



REPORT TO CITY PLAN COMMISSION

Plan Commission Meeting Date: May 12, 2021

Common Council Meeting Date: May 19, 2021

Item: Dedication of Public Right-of-Way for Lawrence Street

Case Manager: David Kress, Principal Planner

GENERAL INFORMATION

Owner/Applicant: U.S. Venture, Inc. c/o Elyse Mollner Stackhouse

Location: Generally located south and east of the intersection of Morrison Street and Lawrence Street (part of parcels #31-2-0162-00, #31-2-0161-00, #31-2-0159-00, and #31-2-0160-00)

Petitioner's Request: The applicant is requesting a dedication of land for public right-of-way for Lawrence Street.

BACKGROUND

The owner/applicant has acquired 16 parcels in the area south of Lawrence Street and east of Morrison Street. Some buildings have already been demolished in the subject area, and additional demolition permits have been issued recently. In April 2021, the owner/applicant submitted a Certified Survey Map (CSM) to combine the 16 parcels and proposed vacated right-of-way into one lot. The CSM also proposes to dedicate the subject area for public roadway purposes. The Downtown Appleton Mobility Plan includes recommendations for future reconstruction of Lawrence Street and identifies a need for additional right-of-way near the subject area. The proposed right-of-way dedication would provide for a widened Lawrence Street cross section.

Two related items are also being presented at this May 12, 2021 Plan Commission meeting. One is a request to vacate and discontinue portions of Oak Street and Kimball Street right-of-way. The other is Rezoning #4-21, which is a request to rezone the surrounding parcels from R-1B Single-Family District, R-3 Multi-Family District, and P-I Public Institutional District to CBD Central Business District. These items are incorporated in the CSM referenced above. CSMs are reviewed and administratively approved by City staff; however, CSM approval could only occur after Common Council approval of the items noted above. The CSM, currently under review, is attached for reference.

STAFF ANALYSIS

Public Right-of-Way Dedication: Approximately 6,451 square feet of land is included in the proposed right-of-way dedication. This includes part of parcels #31-2-0162-00, #31-2-0161-00, #31-2-0159-00, and #31-2-0160-00. As shown on the attached exhibit map, the right-of-way for Lawrence Street would be widened by 20 feet in this area.

Street Classification: The City's Arterial/Collector Plan Map identifies this portion of Lawrence Street as a local street.

Street Dedication – Lawrence Street

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Surrounding Zoning Classification and Land Uses: The surrounding area is under the jurisdiction of the City of Appleton (north, south, east, and west). The uses are generally residential and institutional in nature. If Rezoning #4-21 is approved, the surrounding zoning would be completely CBD Central Business District.

North: R-3 Multi-Family District and CBD Central Business District. Existing Lawrence Street right-of-way is immediately north of the subject area, and the adjacent land use is institutional (YMCA of the Fox Cities facility).

South: R-3 Multi-Family District and CBD Central Business District. The adjacent land use to the south is currently vacant land, with building demolition ongoing on some parcels.

East: R-3 Multi-Family District and P-I Public Institutional District. Existing Durkee Street right-of-way is immediately east of the subject area, and the adjacent land use is institutional (Lawrence University).

West: CBD Central Business District. Existing Morrison Street right-of-way is immediately west of the subject area.

Comprehensive Plan 2010-2030: The City of Appleton *Comprehensive Plan 2010-2030* identifies this area as future Mixed Use designation. The proposed public right-of-way dedication is consistent with the following excerpts from the *Comprehensive Plan 2010-2030*.

Goal 4 – Transportation

Appleton will support a comprehensive transportation network that provides viable options for pedestrian, bicycle, highway, rail, and air transportation, both locally and within the region.

OBJECTIVE 6.9 Transportation:

Implement the transportation-related recommendations contained within related plans.

Policy 6.9.2 Implement the recommendations of the 2016 Downtown Mobility Study.

