



City of Appleton

100 North Appleton Street
Appleton, WI 54911-4799
www.appleton.org

Meeting Agenda - Final City Plan Commission

Wednesday, March 13, 2024

3:30 PM

Council Chambers, 6th Floor

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

[24-0244](#) City Plan Minutes from 12-13-23

Attachments: [City Plan Minutes 12-13-23.pdf](#)

5. Public Hearing/Appealances

[24-0245](#) Rezoning #1-24 for the subject parcel located at 207 N. Green Bay Road (Tax Id #31-1-0738-00), including to the centerline of the adjacent street right-of-way, as shown on the attached maps, from R-2 Two-Family District to R-1B Single-Family District (Associated with Action Item #24-0246)

Attachments: [InformalPublicHearingNotice_207NGreenBayRd_Rezoning#1-24.pdf](#)

6. Action Items

[24-0246](#) Request to approve Rezoning #1-24 for the subject parcel located at 207 N. Green Bay Road (Tax Id #31-1-0738-00), including to the centerline of the adjacent street right-of-way, as shown on the attached maps, from R-2 Two-Family District to R-1B Single-Family District

Attachments: [StaffReport_Mevis_Rezoning_For3-13-24.pdf](#)

7. Information Items

8. 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.

Any questions about items on this meeting are to be directed to Kara Homan, Director, Community and Economic Development Department at 920-832-6468.

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



City of Appleton

100 North Appleton Street
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Meeting Minutes - Final City Plan Commission

Wednesday, December 13, 2023

3:30 PM

Council Chambers, 6th Floor

1. Call meeting to order

Meeting called to order by Vice Chair Fenton at 3:30 p.m.

2. Pledge of Allegiance

3. Roll call of membership

Present: 5 - Palm, Robins, Uitenbroek, Neuberger and Fenton

Excused: 2 - Mayor Woodford and Dane

Others present:

Aldersperson Sheri Hartzheim, District #13

Jordan Stini, Xavier High School

Gracie Gonzalez, Xavier High School

Tom Klister, Fore Development

Jeff F., Menasha

4. Approval of minutes from previous meeting

[23-1428](#)

City Plan Minutes from 10-25-23

Attachments: [City Plan Minutes 10-25-23.pdf](#)

Palm moved, seconded by Robins, that the Minutes be approved. Roll Call.

Motion carried by the following vote:

Aye: 5 - Palm, Robins, Uitenbroek, Neuberger and Fenton

Excused: 2 - Mayor Woodford and Dane

5. Public Hearing/Appearances

[23-1429](#)

Rezoning #9-23 for the subject parcel located on the southwest corner of E. Wisconsin Avenue and N. Lawe Street (Tax Id #31-1-0017-00), 1212 N. Union Street (Tax Id #31-1-0024-00), and 605 E. Wisconsin Avenue (Tax Id #31-1-0025-00), including to the centerline of the adjacent street right-of-way, as shown on the attached maps, from C-2 General Commercial District to C-1 Neighborhood Mixed Use District (Associated with Action Item #23-1430)

Attachments: [InformalPublicHearingNotice_NLawe-1212NUnion-605EWisconsin_Rezoning#9-23.pdf](#)

This public hearing was held and no one spoke.

This public hearing was held, and no one spoke on the item.

6. Action Items

[23-1430](#)

Request to approve Rezoning #9-23 for the subject parcel located on the southwest corner of E. Wisconsin Avenue and N. Lawe Street (Tax Id #31-1-0017-00), 1212 N. Union Street (Tax Id #31-1-0024-00), and 605 E. Wisconsin Avenue (Tax Id #31-1-0025-00), including to the centerline of the adjacent street right-of-way, as shown on the attached maps, from C-2 General Commercial District to C-1 Neighborhood Mixed Use District

Attachments: [StaffReport_NLawe-1212NUnion-605EWisconsin_Rezoning_For12-13-23.pdf](#)

Proceeds to Council on January 17, 2024.

