



## REPORT TO CITY PLAN COMMISSION

**Plan Commission Informal Hearing Meeting:** August 21, 2018

**Common Council Public Hearing Meeting:** September 19, 2018

**Item:** Rezoning #9-18 – Apple Ridge Annexation

**Prepared By:** Don Harp

### GENERAL INFORMATION

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**Owners:** Goodness Grace, LLC c/o Jerome R. Koleske, Manager; Otto and Mary Ann Reetz; and M & J Weyenberg Properties, LLC c/o Gerald and Mary Ann Weyenberg, Members

**Rezoning Initiated By:** Appleton City Plan Commission

**Tax Id Numbers:**

Town #10-1-1567-00 (all) = City #31-1-8307-00  
Town #10-1-1567-01 (all) = City #31-1-8307-01  
Town #10-1-1561-00 (part) = City #31-1-8307-02  
Town #10-1-1569-00 (part) = City #31-1-8307-03  
Town #10-1-1570-00 (part) = City #31-1-8307-04  
Town #10-1-1571-08 (all) = City #31-1-8307-05

**Purpose:** To assign 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

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The subject property was included in the Apple Ridge Annexation that was approved by the Plan Commission on August 7, 2018 and by the Common Council on August 15, 2018. The subject property was officially annexed to the City on August 21, 2018 at 12:01 a.m.

The subject property was annexed to the City with a Temporary AG Agricultural District zoning classification. The Plan Commission initiated the process to rezone the subject property from Temporary AG Agricultural District to R-1B Single-Family District at the August 7, 2018 meeting.

**STAFF ANALYSIS**

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**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 by Section 23-65(d)(3) Zoning Amendments has been satisfied.

**Proposed Zoning Classification:** The purpose of the R-1B Single-Family Residential 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.

**Existing Conditions:** The subject site to be rezoned is currently undeveloped and zoned Temporary AG Agricultural District.

**Surrounding Zoning Classification and Current Land Uses:**

**North:** City Zoning: R-1B Single-Family District  
Current Land Use – Single-family residential

Town of Grand Chute Zoning: AGD, General Agricultural District  
Current Land Uses – Residential and Agricultural

**South:** Town of Grand Chute Zoning: AGD, General Agricultural District  
Current Land Uses – Residential and Agricultural

**East:** Town of Grand Chute Zoning: AGD, General Agricultural District  
Current Land Use – Agricultural

**West:** City Zoning: R-1B Single-Family District  
Current Land Use – Single-family residential

Town of Grand Chute Zoning: AGD, General Agricultural District  
Current Land Uses – Residential and Agricultural

**Preliminary Plat:** The Preliminary Plat for Apple Ridge will be presented to the Plan Commission following action taken on Rezoning #9-18. Rezoning #9-18 and the Preliminary Plat for Apple Ridge will be acted on at the same Common Council meeting.

**Special Use Permit:** Review and approval of a Special Use Permit will be needed for the proposed private recreational facility and swimming pool associated with development. The Special Use Permit requires action by Plan Commission and Common Council.

**Appleton Comprehensive Plan 2010-2030:** The City of Appleton 2010-2030 Comprehensive Plan Map identifies the subject site for future Single-Family/Two-Family residential land uses. The proposed R-1B Single-Family District zoning classification is consistent with the *Comprehensive Plan 2010-2030* Future Land Use Map. Listed below are 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.*

***Goal 3 – Housing Quality, Variety, and Affordability (Chapter 5)***

*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.*

*5.1 OBJECTIVE: Continue efforts to ensure an adequate supply of housing affordable to all income levels in the community.*

*5.3 OBJECTIVE: 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 10.1 Land Use:***

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

**Technical Review Group (TRG) Report:** This item was discussed at the July 17, 2018 Technical Review Group meeting. No negative comments were received from participating departments.