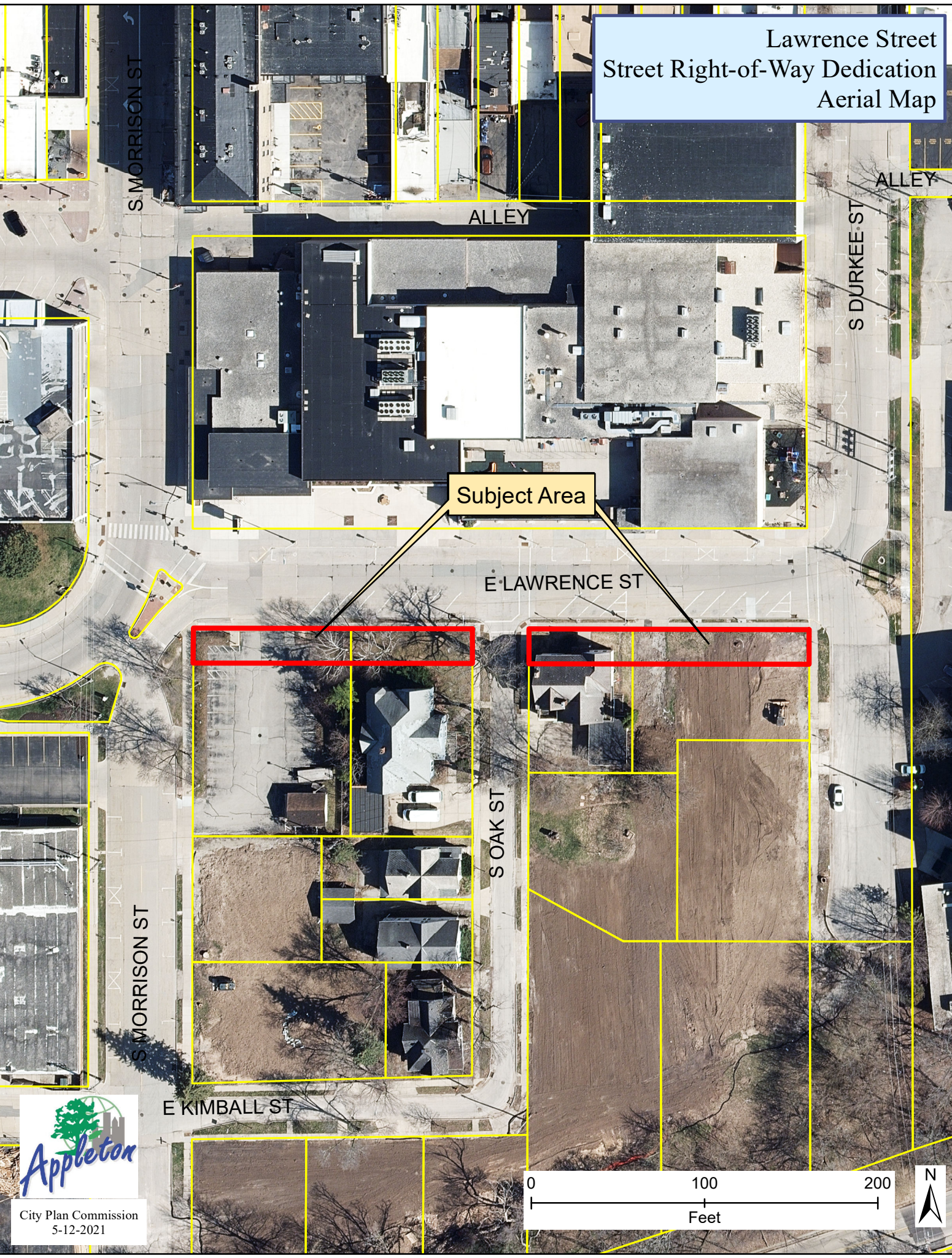
Technical Review Group (TRG) Report: This item appeared on the April 20, 2021 TRG agenda. No negative comments were received from participating departments.

RECOMMENDATION

Staff recommends the dedication of land for public right-of-way for Lawrence Street, as shown on the attached maps, **BE APPROVED** subject to the following conditions:

1. For the attached Certified Survey Map, revise the dedication area by removing a portion of existing right-of-way. The dedication areas shown on the CSM need to align with the exhibit map used for the vacation of Oak Street and Kimball Street.
2. In the area to be dedicated as public right-of-way, demolition of the existing buildings must be completed prior to City signatures being affixed to the Certified Survey Map.

