



REPORT TO CITY PLAN COMMISSION

Plan Commission Informal Hearing Meeting Date: May 8, 2018

Common Council Public Hearing Meeting Date: June 6, 2018 (Public Hearing on Rezoning)

Item: Rezoning #5-18 – 209 South Allen Street

Case Manager: David Kress

GENERAL INFORMATION

Owner: One Lawrence Street, LLC c/o John Pfefferle

Applicant: Hoffman Planning, Design & Construction, Inc. c/o Mark Boehlke

Address/Parcel: 209 South Allen Street (Tax Id #31-2-0144-00)

Petitioner's Request: The applicant proposes to rezone the subject parcel from R-3 Multi-Family District to CBD Central Business District. The request is being made to establish zoning that is consistent with surrounding properties and allows for future mixed-use development.

BACKGROUND

Before being purchased by One Lawrence Street, LLC in 2017, the subject property was used as a place of worship for Trinity Lutheran Church. The church building has been vacant since the transfer of ownership occurred.

Part of the subject parcel is included in a Development Agreement that was approved by Common Council on December 19, 2017. The proposed development area, commonly referred to as the "bluff site," also includes parcels #31-2-0156-00 and #31-2-0152-00. These surrounding properties are currently zoned CBD Central Business District.

STAFF ANALYSIS

Existing Site Conditions: The subject parcel is approximately 1.399 acres in size and is located at the southwest corner of South Allen Street and East Lawrence Street. The property also has frontage on Oneida Street and Kimball Street. Oneida Street and Lawrence Street are classified as an arterial street and collector street, respectively, on the City's Arterial/Collector Plan. Currently, the parcel is developed with a former church building and off-street parking lot, with vehicular access provided by a curb cut on Kimball Street.

Surrounding Zoning Classification and Land Uses:

North: CBD Central Business District. The adjacent land uses to the north are currently a mix of commercial uses, including the Soldiers Square parking ramp owned by the YMCA.

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

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 use to the west is currently the public open space where the “Hadzi sculpture” (formally titled “Fox River Oracle”) is located.

Proposed Zoning Classification: The purpose of the CBD Central Business District is to provide a centrally located and readily accessible area that offers a wide variety of retail, service, financial, entertainment, governmental and residential uses. A broad range of uses is permitted to reflect downtown’s role as a commercial, cultural and government center. Development is intended to be intense with maximum lot coverage, increased building scale and height density and buildings placed close together. Development is intended to be pedestrian-oriented with a strong emphasis on a safe and attractive streetscape. The development standards for the CBD District are listed below:

- 1) **Minimum lot area:** 2,400 square feet.
- 2) **Maximum lot coverage:** 100%.
- 3) **Minimum lot width:** 20 feet.
- 4) **Minimum front yard:** None.
- 5) **Minimum rear yard:**
 - a. None.
 - b. 10 feet when abutting a residentially-zoned district.
- 6) **Minimum side yard:**
 - a. None.
 - b. 10 feet when abutting a residentially-zoned district.
- 7) **Maximum building height:** 200 feet.

Zoning Ordinance Review Criteria: A rezoning is often triggered by development proposals or changing circumstances in the City. In this case, the request is being made to accommodate future mixed-use development, which is permitted in the CBD Central Business District. The existing site appears to satisfy the development standards for the CBD District listed above. If approved, any future development would need to conform to the CBD District zoning regulations and other sections of the Zoning Ordinance. Ultimately, any new building would require Site Plan review and approval, pursuant to Section 23-570 of the Municipal Code, prior to the issuance of a building permit by the Inspections Division.

Appleton Comprehensive Plan 2010-2030: The City of Appleton *Comprehensive Plan 2010-2030* identifies this area with a future Mixed Use designation. The proposed CBD Central Business District rezoning is consistent with the Future Land Use Map. Listed below are related excerpts from the City’s *Comprehensive Plan 2010-2030*.

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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.

Goal 8 – Economic Development

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

OBJECTIVE 9.4 Economic Development:

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

OBJECTIVE 9.6 Economic Development:

Create a vibrant environment that is conducive to attracting and retaining talented people.

Policy 9.6.2 Encourage the creation of vibrant mixed-use urban areas in the downtown and along the Fox River that are both walkable and bicycle-friendly.

OBJECTIVE 10.2 Land Use:

Encourage redevelopment to meet the demand for a significant share of future growth, and to enhance the quality of existing neighborhoods.

Policy 10.2.3 Support new infill and redevelopment in accordance with the redevelopment framework presented in Chapter 14: Downtown Plan.

Chapter 14 Downtown Plan, Initiative 3 Neighborhood and Residential Development:

Strategy 3.1 – Encourage mixed-use and mid-density residential redevelopment on under-utilized or marginal sites on the edge of downtown.

Chapter 14 Downtown Plan, Initiative 4 Downtown Development and Business Retention:

Strategy 4.7 – Maintain an environment favorable to larger employers in the downtown.

Chapter 14 Downtown Plan, Initiative 4 Downtown Development and Business Retention:

Strategy 4.8 – Support private sector efforts to redevelop and invest in downtown.