**RECOMMENDATION**

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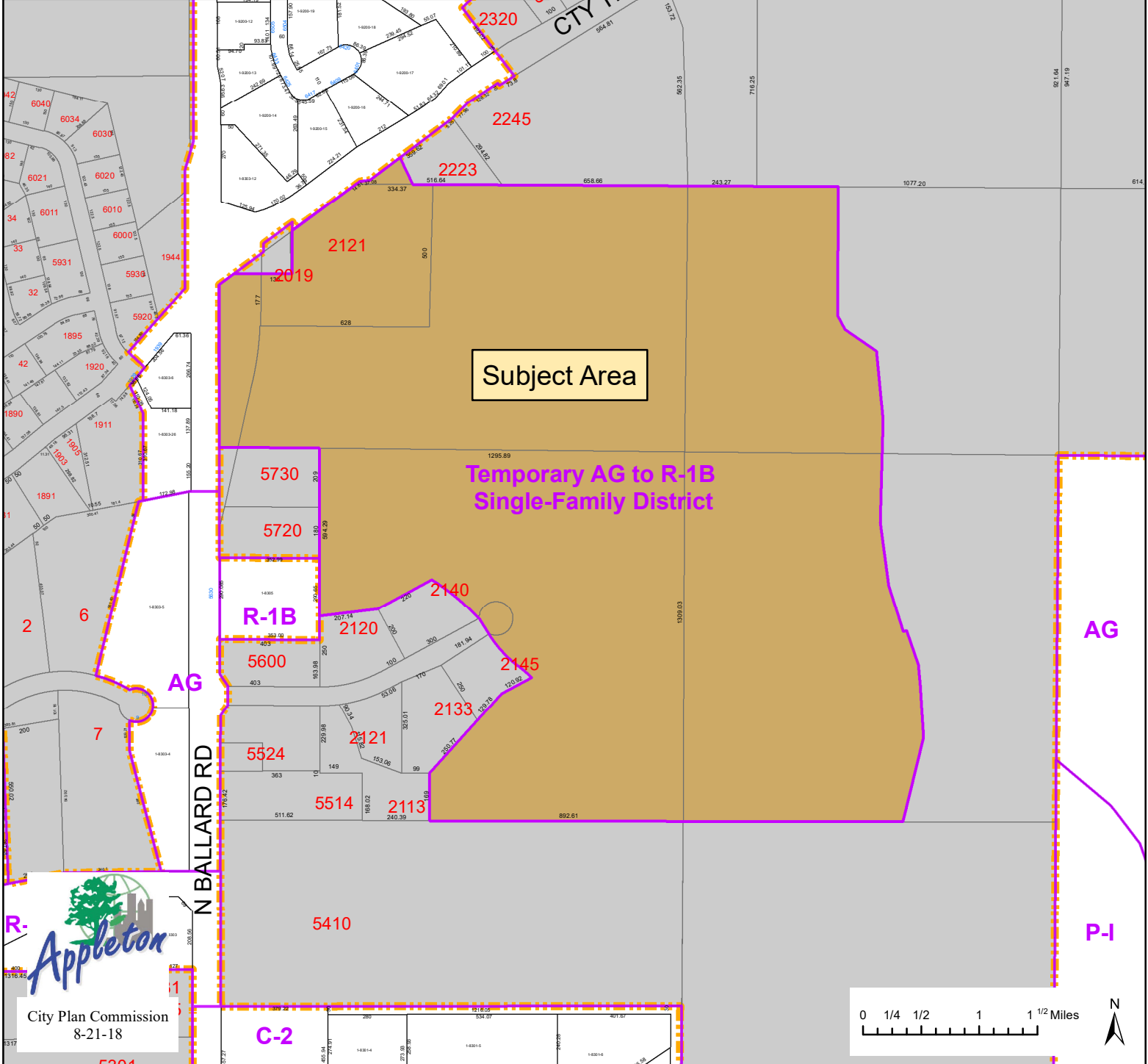
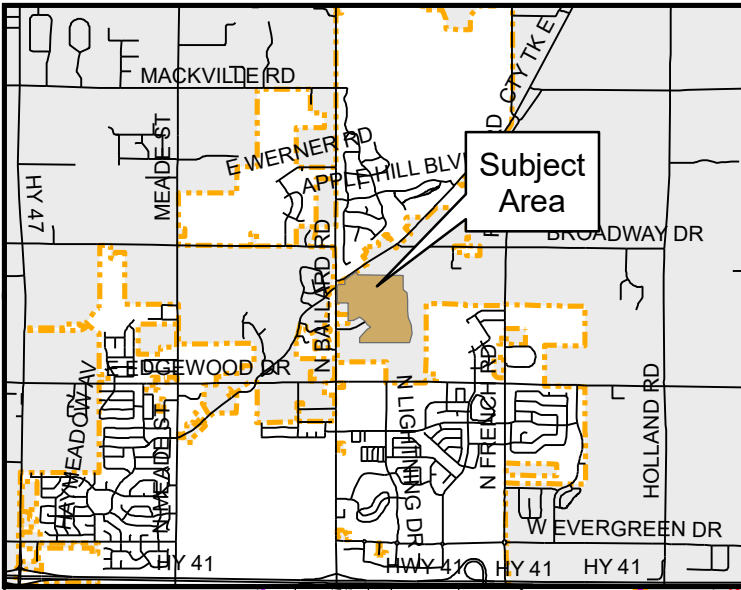
Staff recommends, based upon the standards for map amendments as required by Section 23-65(d)(3) of the Zoning Ordinance, that Rezoning #9-18 to rezone the subject property from Temporary AG Agricultural District to R-1B Single-Family District including to the centerline of existing adjacent right-of-way as shown on the attached maps, **BE APPROVED**.

