



REPORT TO CITY PLAN COMMISSION

Plan Commission Public Hearing Meeting Date: September 12, 2017

Common Council Public Hearing Meeting Date: October 4, 2017 (Public Hearing on Rezoning)

Item: Rezoning #7-17 – 611 North Superior Street

Case Manager: Don Harp

GENERAL INFORMATION

Owner/Applicant: BDB Company, LLP / Daniel Densow, owner/applicant

Address/Parcel #: 611 North Superior Street (Tax Id #31-2-0687-00)

Petitioner's Request: The applicant is requesting a Rezoning to change the Zoning Map from R-2 Two-Family District to C-2 General Commercial District for the subject parcel. The request is being made to facilitate the expansion of the current parking lot to accommodate additional off-street parking spaces for Wichmann-Fargo Funeral Home located at 537 North Superior Street.

BACKGROUND

The applicant's site consists of a 6,720 square foot lot. The site is currently developed with a 2,212 square foot, lead-based painted two-family dwelling that was built in 1880. The remainder of the site includes a detached garage and paved driveway.

STAFF ANALYSIS

Proposed Zoning Classification: The purpose of the C-2 District is intended to provide for businesses which serve city and regional markets, provide goods and services to other businesses as well as consumers, provide services to automobiles and serve the traveling public.

Parking, loading, and landscape standards. Off-street parking and loading requirements are set forth in §23-172, Off-street parking and loading standards. Landscaping requirements are set forth in §23-601, Landscaping and screening standards.

- **Minimum landscape buffer from edge of pavement to side or rear lot line.** Ten (10) feet from an R-1C and R-2 District.
- **Minimum landscape buffer from edge of pavement to front lot line.** Eight (8) feet from an R-1C and R-2 District.

Development standards. The space limits applicable in the C-2 District are as follows:

- (1) **Minimum lot area.** Fourteen thousand (14,000) square feet.
- (2) **Maximum lot coverage.** Seventy-five percent (75%).
- (3) **Minimum lot width.** Sixty (60) feet.
- (4) **Minimum front yard.** Ten (10) feet.
- (5) **Minimum rear yard.** Twenty (20) feet.
- (6) **Minimum side yard.**
 - a. None.
 - b. Ten (10) feet if abutting a residentially zoned district.
- (7) **Maximum building height.** 35 feet.

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

- **North:**
 - Zoning – R-2 Two-family District
 - Future Land Use Designation – One and Two-family Residential
 - Current Land Use – Multifamily Residential (3-Unit Dwelling)
- **South:**
 - Zoning – C-2 General Commercial District
 - Future Land Use Designation – Mixed Use
 - Current Land Use – Wichmann-Fargo Funeral Home and parking lot
- **East:**
 - Zoning – R-1C Central City Residential District and R-2 Two-family District
 - Future Land Use Designation – One and Two-family Residential
 - Current Land Use – Single and Two-family Residential
- **West:**
 - Zoning – R-1C Central City Residential District
 - Future Land Use Designation – One and Two-family Residential
 - Current Land Use – Single-family Residential & Mixed Use

General Information:

This general area of the City is identified for future one and two-family residential uses, as well as mixed use. A rezoning is often triggered by development proposals or changing circumstances in the City. In this case, the demand for additional parking by Wichmann-Fargo Funeral Home prompted the owner to submit a rezoning request. Reusing the subject site as a surface parking lot would help meet the parking needs without making a detrimental impact on the surrounding neighborhood.

Appleton Comprehensive Plan 2010-2030: The City of Appleton *Comprehensive Plan 2010-2030* identifies this area for future mixed uses. The proposed C-2 General Commercial District rezoning is consistent with the Future Land Use Map. Listed below are related excerpts from the City's *Comprehensive Plan 2010-2030*.

Goal 1 – Community Growth (Chapter 10)

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 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 Appleton 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 this 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 (1) of the following:
 1. The request for a zone change is in conformance with the Comprehensive Plan for the City of Appleton.

***Findings:** The rezoning request is in conformance with the Comprehensive Plan 2010-2030 objectives stated above and the future land use map which shows this area of the City as future mixed 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. *The subject area is served by existing infrastructure, and the proposed rezoning to C-2 District should not have a significant impact on traffic.*
 2. The effect of the proposed rezoning on surrounding uses. *Surface parking lots associated with commercial uses are already located within this neighborhood. The proposed amendment will allow for a lot combination with adjacent parcels and an expansion of the existing parking lot. Parking lot landscape buffers will be reviewed in accordance with the Zoning Code requirements at the time of Site Plan review.*

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 August 22, 2017 Technical Review Group meeting. No negative comments were received from participating departments.