Lawrence Street
Street Right-of-Way Dedication
Aerial Map



Subject Area

E LAWRENCE ST

S MORRISON ST

ALLEY

S DURKEE ST

ALLEY

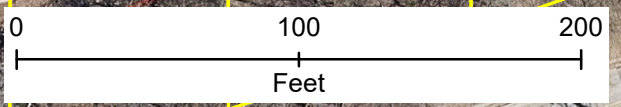
S OAK ST

S MORRISON ST

E KIMBALL ST

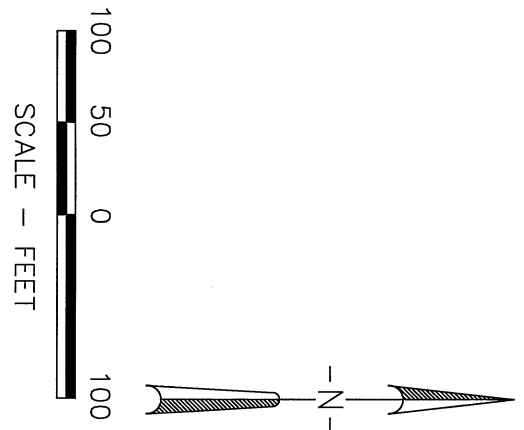


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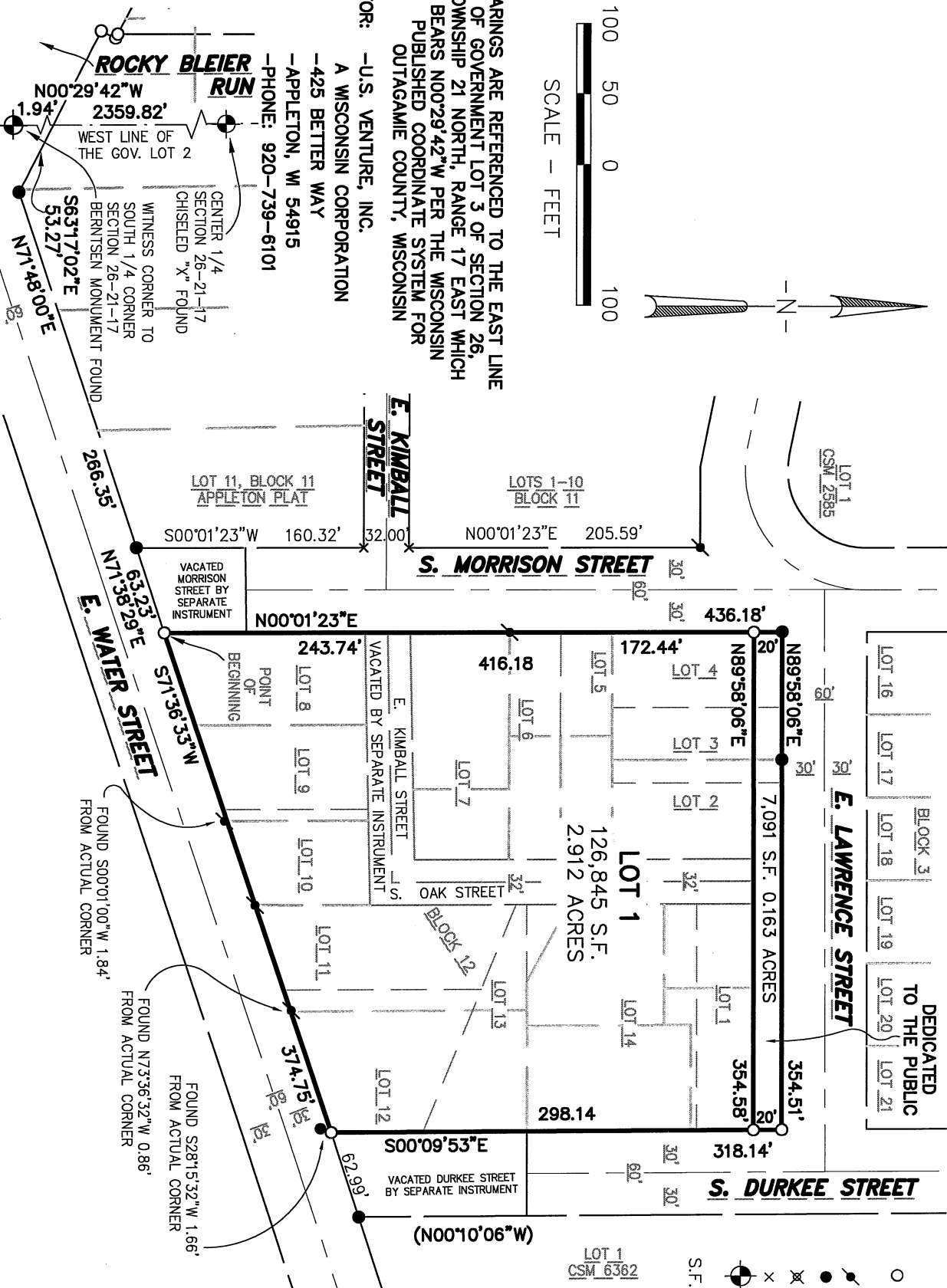
CERTIFIED SURVEY MAP NO. _____ SHEET 1 OF 4