## REZONING LEGAL DESCRIPTION

Part of the Southwest 1/4 of the Fractional Northwest 1/4; part of the Southeast 1/4 of the Fractional Northwest 1/4; part of Lot 1 CSM 3850 being part of the Northwest 1/4 of the Fractional Northwest 1/4 and all of Lot 2 CSM 3863, located in part of the Northwest 1/4 of the Fractional Southwest 1/4, all located in Section 06, Township 21 North, Range 18 East, CITY OF APPLETON, Outagamie County, Wisconsin, containing 4,314,471 Square Feet (99.1155 Acres) of land described as follows:

Commencing at the West 1/4 corner of Section 06; thence along the North line of the Fractional Southwest 1/4 of said Section 06, S89°27'19"E, 50.00 feet, thence N00°06'49"W, 577.93 feet; thence N53°43'00"E, 64.40 feet; thence N89°43'17"E, 208.13 feet; thence N00°16'43"W, 152.42 feet to the Southeast right of way of E. Apple Creek Road/CTH E; thence, along said Southeast right of way, N53°55'14"E, 296.03 feet; thence, continuing along said Southeast right of way, N81°23'24"E, 37.00 feet; thence, continuing along said Southeast right of way, N53°15'39"E, 139.50 feet; thence, S27°06'22"W, 10.06 feet; thence S26°03'45"E, 100.16 feet to the South line of Lot 1 CSM 3850; thence, along said South line and the extension thereof, S89°39'43"E, 1507.81 feet; thence S00°20'17"W, 456.72 feet; thence S28°25'33"E, 55.45 feet; thence S55°27'06"E, 135.41 feet; thence S05°33'54"E, 247.09 feet; thence S01°36'33"W, 362.73 feet; thence S07°45'07"E, 225.93 feet; thence S17°26'50"E, 171.00 feet; thence N71°17'21"E, 12.59 feet; thence S18°42'39"E, 128.23 feet; thence S05°31'46"E, 70.52 feet; thence S03°30'35"E, 188.39 feet; thence S13°52'54"W, 307.18 feet to the East/West 1/4 line of said Fractional Southwest 1/4; thence, along said 1/4 line, N89°51'14"W, 1676.30 feet to the Southeast corner of Lot 1 CSM 3359; thence, along the East line of said Lot 1 N00°08'27"W, 168.72 feet to a point on the South line Lot 4 CSM 492; thence, along said South line and the extension thereof; N42°16'25"E, 380.84 feet to a point on the South line of Lot 1 CSM 3863; thence along said South line N61°41'30"E, 121.06 feet to the Southeast corner of Said Lot 1; thence 65.78 feet along the arc of a curve to the left with a radius of 677.00 feet and a chord of 65.75 feet which bears N49°54'04"W; thence 151.14 feet along the arc of a curve to the right with a radius of 433.00 feet and a chord of 150.37 feet which bears N42°41'07"W to the East right of way line of Ridge Haven Lane; thence, along said East right of way line, N32°41'14"W, 66.19 feet to the Southeast corner of Lot 1 of said CSM 492; thence, along the East line of said Lot 1, 216.38 feet along the arc of a curve to the left with a radius of 800.00 feet and a chord of 215.72 feet which bears N50°09'58"W to the Northeast corner of said Lot 1; thence, along the North line of said CSM 492, S61°34'24"W, 219.84 feet to the Northwest corner of said Lot 1 CSM 492; thence, continuing along said North line, S82°55'15"W, 207.57 feet to the Southwest corner of Lot 2 of said CSM 492; thence N00°09'08"W, 594.57 feet to said North line of the Fractional Southwest 1/4; thence along said North line, N89°27'19"W, 316.43 feet to the point of beginning and including to the center line of the public right-of-way.

Apple Ridge Annexation  
 Rezoning  
 Temporary AG to R-1B  
 Single Family District  
 Zoning Map

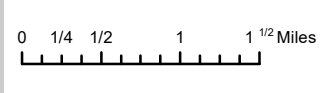


Subject Area

Temporary AG to R-1B  
 Single-Family District



City Plan Commission  
 8-21-18



Apple Ridge Annexation  
Rezoning  
Temporary AG to R-1B Single Family District  
Aerial Map



Subject Area



City Plan Commission  
8-21-18