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 area for future mixed uses.*

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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. Some recommended transportation-related improvements near the subject property are identified in the Downtown Mobility Study, which was approved by Common Council on August 17, 2016.*
 2. The effect of the proposed rezoning on surrounding uses. *All properties located adjacent to or across the street from the subject site are already zoned CBD Central Business District. Therefore, the proposed rezoning request is unlikely to create adverse impacts in the surrounding neighborhood.*

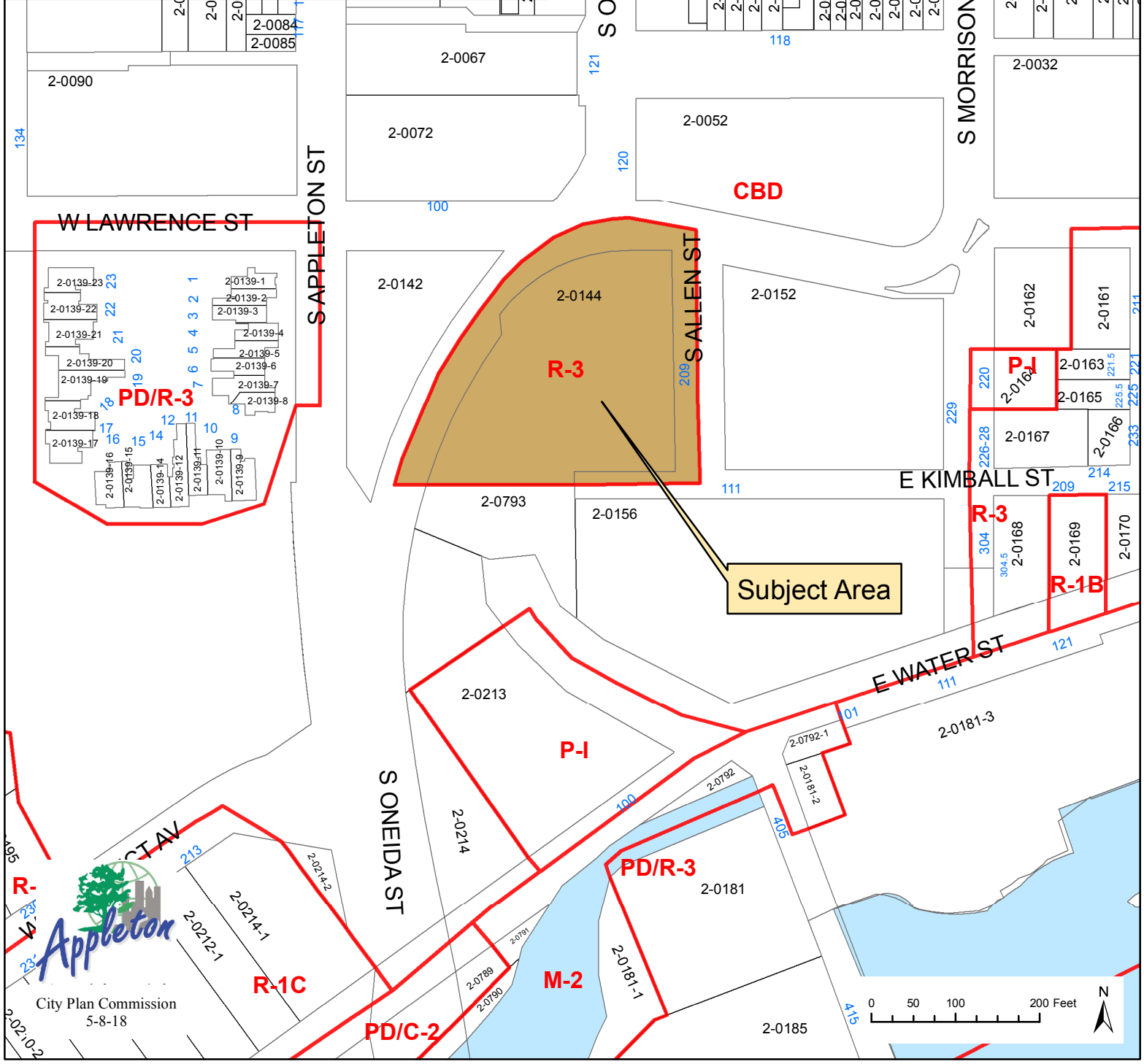
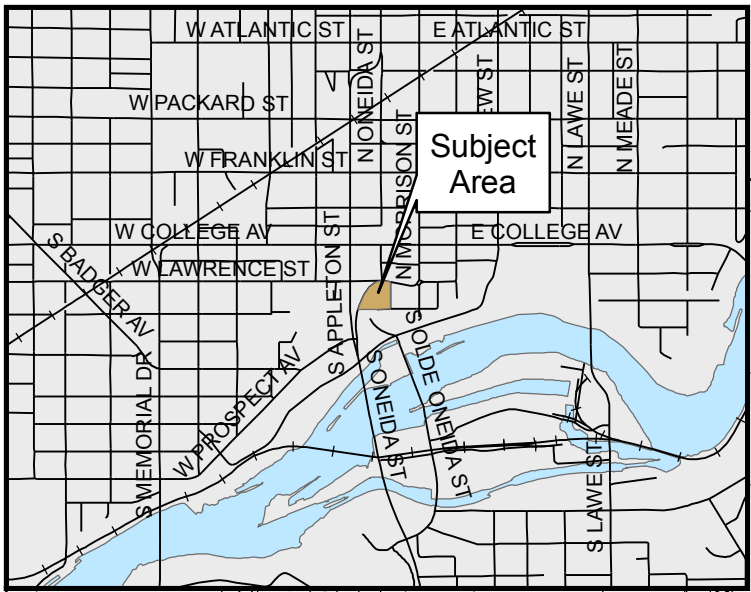
Review Criteria: Based upon the above analysis, it would appear the criteria established by Section 23-65(d)(3) Zoning Amendments has been satisfied.