ALL OF LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, ALL OF S. OAK STREET, AND PART OF E. KIMBALL STREET, ALL IN BLOCK 12, BEING PART OF THE APPLETON PLAT (SECOND WARD PLAT), ACCORDING TO THE RECORDED ASSESSORS PLAT, LOCATED IN GOVERNMENT LOT 2 OF SECTION 26, TOWNSHIP 21 NORTH, RANGE 17 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN



BEARINGS ARE REFERENCED TO THE EAST LINE OF GOVERNMENT LOT 3 OF SECTION 26, TOWNSHIP 21 NORTH, RANGE 17 EAST WHICH BEARS N00°29'42"W PER THE WISCONSIN PUBLISHED COORDINATE SYSTEM FOR OUTAGAMIE COUNTY, WISCONSIN

FOR: -U.S. VENTURE, INC.
 A WISCONSIN CORPORATION
 -425 BETTER WAY
 -APPLETON, WI 54915
 -PHONE: 920-739-6101

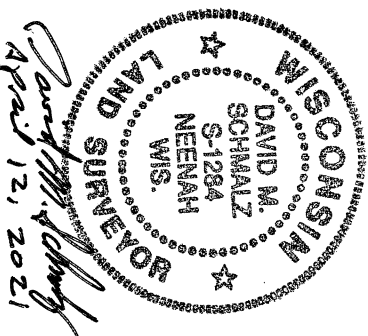


ktesky, W:\PROJECTS\No Number\Money\092100256\CADD\Civil3D\Survey Documents\CSM_East_CSM_2021.dwg, sheet1_Layout.csm-landscape, Plot Date: 4/8/2021 4:21 PM.

- LEGEND**
- - 3/4" x 24" ROUND IRON REBAR WEIGHING 1.5 lbs./lineal ft. SET
 - 3/4" ROUND STEEL REBAR FOUND
 - 1" IRON PIN FOUND
 - - CHISELED "X" SET
 - ⊗ - CHISELED "X" FOUND
 - ⊙ - CERTIFIED LAND CORNER OUTAGAMIE COUNTY
 - - SQUARE FEET

NOTES

- E. KIMBALL STREET & S. OAK STREETS TO BE VACATED BY SEPARATE INSTRUMENT.
- EXISTING BUILDINGS ARE TO BE DEMOLISHED AND ARE NOT SHOWN ON THIS CSM



DRAFTED BY: **Kyle J. Tesky, P.L.S.**

McMAHON
 ENGINEERS ARCHITECTS

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 Mailing: P.O. BOX 1025 NEENAH, WI 54957-1025
 PH 920.751.4200 FX 920.751.4284 MCMGRP.COM

ALL OF LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, ALL OF S. OAK STREET, AND PART OF E. KIMBALL STREET, ALL IN BLOCK 12, BEING PART OF THE APPLETON PLAT (SECOND WARD PLAT), ACCORDING TO THE RECORDED ASSESSORS PLAT, LOCATED IN GOVERNMENT LOT 2 OF SECTION 26, TOWNSHIP 21 NORTH, RANGE 17 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN

SURVEYOR'S CERTIFICATE

I, David M. Schmalz, Wisconsin Professional Land Surveyor S-1284, certify that I have surveyed, divided, mapped all of Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, all of S. Oak Street, and part of E. Kimball Street, all in Block 12, being part of the Appleton Plat (Second Ward Plat), according to the recorded assessors plat, located in Government Lot 2 of Section 26, Township 21 North, Range 17 East, City of Appleton, Outagamie County, Wisconsin containing 133,936 square feet (3.075 acres) of land and described as follows:

Commencing at the Northerly Witness Corner to the South 1/4 Corner of said Section 26; thence N00°29'42"W, 1.94 feet along the West line of Government Lot 2 to the Northerly Right of Way (ROW) of Rocky Bleier Run; thence S63°17'02"E, 53.27 feet along said ROW; thence N71°48'00"E, 266.35 feet along the Northerly ROW of E. Water Street; thence N71°38'29"E, 63.23 feet along said ROW to the Southwest Corner of said Lot 8 and the Point of Beginning; thence N00°01'23"E 436.18 feet along the East ROW of S. Morrison Street; thence N89°58'06"E, 354.51 feet along the South ROW of E. Lawrence Street; thence S00°09'53"E, 318.14 feet along the West ROW of S. Durkee Street; thence S71°36'33"W, 374.75 feet along the Northerly ROW of E. Water Street to the Point of Beginning.

That I have made this survey by the direction of the Owners of said Land.

I further certify that this map is a correct representation of the exterior boundary lines of the land surveyed and the division of that land, and that I have complied with section 236.34 of the Wisconsin Statutes and the City of Appleton Subdivision Ordinance in surveying, dividing and mapping the same.

Given under my hand and seal this 12th day of April, 2021.

David M. Schmalz

David M. Schmalz, Professional WI land Surveyor S-1284



TAX PARCEL No.	OWNER	DOCUMENT No.
31-2-0159-00	U.S. VENTURE, INC	2228710
31-2-0160-00	U.S. VENTURE, INC	2214439
31-2-0161-00	U.S. VENTURE, INC	2228709
31-2-0162-00	U.S. VENTURE, INC	2228708
31-2-0163-00	U.S. VENTURE, INC	2228712
31-2-0164-00	U.S. VENTURE, INC	2214456
31-2-0165-00	U.S. VENTURE, INC	2228713
31-2-0166-00	U.S. VENTURE, INC	2228711
31-2-0167-00	U.S. VENTURE, INC	2214440
31-2-0168-00	U.S. VENTURE, INC	2214441
31-2-0169-00	U.S. VENTURE, INC	2214442
31-2-0170-00	U.S. VENTURE, INC	2214457
31-2-0171-00	U.S. VENTURE, INC	2214458
31-2-0172-00	U.S. VENTURE, INC	2214400
31-2-0173-00	U.S. VENTURE, INC	2214443
31-2-0174-00	U.S. VENTURE, INC	2228714

NOTES:

THE PROPERTY OWNER OF RECORD IS: U.S. VENTURE, INC., A WISCONSIN CORPORATION

THIS PROPERTY IS CONTAINED WHOLLY WITHIN LANDS DESCRIBED IN: DOCUMENT NUMBERS AND TAX PARCEL NUMBERS LISTED IN TABLE.

McMAHON
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CERTIFIED SURVEY MAP NO. _____

SHEET 4 OF 4

ALL OF LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, ALL OF S. OAK STREET, AND PART OF E. KIMBALL STREET, ALL IN BLOCK, 12 BEING PART OF THE APPLETON PLAT (SECOND WARD PLAT), ACCORDING TO THE RECORDED ASSESSORS PLAT, LOCATED IN GOVERNMENT LOT 2 OF SECTION 26, TOWNSHIP 21 NORTH, RANGE 17 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN

OWNER'S CERTIFICATE

U.S. VENTURE, INC., A WISCONSIN CORPORATION, As Owners, We hereby certify that we caused the land described on this Certified Survey Map to be surveyed, divided, mapped, and dedicated as represented on this Certified Survey Map. We also certify that this Certified Survey Map is required by s. 236.10 or 236.12 of the Wisconsin Statutes to be submitted to the following for approval.

City of Appleton

Dated this _____ day of _____, 20____.

U.S. VENTURE INC., A WISCONSIN CORPORATION

Authorized Signature, Title

Authorized Signature, Title

Printed Name

Printed Name

State of Wisconsin)
_____)ss
_____ County)

Personally appeared before me on the _____ day of _____, 20____, the above named person(s) to me known to be the person(s) who executed the foregoing instrument, and acknowledged the same.

Notary Public

_____ County, _____

My commission expires _____



David M. Schmalz
April 12, 2021