Robins moved, seconded by Neuberger, that Rezoning #9-23 be recommended for approval. Roll Call. Motion carried by the following vote:

Aye: 5 - Palm, Robins, Uitenbroek, Neuberger and Fenton

Excused: 2 - Mayor Woodford and Dane

[23-1431](#)

Request to approve Certified Survey Map #19-23, which crosses a plat boundary, for 1741 N. Richmond Street (Tax Id #31-5-2548-00 and #31-5-3265-00) to combine 2 parcels into 1 lot as shown on the attached map and subject to the conditions in the attached staff report

Attachments: [StaffReport_1741NRichmondSt_CSM19-23_CrossingPlatBoundary_For12-13-23.pdf](#)

Palm moved, seconded by Uitenbroek, that Certified Survey Map #19-23 be recommended for approval. Roll Call. Motion carried by the following vote:

Aye: 5 - Palm, Robins, Uitenbroek, Neuberger and Fenton

Excused: 2 - Mayor Woodford and Dane

[23-1432](#)

Request to approve the Southpoint Commerce Park Plat No. 4 Final Plat as shown on the attached maps and subject to the conditions in the attached staff report

Attachments: [StaffReport_SouthpointCommerceParkPlat4_FinalPlat_For12-13-23.pdf](#)

Neuberger moved, seconded by Robins, that Southpoint Commerce Park Plat No. 4 Final Plat be recommended for approval. Roll Call. Motion carried by the following vote:

Aye: 5 - Palm, Robins, Uitenbroek, Neuberger and Fenton

Excused: 2 - Mayor Woodford and Dane

[23-1433](#)

Request to approve City acquisition and accept the dedication of the proposed outlots identified for public trail purposes within Southpoint Commerce Park, per Wis. State Statute §62.23(5), as shown on the attached maps and the 2017 Trails Master Plan

Attachments: [Memo_PlanCommission_Southpoint_TrailAcquisitionandDedication_For12-13-23.pdf](#)

Robins moved, seconded by Palm, that the City acquisition and acceptance of the dedication of the proposed outlots identified for public trail purposes within Southpoint Commerce Park be recommended for approval. Roll Call. Motion carried by the following vote:

Aye: 5 - Palm, Robins, Uitenbroek, Neuberger and Fenton

Excused: 2 - Mayor Woodford and Dane

7. Information Items

8. Adjournment

Uitenbroek moved, seconded by Palm, that the meeting be adjourned at 3:43 p.m. Roll Call. Motion carried by the following vote:

Aye: 5 - Palm, Robins, Uitenbroek, Neuberger and Fenton

Excused: 2 - Mayor Woodford and Dane

NOTICE OF PUBLIC HEARING
OF THE
APPLETON CITY PLAN COMMISSION

Dear property owner(s):

The City of Appleton Plan Commission will conduct a Public Hearing on Wednesday, March 13, 2024, at 3:30 P.M., or as soon thereafter as can be heard, in Common Council Chambers, 6th Floor, City Hall, 100 North Appleton Street, for the following proposed rezoning request.

Common Description:

207 N. Green Bay Road (Tax Id #31-1-0738-00), including to the center line of the adjacent street right-of-way.

Rezoning Request: A rezoning request has been initiated by Ian Mevis and Maggie Mormor, owners, in the matter of amending Chapter 23 (Zoning Ordinance) of the Municipal Code of the City of Appleton for the above-described real estate, which is currently zoned R-2 Two-Family District. The owners propose to rezone the property to R-1B Single-Family District (see attached maps). The R-1B Single-Family District is intended 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.

Purpose of the Rezoning: The owners are looking to rezone this property to facilitate a lot combination to accommodate an accessory structure. The rezoning will result in consistent zoning between two common ownership parcels and allow them to be combined into one parcel.

Aldermanic District: 4 – Alderperson Israel Del Toro

You are being notified as a policy of the City of Appleton Community and Economic Development Department. All persons interested are invited to attend this meeting and will be given an opportunity to be heard. Feedback can also be shared with Plan Commission members via written letter, email, or phone call. The Plan Commission makes a recommendation to the Common Council who makes the final decision on the matter.