Technical Review Group (TRG) Report: This item was discussed at the April 17, 2018 Technical Review Group meeting. 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 #5-18 to rezone the subject parcel located at 209 South Allen Street (Tax Id #31-2-0144-00) from R-3 Multi-Family District to CBD Central Business District, including to the centerline of the adjacent right-of-way and as shown on the attached map, **BE APPROVED**.

209 South Allen Street
 Rezoning
 R-3 Multi-Family District to
 CBD Central Business District
 Zoning Map



2-0282-12
2-0282-13
2-0282-14
2-0282-15

2-0038	201
2-0039	205
2-0040	207
2-0041	209
2-0042	211
2-0043	213
2-0044	215
0-0044-1	217
0-0044	219
2-0046	221
2-0047	223
2-0048	225
2-0049	227
2-0050	229
2-0051	231
2-0051-1	233

2-0031	201
2-0030	205
2-0029	207
2-0027	209
2-0026	211
2-0032	213
2-0031	215
2-0030	217
2-0029	219
2-0027	221
2-0026	223

2-0139-23	23
2-0139-22	22
2-0139-21	21
2-0139-20	20
2-0139-19	19
2-0139-18	18
2-0139-17	17
2-0139-16	16
2-0139-15	15
2-0139-14	14
2-0139-12	12
2-0139-11	11
2-0139-10	10
2-0139-9	9
2-0139-8	8
2-0139-7	7
2-0139-6	6
2-0139-5	5
2-0139-4	4
2-0139-3	3
2-0139-2	2
2-0139-1	1

