APPROVED** subject to the following conditions:

1. A Site Plan Review application must be submitted to and approved by the Community and Economic Development Department prior to building permits being issued for the construction of the proposed wireless telecommunication facility.
2. The approved security fencing with privacy slats and landscaping per Sec. 23-424(h) shall be installed and maintained so as to fully screen the wireless telecommunication equipment and the base of the tower. The property owner is responsible for ensuring that screening is maintained.
3. All State and Federal regulations (State Statutes, FAA, FCC) established or administered by agencies other than the City of Appleton shall be adhered to as required.



# 2700 Block Kesting Court Special Use Permit Tower for Wireless Telecommunication Services Zoning/Vicinity Map



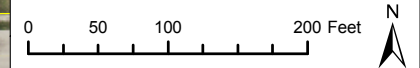


2700 Block Kesting Court  
Special Use Permit  
Tower for Wireless Telecommunication Services  
Aerial Map

Subject Area



City Plan Commission  
05-09-2016







CENTRAL STATES TOWER III, LLC



800 BUSSE HIGHWAY  
PARK RIDGE, IL 60069  
PH: 847-698-4400  
FAX: 847-698-4401

NO.	DATE	DESCRIPTION
1	09/15/15	ISSUED FOR REVIEW
2	10/16/15	REVISED PER TIME WALKER COMMENTS
3	01/16/16	UPDATED WITH CABLE LAYOUT
4	02/17/16	ADOPTION OF LANDSCAPE PLAN
5	03/16/16	UPDATE PER LIT COMMENTS

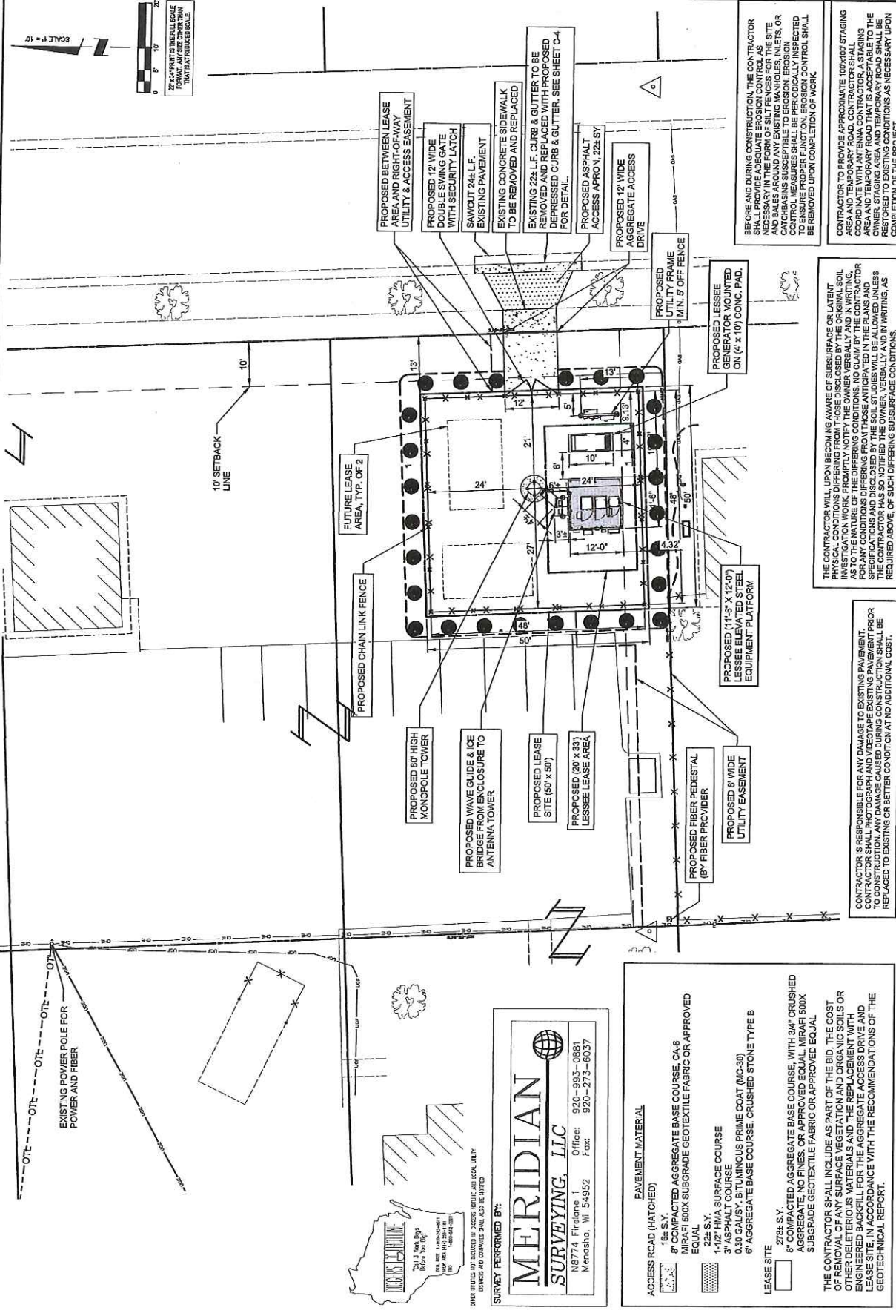
LOC. # 287788  
MEADE STREET

2718 N. MEADE ST.  
APPLETON, WI 54913

DRAWN BY:	CHK
CHECKED BY:	TAK
DATE:	5/11/15
PROJECT #:	59-82

SHEET TITLE  
ENLARGED SITE PLAN

SHEET NUMBER  
C-1



CONTRACTOR TO PROVIDE APPROXIMATE 100'x100' STAGING AREA AND TEMPORARY ROAD. CONTRACTOR SHALL PROVIDE WITH ANTENNA CONTRACTOR, A STALL AREA FOR THE ANTENNA. THE STAGING AREA AND OWNER STAGING AREA AND TEMPORARY ROAD SHALL BE REVERTED TO EXISTING CONDITIONS AS NECESSARY UPON COMPLETION OF THE PROJECT.

THE CONTRACTOR WILL, UPON BECOMING AWARE OF SUBSURFACE OR LATENT PHYSICAL CONDITIONS DIFFERING FROM THOSE DISCLOSED BY THE ORIGINAL SOIL BORINGS, NOTIFY THE OWNER VERBALLY AND IN WRITING, AS TO THE NATURE OF THE DIFFERING CONDITIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY CONDITIONS DIFFERING FROM THOSE ANTICIPATED IN THE PLANS AND SPECIFICATIONS AND DISCLOSED BY THE SOIL STUDIES WILL BE ALLOWED UNLESS REQUIRED ABOVE, OF SUCH DIFFERING SUBSURFACE CONDITIONS.


CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGE TO EXISTING PAVEMENT, UTILITIES, OR STRUCTURES CAUSED DURING CONSTRUCTION. ANY DAMAGE TO EXISTING OR BETTER CONDITION AT NO ADDITIONAL COST.

**MERIDIAN**  
SURVEYING, LLC


N8774, Friesland 1  
Menasha, WI 54952  
Office: 920-993-0881  
Fax: 920-273-6037

- PAVEMENT MATERIAL**
- ACCESS ROAD (HATCHED)
- 16" S.Y.
  - 8" COMPACTED AGGREGATE BASE COURSE, CA-6
  - MIRAFI 500X SUBGRADE GEOTEXTILE FABRIC OR APPROVED EQUAL
  - 22" S.Y.
  - 1-1/2" HMA SURFACE COURSE
  - 3" ASPHALT COURSE
  - 8" AGGREGATE BASE COURSE, CRUSHED STONE TYPE B
- LEASE SITE**
- 278" S.Y.
  - 8" COMPACTED AGGREGATE BASE COURSE, WITH 3/4" CRUSHED AGGREGATE, NO FINES, OR APPROVED EQUAL, MIRAFI 500X SUBGRADE GEOTEXTILE FABRIC OR APPROVED EQUAL
- THE CONTRACTOR SHALL INCLUDE AS PART OF THE BID, THE COST OF REMOVAL OF ANY SURFACE VEGETATION AND ORGANIC SOILS OR OTHER DELETERIOUS MATERIALS AND THE REPLACEMENT WITH ENGINEERED BACKFILL FOR THE AGGREGATE ACCESS DRIVE AND LEASE SITE, IN ACCORDANCE WITH THE RECOMMENDATIONS OF THE GEOTECHNICAL REPORT.





CENTRAL STATES TOWER III, LLC



600 BUSS HIGHWAY  
PARK RIDGE, IL 60068  
PH: 847-698-6400  
FAX: 847-698-6401

NO.	DATE	BY	DESCRIPTION
1	08/15/15	TJS	ISSUED FOR REVIEW
2	10/16/15	RA	REVISED PER TIME WARNER COMMENTS
3	01/16/16	ZCH	UPDATED WITH CABINET LAYOUT
4	02/17/16	RA	ADDITION OF LANDSCAPE PLAN
5	03/16/16	JTM	UPDATE PER ILL COMMENTS

LOC. # 287788  
MEADE STREET

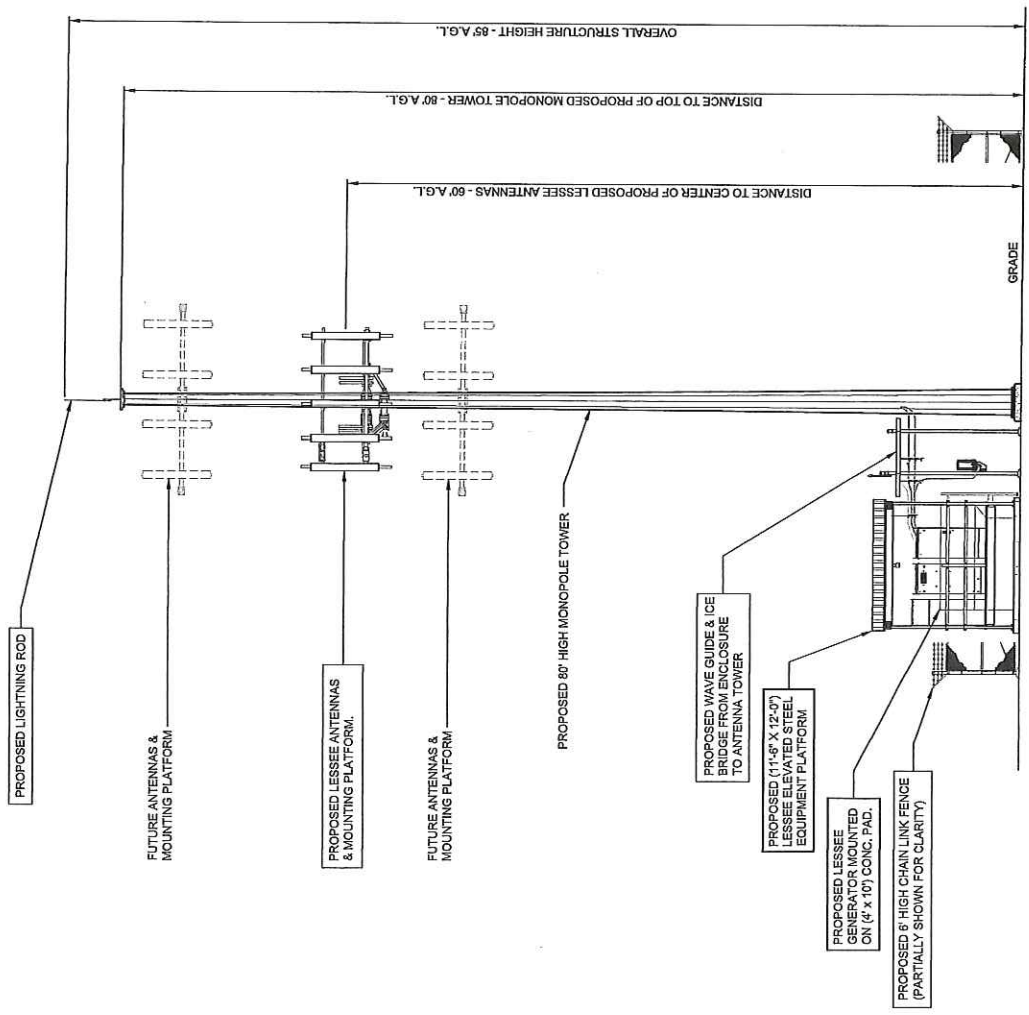
2718 N. MEADE ST.  
APPLETON, WI 54913

SHEET NUMBER  
**ANT-1**

DRAWN BY: CHM  
CHECKED BY: TAZ  
DATE: 5/11/15  
PROJECT #: 50-082

SHEET TITLE  
**SITE ELEVATION**

SCALE: 3/16"=1'-0"  
2"=1-M PRINT IS THE FULL SCALE  
PRINT ANY SIZE OTHER THAN  
THIS IS UNDESIRABLE



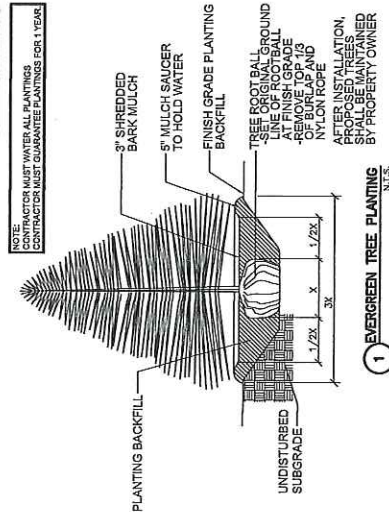
1 SITE ELEVATION  
SCALE: 3/16"=1'-0"



## GENERAL LANDSCAPE NOTES

1. PRUNE NEWLY INSTALLED SHRUBS. WORK SHALL BE DONE BY EXPERIENCED PERSONNEL TO THE ACCEPTED HORTICULTURAL AND ARBORICULTURAL STANDARDS. PRUNING SHALL RESULT IN A LOOSE OUTLINE CONFORMING TO THE GENERAL SHAPE OF THE SHRUB TYPE. DO NOT USE HEDGE SHEARS.
2. ALL PLANTING STOCK SHALL BE NURSERY-GROWN IN ACCORDANCE WITH GOOD HORTICULTURAL PRACTICE. PLANTS SHALL BE FREE OF DISEASE, INSECTS, EGGS, LARVAE AND DEFECTS SUCH AS KNOTS, SUN-SCALD, INJURIES, ABRASIONS OR DISFIGUREMENT. THEY SHALL HAVE SOUND, HEALTHY VIGOROUS AND UNIFORM GROWTH TYPICAL OF THE SPECIES AND MINORITY WILL-FORMED, FREE FROM IRREGULARITIES WITH THE MINORITY AND SIZE CONFORMING TO AMERICAN STANDARD FOR NURSERY STOCK.
3. GUARANTEE WARRANT ALL PLANT MATERIAL TO BE TRUE TO BOTANICAL NAME AND SPECIFIED SIZE. AFTER COMPLETION OF PLANTING, ALL PLANT MATERIALS SHALL BE WARRANTED AGAINST DEFECTS, INCLUDING DEATH AND DISEASE, FOR A PERIOD OF ONE YEAR. THE CONTRACTOR SHALL BE RESPONSIBLE FOR REPLACING ANY PLANTS THAT DIE OR ARE DAMAGED BY OTHERS, OR UNUSUAL PHENOMENA OR INCIDENTS BEYOND THE CONTRACTOR'S CONTROL, WHICH RESULT FROM NATURAL CAUSES SUCH AS FLOODS, STORMS, FIRES OR VANDALISM.
4. REPLACEMENTS DURING THE WARRANTY PERIOD, REPLACE ONE TIME, AT NO ADDITIONAL COST TO THE OWNER, PLANT MATERIALS THAT ARE DEAD, OR IN THE CONDITION OF SUCH THAT THEY ARE UNUSABLE. REPLACEMENTS SHALL BE MADE NO LATER THAN THE SUBSEQUENT PLANTING SEASON. RESTORE AREAS DISTURBED BY REPLACEMENT OPERATIONS.
5. MULCHING SHALL BE DONE WITHIN 48 HOURS AFTER PLANTING. MULCH SHRUBS AND TREES WITH A 2" DEEP LAYER OF MULCH. MULCH SHALL BE CLEAR COMPOSTED PINE BARK MULCH FREE OF FOREIGN MATERIAL, LARGE PIECES OVER THREE INCHES LONG. DO NOT MULCH TREE AND SHRUB PLANTING PITS.
6. TOPSOIL SHALL CONSIST OF FERTILE FRABLE NATURAL LOAM, CONTAINING A LIBERAL AMOUNT OF HUMUS AND SHALL BE SUBJECT TO INSPECTION AND APPROVAL. IT SHALL BE FREE OF ADMIXTURES OF SUBSOIL AND FREE OF CRAB APPLES. IT SHALL BE FREE OF OTHER HARMFUL MATERIALS, AND SHALL NOT BE USED FOR PLANTING OPERATIONS WHILE IN A FROZEN OR MUDDY CONDITIONS.
7. REPAIR ALL TURF AREAS BY SEEDING. SEEDING INSTALLATION SHALL BE EXECUTED ONLY AFTER ALL FINISH GRADING HAS BEEN COMPLETED. NO SEEDING WORK SHALL BE DONE PAST SEPTEMBER 15, UNLESS APPROVED BY THE OWNER. SEED MIX SHALL MATCH EXISTING TURF, OR BE A 50/50 MIX OF CERTIFIED IMPROVED BLEND OF BLUEGRASS AND CERTIFIED IMPROVED PERENNIAL RYE. MIX SHALL BE APPROVED BY THE OWNER'S REPRESENTATIVE PRIOR TO PLANTING. SEEDING SHALL BE APPLIED AT A MINIMUM RATE OF 120 POUNDS PER ACRE. FUTERRA BLANKET, OR EQUAL, SHALL BE USED FOR EROSION CONTROL, MULCH WHERE NECESSARY IN LIEU OF HYDRO MULCH.