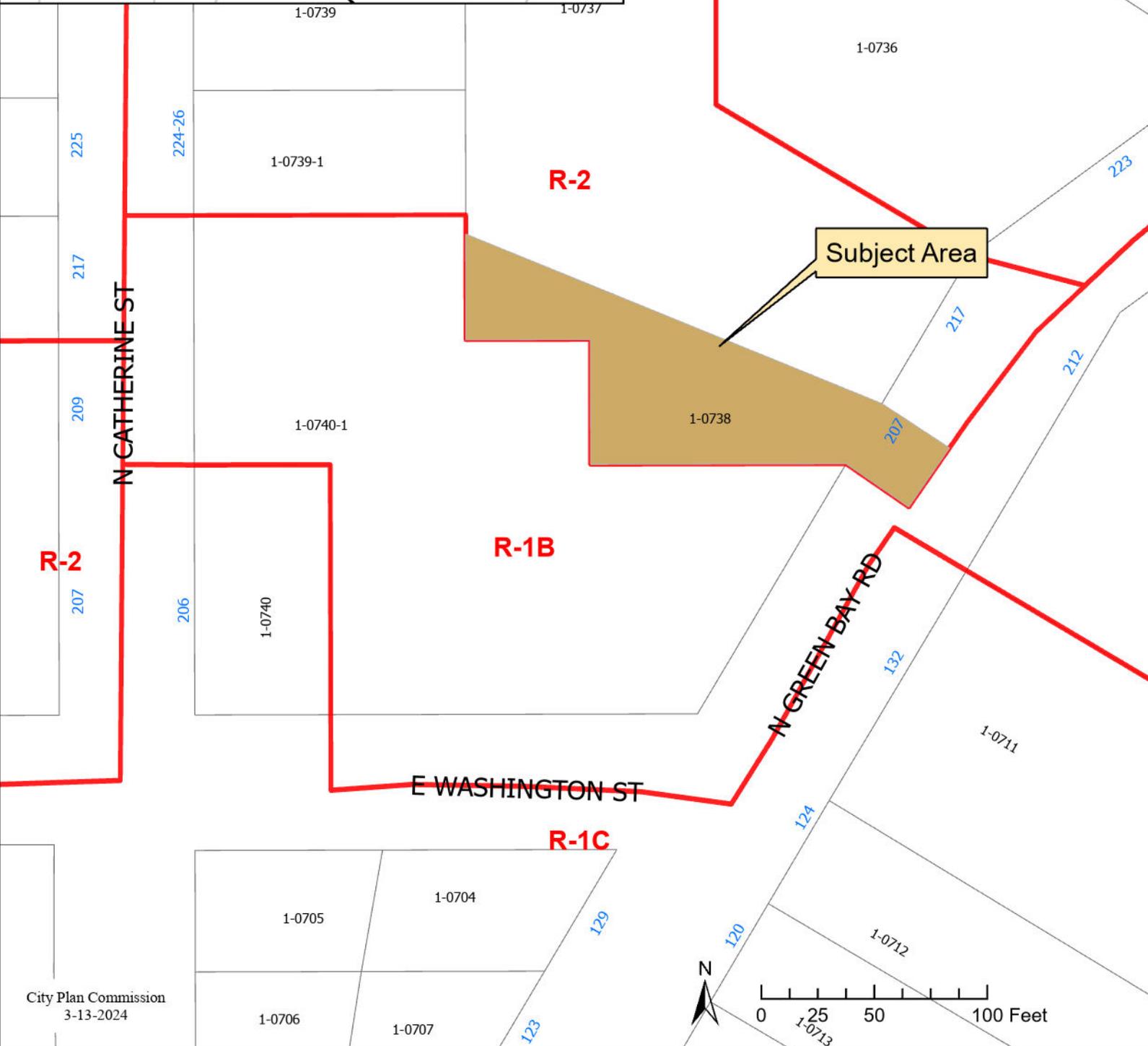
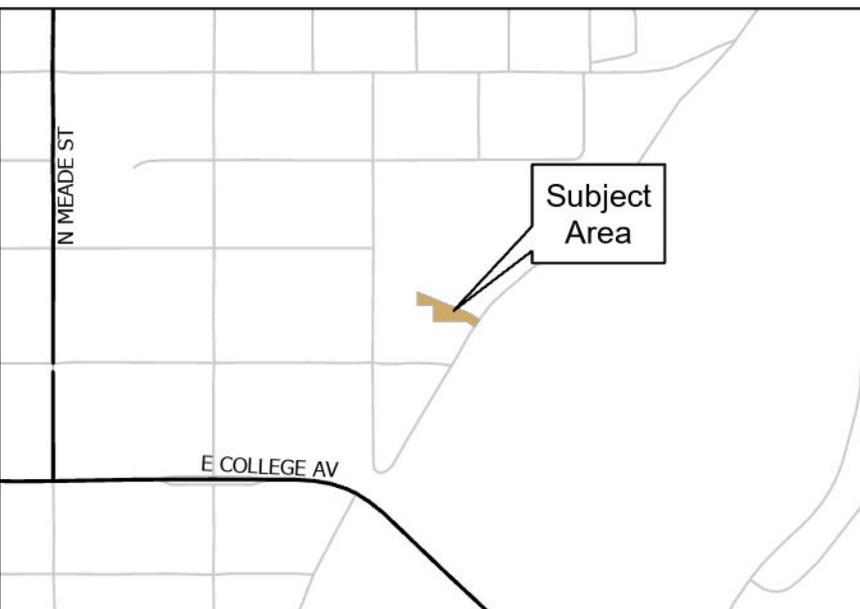
Any questions regarding this matter should be directed to Jessica Titel, Principal Planner, in the Community and Economic Development Department at 920-832-6476 or by email at jessica.titel@appleton.org.