2-0163	213
2-0165	215
2-0167	217
2-0166	219
2-0168	221
2-0169	223
2-0170	225

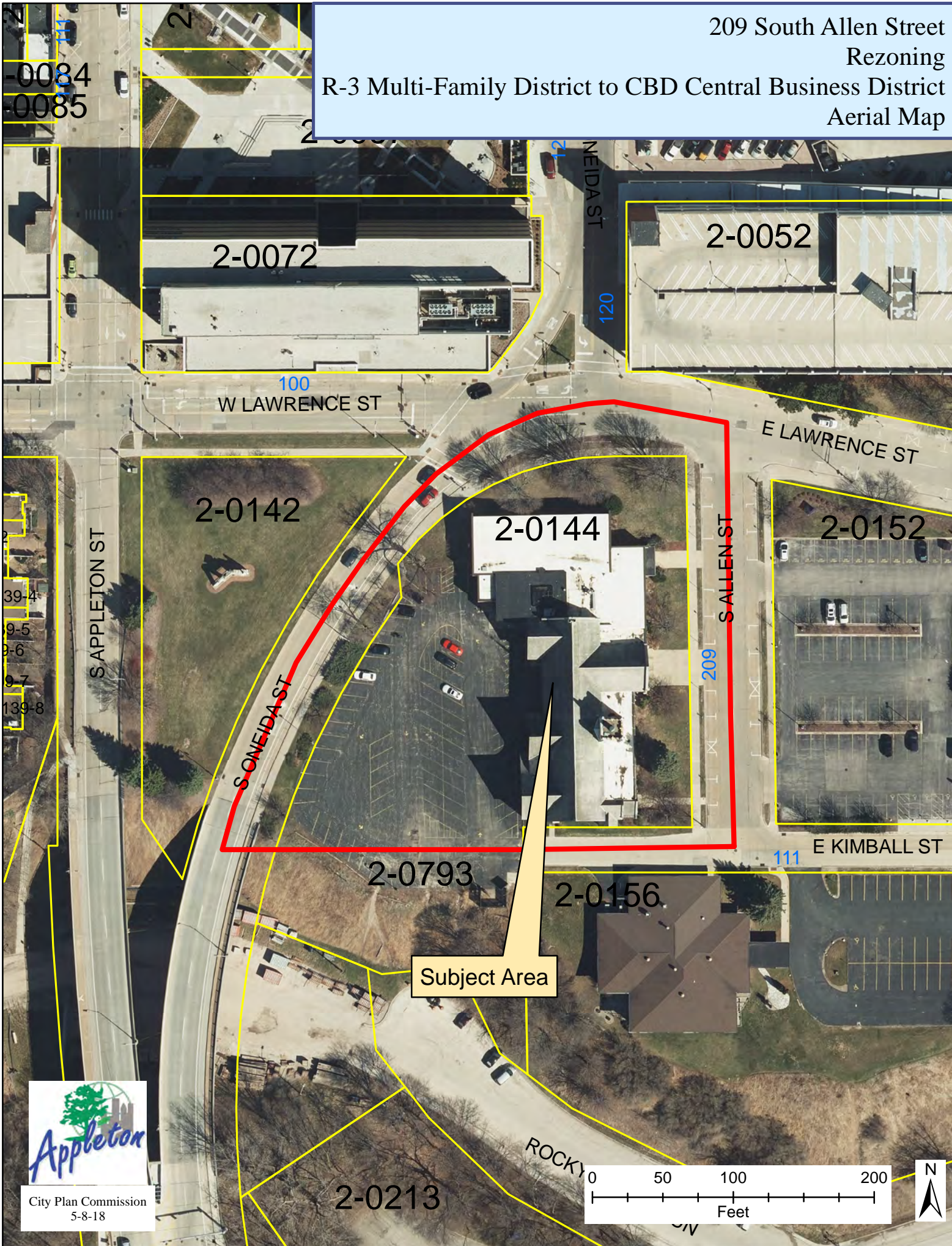
2-0792-1	01
2-0181-2	02
2-0181-3	03

2-0181-1	01
2-0181-2	02
2-0181-3	03

2-0185	01
2-0185	02
2-0185	03

2-0185	01
2-0185	02
2-0185	03

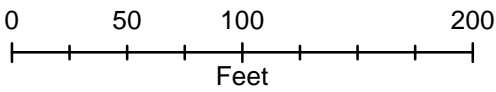
209 South Allen Street
Rezoning
R-3 Multi-Family District to CBD Central Business District
Aerial Map



Subject Area



City Plan Commission
5-8-18



REZONING LEGAL DESCRIPTION TO BE USED FOR REZONING PURPOSES ONLY TAX PARCEL NO. 31-2-0144-00

ALL OF LOTS 4, 5 AND 6; PART OF LOTS 1, 2 AND 3; ALL IN OF BLOCK 10, SECOND WARD PLAT; PART OF VACATED ONEIDA STREET AND PART OF VACATED KIMBALL STREET, ALL IN THE CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN, ACCORDING TO THE RECORDED ASSESSOR'S MAP OF SAID CITY, MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 6, ALSO BEING THE NORTHWEST CORNER OF THE INTERSECTION OF EAST KIMBALL STREET AND ALLEN STREET;
THENCE NORTH 89 DEGREES 57 MINUTES 25 SECONDS WEST, ALONG THE NORTH RIGHT-OF-WAY LINE OF EAST KIMBALL STREET, A DISTANCE OF 120.00 FEET;
THENCE SOUTH 00 DEGREES 58 MINUTES 25 SECONDS EAST, ALONG THE WEST RIGHT-OF-WAY LINE OF EAST KIMBALL STREET, A DISTANCE OF 16.00 FEET;
THENCE NORTH 89 DEGREES 57 MINUTES 25 SECONDS WEST, ALONG THE CENTER LINE OF VACATED KIMBALL STREET AND ITS WESTERLY EXTENSION, A DISTANCE OF 176.16 FEET TO THE EAST RIGHT-OF-WAY LINE OF ONEIDA STREET;
THENCE 199.89 FEET ALONG AN ARC OF A CURVE TO THE RIGHT, ALONG THE EAST RIGHT-OF-WAY LINE OF ONEIDA STREET, SAID CURVE HAVING A RADUIS OF 617.54 FEET AND A CHORD THAT BEARS NORTH 26 DEGREES 34 MINUTES 08 SECONDS EAST, 199.02 FEET;
THENCE NORTH 05 DEGREES 43 MINUTES 33 SECONDS WEST, CONTINUING ALONG THE EAST RIGHT-OF-WAY LINE OF ONEIDA STREET, A DISTANCE OF 24.47 FEET;
THENCE 178.34 FEET ALONG AN ARC OF A CURVE TO THE RIGHT, CONTINUING ALONG THE EAST RIGHT-OF-WAY LINE OF ONEIDA STREET, SAID CURVE HAVING A RADUIS OF 192.00 FEET AND A CHORD THAT BEARS NORTH 63 DEGREES 30 MINUTES 40 SECONDS EAST, 172.00 FEET;
THENCE NORTH 89 DEGREES 54 MINUTES 23 SECONDS EAST, ALONG THE SOUTH RIGHT-OF-WAY LINE OF LAWRENCE STREET, A DISTANCE OF 50.92 FEET;
THENCE SOUTH 00 DEGREES 57 MINUTES 57 SECONDS EAST, ALONG THE WEST RIGHT-OF-WAY LINE OF ALLEN STREET, A DISTANCE OF 263.41 FEET TO THE POINT OF BEGINNING.
CONTAINING 60,930 SQUARE FEET [1.399 ACRES].

AND

All of the adjacent one-half (1/2) right of way of Kimball Street, Oneida Street, Lawrence Street, and Allen Street.

