



CITY OF APPLETON

MEMORANDUM

Date: June 12, 2024
To: Plan Commission
From: Lindsey Smith, Principal Planner
Subject: Rezoning #5-24 – 1313 E. Amelia Street & 1319 N. Owaissa Street

GENERAL INFORMATION

Owner/Applicant: Terry Adams, owner and David Hebert of Hebert Associates, Inc., applicant

Address/Parcel Number: 1313 E. Amelia Street (Tax Id #31-1-1926-00) & 1319 N. Owaissa Street (Tax Id #31-1-1927-00)

Petitioner's Request: The applicant proposes to rezone the subject parcel from R-1B Single-Family Residential District to R-1C Central City Residential District. The rezoning will establish legally conforming parcels to facilitate a lot line adjustment between the subject parcels.

Plan Commission Informal Hearing Meeting Date: June 12, 2024

Common Council Public Hearing Meeting Date: July 17, 2024

BACKGROUND

1916 - Ullman's Addition Subdivision Plat

1930 - Residential House Built at 1319 N. Owaissa Street

1952 - Residential House Built at 1313 E. Amelia Street

STAFF ANALYSIS

Project Summary: The owner/applicant is proposing a lot line adjustment for the subject parcels he owns. The existing parcels are less than the minimum lot area for R-1B zoning district. Rezoning the lots to R-1C will create legal conforming parcels of record and allow for a lot line adjustment of approximately 880 square feet.

Existing Site Conditions: The subject parcels are each approximately 5,760 square feet in size and contains a single-family home used for residential use. The minimum lot area for R-1B zoning district is 6,000 square feet.

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

- North: R-1B Single Family Residential District. The adjacent land uses to the north are currently residential.
- South: C-2 General Commercial District. The adjacent land uses to the south are currently institutional.
- East: R-1B Single-Family Residential District and C-2 General Commercial District. The adjacent land uses to the east are currently residential and commercial.
- West: R-1B Single-Family Residential District. The adjacent land uses to the west are currently residential.

Appleton Comprehensive Plan 2010-2030: Community Development staff has reviewed this proposal and determined it is compatible with the goals and objectives found in the City's *Comprehensive Plan 2010-2030*. 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 3 – Housing Quality, Variety, 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 options that meet the needs and appeal to all segments of the community and allows residents to age in place.

OBJECTIVE 10.5 Land Use:

Support the continued redevelopment and revitalization of land uses adjacent to Appleton's key transportation corridors and downtown.

Proposed Zoning Classification: The R-1C Central City Residential District is intended to provide for the conservation and revitalization of residential areas located in the oldest parts of the City characterized predominately by single-family, detached dwellings on small sized lots of record while protecting residential neighborhoods from the intrusion of incompatible non-residential uses. Per Section 23-94(g) of the Municipal Code, the development standards for the R-1C District are listed below:

(1) Minimum lot area:

- a. Four thousand (4,000) square feet for single-family detached dwellings.
- b. Six thousand (6,000) square feet for all other uses.

(2) Maximum lot coverage. Seventy-five percent (75%).

(3) Minimum lot width.

- a. Forty (40) feet for single-family detached dwellings.
- b. Fifty (50) feet for all other uses.

(4) Minimum front yard.

- a. Ten (10) feet.
- b. Twenty (20) feet on an arterial street.

(5) Minimum rear yard. Twenty-five (25) feet.

(6) **Minimum side yard.**

- a. Five (5) feet for single-family dwellings.
- b. Six (6) feet for all other uses.

(7) **Maximum building height.** Thirty-five (35) feet.

Standards for Zoning Map Amendments: Per Section 23-65(d)(3) of the Municipal Code, all recommendations for Official Zoning Map amendments shall be consistent with the adopted plans, goals, and policies of the City and with the intent of the Zoning Ordinance. It would appear the criteria established has been satisfied. Related excerpts are listed below.

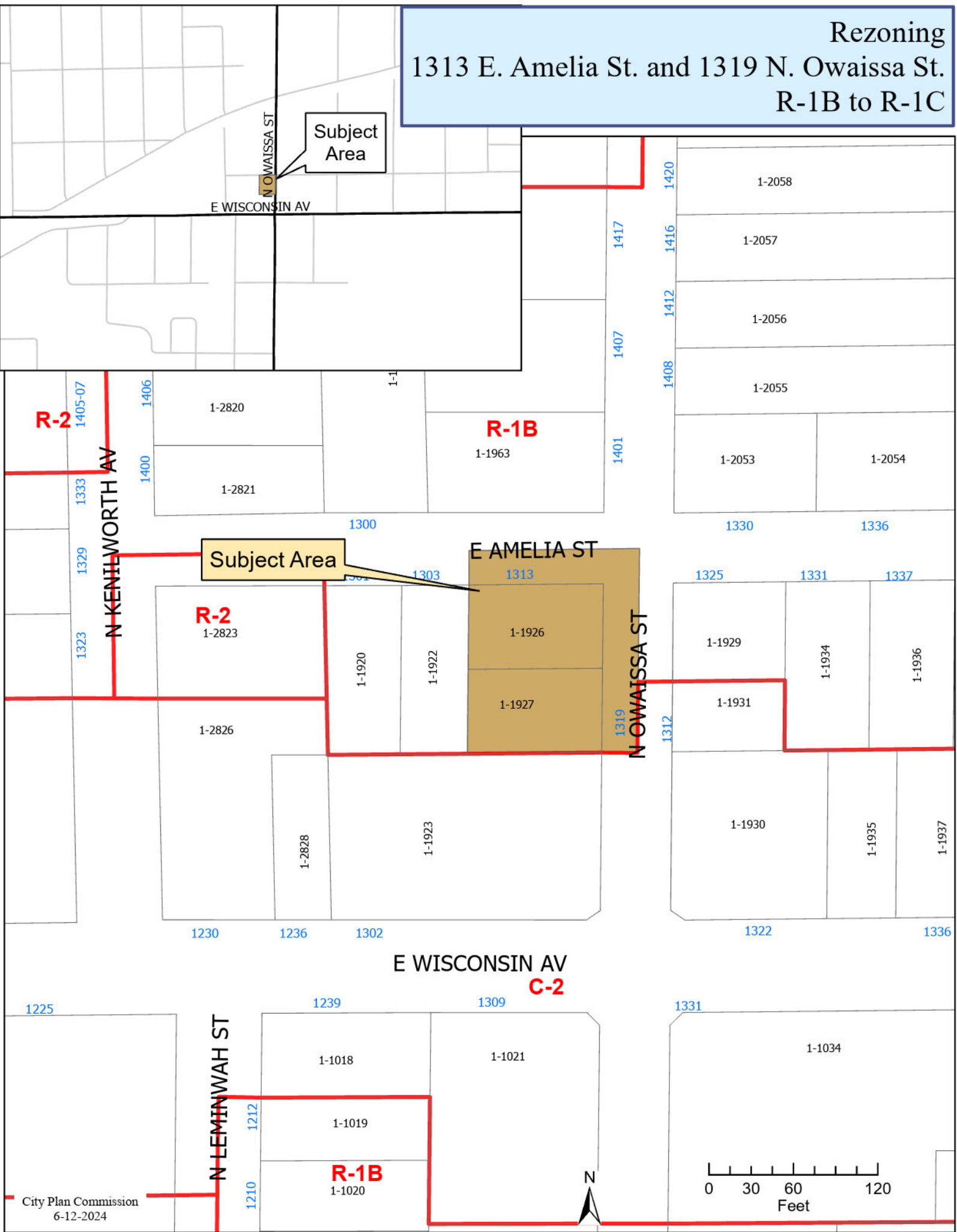
- a. Prior to making a recommendation on a proposed rezoning, the Plan Commission shall make a finding to determine if the following conditions exist. No rezoning of land shall be approved prior to finding at least one of the following:
 1. The request for a zone change is in conformance with the Comprehensive Plan for the City of Appleton. *The rezoning request is in conformance with the Comprehensive Plan 2010-2030 goals and objectives stated above and the Future Land Use Map, which identifies this area with a future one- and two-family residential designation.*
 2. A study submitted by the applicant that indicates that there has been an increase in the demand for land in the requested zoning district, and as a result, the supply of land within the City mapped as such on the Official Zoning Map is inadequate to meet the demands for such development.
 3. Proposed amendments cannot be accommodated by sites already zoned in the City due to lack of transportation, utilities or other development constraints, or the market to be served by the proposed use cannot be effectively served by the location of the existing zoning district(s).
 4. There is an error in the code text or zoning map as enacted.
- b. In addition to the findings required to be made by subsection (a), findings shall be made by the Plan Commission on each of the following matters based on the evidence presented:
 1. The adequacy of public facilities such as transportation, utilities and other required public services to serve the proposed site. *The subject area is served by existing infrastructure, and the transportation network should be able to accommodate the proposed rezoning.*
 2. The effect of the proposed rezoning on surrounding uses. *Parcels that are less than 6,000 square feet with single-family residential uses are already located in this area of the City. Therefore, the proposed rezoning request is unlikely to create adverse impacts for the surrounding uses.*

Technical Review Group (TRG) Report: This item appeared on the May 21, 2024 TRG agenda. No negative comments were received from participating departments.

RECOMMENDATION

Staff recommends, based upon the standards for zoning map amendments as required by Section 23-65(d)(3) of the Zoning Ordinance, that Rezoning #5-24 to rezone the subject properties at 1313 E. Amelia Street (Tax Id #31-1-1926-00) and 1319 N. Owaissa Street (Tax Id #31-1-1927-00) from R-1B Single-Family Residential District to R-1C Central City Residential District, including to the centerline of existing adjacent streets, as shown on the attached maps, **BE APPROVED**.

Rezoning
1313 E. Amelia St. and 1319 N. Owaissa St.
R-1B to R-1C



Rezoning
1313 E. Amelia St. and 1319 N. Owaissa St.
R-1B to R-1C



Parcel 31-1-1926-00

North 60 feet of Lot 5 and Lot 7 of Ullman's Addition, City of Appleton, Outagamie County, Wisconsin, including to the center line of the adjacent public right-of-way.

Parcel 31-1-1927-00

South 60 feet of Lot 5 and Lot 7 of Ullman's Addition, City of Appleton, Outagamie County, Wisconsin, including to the center line of the adjacent public right-of-way.