CITY PLAN COMMISSION
APPLETON, WISCONSIN

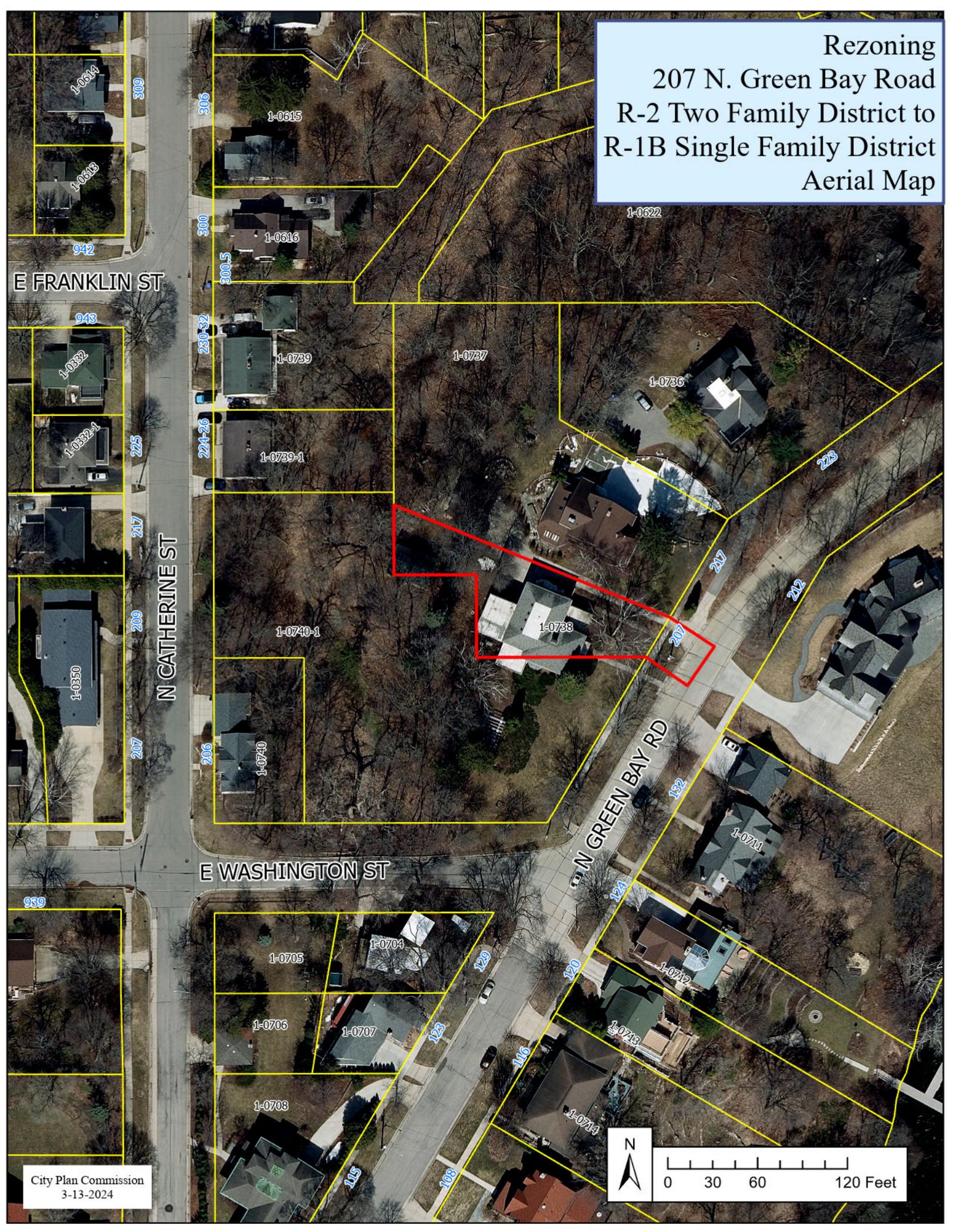
COMMUNITY & ECONOMIC DEVELOPMENT
CITY HALL – 100 NORTH APPLETON STREET
APPLETON, WISCONSIN 54911-4799
(920) 832-6468