PROJECT NO. 1-0488-009

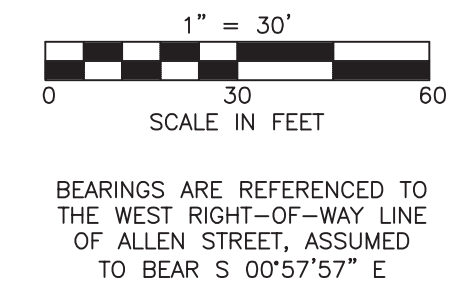
DATE: April 3, 2018

FILE: Q:\1-0488-009 Hoffman Bluff Site\Rezoning\Rezoning LegalDesc.doc

A.Sedlar

LEGEND		
1" x 18" IRON PIPE SET	UNDERGROUND TELEPHONE	EXIST. HYDRANT
CHEASED "X" SET	FIBER- UNDERGROUND FIBEROPTIC	WATER VALVE
1" IRON PIPE FOUND	UNDERGROUND GAS	WATER STOP BOX
3/4" ROD FOUND	UNDERGROUND CABLE TV	EXIST. STORM MANHOLE
CHEASED "X" FOUND	EXIST. FENCE LINE	STORM INLET
GOVERNMENT CORNER	SIGN	YARD DRAIN
STREET SIGNAL LIGHTS	GAS VALVE	EXIST. SANITARY MANHOLE
PARKING METER, UNLESS NOTED	POWER POLE	EXIST. SAN. SEWER
CONCRETE PAVEMENT	LIGHT POLE	EXIST. STD. SEWER
BITUMINOUS PAVEMENT	TELEPHONE PEDESTAL	EXIST. WATER MAIN
OVERHEAD POWER LINES	ELECTRIC PEDESTAL	FIRST FLOOR ELEVATION
UNDERGROUND ELECTRIC	ELECTRIC MANHOLE	EXCEPTION NUMBER, CORRESPONDING WITH TITLE COMMITMENT
	CABLE PEDESTAL	

HATCHING LEGEND OF LANDS SOLD TO THE CITY OF APPLETON	
[Hatched Pattern]	LANDS SOLD TO THE CITY OF APPLETON AS DESCRIBED IN VOL.274 PG.487
[Hatched Pattern]	LANDS SOLD TO THE CITY OF APPLETON AS DESCRIBED IN J.1157 L10-11
[Hatched Pattern]	LANDS SOLD TO THE CITY OF APPLETON AS DESCRIBED IN J.4758 L38, WHICH INCLUDES LANDS DESCRIBED IN J.3108 L23



LEGAL DESCRIPTION PER TITLE COMMITMENT NO.: 2758039 PREPARED BY FIRST AMERICAN TITLE INSURANCE COMPANY - EVANS TITLE DIVISION, EFFECTIVE DATE MAY 25, 2016:

ALL OF LOTS FOUR (4), FIVE (5) AND SIX (6), IN BLOCK TEN (10), SECOND WARD PLAT, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN ACCORDING TO THE RECORDED ASSESSOR'S MAP OF SAID CITY, NOW BEING IN THE FIRST WARD OF SAID CITY, EXCEPT TRACT SOLD TO THE CITY OF APPLETON, AS DESCRIBED IN VOLUME 274 OF DEEDS, PAGE 487, OUTAGAMIE COUNTY, WISCONSIN, REGISTRY.

AND ALL OF LOT THREE (3), IN BLOCK TEN (10), SECOND WARD PLAT, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN, ACCORDING TO THE RECORDED ASSESSOR'S MAP OF SAID CITY, NOW BEING IN THE FIRST WARD OF SAID CITY, EXCEPT TRACT SOLD TO THE CITY OF APPLETON, AS DESCRIBED IN VOLUME 274 OF DEEDS, PAGE 487, OUTAGAMIE COUNTY, WISCONSIN, REGISTRY.

AND A PARCEL OF LAND AS DESCRIBED IN DEED RECORDED IN JACKET 3108, IMAGE 22, AS DOCUMENT NO. 805880 AND BEING PART OF BLOCK D AND BLOCK 10, APPLETON PLAT; BLOCK D, SECOND WARD PLAT; VACATED ONEIDA STREET; AND VACATED KIMBALL STREET, ALL IN THE CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN, SAID PARCEL BOUNDED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE CENTER LINE OF VACATED KIMBALL ST. WITH THE CENTER LINE OF VACATED ONEIDA ST.; THENCE N6°48'32"W ALONG SAID CENTERLINE OF VACATED ONEIDA ST. TO THE EAST LINE OF THE R.O.W. FOR THE NORTHBOUND LANES OF THE JONES PARK OVERPASS AS PER SHEET 4.5 OF WIS. HIGHWAY DEPT. PLAN FOR R.O.W. PROJECT #4457-2-21 (ONEIDA SKYLINE BRIDGE); THENCE SOUTHERLY ALONG SAID EAST LINE TO A POINT 360.61 FEET SOUTH OF THE CENTER LINE OF LAWRENCE ST.; THENCE S68°50'44"E, 96.49 FEET ON A LINE WHICH IS AT LEAST 34 FEET NORTHEASTERLY OF THE NORTH CURB OF THE JONES PARK ACCESS ROAD, TO A POINT ON THE SOUTH LINE OF VACATED ONEIDA ST.; THENCE N83°11'28"E ALONG THE SOUTH LINE OF VACATED ONEIDA ST. 54 FEET MORE OR LESS TO THE EAST LINE OF ONEIDA STREET (SOUTHEAST CORNER VACATED ONEIDA ST.); THENCE SOUTHEASTERLY, ALONG SAID EAST LINE, TO ITS INTERSECTION WITH THE SOUTHERLY EXTENSION OF THE EAST LINE OF LOT 11, B.L.K. "D", APPLETON PLAT; THENCE NORTHERLY ALONG SAID SOUTHERLY EXTENSION OF SAID EAST LINE, SAID EAST LINE EXTENDED NORTHERLY, TO THE CENTER LINE OF VACATED KIMBALL STREET; THENCE WESTERLY ALONG SAID CENTER LINE, TO THE POINT OF BEGINNING.

AND ALL THAT PART OF VACATED ONEIDA STREET AS VACATED BY FINAL RESOLUTION RECORDED IN JACKET 2781, IMAGE 18, AS DOCUMENT NO. 797523, LESS THAT PART AS CONTAINED IN DEED RECORDED IN JACKET 3108, IMAGE 22, AS DOCUMENT NO. 805880.

AND THE NORTH 1/2 OF ALL THAT PART OF VACATED KIMBALL STREET AS VACATED BY FINAL RESOLUTION RECORDED IN JACKET 2853, IMAGE 22, LESS AND EXCEPTING FROM ALL THE ABOVE DESCRIBED PREMISES THOSE PARCELS OF LAND SOLD TO THE CITY OF APPLETON BY DEEDS RECORDED IN JACKET 1157, IMAGE 10; IN JACKET 3108, IMAGE 23; AND IN JACKET 4758, IMAGE 38.

APN: 312014400 AND 312079300

RIGHTS OF WAY, EASEMENTS AND SERVICIES BURDENING THE SURVEYED PROPERTY PER SCHEDULE B-SECTION TWO EXCEPTIONS OF TITLE COMMITMENT NO.: 2758039, PREPARED BY FIRST AMERICAN TITLE INSURANCE COMPANY - EVANS TITLE DIVISION, EFFECTIVE DATE MAY 25, 2016:

- EXCEPTION 8** RESERVATION FOR LIMITED HIGHWAY EASEMENTS AS CONTAINED IN WARRANTY DEED EXECUTED BY TRINITY ENGLISH EVANGELICAL LUTHERAN CHURCH, A WISCONSIN CORPORATION TO THE CITY OF APPLETON, A WISCONSIN MUNICIPAL CORPORATION, DATED SEPTEMBER 21, 1978 AND RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS ON SEPTEMBER 27, 1978 IN JACKET 1157, IMAGE 10-11, AS DOCUMENT NO. 755416. SUBJECT HIGHWAY IS OPEN TO THE TRAVELING PUBLIC AND THE PROJECT HAS BEEN COMPLETED, EASEMENT HAS TERMINATED.
- EXCEPTION 9** RESTRICTED ACCESS TO ONEIDA STREET AS SET FORTH IN WARRANTY DEED RECORDED IN JACKET 1157, IMAGE 10-11, AS DOCUMENT NO. 755416. AFFECTS SURVEYED PROPERTY.
- EXCEPTION 10** EASEMENTS AND RIGHTS OF INCIDENTAL THERETO IN CONNECTION WITH THE CONTINUED USE AND RIGHT OF ENTRANCE, MAINTENANCE, CONSTRUCTION AND REPAIR OF MUNICIPAL OR UTILITY FACILITIES AS MAY EXIST UNDERGROUND OR OVER GROUND IN OR ON THAT PORTION OF THE SUBJECT PREMISES WHICH WERE FORMERLY A PART OF ONEIDA STREET AND KIMBALL STREET, NOW VACATED. AFFECTS SURVEYED PROPERTY.