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

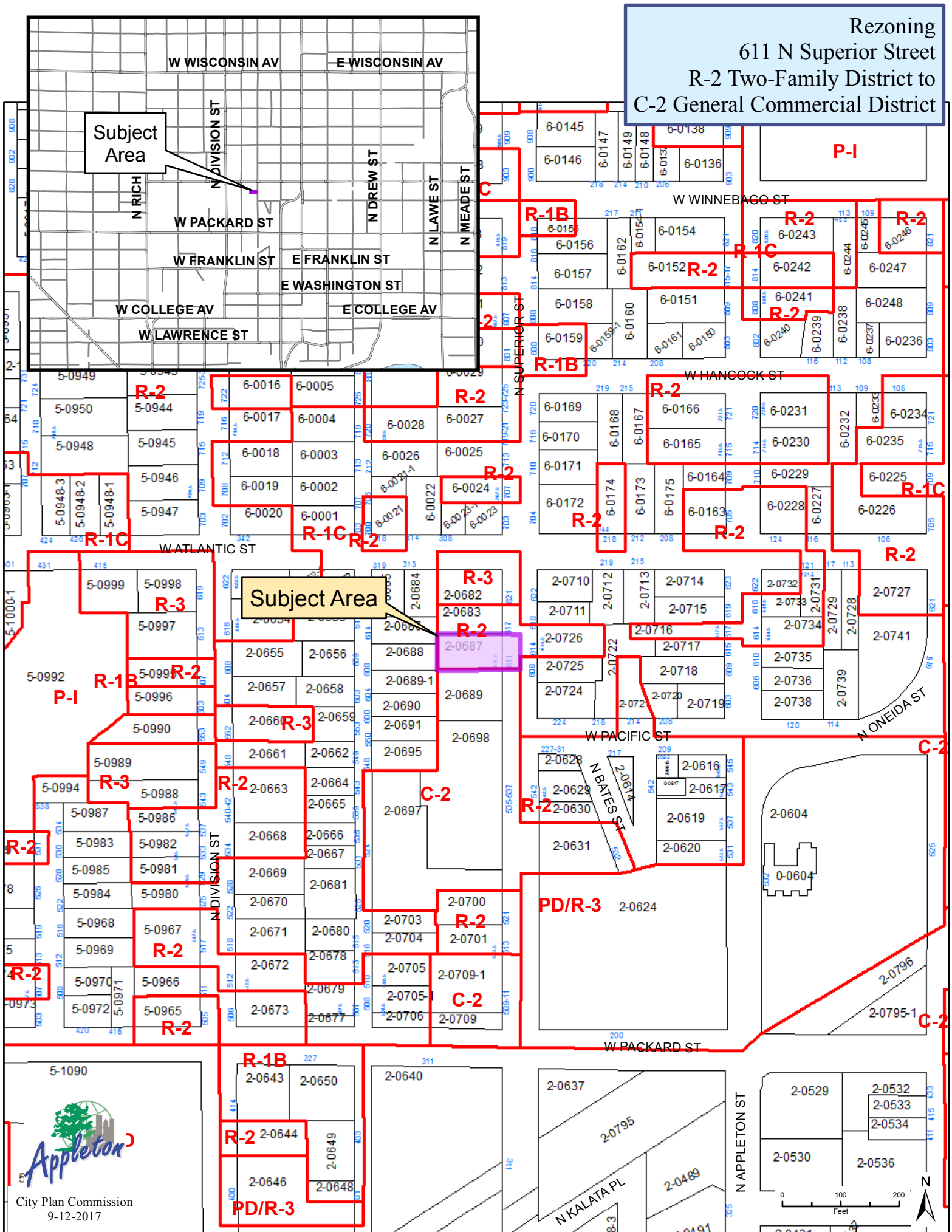
Future Actions: Prior to the issuance of a paving permit to expand the existing parking lot located at 537 North Superior Street, the following items will be needed.

1. A Certified Survey Map will need to be prepared to combine the subject site (Tax Id #31-2-0687-00 with Tax Id #31-2-0689-00 and Tax Id #31-2-0698-00.
2. Site Plan review and approval for the parking expansion.

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 #7-17 to rezone the subject site located at 611 North Superior Street (Tax Id #31-2-0687-00) from R-2 Two-Family District to C-2 General Commercial District, including to the midpoint of the adjacent road right-of-way and as shown on the attached map, **BE APPROVED**.

Rezoning
611 N Superior Street
R-2 Two-Family District to
C-2 General Commercial District



Subject Area

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611 N Superior Street
R-2 Two-Family District to
C-2 General Commercial District
Air Photo