Reasonable accommodations for persons with disabilities will be made upon request and if feasible.

**Rezoning
207 N. Green Bay Road
R-2 Two Family District to
R-1B Single Family District**



Rezoning
207 N. Green Bay Road
R-2 Two Family District to
R-1B Single Family District
Aerial Map

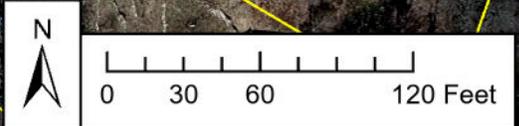


E FRANKLIN ST

N CATHERINE ST

E WASHINGTON ST

N GREEN BAY RD





REPORT TO CITY PLAN COMMISSION

Plan Commission Informal Hearing Meeting Date: March 13, 2024

Common Council Public Hearing Meeting Date: April 3, 2024 (Public Hearing on Rezoning)

Item: Rezoning #1-24 – 207 N. Green Bay Road

Case Manager: Jessica Titel, Principal Planner

GENERAL INFORMATION

Applicant/Owner: Ian Mevis and Maggie Marmor

Address/Parcel #: 207 N. Green Bay Road, Parcel #31-1-0738-00

Petitioner's Request: The owner/applicant proposes to rezone the subject parcel from R-2 Two-Family District to R-1B Single-Family District to facilitate a lot combination to accommodate an accessory structure. The rezoning will result in consistent zoning between two common ownership parcels and allow them to be combined into one parcel.

BACKGROUND

The existing home was constructed in 1895. It appears the two properties have been utilized as one parcel for many years. Parcel #31-1-0738-00 (subject site) is currently zoned R-2 Two-Family District and Parcel #31-1-0740-01 is currently zoned R-1B Single-Family District. The home currently crosses the existing property line and both properties are under common ownership.

The property owner is proposing to construct a new garage and is not able to meet setback requirements unless the existing two parcels are combined to create one lot.

Per Zoning Code Section 23-40(b), a parcel of land cannot include more than one zoning district, therefore, the rezoning is necessary to combine the two lots.

The home is listed in Wisconsin Architecture & Historical Society Inventory (reference number: 40523) for being one of the finest Italianate style homes in Appleton.

STAFF ANALYSIS

Existing Site Conditions: The subject area is 8,640 square feet in size and contains a single-family home.