- ITEMS OF TABLE A:**
- ITEM 1** - MONUMENTS PLACED OR FOUND AT ALL MAJOR CORNERS OF THE BOUNDARY OF THE SURVEYED PROPERTY, AS SHOWN ON THIS DRAWING.
 - ITEM 2** - PROPERTY ADDRESS: 209 SOUTH ALLEN STREET, APPLETON, WI 54911
 - ITEM 4** - GROSS LAND AREA = 77,601 SQ.FT. 1.781 ACRES
 - ITEM 5** - 1-FOOT CONTOURS ARE FROM JUNE 27TH, 2016 GROUND SURVEY. VERTICAL DATUM IS NAVD88. BENCHMARK AS SHOWN.
 - ITEM 6(A)** - SURVEYED PROPERTY IS ZONED: R3, MULTIFAMILY DISTRICT (PARCEL NO. 31-2-0144-00) AND CBD, CENTRAL BUSINESS DISTRICT (PARCEL NO. 31-2-0793-00).
 - R3 MULTIFAMILY DISTRICT REQUIREMENTS**, PER SECTION 23-96 OF CITY OF APPLETON CODE. A PLACE OF WORSHIP IS A SPECIAL USE ON THE SUBJECT SITE.
 - MINIMUM LOT AREA - SIX THOUSAND (6,000) SQUARE FEET FOR SINGLE-FAMILY DWELLING
 - SEVEN THOUSAND (7,000) SQUARE FEET FOR TWO (2) STORY TWO- (2-) FAMILY DWELLINGS
 - NINE THOUSAND (9,000) SQUARE FEET FOR SINGLE STORY TWO- (2-) FAMILY DWELLINGS
 - THREE THOUSAND (3,000) SQUARE FEET PER DWELLING UNIT FOR MULTI-FAMILY DWELLINGS
 - SEVEN THOUSAND (7,000) SQUARE FEET FOR ALL OTHER USES
 - MINIMUM LOT WIDTH - FIFTY (50) FEET FOR SINGLE FAMILY DWELLINGS
 - SEVENTY (70) FEET FOR TWO- (2-) FAMILY DWELLINGS
 - EIGHTY (80) FEET FOR ALL OTHER USES
 - MINIMUM FRONT YARD - TWENTY (20) FEET, TWENTY-FIVE (25) FEET IF LOCATED ON ARTERIAL STREET.
 - MINIMUM REAR YARD - THIRTY-FIVE (35) FEET
 - MINIMUM SIDE YARD - SIX (6) FEET FOR SINGLE- AND TWO-FAMILY DWELLINGS, TWENTY (20) FEET FOR ALL OTHER USES.
 - MINIMUM SETBACK FROM SINGLE- OR TWO- FAMILY LOT LINE - THIRTY (30) FEET
 - MAXIMUM BUILDING HEIGHT - THIRTY-FIVE (35) FEET FOR SINGLE- AND TWO- (2-) FAMILY DWELLINGS
 - FORTY-FIVE (45) FEET FOR ALL OTHER USES
- PARKING AND LOADING REQUIREMENTS**, PER SECTION 23-172 OF CITY OF APPLETON CODE.
- PLACE OF WORSHIP - ONE (1) SPACE FOR EACH EIGHT (8) PERSONS, BASED ON MAXIMUM CAPACITY IN THE MAIN PLACE OF ASSEMBLY.
- CBD CENTRAL BUSINESS DISTRICT REQUIREMENTS**, PER SECTION 23-114 OF CITY OF APPLETON CODE. A PLACE OF WORSHIP IS A PERMITTED USE ON THE SUBJECT SITE.
- PARKING AND LOADING REQUIREMENTS - PROVISION FOR OFF-STREET PARKING AND LOADING SPACES ARE NOT REQUIRED FOR USES IN THE CBD.
 - MINIMUM LOT AREA - TWO THOUSAND FOUR HUNDRED (2,400) SQUARE FEET
 - MINIMUM LOT WIDTH - TWENTY (20) FEET
 - MINIMUM FRONT YARD - NONE
 - MINIMUM REAR YARD - NONE, TEN (10) FEET WHEN ABUTTING A RESIDENTIALLY ZONED DISTRICT.
 - MINIMUM SIDE YARD - NONE, TEN (10) FEET WHEN ABUTTING A RESIDENTIALLY ZONED DISTRICT.
 - MAXIMUM BUILDING HEIGHT - TWO HUNDRED (200) FEET
- PARKING AND LOADING REQUIREMENTS**, PER SECTION 23-172 OF CITY OF APPLETON CODE.
- PROVISION FOR OFF-STREET PARKING AND LOADING SPACES ARE NOT REQUIRED FOR USES IN THE CBD.
- SOURCE:** ZONING REPORT PREPARED BY DAVID KRESS, PRINCIPAL PLANNER FOR THE CITY OF APPLETON, DATED AUGUST 11, 2016.

- ITEM 7 (A) (B1)** - EXTERIOR DIMENSIONS OF BUILDING AND SQUARE FOOTAGE OF ALL BUILDINGS AT GROUND LEVEL, AS SHOWN ON THIS DRAWING.
- ITEM 8** - SUBSTANTIAL FEATURES OBSERVED IN THE PROCESS OF CONDUCTING THE SURVEY, AS SHOWN ON THIS DRAWING.
- ITEM 9** - SURVEYED PROPERTY HAS 61 REGULAR PARKING STALLS, 8 HANDICAP STALLS.
- ITEM 11** - ALL OBSERVABLE EVIDENCE FOR THE LOCATIONS OF THE WATER, SEWER, GAS, CABLE TELEVISION, AND ELECTRIC LINES AND MAINS AS SHOWN ON THIS DRAWING ARE BASED ON FIELD MARKINGS BY LOCATING COMPANIES AND/OR MAPPING FROM RESPECTIVE UTILITY COMPANY. THEREFORE, THE LOCATIONS SHOWN ON THIS DRAWING CANNOT BE GUARANTEED. DIGGERS HOTLINE MUST BE CONTACTED FOR CONSTRUCTION.
- ITEM 13** - NAMES OF ADJOINING OWNERS ACCORDING TO CURRENT TAX RECORDS, ARE AS SHOWN ON THIS DRAWING.
- ITEM 14** - SURVEYED PROPERTY IS AT THE SOUTHWEST CORNER OF THE INTERSECTION OF LAWRENCE STREET AND ALLEN STREET.
- ITEM 16** - ALL OBSERVABLE EVIDENCE OF EARTH MOVING, BUILDING CONSTRUCTION, OR BUILDING ADDITIONS ON THE SURVEYED PARCEL ARE SHOWN ON THIS DRAWING.
- ITEM 17** - AS OF THE DATE OF THIS SURVEY, THERE ARE NO PROPOSED CHANGES IN STREET RIGHT OF WAY LINES. OBSERVABLE EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS, ARE AS SHOWN ON THIS DRAWING.
- ITEM 19** - [EXCEPT AS SHOWN ON THE SURVEY] THE SURVEYED PROPERTY IS NOT AFFECTED BY ANY OFFSITE EASEMENTS OR BENEFITING SERVICITUDES DISCLOSED IN THE RECORDED DOCUMENTS.
- ITEM 20** - PROFESSIONAL LIABILITY INSURANCE POLICY IS CARRIED BY THE SURVEYOR IN THE MINIMUM AMOUNT OF \$2,000,000 AGGREGATE AND IS IN EFFECT THROUGHOUT THE CONTRACT TERM.

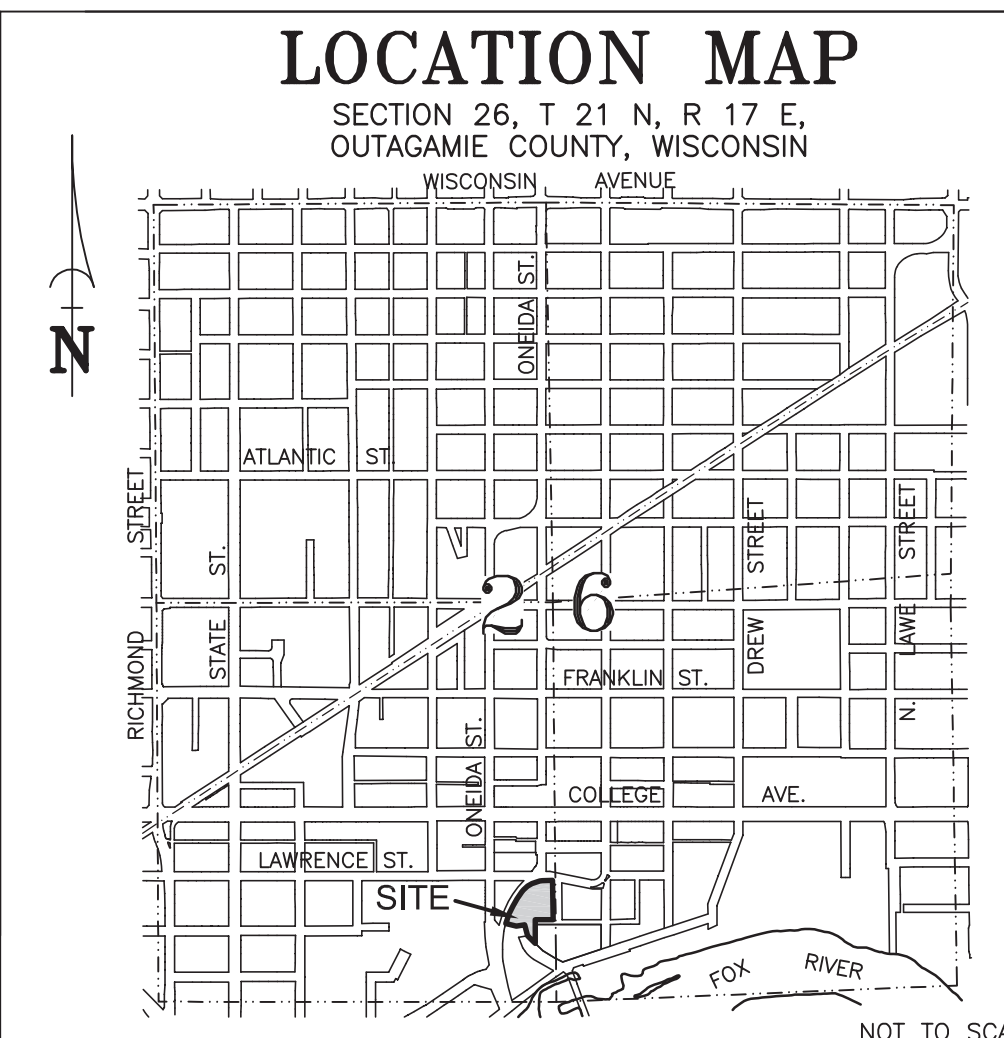
ALTA/NSPS 2016 CERTIFICATION:

TO JOHN PFEFFERLE AND PAUL J. HOFFMAN, TRINITY ENGLISH EVANGELICAL LUTHERAN CHURCH OF APPLETON AND FIRST AMERICAN TITLE INSURANCE COMPANY - EVANS TITLE DIVISION:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 4, 5, 6(A), 7(A) (B1), 8, 9, 11, 13, 14, 16, 17, 19 AND 20 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON JUNE 27, 2016.

DATED THIS THE 8TH DAY OF AUGUST, 2016.

GARY A. ZAHNINGER, PROFESSIONAL WISCONSIN LAND SURVEYOR S-2098



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NO.	DATE	DRAWN BY	AMS	MLR	FIELDWORK	APPROVED	GAZ	REVISION

ALTA/NSPS LAND TITLE SURVEY

PART OF BLOCK 10 AND BLOCK D, SECOND WARD PLAT, PART OF VACATED ONEIDA STREET AND ALL OF VACATED KIMBALL STREET, ALL IN THE CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN, ACCORDING TO THE RECORDED ASSESSOR'S MAP OF SAID CITY.

THIS SURVEY IS PREPARED FOR:
 MICHELS INVESTMENT LLC, SUITE 2A
 200 E. WASHINGTON ST., SUITE 2A
 APPLETON, WI

SCALE	DATE
1"=30'	JUNE 2016
COMPUTER FILE	
1-0802-001alta.dwg	
DRAWING NO.	
1-0802-001	

EXHIBIT B