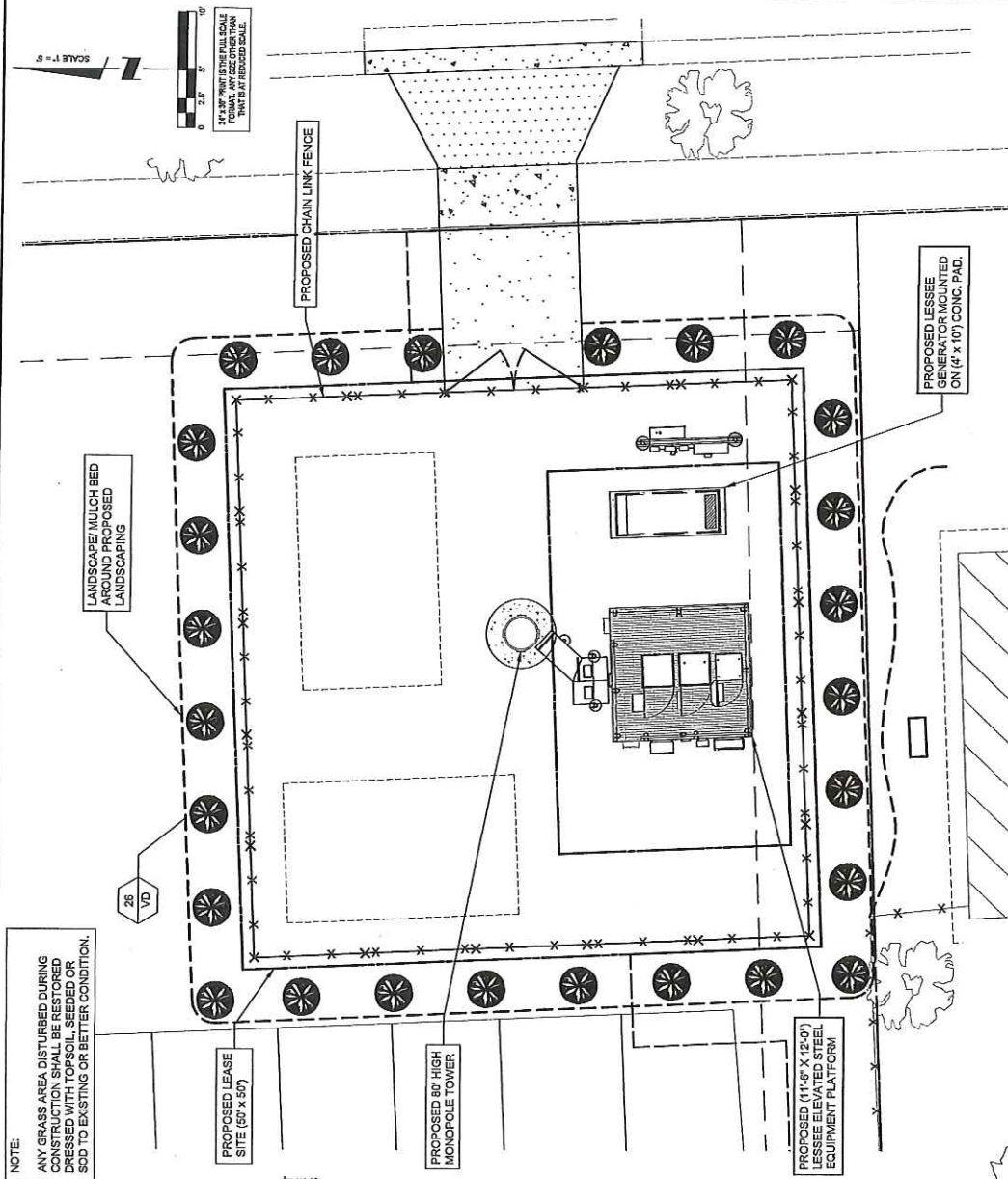
NOTE: CONTRACTOR MUST WATER ALL PLANTINGS DURING THE FIRST YEAR. CONTRACTOR MUST MAINTAIN PLANTINGS FOR 1 YEAR.



## EVERGREEN TREE PLANTING

N.T.S.

NOTE:  
ANY GRASS AREA DISTURBED DURING CONSTRUCTION SHALL BE RESEED OR DRESSED WITH TOPSOIL, SEED, OR SOD TO EXISTING OR BETTER CONDITION.



## PLANT LIST

SYMBOL	BOTANICAL NAME	COMMON NAME	PLANT SYMBOL	QUANTITY	SIZE	COMMENTS
VD	VIBURNUM DENTATUM	CHICAGO LUSTRE VIBURNUM	VD	26	3 FT. HT. MIN.	B & B (BALLED & BURLAPPED)



SHOWN LOCUS OF MEASURE IS BASED ON THE 1983 NAD 83 DATUM. ELEVATIONS AND COORDINATES SHALL ALSO BE BASED ON THIS DATUM.



NO.	DATE	BY	DESCRIPTION
1	05/15/15	TJS	ISSUED FOR REVIEW
2	10/15/15	RA	REVISED PER TIME WAVEY COMMENTS
3	01/16/16	ZCH	UPGRADED WITH CABINET LAYOUT
4	02/17/16	RA	ADDITION OF LANDSCAPE PLAN
5	03/16/16	JTM	UPDATING PER TLL COMMENTS

LOC. # 287788  
MEADE STREET

2718 N. MEADE ST.  
APPLETON, WI 54913

DRAWN BY: CHAM  
CHECKED BY: TAZ  
DATE: 5/11/15  
PROJECT #: 50-102

SHEET TITLE  
LANDSCAPE  
PLAN

SHEET NUMBER  
L-1





REVISIONS		DATE	BY	DESCRIPTION
10		09/15/15	TJS	ISSUED FOR REVIEW
11		10/04/15	RA	REVISED PER TIME WARNER COMMENTS
12		07/17/16	ZCM	UPDATED WITH CABINET LAYOUT
13		07/27/16	RA	ADDITION OF LANDSCAPE PLAN
14		09/14/16	JTM	UPDATE PER LIT COMMENTS

LOC. # 287788  
MEADE STREET

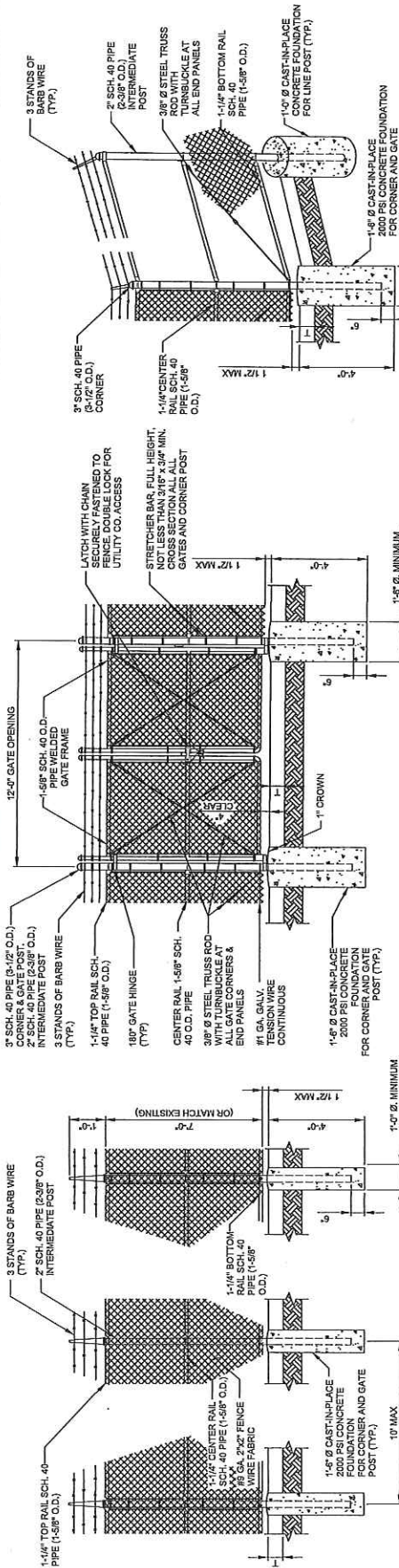
2718 N. MEADE ST.  
APPLETON, WI 54913

DRAWN BY:	CMM
CHECKED BY:	TAZ
DATE:	6/11/15
PROJECT #:	50-162

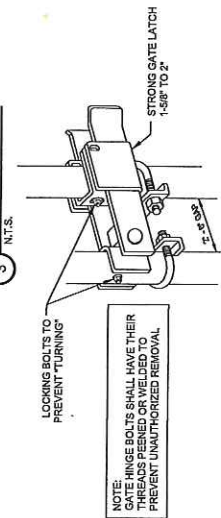
SHEET TITLE  
**FISCHER/DREYHAUS**

**SHEET NUMBER**

3-



2 12'-0" DOUBLE SWING GATE



7 STRONG ARM GATE LATCH DETAIL

## GENERAL NOTES

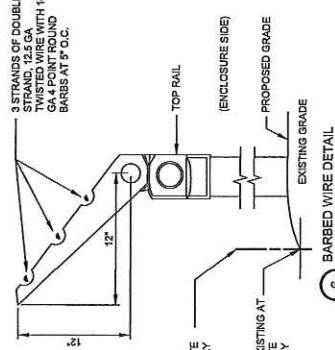
- 1) G.C. IS RESPONSIBLE TO PAY AND SCHEDULE THIRD PARTY INSPECTIONS FOR BOTH TOWER AND BUILDING FOUNDATIONS. VZW GETS COPIES AT CLOSE OUT.

COPIES OF THE REPORT ARE ISSUED TO THE CONTRACTOR FOR CONVENIENCE ONLY. THE REPORT IS NOT A PART OF THE CONTRACT DOCUMENTS. NEITHER THE OWNER NOR THE ENGINEER/ARCHITECT GUARANTEE THE ACCURACY OR VALIDITY OF THE DATA CONTAINED THEREIN, NOR DO THEY ASSUME ANY RESPONSIBILITY FOR THE CONTRACTOR'S USE OR INTERPRETATION OF THE DATA CONTAINED THEREIN.

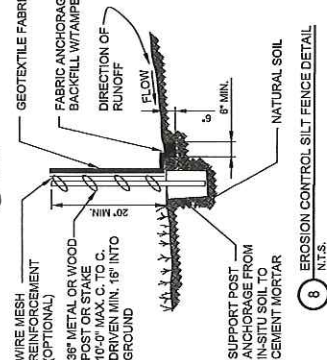
GEOTEXTILE PARAMETERS		MINIMUM VALUE (a)	TEST METHOD
GRAV STRENGTH		180 LBS.	ASTM D-4332-91
PUNCTURE STRENGTH		75 LBS.	ASTM D-4833-98
BURST STRENGTH		230 LBS.	ASTM D-3783
TRAPEZOIDAL TEAR		50 LBS.	ASTM D-4571-87
(a) ALL VALUES REPRESENT MINIMUM ROLL VALUES			

**NOTES:**

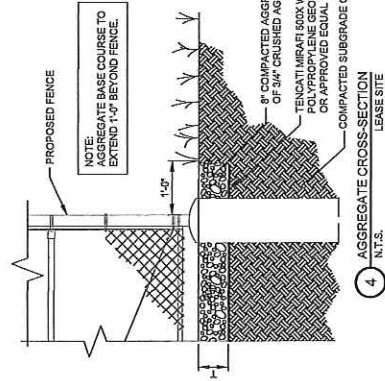
THE FABRIC SHOULD BE PLACED IN ACCORDANCE WITH THE MANUFACTURERS RECOMMENDATIONS. INTERSECTIONS OF SHEETS MUST BE SOWN OR SUFFICIENTLY OVERLAPPED (AT LEAST 24 INCHES) OR AS SPECIFIED BY THE MANUFACTURER. THE GEOTEXTILE SHEET SHOULD ALSO BE PLACED TAUT TO REDUCE WRINKLES OR FOLDS. CARE MUST BE EXERCISED TO PREVENT PHYSICAL DAMAGE OF THE GEOTEXTILE PRIOR TO, DURING AND AFTER INSTALLATION.



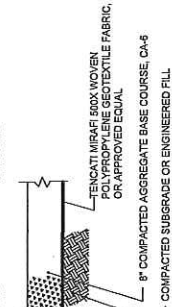
6 BARBED WIRE DETAIL  
N.T.C.



8 EROSION CONTROL SILT FENCE DETAIL  
N.T.S.



4 AGGREGATE CROSS-SECTION



5 AGGREGATE CROSS-SECTION  
ACCESS ROAD

N.T.S.



# AGENT AUTHORIZATION LETTER

DATE: March 16, 2016

TO: City of Appleton  
Community Development Department  
100 N. Appleton Street, Appleton, WI 54911

RE: Meade St communication tower  
Project name

The undersigned, Robert Harris  
Property Owner name  
is the owner of property known as 2718 N. Meade Street 311402300, 311402400, 311402500  
address, tax key number

The undersigned authorizes Guy Stewart  
Agent name  
to sign and file an application on behalf of Profesional Associates, Inc.  
Property Owner name  
to Install a communications tower at the above property address

Describe Project  
Robert Harris also authorizes  
Property Owner name  
Guy Stewart to execute any and all other  
Agent name  
documentation and/or applications required by the City for the intended project  
and appear on its behalf before the Plan Commission and Common Council in  
proceedings relating to the application.

Executed as of the day and year first above set forth.

Robert J. Harris  
Signature of property owner



## PLAN OF OPERATION AND LOCATIONAL INFORMATION

### Business Information:

Name of business: CENTRAL STATES TOWERS / VERIZON WIRELESS

Years in operation: 20 plus

Type of proposed establishment (detailed explanation of business):

COMMUNICATIONS TOWER AND ASSOCIATED  
EQUIPMENT

### Proposed Hours of Operation:

Day	From	To
Week Day	24/7	
Friday	24/7	
Saturday	24/7	
Sunday	24/7	

### Building Capacity and Area:

Maximum number of persons permitted to occupy the building or tenant space as determined by the International Building Code (IBC) or the International Fire Code (IFC), whichever is more restrictive: 400 persons

Gross floor area of the existing building(s):

OUTSIDE CABINETS

Gross floor area of the proposed building(s):

SEE ATTACHED

Identify location, number, capacity and flammable liquid materials stored in storage tanks or containers:

SEE ATTACHED



**Outdoor Uses:**

Type, location, size of outdoor storage area(s) of business property, goods, or merchandise not intended for customer viewing or immediate sale:

50 X 50 LEASED AREA

Type and height of screening of plantings/fencing/gating for outdoor storage area(s):

SEE ATTACHED

Type, location, size of outdoor display area(s) of merchandise for sale:

50 X 50 LEASED AREA

**Number of Employees:**

Number of existing employees: 2

Number of proposed employees: 2

Number of employees scheduled to work on the largest shift: 2



Describe any potential smoke, odors emanating from the proposed use and plans to control them:

INTERMITTENT GENERATOR TESTING

**Describe Any Potential Noise Emanating From the Proposed Use:**

Describe the noise levels anticipated from all mechanical equipment:

SEE ATTACHED - ATTENUATED BULLDOZER

How will the noise be controlled?

SEE ATTACHED

**Outdoor Lighting:**

Type: SERVICE LIGHT SEE ATTACHED

Location: \_\_\_\_\_

**Off-Street Parking:**

Number of spaces existing: NONE

Number of spaces proposed: 2

Is street access to the subject property adequate or are any street improvements, such as a new turning lane, necessary to minimize impacts on traffic flow?

SEE ATTACHED



# Sabre Industries™

Towers and Poles

March 21, 2016

Mr. Yuri Dobrowolsky  
Director of Construction  
Central States Tower  
323 South Hale Street, Suite 100  
Wheaton, IL 60187

RE: Proposed 85 ft Sabre Monopole for Meade Street, WI

Dear Mr. Dobrowolsky,

Upon receipt of order, we propose to design and supply the above referenced Sabre monopole for a Basic Wind Speed of 90 mph with no ice and 40 mph with 1/2" ice, Structure Class II, Exposure Category C, and Topographic Category 1, in accordance with the Telecommunications Industry Association Standard ANSI/TIA-222-G, "Structural Standard for Antenna Supporting Structures and Antennas" to support at least four cellular carriers.

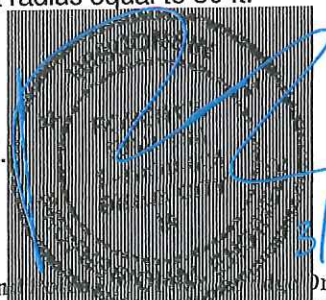
When designed according to this standard, the wind pressures and steel strength capacities include several safety factors, resulting in an overall minimum safety factor of 25%. Therefore, it is highly unlikely that the monopole will fail structurally in a wind event where the design wind speed is exceeded within the range of the built-in safety factors.

Should the wind speed increase beyond the capacity of the built-in safety factors, to the point of failure of one or more structural elements, the most likely location of the failure would be within one of the monopole shaft sections. This would result in a buckling failure mode, where the steel shaft would bend beyond its elastic limit (beyond the point where the shaft would return to its original shape upon removal of the wind load).

Therefore, the overall effect of an extreme wind event would be localized buckling of the monopole shaft. Assuming that the wind pressure profile is similar to that used to design the monopole, the shaft will buckle at the location of the highest combined stress ratio in the upper portion of the monopole. This would result in the portion of the monopole above "folding over" onto the portion below, essentially collapsing upon itself. **Please note that this letter only applies to a monopole designed and manufactured by Sabre Towers & Poles.** In the unlikely event of total separation, this, in turn, would result in collapse of that portion to the ground within a radius equal to 30 ft.

Sincerely,

Robert E. Beacom, P.E., S.E.  
Design Engineer II



Sabre Towers and Poles, Inc. • Drive • P.O. Box 658 • Sioux City, IA 51102-0658  
P: 712 255 0090 F: 712 279 0614 W: www.SabreTowersandPoles.com

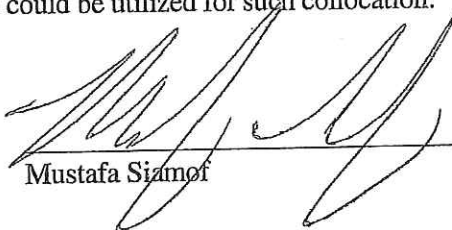


SWORN STATEMENT OF MUSTAFA SIAMOF IN SUPPORT OF NEW TOWER CONSTRUCTION  
PURSUANT TO WIS. STAT. §66.0404

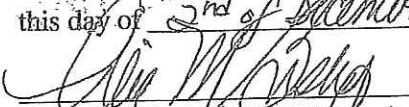
OUTAGAMIE COUNTY )  
 ) ss.  
STATE OF WISCONSIN )

MUSTAFA SIAMOF, being first duly sworn on oath, deposes and says that:

1. I am an adult resident of the State of Wisconsin and serve as RF Engineer at Verizon Wireless.
2. My job duties include responsibility over the placement of the mobile service support structure being proposed by 2718 N Meade St Appleton WI 54913
3. This sworn statement is made pursuant to Wis. Stat. §66.0404(2)(b)6.
4. The Verizon Wireless Proposal is being submitted because collocation within Verizon Wireless' search ring for the area covered by the Verizon Wireless Proposal is infeasible, as no existing structures of any kind currently exist which could be utilized for such collocation.

  
Mustafa Siamof

Subscribed and sworn to before me  
this day of 2<sup>nd</sup> of December 2015

  
Notary Public, State of Wisconsin

My commission: 10/29/16



# TOWAIR Determination Results

\*\*\* NOTICE \*\*\*

TOWAIR's findings are not definitive or binding, and we cannot guarantee that the data in TOWAIR are fully current and accurate. In some instances, TOWAIR may yield results that differ from application of the criteria set out in 47 C.F.R. Section 17.7 and 14 C.F.R. Section 77.13. A positive finding by TOWAIR recommending notification should be given considerable weight. On the other hand, a finding by TOWAIR recommending either for or against notification is not conclusive. It is the responsibility of each ASR participant to exercise due diligence to determine if it must coordinate its structure with the FAA. TOWAIR is only one tool designed to assist ASR participants in exercising this due diligence, and further investigation may be necessary to determine if FAA coordination is appropriate.

**Determination Results**

**Structure does not require registration. There are no airports within 8 kilometers (5 miles) of the coordinates you provided.**

**Your Specifications**

**NAD83 Coordinates**

Latitude	44-17-11.2 north
Longitude	088-23-41.1 west

**Measurements (Meters)**

Overall Structure Height (AGL)	25.9
Support Structure Height (AGL)	24.4
Site Elevation (AMSL)	235.6

**Structure Type**

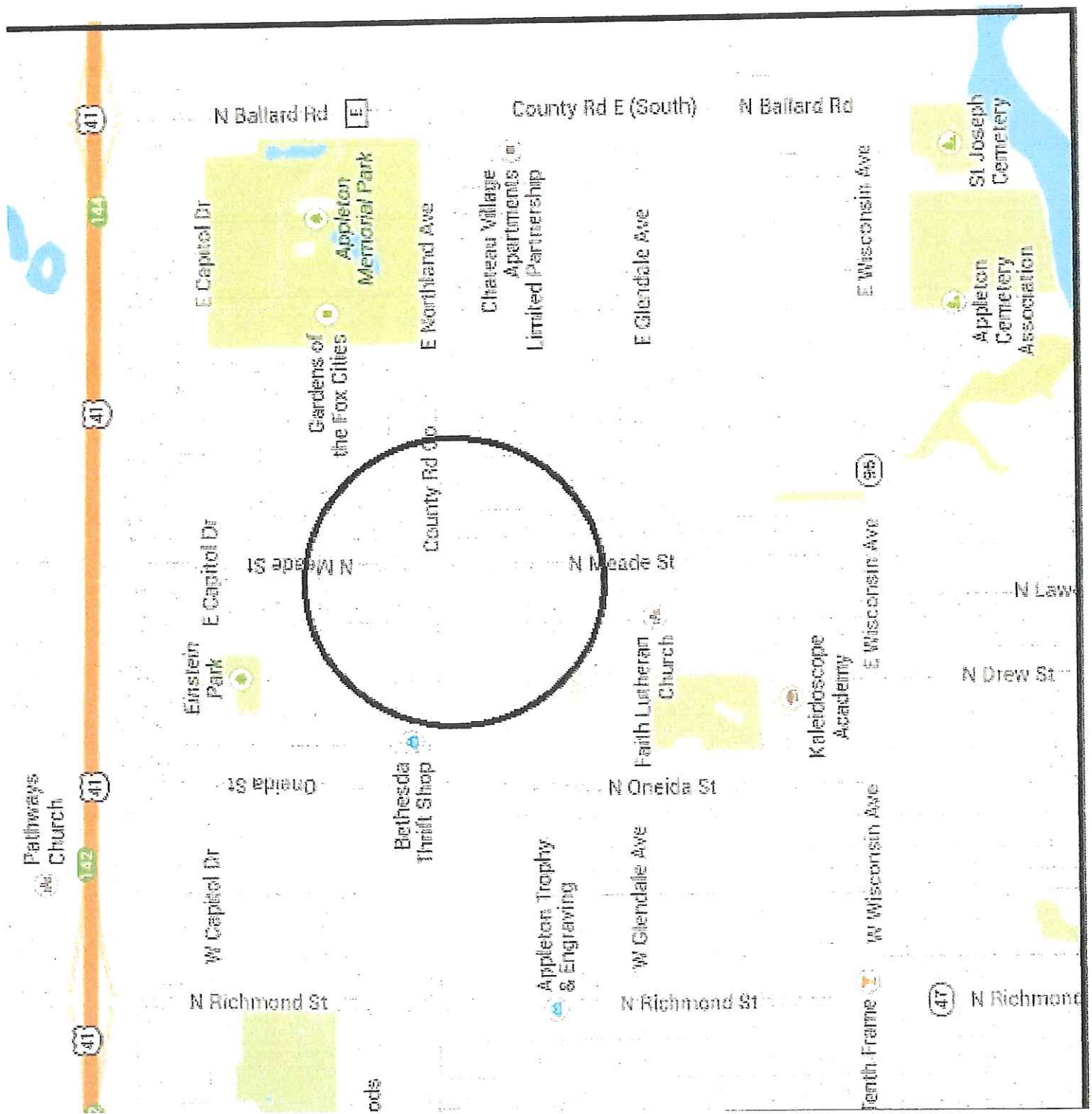
MTOWER - Monopole

**Tower Construction Notifications**

Notify Tribes and Historic Preservation Officers of your plans to build a tower.

CLOSE WINDOW





Pathways Church

41 142 41 41 142 41 41

N Ballard Rd  
E Capitol Dr  
Appleton Memorial Park  
Gardens of the Fox Cities  
E Capitol Dr  
Einstein Park  
W Capitol Dr  
N Richmond St

County Rd E (South)  
E Northland Ave  
County Rd E

Chateau Village Apartments  
Limited Partnership  
Appleton Trophy & Engraving  
Bethesda Thrift Shop  
N Oneida St  
W Glendale Ave  
N Richmond St

E Glendale Ave  
Faith Lutheran Church  
N Meade St  
N Oneida St

N Ballard Rd  
E Wisconsin Ave  
Kaleidoscope Academy  
W Wisconsin Ave  
Tenth Frame

St Joseph Cemetery  
Appleton Cemetery Association  
N Law  
N Drew St  
N Richmond



# READ

Real Estate Acquisition & Development, LLC

Jeff Towne  
Principal Planner  
Department of Community Development  
City of Appleton  
100 N. Appleton Street  
Appleton, WI 54501

April 12, 2016

**Re: Special Use Permit Application - Central States Tower III, LLC-New Mobile Service Support Structure and Mobile Service Facility/MTW of Appleton, Inc. Property located at 2718 N Meade Street Appleton WI 54913. Parcel ID #: 331402300, 311402400, 311402500**

Jeff Towne

Please find enclosed, the required project information along with a completed City of Appleton Special Use Permit application form for Central States Tower III, LLC ("CST") and Verizon Wireless,. This application has been prepared in accordance with the State of Wisconsin Mobile tower siting regulations found at Wis. Stat. Sect. 66.0404. The application procedures for a new mobile service support structure (tower) and mobile service facility (communications equipment) are found at Wis. Stat. Sect. 66.0404(2)(b) and list six (6) requirements for a completed application.

Below is a narrative on these six (6) requirements, including the specific project information. I have also enclosed a copy of the State of Wisconsin regulations for your reference as you review this submittal.

**1. The name and business address of, and the contact individual of, the applicant.**

Applicant (s):  
Central States Tower III, LLC  
323 South Hale Street, Suite 100  
LLC  
Wheaton, IL 60187

Contact Individual:  
Guy Stewart  
Real Estate Acquisition & Development,  
3703 North Point Dr.  
Stevens Point WI 54481

Verizon Wireless  
1515 Woodfield Road  
Schaumburg, IL 60173

**2. The location of the proposed support structure.**

**2718 N Meade Street Appleton WI 54913. Parcel ID #: 331402300, 311402400, 311402500**

***The location of the proposed 80' monopole tower structure (85' overall with lightning rod) is in the southeast corner of the above referenced parcel within a 50' x 50' lease area as depicted in the enclosed survey and construction drawings.***

3703 North Point Dr  
Stevens Point WI 54481  
715.340.2123



# READ

Real Estate Acquisition & Development, LLC

### 3. The location of the proposed mobile service facility.

2718 N Meade Street Appleton WI 54913. Parcel ID #: 331402300, 311402400, 311402500

CST proposes to construct an 80' monopole type tower structure (85' overall with lightning rod) for the immediate use by Verizon Wireless in the southeast corner of the property 2718 N Meade Street Appleton WI 54913. Parcel ID #: 331402300, 311402400, 311402500. This new tower structure will be located within a 50' x 50' ground lease area as depicted in the enclosed survey and construction drawings. Verizon Wireless will locate its antennas and equipment upon the tower at the 60' centerline, route its coax/cabling down the inside of the tower, and install outside equipment with a generator at grade near the base of the tower structure all within the CST ground lease area. Also, the monopole tower and compound is designed to accommodate at least two (2) additional similar wireless telecommunications equipment installations besides the one contemplated by Verizon Wireless.

### 4. If the application is to substantially modify an existing support structure...

The application is for a new 80' monopole tower (85' overall with lightning rod), therefore the submittal requirements of this section are not applicable.

### 5. If the application is to construct a new mobile service support structure, a construction plan which describes the proposed mobile services support structure and the equipment and network components, including antennas, transmitters, receivers, base stations, power supplies, cabling, and related equipment to be placed on or around the new mobile service support structure.

See the enclosed construction drawings showing the proposed CST and Verizon Wireless installations containing the above described information.

### 6. If the application is to construct a new mobile service support structure, an explanation as to why the application chose the proposed location and why the applicant did not choose collocation, including a sworn statement from an individual who has the responsibility over the placement of the mobile service support structure attesting that collocation within the applicant's search ring would not result in the same mobile service functionality, coverage, and capacity; is technically infeasible; or is economically burdensome to the mobile service provider.

The Verizon Wireless search ring is depicted in the enclosed Delorme Map labeled "Verizon Wireless Search Area: Wisconsin Avenue Site", where there are no existing structures of any kind within the defined search area available for collocation by Verizon Wireless. Enclosed in the application materials is a sworn statement from the Verizon Wireless Radio Frequency Engineer assigned to the site attesting to the fact that collocation is not feasible option for this site, as there are no existing structures of any kind which exist within the Verizon Wireless Search Area that could be utilized by Verizon Wireless for a collocation.

### ADDITIONAL DISCUSSION

This is a joint application for a proposed new communications tower facility which will be owned by Central States Tower III, LLC ("CST"), a national owner and operator of wireless communications

3703 North Point Dr  
Stevens Point WI 54481  
715.340.2123



# READ

Real Estate Acquisition & Development, LLC

infrastructure; and an antenna and equipment installation upon this new communications tower facility by its proposed tenant, Verizon Wireless. It is not uncommon for wireless telecommunications service providers to engage the services of a tower company to construct, own, and operate the infrastructure upon which they desire locate their equipment. In this case, Verizon Wireless needs the site to meet its service needs for the defined search area, and has engaged CST to participate as the tower developer/owner for the project.

*As described above, the proposed project is for the construction, installation, and operation of an unmanned wireless tower communications facility upon the property located on 2718 N Meade Street Appleton WI 54913. Parcel ID #: 331402300, 311402400, 311402500. This facility will consist of Verizon Wireless antennas and equipment to be mounted at the 60' centerline of a newly constructed CST owned 80' monopole tower (85' with lightning rod), associated coaxial/hybrid cable runs down the inside of the tower, and outside cabinet platform for equipment and backup power generator which will be housed upon a concrete pad/foundation near the base of the tower, all within a 50' x 50' fenced CST compound area as shown in the enclosed plans.*

This Special Use Permit will result in a great benefit for the community, in that it will allow for the continued provision of the highest quality, and most technologically advanced wireless communication services to the nearby residents and visitor populations of the City of Appleton. Besides the services which will be provided by Verizon Wireless, the tower facility has been designed so it will be available for at least two (2) other comparable antenna and equipment installations, and shall conform to all applicable ANSI/TIA 222-G, FCC, and FAA regulations and standards governing such facilities. Multiple company collocations on its infrastructure is the core of CST's business, and CST actively markets its portfolio of tower sites for collocation to all communication users nationwide and will do so for this site as well. In this regard, it is CST's experience that the typical wireless communication service provider would require similar or somewhat higher mounting heights than what Verizon Wireless is proposing with this application, and with this in mind CST wants to ensure that the proposed tower structure is designed to remain as marketable as possible. Therefore, it is seeking the approval of a somewhat taller overall tower structure (85' AGL), than the mounting height required (60' AGL) by Verizon Wireless at this location. CST feels that this incremental additional height will both increase the viability of this location for other potential future users needs in this area, while at the same time decreasing the future chances that an additional tower location would need to be sought in this vicinity, both accomplished without materially increasing any potential impact(s) to the surrounding area due to the slight increase in height the proposed taller tower would bring.

The proposed facility will not require any public participation, or result in any public cost for public facilities and services which would be detrimental to the economic welfare of the community. In fact, the wireless communication services offered by Verizon Wireless are desired by both businesses and individuals, and will be an economic asset to the community. The enhanced E-911 services provided by facilities such as these will also assist in the protection of the public health, safety, and welfare of the community.

The equipment will operate continuously at this unmanned facility and will require no additional parking or facilities for employees. Verizon Wireless' cell site technicians will visit the site periodically, typically a couple hours once per month, for the testing and monitoring of the maintenance and security of its equipment. CST personnel will also visit the site periodically to monitor the maintenance and security of the facility. The facility will not generate any substantial



# READ

Real Estate Acquisition & Development, LLC

traffic, and besides the new tower structure, the remainder of the equipment has a minimal visual impact and generates very little noise.

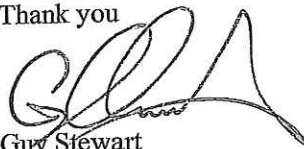
This site is located upon a property in the C-2 General Commercial Zoning District within an established commercial corridor along W. Wisconsin Avenue, and has been positioned upon the underlying parcel to best conform with the current and potential future use(s) of the property. The location of the proposed tower upon the property is setback from the nearest property line by approximately 29', a distance that is less than the height of the proposed tower structure. However, enclosed please find a stamped engineering letter from Sabre Industries Towers and Poles, CST's tower manufacturer, ensuring that the tower will be designed to collapse within the subject property in the event of structural failure. A landscaping buffer will also be installed around the perimeter of the compound to assist in minimizing any potential impacts to the adjoining properties and nearby view sheds.

Besides the six (6) application requirements defined by Wis. Stat. Sect. 66.0404(2)(b), I have also enclosed a copy of a FCC TOWAIR report for the proposed tower at this location and a check made payable to the City of Appleton in the amount of \$450.00 for the applicable application fee.

I believe the above information satisfies the applicable application requirements as defined by the City of Appleton Zoning Ordinance and as preempted by Wis. Stat. Sect. 66.0404; and is ready to be scheduled for consideration by the City of Appleton Planning Commission. I look forward to the public hearing for this request, and will be present at the meeting to address any remaining questions that the commission or members of the public may have regarding the application and proposed use of the site.

Should you have any additional information needs or questions regarding the application, the enclosed materials, or the proposed use of the site, please contact me directly at (715) 340-2123 or by email at [guystewart@charter.net](mailto:guystewart@charter.net).

Thank you



Guy Stewart  
Real Estate Acquisition & Development, LLC  
3703 North Point Dr.  
Stevens Point WI 54481

Enclosures:

3703 North Point Dr  
Stevens Point WI 54481  
715.340.2123



**66.0404 MUNICIPAL LAW**

Updated 13–14 Wis. Stats. 46

**66.0404 Mobile tower siting regulations. (1) DEFINITIONS.** In this section:

(a) “Antenna” means communications equipment that transmits and receives electromagnetic radio signals and is used in the provision of mobile services.

(b) “Application” means an application for a permit under this section to engage in an activity specified in sub. (2) (a) or a class 2 collocation.

(c) “Building permit” means a permit issued by a political subdivision that authorizes an applicant to conduct construction activity that is consistent with the political subdivision’s building code.

(d) “Class 1 collocation” means the placement of a new mobile service facility on an existing support structure such that the owner of the facility does not need to construct a free standing support structure for the facility but does need to engage in substantial modification.

(e) “Class 2 collocation” means the placement of a new mobile service facility on an existing support structure such that the owner of the facility does not need to construct a free standing support structure for the facility or engage in substantial modification.

(f) “Collocation” means class 1 or class 2 collocation or both.

(g) “Distributed antenna system” means a network of spatially separated antenna nodes that is connected to a common source via a transport medium and that provides mobile service within a geographic area or structure.

(h) “Equipment compound” means an area surrounding or adjacent to the base of an existing support structure within which is located mobile service facilities.

(i) “Existing structure” means a support structure that exists at the time a request for permission to place mobile service facilities on a support structure is filed with a political subdivision.

(j) “Fall zone” means the area over which a mobile support structure is designed to collapse.

(k) “Mobile service” has the meaning given in 47 USC 153 (33).

(L) “Mobile service facility” means the set of equipment and network components, including antennas, transmitters, receivers, base stations, power supplies, cabling, and associated equipment, that is necessary to provide mobile service to a discrete geographic area, but does not include the underlying support structure.

(m) “Mobile service provider” means a person who provides mobile service.

(n) “Mobile service support structure” means a freestanding structure that is designed to support a mobile service facility.

(o) “Permit” means a permit, other than a building permit, or approval issued by a political subdivision which authorizes any of the following activities by an applicant:

1. A class 1 collocation.
2. A class 2 collocation.
3. The construction of a mobile service support structure.

(p) “Political subdivision” means a city, village, town, or county.

(q) “Public utility” has the meaning given in s. 196.01 (5).

(r) “Search ring” means a shape drawn on a map to indicate the general area within which a mobile service support structure should be located to meet radio frequency engineering requirements, taking into account other factors including topography and the demographics of the service area.

(s) “Substantial modification” means the modification of a mobile service support structure, including the mounting of an antenna on such a structure, that does any of the following:

1. For structures with an overall height of 200 feet or less, increases the overall height of the structure by more than 20 feet.
2. For structures with an overall height of more than 200 feet, increases the overall height of the structure by 10 percent or more.

3. Measured at the level of the appurtenance added to the structure as a result of the modification, increases the width of the support structure by 20 feet or more, unless a larger area is necessary for collocation.

4. Increases the square footage of an existing equipment compound to a total area of more than 2,500 square feet.

(t) “Support structure” means an existing or new structure that supports or can support a mobile service facility, including a mobile service support structure, utility pole, water tower, building, or other structure.

(u) “Utility pole” means a structure owned or operated by an alternative telecommunications utility, as defined in s. 196.01 (1d); public utility, as defined in s. 196.01 (5); telecommunications utility, as defined in s. 196.01 (10); political subdivision; or cooperative association organized under ch. 185; and that is designed specifically for and used to carry lines, cables, or wires for telecommunications service, as defined in s. 182.017 (1g) (cq); for video service, as defined in s. 66.0420 (2) (y); for electricity; or to provide light.

**(2) NEW CONSTRUCTION OR SUBSTANTIAL MODIFICATION OF FACILITIES AND SUPPORT STRUCTURES.** (a) Subject to the provisions and limitations of this section, a political subdivision may enact a zoning ordinance under s. 59.69, 60.61, or 62.23 to regulate any of the following activities:

1. The siting and construction of a new mobile service support structure and facilities.

2. With regard to a class 1 collocation, the substantial modification of an existing support structure and mobile service facilities.

(b) If a political subdivision regulates an activity described under par. (a), the regulation shall prescribe the application process which a person must complete to engage in the siting, construction, or modification activities described in par. (a). The application shall be in writing and shall contain all of the following information:

1. The name and business address of, and the contact individual for, the applicant.
2. The location of the proposed or affected support structure.
3. The location of the proposed mobile service facility.
4. If the application is to substantially modify an existing support structure, a construction plan which describes the proposed modifications to the support structure and the equipment and network components, including antennas, transmitters, receivers, base stations, power supplies, cabling, and related equipment associated with the proposed modifications.

5. If the application is to construct a new mobile service support structure, a construction plan which describes the proposed mobile service support structure and the equipment and network components, including antennas, transmitters, receivers, base stations, power supplies, cabling, and related equipment to be placed on or around the new mobile service support structure.

6. If an application is to construct a new mobile service support structure, an explanation as to why the applicant chose the proposed location and why the applicant did not choose collocation, including a sworn statement from an individual who has responsibility over the placement of the mobile service support structure attesting that collocation within the applicant’s search ring would not result in the same mobile service functionality, coverage, and capacity; is technically infeasible; or is economically burdensome to the mobile service provider.

(c) If an applicant submits to a political subdivision an application for a permit to engage in an activity described under par. (a), which contains all of the information required under par. (b), the political subdivision shall consider the application complete. If the political subdivision does not believe that the application is complete, the political subdivision shall notify the applicant in writing, within 10 days of receiving the application, that the application is not complete. The written notification shall specify in detail the required information that was incomplete. An appli-



cant may resubmit an application as often as necessary until it is complete.

(d) Within 90 days of its receipt of a complete application, a political subdivision shall complete all of the following or the applicant may consider the application approved, except that the applicant and the political subdivision may agree in writing to an extension of the 90 day period:

1. Review the application to determine whether it complies with all applicable aspects of the political subdivision's building code and, subject to the limitations in this section, zoning ordinances.

2. Make a final decision whether to approve or disapprove the application.

3. Notify the applicant, in writing, of its final decision.

4. If the decision is to disapprove the application, include with the written notification substantial evidence which supports the decision.

(e) A political subdivision may disapprove an application if an applicant refuses to evaluate the feasibility of collocation within the applicant's search ring and provide the sworn statement described under par. (b) 6.

(f) A party who is aggrieved by the final decision of a political subdivision under par. (d) 2. may bring an action in the circuit court of the county in which the proposed activity, which is the subject of the application, is to be located.

(g) If an applicant provides a political subdivision with an engineering certification showing that a mobile service support structure, or an existing structure, is designed to collapse within a smaller area than the setback or fall zone area required in a zoning ordinance, that zoning ordinance does not apply to such a structure unless the political subdivision provides the applicant with substantial evidence that the engineering certification is flawed.

(h) A political subdivision may regulate the activities described under par. (a) only as provided in this section.

(i) If a political subdivision has in effect on July 2, 2013, an ordinance that applies to the activities described under par. (a) and the ordinance is inconsistent with this section, the ordinance does not apply to, and may not be enforced against, the activity.

**(3) COLLOCATION ON EXISTING SUPPORT STRUCTURES.** (a) 1. A class 2 collocation is a permitted use under ss. 59.69, 60.61, and 62.23.

2. If a political subdivision has in effect on July 2, 2013, an ordinance that applies to a class 2 collocation and the ordinance is inconsistent with this section, the ordinance does not apply to, and may not be enforced against, the class 2 collocation.

3. A political subdivision may regulate a class 2 collocation only as provided in this section.

4. A class 2 collocation is subject to the same requirements for the issuance of a building permit to which any other type of commercial development or land use development is subject.

(b) If an applicant submits to a political subdivision an application for a permit to engage in a class 2 collocation, the application shall contain all of the information required under sub. (2) (b) 1. to 3., in which case the political subdivision shall consider the application complete. If any of the required information is not in the application, the political subdivision shall notify the applicant in writing, within 5 days of receiving the application, that the application is not complete. The written notification shall specify in detail the required information that was incomplete. An applicant may resubmit an application as often as necessary until it is complete.

(c) Within 45 days of its receipt of a complete application, a political subdivision shall complete all of the following or the applicant may consider the application approved, except that the applicant and the political subdivision may agree in writing to an extension of the 45 day period:

1. Make a final decision whether to approve or disapprove the application.

2. Notify the applicant, in writing, of its final decision.

3. If the application is approved, issue the applicant the relevant permit.

4. If the decision is to disapprove the application, include with the written notification substantial evidence which supports the decision.

(d) A party who is aggrieved by the final decision of a political subdivision under par. (c) 1. may bring an action in the circuit court of the county in which the proposed activity, which is the subject of the application, is to be located.

**(4) LIMITATIONS.** With regard to an activity described in sub. (2) (a) or a class 2 collocation, a political subdivision may not do any of the following:

- (a) Impose environmental testing, sampling, or monitoring requirements, or other compliance measures for radio frequency emissions, on mobile service facilities or mobile radio service providers.

- (b) Enact an ordinance imposing a moratorium on the permitting, construction, or approval of any such activities.

- (c) Enact an ordinance prohibiting the placement of a mobile service support structure in particular locations within the political subdivision.

- (d) Charge a mobile radio service provider a fee in excess of one of the following amounts:

1. For a permit for a class 2 collocation, the lesser of \$500 or the amount charged by a political subdivision for a building permit for any other type of commercial development or land use development.

2. For a permit for an activity described in sub. (2) (a), \$3,000.

- (e) Charge a mobile radio service provider any recurring fee for an activity described in sub. (2) (a) or a class 2 collocation.

- (f) Permit 3rd party consultants to charge the applicant for any travel expenses incurred in the consultant's review of mobile service permits or applications.

- (g) Disapprove an application to conduct an activity described under sub. (2) (a) based solely on aesthetic concerns.

- (gm) Disapprove an application to conduct a class 2 collocation on aesthetic concerns.

- (h) Enact or enforce an ordinance related to radio frequency signal strength or the adequacy of mobile service quality.

- (i) Impose a surety requirement, unless the requirement is competitively neutral, nondiscriminatory, and commensurate with the historical record for surety requirements for other facilities and structures in the political subdivision which fall into disuse. There is a rebuttable presumption that a surety requirement of \$20,000 or less complies with this paragraph.

- (j) Prohibit the placement of emergency power systems.

- (k) Require that a mobile service support structure be placed on property owned by the political subdivision.

- (L) Disapprove an application based solely on the height of the mobile service support structure or on whether the structure requires lighting.

- (m) Condition approval of such activities on the agreement of the structure or mobile service facility owner to provide space on or near the structure for the use of or by the political subdivision at less than the market rate, or to provide the political subdivision other services via the structure or facilities at less than the market rate.

- (n) Limit the duration of any permit that is granted.

- (o) Require an applicant to construct a distributed antenna system instead of either constructing a new mobile service support structure or engaging in collocation.



**66.0404 MUNICIPAL LAW**

Updated 13–14 Wis. Stats. 48

(p) Disapprove an application based on an assessment by the political subdivision of the suitability of other locations for conducting the activity.

(q) Require that a mobile service support structure, existing structure, or mobile service facilities have or be connected to backup battery power.

(r) Impose a setback or fall zone requirement for a mobile service support structure that is different from a requirement that is imposed on other types of commercial structures.

(s) Consider an activity a substantial modification under sub. (1) (s) 1. or 2. if a greater height is necessary to avoid interference with an existing antenna.

(t) Consider an activity a substantial modification under sub. (1) (s) 3. if a greater protrusion is necessary to shelter the antenna from inclement weather or to connect the antenna to the existing structure by cable.

(u) Limit the height of a mobile service support structure to under 200 feet.

(v) Condition the approval of an application on, or otherwise require, the applicant's agreement to indemnify or insure the political subdivision in connection with the political subdivision's exercise of its authority to approve the application.

(w) Condition the approval of an application on, or otherwise require, the applicant's agreement to permit the political subdivision to place at or collocate with the applicant's support structure any mobile service facilities provided or operated by, whether in whole or in part, a political subdivision or an entity in which a political subdivision has a governance, competitive, economic, financial or other interest.

**(5) APPLICABILITY.** If a county enacts an ordinance as described under sub. (2) the ordinance applies only in the unincorporated parts of the county, except that if a town enacts an ordinance as described under sub. (2) after a county has so acted, the county ordinance does not apply, and may not be enforced, in the town, except that if the town later repeals its ordinance, the county ordinance applies in that town.

History: 2013 a. 20, 173.

**66.0405 Removal of rubbish.** Cities, villages and towns may remove ashes, garbage, and rubbish from such classes of places in the city, village or town as the board or council directs. The removal may be from all of the places or from those whose owners or occupants desire the service. Districts may be created and removal provided for certain districts only, and different regulations may be applied to each removal district or class of property. The cost of removal may be funded by special assessment against the property served, by general tax upon the property of the respective districts, or by general tax upon the property of the city, village or town. If a city, village or town contracts for ash, garbage or rubbish removal service, it may contract with one or more service providers.

History: 1993 a. 246; 1999 a. 150 s. 119; Stats. 1999 s. 66.0405.

**66.0406 Radio broadcast service facility regulations.****(1) DEFINITIONS.** In this section:

(a) "Political subdivision" means any city, village, town, or county.

(b) "Radio broadcast services" means the regular provision of a commercial or noncommercial service involving the transmission, emission, or reception of radio waves for the transmission of sound or images in which the transmissions are intended for direct reception by the general public.

(c) "Radio broadcast service facilities" means commercial or noncommercial facilities, including antennas and antenna support structures, intended for the provision of radio broadcast services.

**(2) LIMITATIONS ON LOCAL REGULATION.** Beginning on May 1, 2013, if a political subdivision enacts an ordinance, adopts a resolution, or takes any other action that affects the placement, construction, or modification of radio broadcast service facilities, the

ordinance, resolution, or other action may not take effect unless all of the following apply:

(a) The ordinance, resolution, or other action has a reasonable and clearly defined public health or safety objective, and reflects the minimum practical regulation that is necessary to accomplish that objective.

(b) The ordinance, resolution, or other action reasonably accommodates radio broadcast services and does not prohibit, or have the effect of prohibiting, the provision of such services in the political subdivision.

**(3) CONTINUED APPLICATION OF EXISTING REGULATIONS.** If a political subdivision has in effect on May 1, 2013, an ordinance or resolution that is inconsistent with the requirements that are specified in sub. (2) for an ordinance, resolution, or other action to take effect, the existing ordinance or resolution does not apply, and may not be enforced, to the extent that it is inconsistent with the requirements that are specified in sub. (2).

**(4) DENIAL OF PLACEMENT, CONSTRUCTION, OR MODIFICATION OF FACILITIES.** If a political subdivision denies a request by any person to place, construct, or modify radio broadcast service facilities in the political subdivision, the denial may be based only on the political subdivision's public health or safety concerns. The political subdivision must provide the requester with a written denial of the requester's request, and the political subdivision must provide the requester with substantial written evidence which supports the reasons for the political subdivision's action.

History: 2013 a. 20; 2013 a. 173 s. 33.

**66.0407 Noxious weeds.** (1) In this section:

(a) "Destroy" means the complete killing of weeds or the killing of weed plants above the surface of the ground by the use of chemicals, cutting, tillage, cropping system, pasturing livestock, or any or all of these in effective combination, at a time and in a manner as will effectually prevent the weed plants from maturing to the bloom or flower stage.

(b) "Noxious weed" means Canada thistle, leafy spurge, field bindweed, any weed designated as a noxious weed by the department of natural resources by rule, and any other weed the governing body of any municipality or the county board of any county by ordinance or resolution declares to be noxious within its respective boundaries.

(3) A person owning, occupying or controlling land shall destroy all noxious weeds on the land. The person having immediate charge of any public lands shall destroy all noxious weeds on the lands. The highway patrolman on all federal, state or county trunk highways shall destroy all noxious weeds on that portion of the highway which that highway patrolman patrols. The town board is responsible for the destruction of all noxious weeds on the town highways.

(4) The chairperson of each town, the president of each village and the mayor or manager of each city may annually on or before May 15 publish a class 2 notice, under ch. 985, that every person is required by law to destroy all noxious weeds, as defined in this section, on lands in the municipality which the person owns, occupies or controls. A town, village or city which has designated as its official newspaper or which uses for its official notices the same newspaper as any other town, village or city may publish the notice under this subsection in combination with the other town, village or city.

(5) This section does not apply to Canada thistle or annual noxious weeds that are located on land that the department of natural resources owns, occupies or controls and that is maintained in whole or in part as habitat for wild birds by the department of natural resources.

History: 1975 c. 394 s. 12; 1975 c. 421; Stats. 1975 s. 66.96; 1983 a. 112, 189; 1989 a. 56 s. 258; 1991 a. 39, 316; 1997 a. 287; 1999 a. 150 ss. 617 to 619; Stats. 1999 s. 66.0407; 2009 a. 55.



## Proposed Kesting Court Cell Tower

**We, the undersigned people, ask that the proposed 85 foot cell tower to be erected by Central States Tower III & Verizon Wireless on the southeast portion of a property located at 2718 N Meade Street in Appleton (tax parcel 311402500) be moved to an alternative site in the area that would be more appropriate and safer for the residents of the adjacent neighborhood**

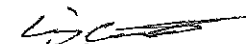



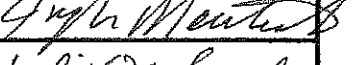
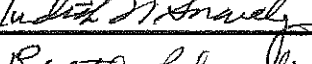
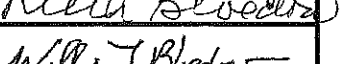
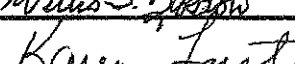
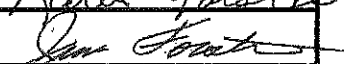
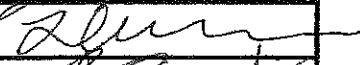



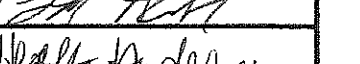
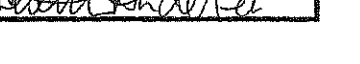

**We are concerned** that the proposed site, which adjoins Kesting Court to the east, is immediately adjacent to a residential neighborhood where young families with small children live.

**We are concerned** about the effects of the proposed tower location on neighborhood property values.

**We are very concerned** about the unknown risks to residents' health, especially for pregnant women and small children posed by high exposure to radiofrequency energy.

**We are concerned** that, in the event of a mechanical failure, all or some parts of the tower structure could actually fall on neighboring homes (the closest home is 38 feet from the actual center of the proposed site)

**We believe that there are alternative sites in the area** that would be safer and more appropriate for a proposed cell tower and therefore request that an alternative site analysis be done to find the safest and most appropriate site for this tower.

Name	Address	Phone Number	Signature
Craig Cogges	2700 Kesting Ct	920-427-3487	
Ann Behnke	2624 Kesting Ct	920-739-1090	
Joanne Schwabe	2608 Kesting Ct	920-731-9109	
Chris Turner	2600 Kesting CT	864-266-7019	
Joe MARETECH	2512 Kesting CT	920 739 8014	
Judy Dravey	2520 Kesting Ct	920-749-9303	
Rita Bloodor	820 E. Pershing	920-739-2275	
Willis J. Bloodor	820 E. Pershing	920-739-2275	
Karen Foster	810 E. Pershing	920-470-3337	
Jan Foust	810 E Pershing St	920 470 3330	
Lee VuLee	800 E. Pershing St.	920-202-3795	
Thue Lee	800 E. Pershing St.	920-202-3795	
Chase Beschta	2516 N Meade St	920-562-1162	
Kelly Beschta	2516 N. Meade St.	(920) 233-5215	
Lloyd Anderson	2524 N. Meade St.	(920) 284-6123	
Heather Anderson	2524 N. Meade St.	920-284-6123	



## Proposed Kesting Court Cell Tower

We, the undersigned people, ask that the proposed 85 foot cell tower to be erected by Central States Tower III & Verizon Wireless on the southeast portion of a property located at 2718 N Meade Street in Appleton (tax parcel 311402500) be moved to an alternative site in the area that would be more appropriate and safer for the residents of the adjacent neighborhood

We are concerned that the proposed site, which adjoins Kesting Court to the east, is immediately adjacent to a residential neighborhood where young families with small children live.

We are concerned about the effects of the proposed tower location on neighborhood property values.

We are very concerned about the unknown risks to residents' health, especially for pregnant women and small children posed by high exposure to radiofrequency energy.

We are concerned that, in the event of a mechanical failure, all or some parts of the tower structure could actually fall on neighboring homes (the closest home is 38 feet from the actual center of the proposed site)

We believe that there are alternative sites in the area that would be safer and more appropriate for a proposed cell tower and therefore request that an alternative site analysis be done to find the safest and most appropriate site for this tower.

Name	Address	Phone Number	Signature
HUNTER JANTZ	2400 N Meade	920-288-4462	[Signature]
Ida Jones	2624 N. Meade	920-739-3042	[Signature]
Jeanne Becker	2703 Kesting Ct.	920-991-9718	[Signature]
Sue Van Vorst	2102 S Kesting Ct.	920-749-1895	[Signature]
Joe Van Vorst	2625 Kesting Ct.	"	[Signature]
Brian Hill	2617 Kesting	920-246-6259	[Signature]
Nichelle VerBruggen	2609 Kesting Ct.	920-213-2533	[Signature]
DAVID BRINKMAN	2616 KESTING CT	920-450-5734	[Signature]
Sara Brinkman	2616 Kesting Ct	920-739-6592	[Signature]
BT Doe			
John M. Hill	2701 Lillian Ct	414-430-7866	[Signature]
Patie Hladick	2607 Lillian Ct.	920-562-4585	[Signature]
Trevor Willico	830 E Pershing St	920-371-4792	[Signature]
SAM MURPHY	2528 LILLIAN CT	920-450-4658	[Signature]
Lisa Murphy	2528 Lillian Ct	920-450-4659	[Signature]
Matt Prochaska	2612 Lillian Ct	920-327-8533	[Signature]
Marsha Prochaska	2612 Lillian Ct	920-378-4072	[Signature]
Delany Prochaska	2713 Kesting Ct	920-716-1808	[Signature]
Ryan Ussers	2713 Kesting Ct	920-716-2405	[Signature]
Ucky Prochaska	2708 Kesting Ct	920-993-0952	[Signature]
Ucky Prochaska	2708 Kesting Ct	920-993-0952	[Signature]



### Proposed Kesting Court Cell Tower

**We, the undersigned people, ask that the proposed 85 foot cell tower to be erected by Central States Tower III & Verizon Wireless on the southeast portion of a property located at 2718 N Meade Street in Appleton (tax parcel 311402500) be moved to an alternative site in the area that would be more appropriate and safer for the residents of the adjacent neighborhood**

**We are concerned** that the proposed site, which adjoins Kesting Court to the east, is immediately adjacent to a residential neighborhood where young families with small children live.

**We are concerned** about the effects of the proposed tower location on neighborhood property values.

**We are very concerned** about the unknown risks to residents' health, especially for pregnant women and small children posed by high exposure to radiofrequency energy.

**We are concerned** that, in the event of a mechanical failure, all or some parts of the tower structure could actually fall on neighboring homes (the closest home is 38 feet from the actual center of the proposed site)

**We believe that there are alternative sites in the area that would be safer and more appropriate for a proposed cell tower and therefore request that an alternative site analysis be done to find the safest and most appropriate site for this tower.**

[illegible]





## REPORT TO CITY PLAN COMMISSION

**Plan Commission Public Hearing Meeting Date:** May 9, 2016

**Common Council Public Hearing Meeting Date:** June 15, 2016 (Public Hearing on Comprehensive Plan Amendment and Rezoning)

**Items:** City of Appleton *Comprehensive Plan 2010-2030* Future Land Use Map Amendment #2-16 and Rezoning #4-16

**Case Manager:** Jeff Towne

### GENERAL INFORMATION

**Owner/Applicant:** Primrose Retirement Communities, owner  
Corey Sauerwein, applicant

**Lot/Parcel:** 5715 North Meade Street (Tax Id #31-6-6100-50)

**Petitioner's Request:** 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 Multi-Family Residential designation for the subject parcel. In conjunction with this request, the applicant is also proposing to rezone the subject parcel from R-1A Single-Family District to R-3 Multi-Family District. The requests are being made to accommodate the proposed development of a senior residential care apartment complex, a memory care CLA, and villa housing units on the site.

### BACKGROUND

The subject area was annexed to the City in 2004, as part of the Paltzer/Jacob Annexation with an AG Agricultural District zoning. The subject area was rezoned to R-1A Single-Family Residential District in 2013.

### STAFF ANALYSIS

**Procedural Findings:** When a *Comprehensive Plan 2010-2030* Future Land Use Map Amendment and Rezoning application are required for the same development project, the respective staff reports are consolidated together as one.

**Existing Site Conditions:** The subject site is approximately 20 acres in size and has a single-family home on it. The property fronts North Meade Street on the east, which is classified as an arterial street on the City's Arterial/Collector Plan, and Officially Mapped Spartan Drive to the north, which will be a collector street.



**Surrounding Zoning Classification, Future Land Use Designation, and Current Land Uses:**

North:	Town of Grand Chute;	Single-family residence
South:	Town of Grand Chute;	Single-family residence
West:	AG Agricultural District;	Agricultural uses
	R-1A Single-Family District;	Single-family residences
	P-I Public Institutional District;	Stormwater pond
East:	Town of Grand Chute;	Plamann Park

**Proposed Future Land Use Designation:** Amendments to the Comprehensive Plan are sometimes triggered by technical corrections to omissions or errors, specific development proposals, or changing circumstances in the City. In this case, a specific development proposal for the subject site is necessitating the change to Multi-Family Residential designation.

**Comprehensive Plan 2010-2030 Goals and Objectives:** The *Comprehensive Plan 2010-2030* and Future Land Use Map are intended to guide City growth and development in an organized, efficient manner. The Plan addresses a range of topics related to land use, housing and neighborhoods, economic development, transportation, utilities and community facilities, and more. Evaluating the proposed amendment for consistency with relevant goals, objectives, and policies is necessary in determining if changes to the Future Land Use Map are appropriate. The proposed amendment appears to be consistent with the following 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 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 5.3 Housing and Neighborhoods:**

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

**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.*



**Proposed Zoning Classification:** The purpose of the R-3 Multi-Family District is to provide for and maintain residential areas characterized by multiple family dwellings, while maintaining the basic qualities of a dense residential neighborhood, which may include other housing types and institutional and limited non-residential uses. The development standards for the R-3 District are listed below:

- 1) **Minimum lot area:**
  - a. 6,000 square feet for single-family dwelling.
  - b. 7,000 square feet for two story two-family dwellings.
  - c. 9,000 square feet for single story two-family dwelling.
  - d. 3,000 square feet per dwelling unit for multi-family dwellings.
  - e. 7,000 square feet for all other uses.
- 2) **Maximum lot coverage:** 70%.
- 3) **Minimum lot width:**
  - a. 50 feet for single-family dwellings.
  - b. 70 feet for two-family dwellings.
  - c. 80 feet for all other uses.
- 4) **Minimum front yard:**
  - a. 20 feet.
  - b. 25 feet if located on an arterial street.
- 5) **Minimum rear yard:** 35 feet.
- 6) **Minimum side yard:**
  - a. 6 feet for single and two-family dwellings.
  - b. 20 feet all other uses.
- 7) **Minimum setback from single or two-family lot line:** 30 feet.
- 8) **Maximum building height:**
  - a. 35 feet for single and two-family dwellings.
  - b. 45 feet or all other uses.
- 9) **Minimum distance between multi-family buildings:** 12 feet.

**Zoning Ordinance Review Criteria:** The requests are being made to accommodate the proposed development on the site, which consists of permitted uses and a special use in the R-3 Multi-Family District. Per Section 23-40(a)(4) of the Municipal Code, no more than one principal building shall occupy a single lot, except where a lot is in a PD district or used for multi-family, educational, institutional, motel, hotel, commercial, or industrial purposes. Rezoning to the R-3 District would allow for the establishment of all of the proposed uses on the subject lot. A CLA with a capacity greater than 16 persons in the R-3 District is listed as a Special Use Permit under 23-96(e). A separate request for a Special Use Permit has been filed and is also being presented at the May 9, 2016 Plan Commission meeting.



**Review Criteria:** Based upon the above analysis, it would appear the criteria established by Section 23-65(d) (3) Zoning Amendments has been satisfied, provided Comprehensive Plan Future Land Use Map Amendment #2-16 is approved.

**Technical Review Group (TRG) Report:** These items were discussed at the April 19, 2016 Technical Review Group meeting. No negative comments were received from participating departments.

## **RECOMMENDATION**

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Based upon the above analysis, staff recommends the proposed City of Appleton *Comprehensive Plan 2010-2030* Future Land Use Map Amendment #2-16 from One and Two-Family Residential designation to Multi-Family Residential designation and resolution, **BE APPROVED**; and

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 #4-16 to rezone the subject parcel located at 5715 North Meade Street, north of the intersection of Edgewood Drive (JJ) and Meade Street (Tax Id #31-6-6100-50) from R-1A Single-Family District to R-3 Multi-Family District, including to the centerline of the adjacent right-of-way and as shown on the attached map, **BE APPROVED**.

**NOTE:** If approved, Rezoning #4-16 will be reported out at the same Common Council meeting as the proposed Comprehensive Plan Amendment #2-16 to accurately reflect the change in future land use from One and Two-Family Residential designation to Multi-Family Residential designation.



**RESOLUTION  
CITY OF APPLETON**

**ADOPTION OF THE RECOMMENDED AMENDMENT TO THE COMPREHENSIVE  
PLAN AS PREPARED BY THE CITY OF APPLETON PLAN COMMISSION**

**WHEREAS**, the Common Council of the City of Appleton pursuant to Section 62.23 of the Wisconsin Statutes, has established a City Plan Commission; and

**WHEREAS**, on March 3, 2010, the Common Council adopted the City of Appleton Comprehensive Plan to promote public health, safety and welfare of the City by effectively guiding long-range growth and development within the city and its statutory extraterritorial planning jurisdiction; and

**WHEREAS**, Chapter 12: Implementation, Comprehensive Plan Update Procedures, of the Comprehensive Plan was created in the City of Appleton Code of Ordinances to provide procedures and criteria for amending and updating the City of Appleton Comprehensive Plan; and

**WHEREAS**, members of the public were invited to make comments at a meeting held on May 9, 2016, by the City Plan Commission, wherein the following Comprehensive Plan amendment (Amendment #2-16) herein adopted were reviewed and commented upon by members of the public; and

**WHEREAS**, the City of Appleton Plan Commission has reviewed the recommended amendment to the Comprehensive Plan Future Land Use Map at a meeting held on May 9, 2016; and

**WHEREAS**, the City of Appleton Plan Commission reviewed the following Comprehensive Plan Amendments, found these amendments to meet the criteria outlined in Chapter 12: Implementation, Comprehensive Plan Update Procedures, warranting inclusion in this resolution

1. Having been filed with the City Clerk by the City of Appleton Community and Economic Development Department requesting a Comprehensive Plan Future Land Use Map Amendment to change future land use designations for specified property on the Future Land Use Map from (One and Two-Family Residential Use) to (Multi-Family Residential Use).

**WHEREAS**, members of the public, adjacent and nearby local governmental units will be given a 30-day review and comment period prior to the public hearing, which will be conducted by the Common Council for the Comprehensive Plan proposed amendment; and

**WHEREAS**, after said public hearing, the Common Council will decide whether to adopt by ordinance the proposed amendments to the Comprehensive Plan; and



**WHEREAS**, the Comprehensive Plan may be used as the basis for, among other things, updating the zoning ordinance, accomplishing extra-territorial zoning and as a guide for approving or disapproving actions affecting growth and development within the jurisdiction of the City of Appleton; and

**WHEREAS**, this Comprehensive Plan may from time to time be amended, extended, or added to in greater detail; and

**NOW, THEREFORE, BE IT RESOLVED**, by the City of Appleton Plan Commission that the recommended Comprehensive Plan amendments are hereby adopted as a part of the City of Appleton Comprehensive Plan 2010-2030 pursuant to §66.1001(4), Wis. Stats. and that the Plan Commission recommends said Comprehensive Plan amendments to the City of Appleton Common Council for adoption by ordinance, after a 30-day public review and comment period and public hearing.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

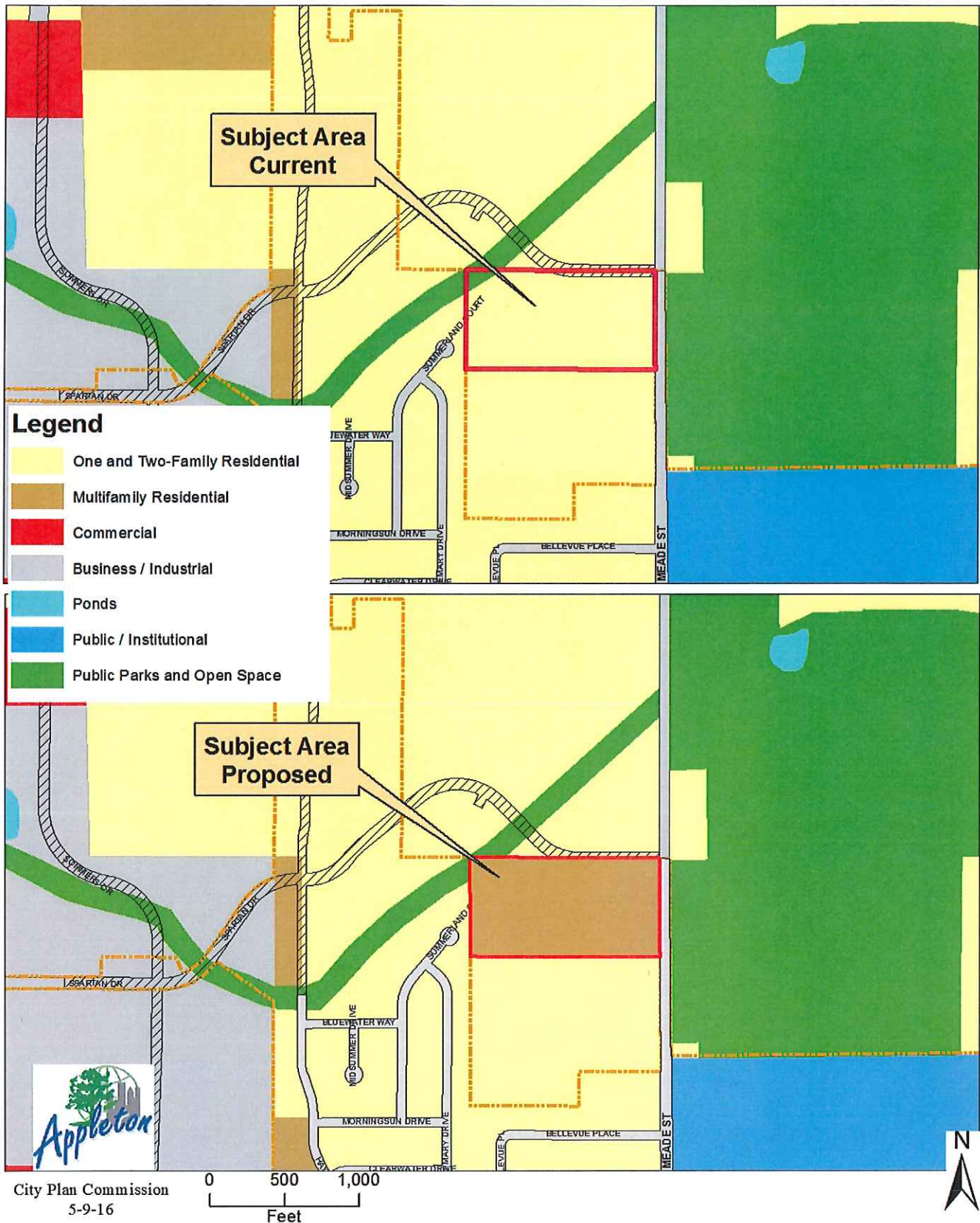
\_\_\_\_\_  
Timothy M. Hanna, Mayor

ATTEST:

\_\_\_\_\_  
Kami Lynch, City Clerk



N Meade St  
 Future Land Use Map Amendment  
 One and Two-Family Residential to Multi-Family Residential





North Meade Street Rezoning  
R-1A Single-Family District to R-3 Multi-Family District  
Zoning Map







## REPORT TO CITY PLAN COMMISSION

**Plan Commission Public Hearing Meeting Date:** May 9, 2016

**Common Council Public Hearing Meeting Date:** June 15, 2016 (Public Hearing on Comprehensive Plan Amendment and Rezoning)

**Items:** City of Appleton *Comprehensive Plan 2010-2030* Future Land Use Map Amendment #2-16 and Rezoning #4-16

**Case Manager:** Jeff Towne

### GENERAL INFORMATION

**Owner/Applicant:** Primrose Retirement Communities, owner  
Corey Sauerwein, applicant

**Lot/Parcel:** 5715 North Meade Street (Tax Id #31-6-6100-50)

**Petitioner's Request:** 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 Multi-Family Residential designation for the subject parcel. In conjunction with this request, the applicant is also proposing to rezone the subject parcel from R-1A Single-Family District to R-3 Multi-Family District. The requests are being made to accommodate the proposed development of a senior residential care apartment complex, a memory care CLA, and villa housing units on the site.

### BACKGROUND

The subject area was annexed to the City in 2004, as part of the Paltzer/Jacob Annexation with an AG Agricultural District zoning. The subject area was rezoned to R-1A Single-Family Residential District in 2013.

### STAFF ANALYSIS

**Procedural Findings:** When a *Comprehensive Plan 2010-2030* Future Land Use Map Amendment and Rezoning application are required for the same development project, the respective staff reports are consolidated together as one.

**Existing Site Conditions:** The subject site is approximately 20 acres in size and has a single-family home on it. The property fronts North Meade Street on the east, which is classified as an arterial street on the City's Arterial/Collector Plan, and Officially Mapped Spartan Drive to the north, which will be a collector street.



**Surrounding Zoning Classification, Future Land Use Designation, and Current Land Uses:**

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**Proposed Future Land Use Designation:** Amendments to the Comprehensive Plan are sometimes triggered by technical corrections to omissions or errors, specific development proposals, or changing circumstances in the City. In this case, a specific development proposal for the subject site is necessitating the change to Multi-Family Residential designation.

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*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.*

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*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 5.3 Housing and Neighborhoods:**

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

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**Proposed Zoning Classification:** The purpose of the R-3 Multi-Family District is to provide for and maintain residential areas characterized by multiple family dwellings, while maintaining the basic qualities of a dense residential neighborhood, which may include other housing types and institutional and limited non-residential uses. The development standards for the R-3 District are listed below:

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**Review Criteria:** Based upon the above analysis, it would appear the criteria established by Section 23-65(d) (3) Zoning Amendments has been satisfied, provided Comprehensive Plan Future Land Use Map Amendment #2-16 is approved.

**Technical Review Group (TRG) Report:** These items were discussed at the April 19, 2016 Technical Review Group meeting. No negative comments were received from participating departments.

## **RECOMMENDATION**

---

Based upon the above analysis, staff recommends the proposed City of Appleton *Comprehensive Plan 2010-2030* Future Land Use Map Amendment #2-16 from One and Two-Family Residential designation to Multi-Family Residential designation and resolution, **BE APPROVED**; and

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 #4-16 to rezone the subject parcel located at 5715 North Meade Street, north of the intersection of Edgewood Drive (JJ) and Meade Street (Tax Id #31-6-6100-50) from R-1A Single-Family District to R-3 Multi-Family District, including to the centerline of the adjacent right-of-way and as shown on the attached map, **BE APPROVED**.

**NOTE:** If approved, Rezoning #4-16 will be reported out at the same Common Council meeting as the proposed Comprehensive Plan Amendment #2-16 to accurately reflect the change in future land use from One and Two-Family Residential designation to Multi-Family Residential designation.



**RESOLUTION  
CITY OF APPLETON**

**ADOPTION OF THE RECOMMENDED AMENDMENT TO THE COMPREHENSIVE  
PLAN AS PREPARED BY THE CITY OF APPLETON PLAN COMMISSION**

**WHEREAS**, the Common Council of the City of Appleton pursuant to Section 62.23 of the Wisconsin Statutes, has established a City Plan Commission; and

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**WHEREAS**, members of the public were invited to make comments at a meeting held on May 9, 2016, by the City Plan Commission, wherein the following Comprehensive Plan amendment (Amendment #2-16) herein adopted were reviewed and commented upon by members of the public; and

**WHEREAS**, the City of Appleton Plan Commission has reviewed the recommended amendment to the Comprehensive Plan Future Land Use Map at a meeting held on May 9, 2016; and

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**WHEREAS**, members of the public, adjacent and nearby local governmental units will be given a 30-day review and comment period prior to the public hearing, which will be conducted by the Common Council for the Comprehensive Plan proposed amendment; and

**WHEREAS**, after said public hearing, the Common Council will decide whether to adopt by ordinance the proposed amendments to the Comprehensive Plan; and



**WHEREAS**, the Comprehensive Plan may be used as the basis for, among other things, updating the zoning ordinance, accomplishing extra-territorial zoning and as a guide for approving or disapproving actions affecting growth and development within the jurisdiction of the City of Appleton; and

**WHEREAS**, this Comprehensive Plan may from time to time be amended, extended, or added to in greater detail; and

**NOW, THEREFORE, BE IT RESOLVED**, by the City of Appleton Plan Commission that the recommended Comprehensive Plan amendments are hereby adopted as a part of the City of Appleton Comprehensive Plan 2010-2030 pursuant to §66.1001(4), Wis. Stats. and that the Plan Commission recommends said Comprehensive Plan amendments to the City of Appleton Common Council for adoption by ordinance, after a 30-day public review and comment period and public hearing.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

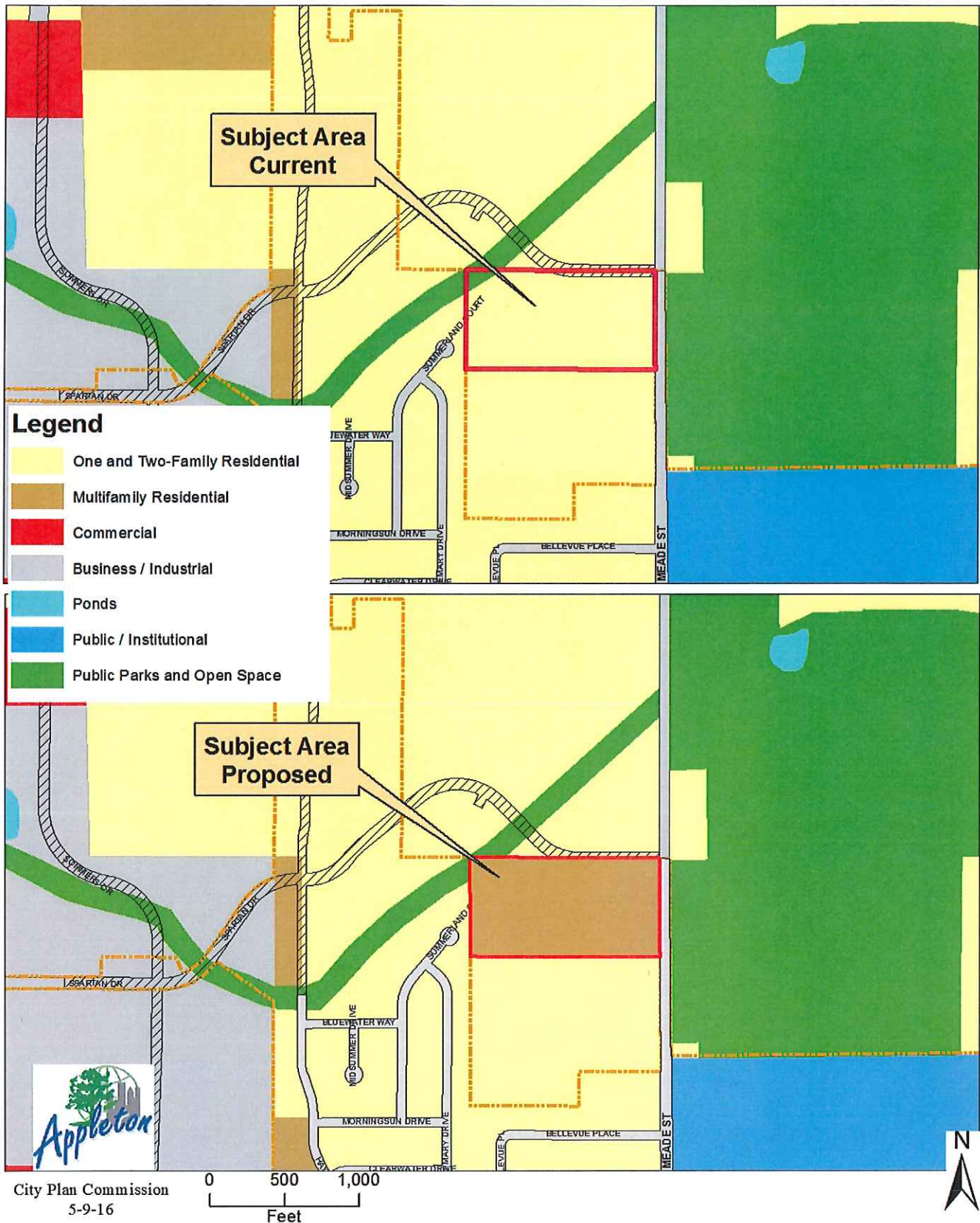
\_\_\_\_\_  
Timothy M. Hanna, Mayor

ATTEST:

\_\_\_\_\_  
Kami Lynch, City Clerk



N Meade St  
 Future Land Use Map Amendment  
 One and Two-Family Residential to Multi-Family Residential





North Meade Street Rezoning  
R-1A Single-Family District to R-3 Multi-Family District  
Zoning Map







## REPORT TO CITY PLAN COMMISSION

**Plan Commission Public Hearing Meeting Date:** May 9, 2016

**Common Council Meeting Date:** June 15, 2016 (To be reported out with Comprehensive Plan Amendment #2-16 and Rezoning #4-16)

**Item:** Special Use Permit #3-16 for a Community Living Arrangement (CLA) serving 24 persons in an R-3 Multi-Family Residential District

**Case Manager:** Jeff Towne

### GENERAL INFORMATION

**Owner/Applicant:** Primrose Retirement Communities, owner  
Corey Sauerwein, applicant

**Lot/Parcel:** 5715 North Meade Street (Tax Id #31-6-6100-50)

**Petitioner's Request:** The applicant is requesting a Special Use Permit to establish a Community Living Arrangement (CLA) serving 24 persons in an R-3 District. The 24-unit memory care facility will be licensed as a Community Based Residential Facility (CBRF).

### BACKGROUND

The subject area was annexed to the City in 2004, as part of the Paltzer/Jacob Annexation with a zoning of AG Agricultural District. The property was rezoned to R-1A Single-Family District in 2013. The applicant is also requesting a Comprehensive Plan Amendment and a Rezoning to change the Future Land Use Map designation on the subject site from One and Two-Family Residential to Multi-Family Residential and the zoning to R-3 Multi-Family District.

### STAFF ANALYSIS

**Project Summary:** The applicant proposes to construct a senior living project that will consist of 10 independent living duplex villa units, a 76-unit residential care apartment complex, and a 24-person memory care component, considered a CLA under the Zoning Ordinance.

**Existing Site Conditions:** The subject site is approximately 20 acres in size and has a single-family home on it. To the east, the property fronts North Meade Street, which is classified as an arterial street on the City's Arterial/Collector Plan, and Officially Mapped Spartan Drive to the north, which will be a collector street.

**Petitioner's Operational Plan:** The applicant has included a project summary sheet, which is attached to this report. The 24-unit memory care building will be a single-story 24,912 square foot structure with individual units ranging from 182 to 250 square feet in size. Dining, activity and kitchen facilities will be located in the structure.



**Zoning Ordinance Requirements:** Community Living Arrangements (CLAs) require a Special Use Permit in the R-3 Multi-Family District provided one of the following is met:

- The facility capacity is sixteen (16) or more persons (per Section 23-96(e) of the Municipal Code).
- The total capacity of all CLAs in an aldermanic district has and will by the inclusion of a new CLA exceed one percent (1%) of such district population (per Section 23-52(b) (2) (a) of the Municipal Code).
- The total capacity of all CLAs in the City has and will by the inclusion of a new CLA exceed one percent (1%) of the total City population (per Section 23-52(b) (2) (b) of the Municipal Code).

Based on the applicant's proposal, the first of these conditions is met. Conditions two and three are not applicable in this case as there are currently zero licensed CLAs in District 7 and the proposed facility does not increase the overall City CLA capacity to over one percent of the population. Listed below are details explaining how the subject CLA relates to these Zoning Ordinance requirements and Aldermanic District 7.

- The proposed licensed capacity of the subject CLA is 24 persons.
- The population of the aldermanic district is 4,905 people (2010 census).
- Maximum licensed CLA capacity (1% of the aldermanic district population) is 49 persons.
- Current licensed capacity of all existing CLAs in the aldermanic district is 0 persons.
- The subject CLA will elevate the licensed CLA capacity of the aldermanic district to 24 persons.

The population of the City is approximately 72,623 people (2010 census). One percent of the total City population is 726. The licensed capacity of all existing CLAs in the City is 516, and the subject CLA will increase the CLA licensed capacity of the City to 540. The proposed capacity of the subject CLA will not exceed the one percent City capacity.

The capacity limits were set by the Wisconsin legislature in 1978 and are intended to preserve the established character of a neighborhood and community.

**Surrounding Zoning and Land Uses:** The surrounding area is under the jurisdiction of the City of Appleton and Town of Grand Chute. The uses are generally commercial and residential in nature.

North:	Town of Grand Chute;	Single-family residence
South:	Town of Grand Chute;	Single-family residence
West:	AG Agricultural District;	Agricultural uses
	R-1A Single-Family District;	Single-family residences
	P-I Public Institutional District;	Stormwater pond
East:	Town of Grand Chute;	Plamann Park



**Appleton Comprehensive Plan 2010-2030 and Official Zoning Map:** The Future Land Use Map currently shows this area to be designated for One and Two-Family Residential uses, but the owner has applied to amend the Future Land Use Map to Multi-Family Residential use and to rezone the property from its current R-1A Single-Family District to R-3 Multi-Family District. If these requests are approved, the proposed use of the subject site would then be consistent with the Future Land Use Map and Official Zoning Map.

*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 5.3 Housing and Neighborhoods:**

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

**OBJECTIVE 10.1 Land Use**

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

**Finding of Fact:** This request was reviewed in accordance with the standards for granting a Special Use Permit under Sections 23-66(e) (1-6) of the Zoning Ordinance, which were found in the affirmative.

**Technical Review Group (TRG) Report:** This item was discussed at the April 19, 2016 Technical Review Group meeting. No negative comments were received from participating departments.

**RECOMMENDATION**

---

Staff recommends, based on the above, that Special Use Permit #3-16 for a Community Living Arrangement (CLA) serving 24 persons located at 5715 North Meade Street, north of the intersection of Edgewood Drive (JJ) and Meade Street (Tax Id #31-6-6100-50), **BE APPROVED** to run with the land, subject to the following conditions:

1. Any deviations from the approved development plan may require a major or minor amendment request to this Special Use Permit, pursuant to Section 23-66(g) of the Municipal Code.
2. Site Plan review and approval is required, pursuant to Section 23-570 of the Municipal Code, prior to the issuance of a building permit by the Inspections Division.
3. All applicable codes, ordinances, and regulations, including but not limited to Fire and Building Codes, shall be complied with. Prior to the issuance of a Certificate of Occupancy, the operator of the CLA shall provide the Inspections Supervisor with a copy of a valid license from the Wisconsin Department of Health Services.



## **Primrose Community of Appleton PROJECT SUMMARY**

The proposed Primrose senior living project will consist of 76 unit, (36 independent units and 40 assisted living units) two-story apartment building with a one story linked parking garage, a 24 unit stand-alone memory care and 10 independent living villa buildings with attached garages providing housing for seniors. The project will also have a stand-alone clubhouse building meant for gathering and socializing for the residents occupying the villas.

The 76 unit IL/AL apartment building will be licensed as an RCAC and the 24 unit memory care will be licensed as a CBRF.

The independent living apartments located in the two-story building will range from 750 to 1000 sq. ft. respectively for 1 & 2 bedroom. Every apartment will have a balcony/patio, central air and private washer/dryer hookups. The apartments will have full kitchens with refrigerator, range and garbage disposal.

The assisted living apartments located in the two-story building will range from 525 sq ft to 850 sq ft respectively for a studio and 1 bedroom. All the apartments have a kitchenette, central air/heat and their own private bath.

The villa living units will be a duplex style, 2 bedroom apartment homes with an approximate size of 1,500 square feet. Every villa will have an attached garage; patio, washer/dryer hookup and central air/forced air heat.

The proposed 24 assisted living units for residents with memory care issues in a one story apartment building.. The facility is to be a 24,912 s.f. single story structure with fully compliant NFPA fire sprinkler system (design to follow submission at later date). These units will range from 182 square feet to 250 square feet; all units are to be studio type. Apartments include a small fridge, central air/heat and private bath (including shower). Laundry services will be provided on site at a central location. Separate dining, activity and central kitchen are included.

An emergency call system is available for the AL residents from the larger, two-story building, as well as, the one-story memory care building to contact staff in case they need emergency services.

The assisted living residences are designed exclusively for the needs of older adults who desire the privacy of an apartment, with the security of 24-hour service.



N Meade St  
Special Use Permit  
Community Living Arrangement

Subject Area

N MEADE ST

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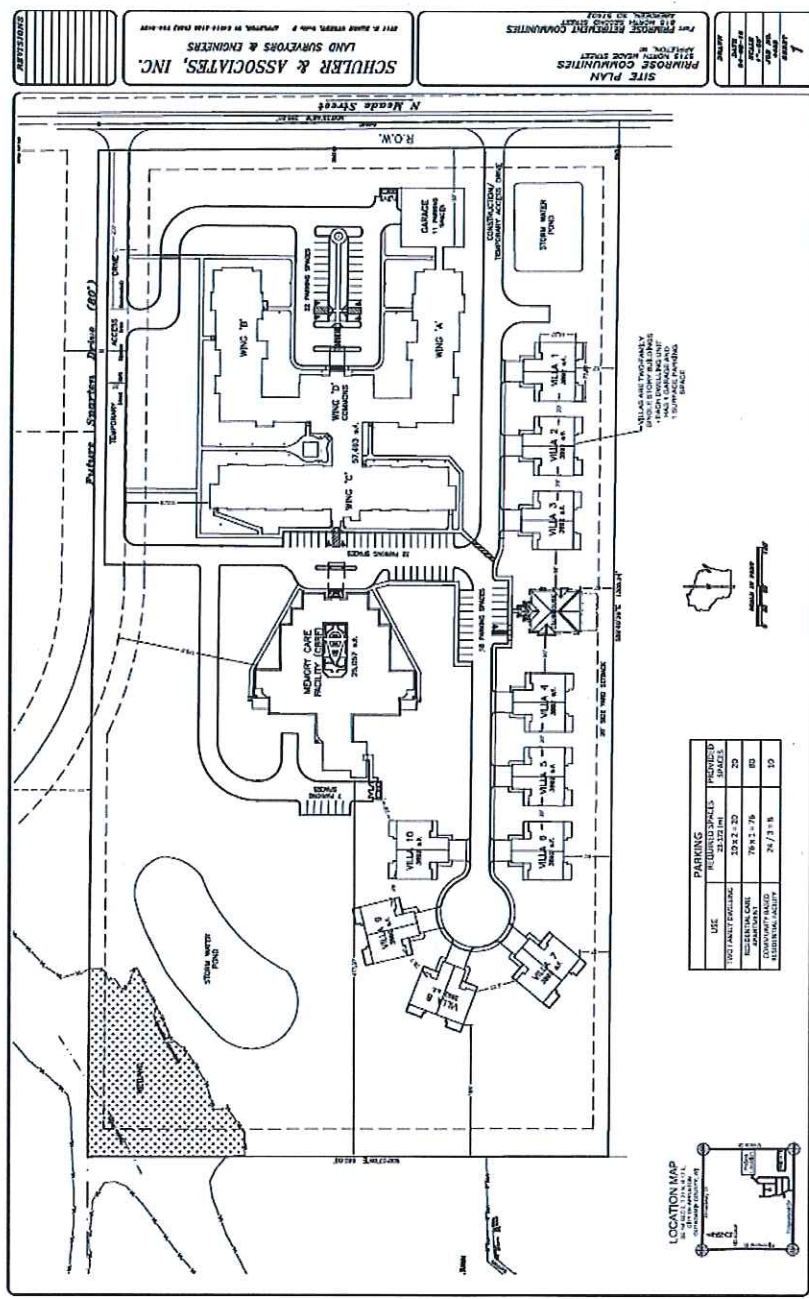
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City Plan Commission  
5-9-16

Special Use Permit for a Community Living Arrangement  
Primrose Retirement Communities  
5715 N Meade St



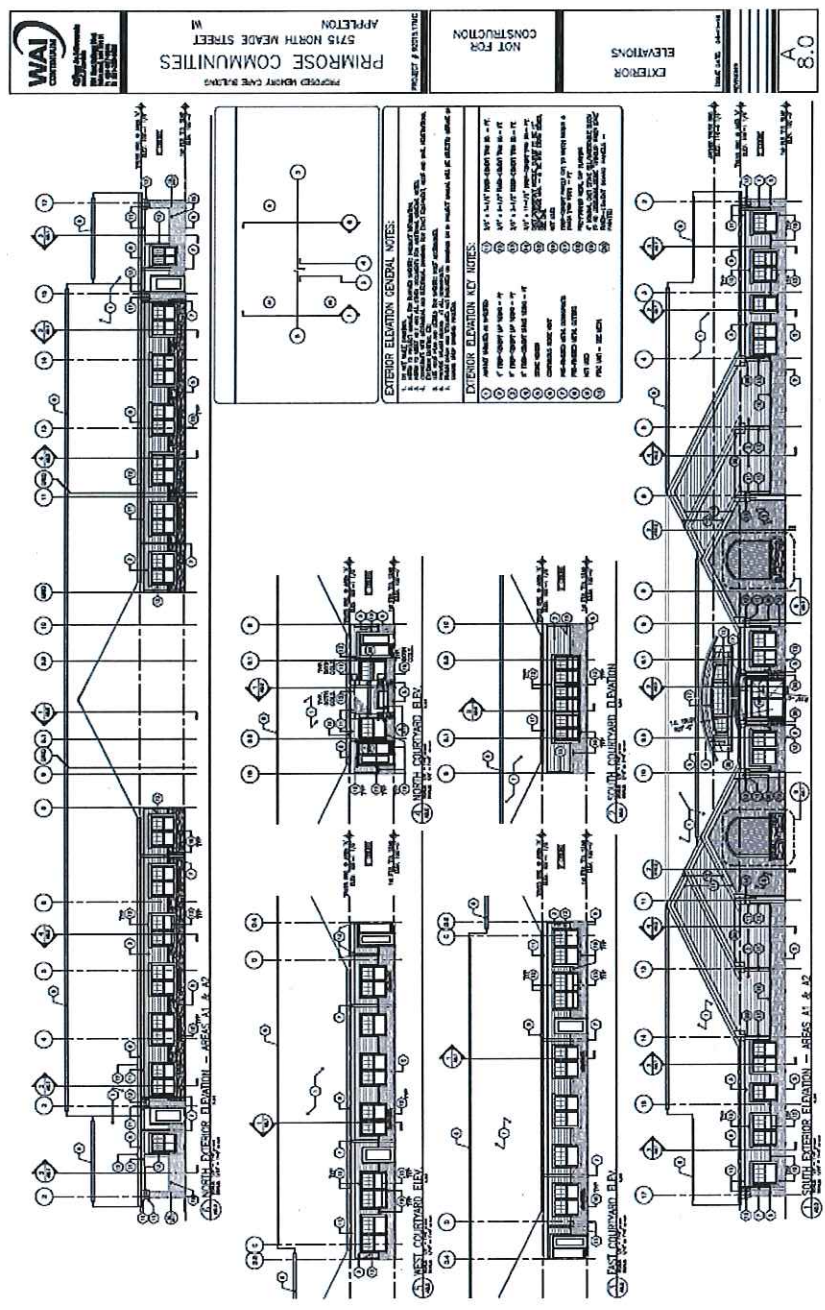
SCHULER & ASSOCIATES, INC.  
LAND SURVEYORS & ENGINEERS  
1111 N. MEADE STREET, SUITE 200  
MILWAUKEE, WI 53212

PRIMROSE RETIREMENT COMMUNITIES  
5715 NORTH MEADE STREET  
MILWAUKEE, WI 53212  
SHEET NO. 1 OF 1





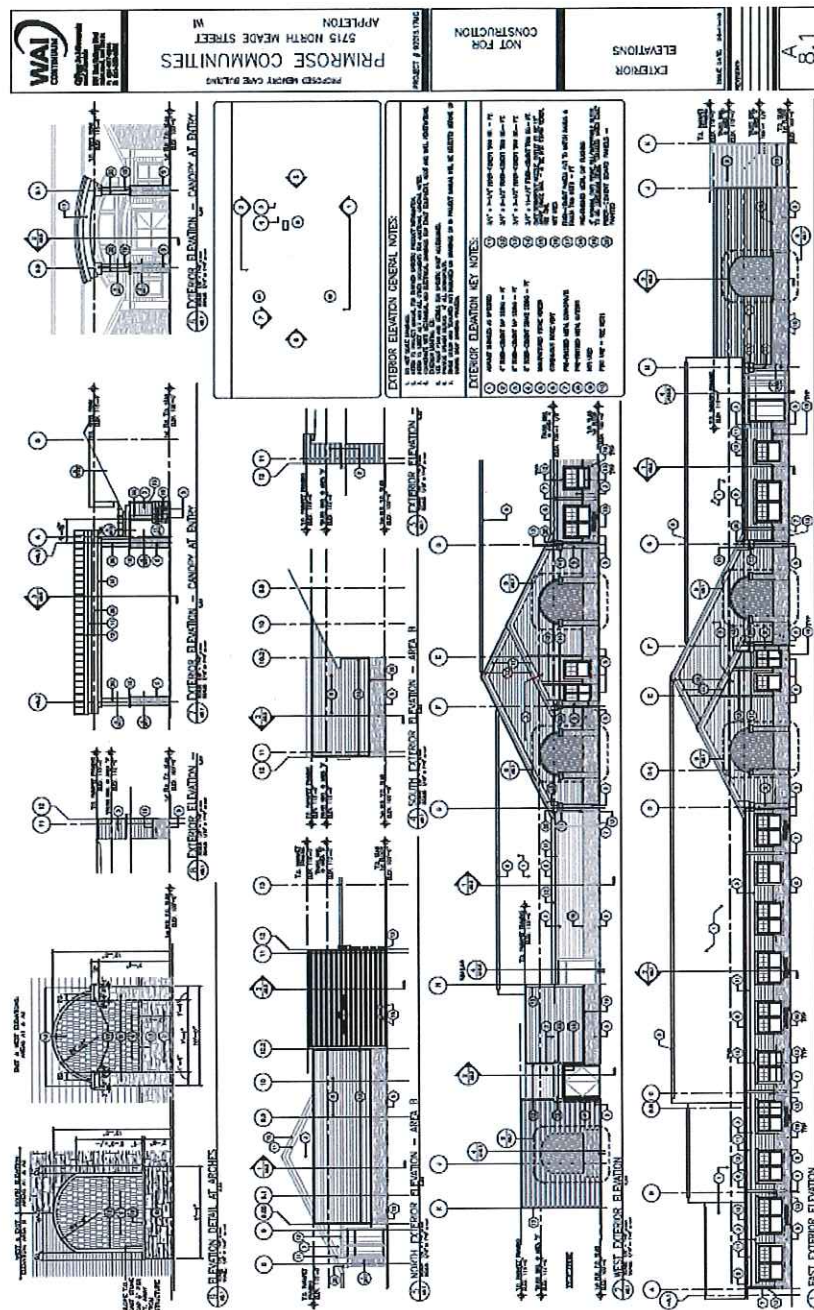
Special Use Permit for a Community Living Arrangement  
Primrose Retirement Communities  
5715 N Meade St







Special Use Permit for a Community Living Arrangement  
Primrose Retirement Communities  
5715 N Meade St



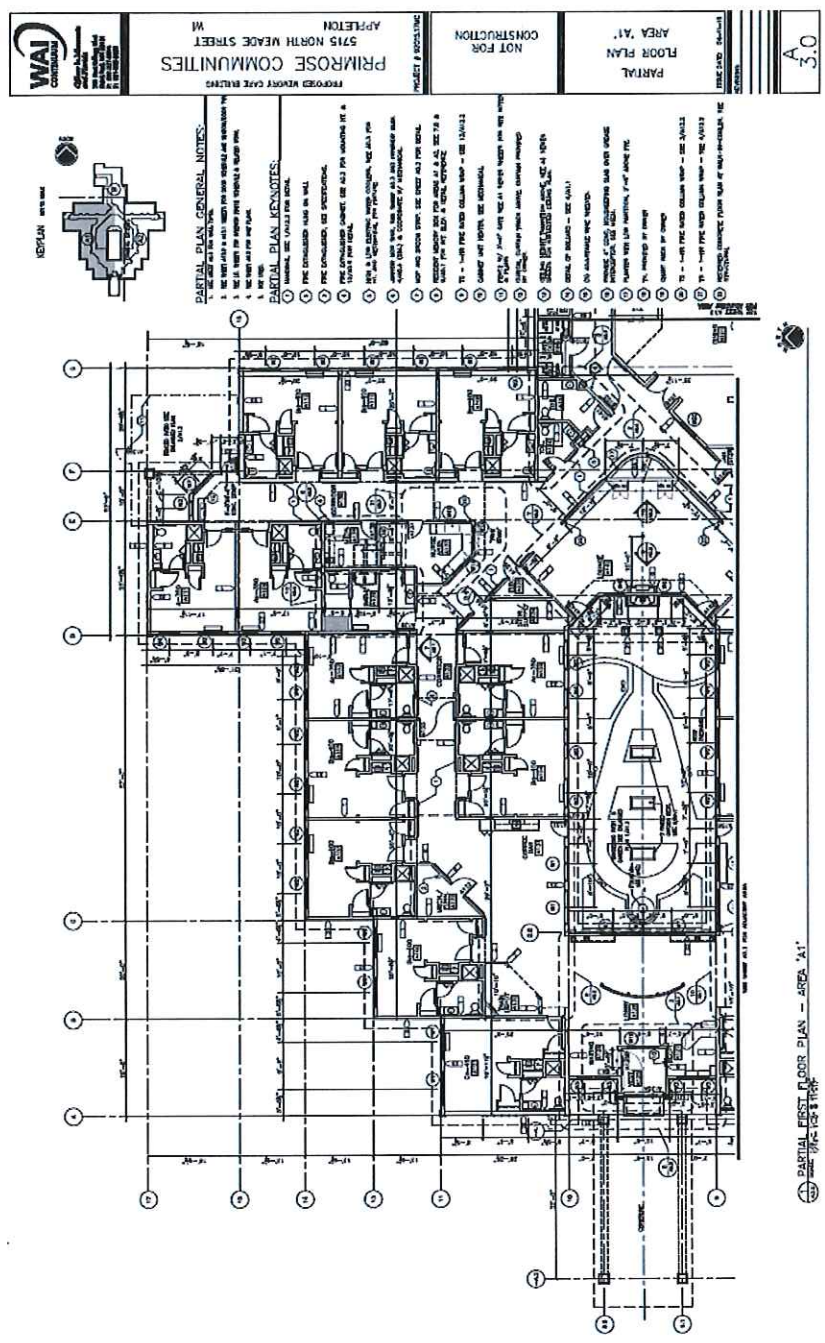








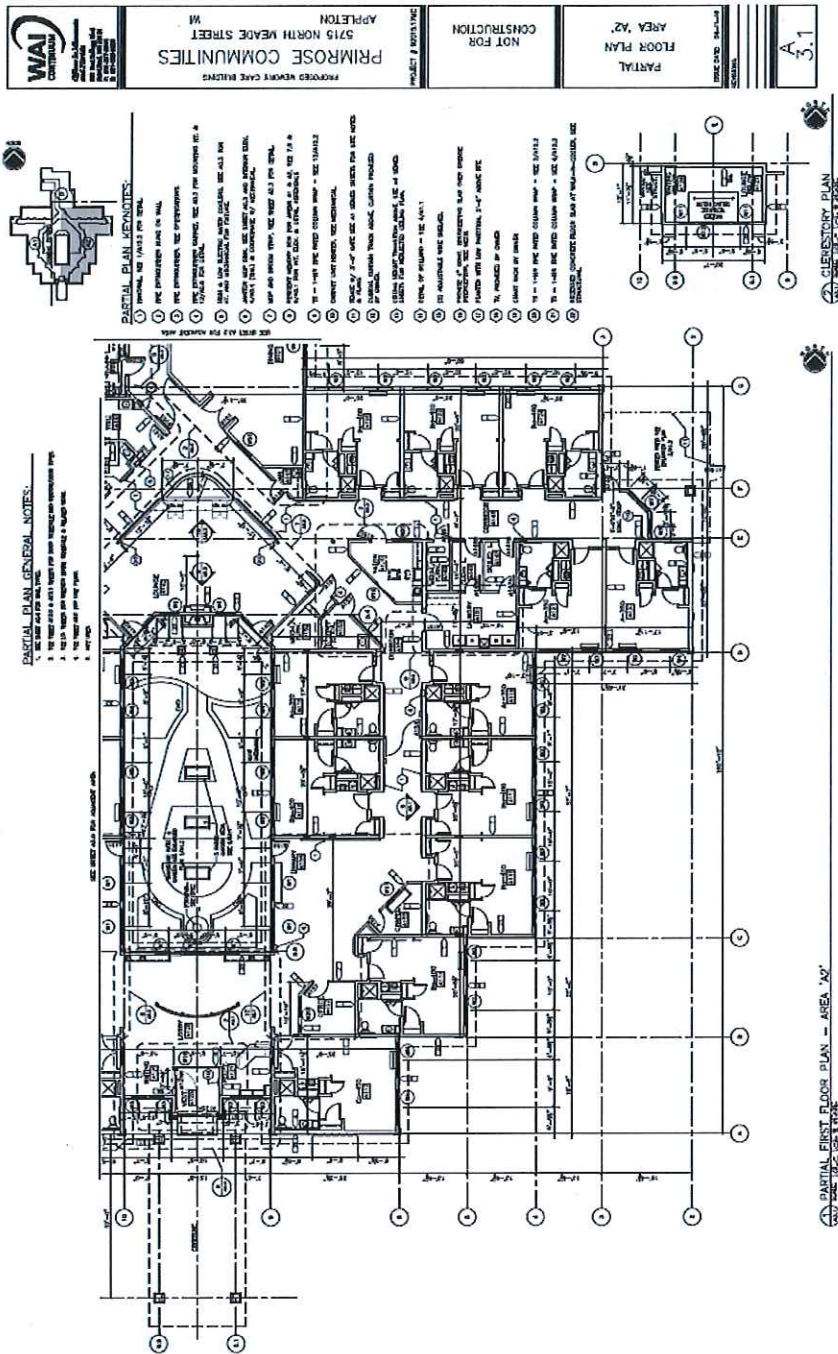
Special Use Permit for a Community Living Arrangement  
Primrose Retirement Communities  
5715 N Meade St







Special Use Permit for a Community Living Arrangement  
Primrose Retirement Communities  
5715 N Meade St





**PARTIAL FIRST FLOOR PLAN - AREA 'B'**

**NOTES:**

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# MAY 16

Appleton Downtown  
Design Walking Tour

9:00 am - 10:00 am  
Houdini Plaza (rain or shine)

# MAY 16

Appleton Downtown &  
Trails Plan Public  
Workshop

6:00 pm - 8:00 pm  
Atlas Coffee Mill & Café  
425 West Water Street

# MAY 17

Downtown & Trails  
Bike Tour

9:00 am - 11:00 am  
Houdini Plaza (rain or shine)

## ENVISION APPLETON



## Downtown & Trail Plan Design Workshop

# MAY 17

Preliminary Downtown  
Design Concepts Open  
House

12:30 pm - 1:30 pm  
City Center Plaza, Board Room  
(follow signs inside)

For more information about  
upcoming events, visit:

<http://www.envisionappleton.org/>

<https://www.facebook.com/AppletonCEDC/events>

# MAY 18

Downtown Plan  
Concepts Review  
Open House

5:00 pm - 7:30 pm  
City Center Plaza, Board Room  
(follow signs inside)