Surrounding Zoning Classification and Land Uses:

North: R-2 Two-Family District. The adjacent land use to the north is currently residential.

South: R-1B Single Family Residential. The adjacent land use to the south is currently residential.

Rezoning #1-24 – 207 N. Green Bay Road

March 13, 2024

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East: R-1B Single Family Residential. The adjacent land use to the east is currently residential.

West: R-1B Single Family Residential. The adjacent land use to the west is currently residential.

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

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.

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 one and two family residential land uses.*
 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.

Rezoning #1-24 – 207 N. Green Bay Road

March 13, 2024

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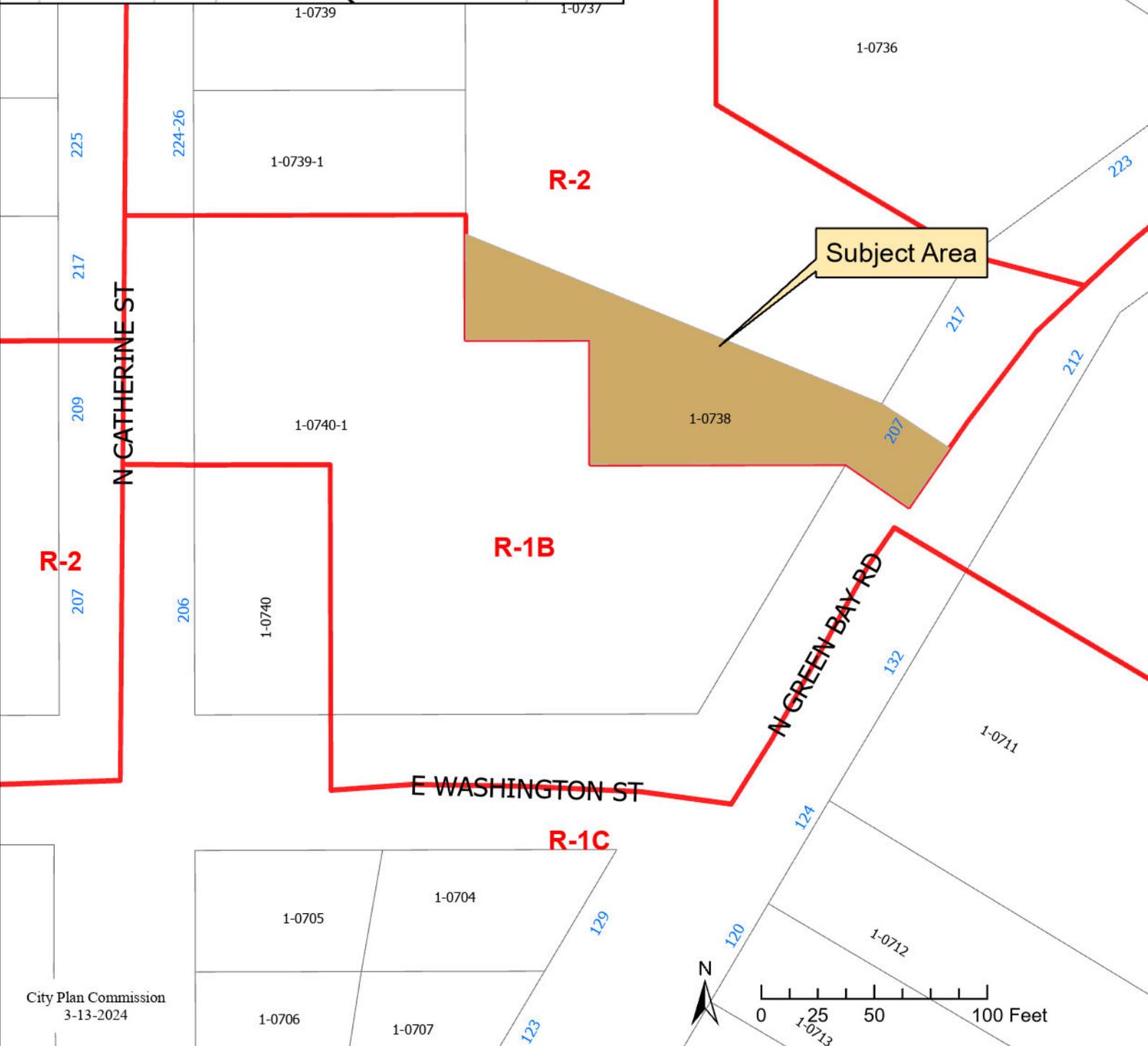
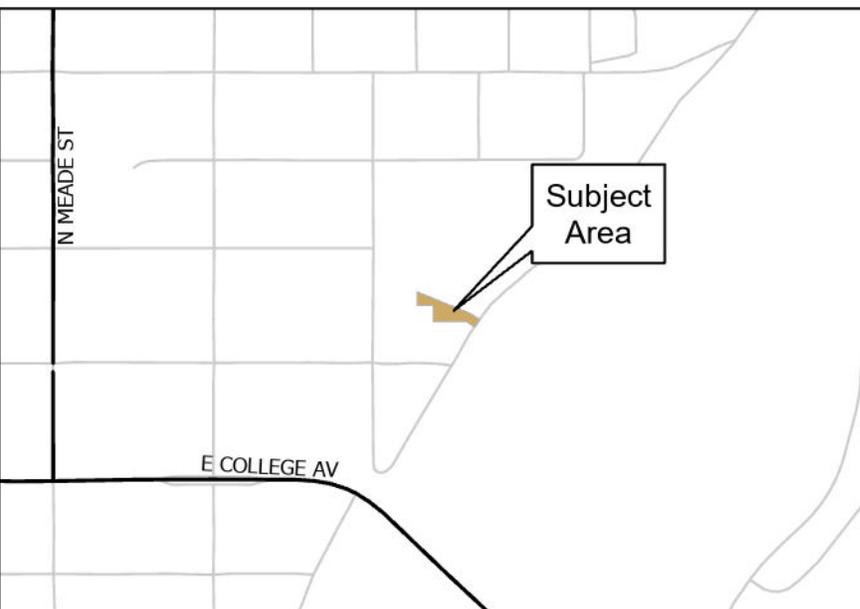
3. Proposed amendments cannot be accommodated by sites already zoned in the City due to lack of transportation, utilities or other development constraints, or the market to be served by the proposed use cannot be effectively served by the location of the existing zoning district(s).
 4. There is an error 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. *Single-family residential uses are already located in this area of the City. Therefore, the proposed rezoning request is unlikely to create adverse impacts in the surrounding uses.*

