



REPORT TO CITY PLAN COMMISSION

Plan Commission Informal Hearing Meeting: October 27, 2021

Common Council Public Hearing Meeting: November 17, 2021

Item: Rezoning #12-21 - Ziegler Mackville Road & EE Annexation

Case Manager: Don Harp, Principal Planner

GENERAL INFORMATION

Owner: Philip C. Ziegler

Applicant/Petitioner: City of Appleton Plan Commission

Address/Parcel Number: N2883 County Road EE / 040097800 - Town of Center. The proposed City parcel number is #31-1-9315-00.

Petitioner's Request: To assign a zoning classification to newly annexed property, pursuant to Section 23-65(e) of the Zoning Ordinance and Annexation Petition, from temporary AG Agricultural District to R-1B Single-family District.

BACKGROUND

On October 13, 2021, the Plan Commission recommended approval of the Ziegler Mackville Road & EE Annexation. During review of the annexation, the Plan Commission initiated the rezoning for the subject property from temporary AG Agricultural District to the zoning classification of R-1B Single-family District.

FUTURE ACTIONS

On November 3, 2021, the Common Council will take action on the Ziegler Mackville Road & EE Annexation Ordinance. It is anticipated the property will be officially annexed to the City on November 9, 2021 at 12:01 a.m.

Rezoning #12-21 is on track to go to the November 17, 2021 Common Council meeting for action.

STAFF ANALYSIS

Existing Conditions: The subject area is approximately 1.4407 acres in size. Currently, the subject property is developed with a single-family dwelling.

Proposed Zoning Classification: The purpose of the R-1B Single-family District is to provide for and maintain residential areas characterized predominately by single-family, detached dwellings on medium sized lots while protecting residential neighborhoods from the intrusion of incompatible non-residential uses. Per Section 23-93(g) of the Municipal Code, the development standards for the R-1B District are listed below:

- 1) **Minimum lot area:** 6,000 square feet.
- 2) **Maximum lot coverage:** 50%.
- 3) **Minimum lot width:** 50 feet.
- 4) **Minimum front yard:** 20 feet (25 feet on arterial street).
- 5) **Minimum rear yard:** 25 feet.
- 6) **Minimum side yard:** 6 feet.
- 7) **Maximum building height:** 35 feet.

Surrounding Zoning Classification and Land Uses:

- North: Town of Center. General Agricultural District, the adjacent land use to the north is currently agricultural land.
- South: Town of Center. General Agricultural District, the adjacent land use to the south is currently developed as single-family residential.
- West: Town of Center. General Agricultural District, the adjacent land use to the west is currently developed as single-family residential.
- East: City of Appleton. R-1B Single-family District, the adjacent land use to the east is currently undeveloped but subdivided for single-family residential.

Appleton Comprehensive Plan 2010-2030: The City of Appleton 2010-2030 Comprehensive Plan Map identifies the subject area as future One/Two-Family residential. The proposed rezoning is consistent with the following goals and objectives of the *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.

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.

Policy 5.3.3 Plan for a supply of developable land suitable for residential development.

OBJECTIVE 10.1 Land Use:

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

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. 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 site as future one and two-family residential land use.*
 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. *It was determined during the annexation process for the Ziegler Mackville Road & EE Annexation that the City can provide the needed municipal services to serve the subject site.*

2. The effect of the proposed rezoning on surrounding uses. *Single-family residential uses are already established adjacent to the subject site. Therefore, the proposed rezoning request is unlikely to create adverse impacts in the surrounding uses.*

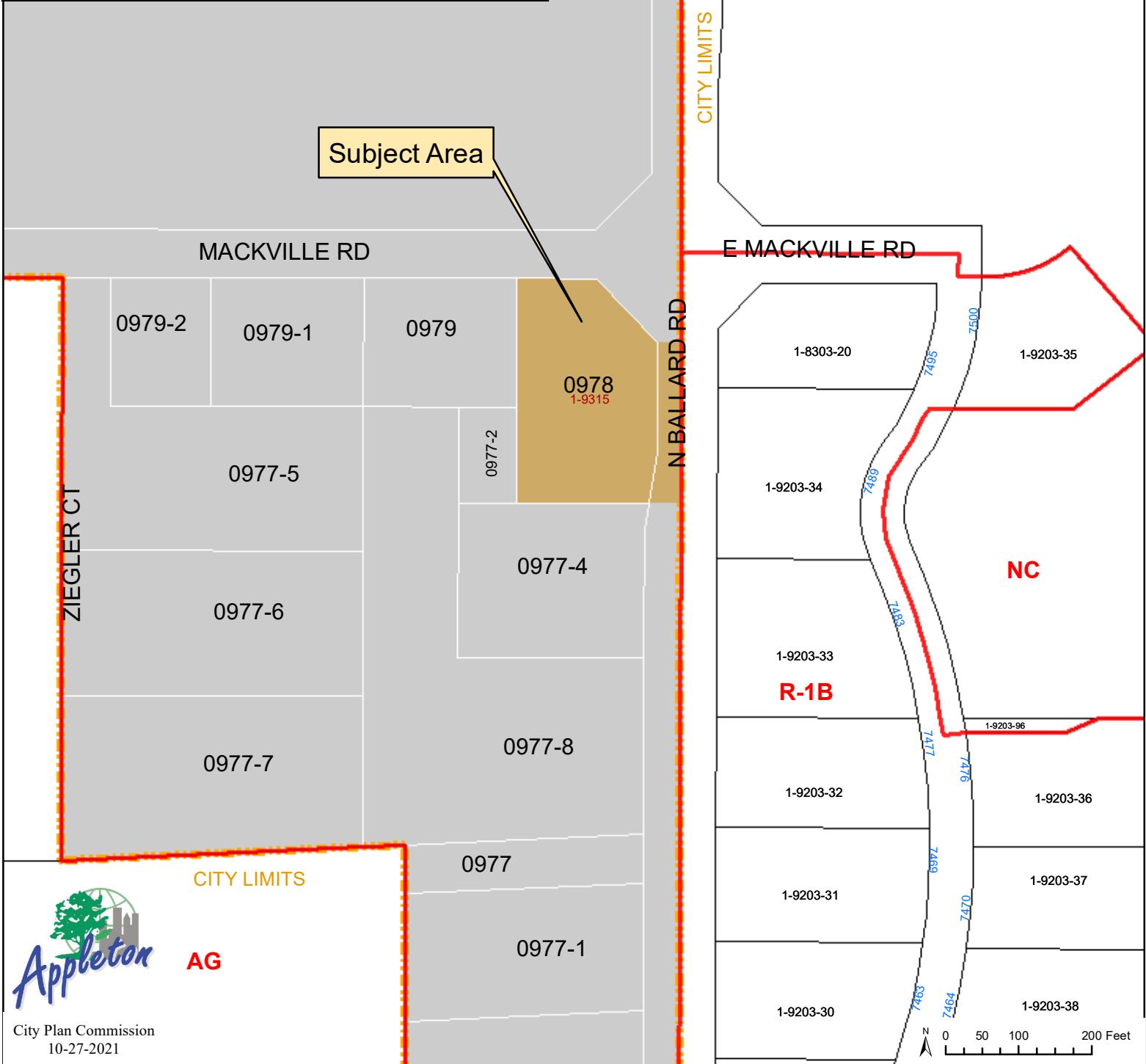
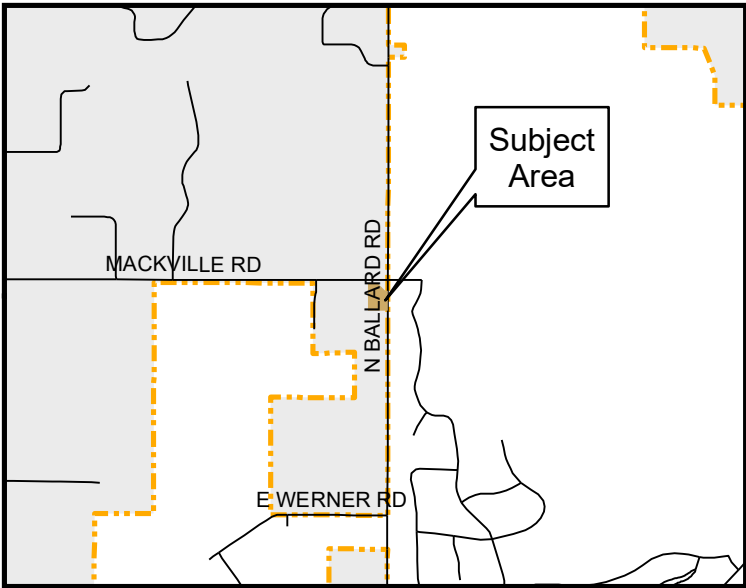
Review Criteria: Based upon the above analysis, it would appear the criteria established by Section 23-65(d)(3) Zoning Amendments has been satisfied.

Technical Review Group (TRG) Report: This item appeared on the September 21, 2021 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 Application #12-21 to rezone the Ziegler Mackville Road & EE Annexation area from temporary AG Agricultural District to R-1B Single-family District as shown on the attached maps, **BE APPROVED**.

Rezoning
Ziegler Mackville Road & EE Annexation
Temporary AG Agricultural
to R-1B Single-family District



Rezoning
Ziegler Mackville Road & EE Annexation
Temporary AG Agricultural
to R-1B Single-family District
Aerial Map



MACKVILLE RD

E MACKVILLE RD

CITY LIMITS

0979

Subject Area

0978

0977-2

N BALLARD RD

1-920

0977-4



City Plan Commission
10-27-2021