Technical Review Group Report (TRG): This item appeared on the March 5, 2024 TRG Agenda. No negative comments were received from participating departments.

RECOMMENDATION

Staff recommends, based upon the standards for map amendments as required by Section 23-65(d)(3) of the Zoning Ordinance, that Rezoning Application #1-24 to rezone the subject property located at 207 N. Green Bay Road (Parcel #31-1-0738-00) from R-2 Two-Family District to R-1B Single-Family District, including to the centerline of the adjacent right-of-way, as shown on the attached maps, **BE APPROVED**.

**Rezoning
207 N. Green Bay Road
R-2 Two Family District to
R-1B Single Family District**



Rezoning
207 N. Green Bay Road
R-2 Two Family District to
R-1B Single Family District
Aerial Map

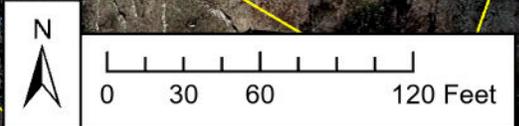


E FRANKLIN ST

N CATHERINE ST

E WASHINGTON ST

N GREEN BAY RD



Legal Description of 207 N. Green Bay Road, Appleton, WI 54911 – 31-1-0738-00

LAWSBURG PLAT 1WD THAT PRT LOTS 4, 5, 15 & 16 LYG SOUTH OF LINE IN 671R114 OF BLK D; SUBJ TO SHARED DRIVEWAY AGREEMENT PER DOC #2193366, INCLUDING TO THE CENTERLINE OF THE ADJACENT STREET RIGHT-OF-WAY, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN