



## REPORT TO CITY PLAN COMMISSION

**Plan Commission Informal Hearing Meeting Date:** May 23, 2017

**Common Council Public Hearing Meeting Date:** June 21, 2017 (Public Hearing on Rezoning)

**Item:** Rezoning #2-17 – 301 West Lawrence Street (Jones Park)

**Case Manager:** Don Harp

### GENERAL INFORMATION

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**Owner/Applicant:** City of Appleton c/o Timothy Hanna, City of Appleton Mayor

**Address/Parcel:** 301 West Lawrence Street (Tax Id #31-2-0119-00)

**Petitioner's Request:** A rezoning request has been initiated by Timothy Hanna, City of Appleton Mayor, applicant in the matter of amending Chapter Twenty-three (Zoning Ordinance) of the Municipal Code of the City of Appleton for the above-described real estate, which is currently zoned P-I Public Institutional District. The applicant proposes to rezone the property to CBD Central Business District.

**Purpose of the Request:** The Fox Cities Exhibition Center building is being depressed down 40 feet from street grade. The bottom floor of the Fox Cities Exhibition Center building is located at the same level as Jones Park, thereby creating connectivity and synergy between activities, events, and functions located at Jones Park and the Fox Cities Exhibition Center.

To plan, design, and construct Jones Park improvements in conjunction with the Exhibition Center building and allow both properties to be integrated and reactive with each other from a programming and design perspective, the City of Appleton is proposing to rezone Jones Park property from P-I (Public Institutional District) to CBD (Central Business District) so it matches the current Exhibition Center property zoning classification which is CBD (Central Business District). Jones Park will remain dedicated as Public Park.

### BACKGROUND

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With the adoption of the current Zoning Ordinance, which became effective in June of 2004, the P-I Public Institutional District zoning classification was created. This district was created to apply to the types of uses that currently exist at the subject location, as well as other public and semi-public uses such as, but not limited to, hospitals, governmental facilities, golf courses, public parks or playgrounds, non-profit recreational facilities, and museums.

In 2009, the Appleton Parks and Recreation Department initiated a rezoning request to rezone Jones Park from R-2 Two-Family District to P-I Public Institutional District per Rezoning #24-09. On October 21, 2009, the Common Council approved Rezoning #24-09.

On March 1, 2017, the Common Council awarded a contract to Zimmerman Architectural Studios for design and engineering services for the renovation of Jones Park.

**STAFF ANALYSIS**

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**Existing Site Conditions:** The subject parcel totals approximately 5.54 acres in size. Currently, the park land serves as an access point and staging area for construction activities occurring on the Exhibition Center site.

**Surrounding Zoning Classification and Land Uses:**

North: CBD Central Business District. The adjacent land uses to the north are currently commercial uses, including the Red Parking Ramp (Midtown).

South: R-3 Multi-Family District and R-1C Central City Residential District. The adjacent land uses to the south are currently a mix of single-family and multi-family residential uses, including the Outagamie County surface parking lot.

East: PD/R-3 Planned Development/Multi-Family District and R-1C Central City Residential District. The adjacent land use to the east is currently a residential condominium development.

West: CBD Central Business District. The adjacent land uses to the west are governmental facilities, the Exhibition Center, and Outagamie County Justice Center.

**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, public parks, and governmental 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.

- 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:** The request is being made to plan, design and construct Jones Park improvements in conjunction with the Exhibition Center building and allow both properties to be integrated and reactive with each other from a programming and design perspective. Governmental facilities and public parks are permitted uses in the CBD Central Business District. If approved, future park improvements would need to conform to the CBD District zoning regulations listed above and other sections of the Zoning Ordinance.

**Appleton Comprehensive Plan 2010-2030:** The City of Appleton *Comprehensive Plan 2010-2030* identifies this area for public parks and open space. The existing and proposed use of the site for governmental facilities is consistent with the Future Land Use Map. Listed below are related excerpts from the City's *Comprehensive Plan 2010-2030*.

*OBJECTIVE 10.3.5: Plan for park amenities in complete neighborhoods and integrate into existing neighborhoods.*

*OBJECTIVE 18.5: Expand and develop additional park and recreational facilities along the Fox River.*

*OBJECTIVE 18.5.2: Plan, design, and construct Jones Park improvements in conjunction with the Exhibition Center in order to create stronger linkages between downtown and the river, while maximizing the visitor experience and creating a stronger downtown neighborhood.*

*OBJECTIVE 18.9: Expand public outreach and participation in community groups, organizations and events to advocate our programs, facilities, and services.*

**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 City 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 objectives stated above.*
  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.*
  2. The effect of the proposed rezoning on surrounding uses. *A governmental facility (Public Park) use is already present on the subject site and other governmental facilities are located to west. The residential uses located to the east and south are separated from the subject site by street right-of-way and grade elevation. The rezoning request is being made to plan, design and construct Jones Park improvements in conjunction with the Exhibition Center building and allow both properties to be integrated and reactive with each other from a programming and design perspective. 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.

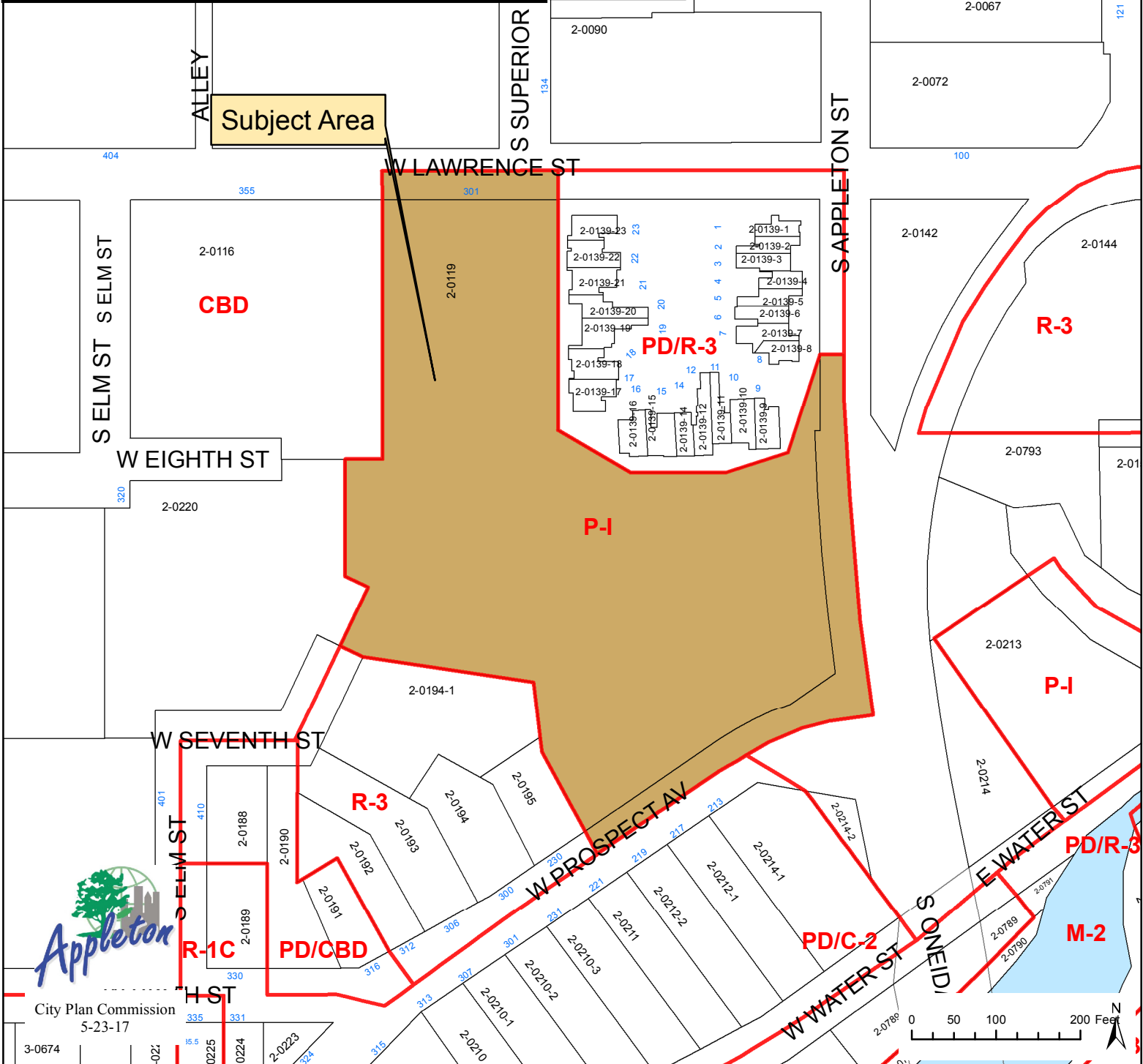
**Technical Review Group (TRG) Report:** This item was discussed at the May 2, 2017 Technical Review Group meeting. No negative comments were received from participating departments.

## **RECOMMENDATION**

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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 #2-17 to rezone the subject parcel located at 301 West Lawrence Street (Jones Park) from P-I Public Institutional District to CBD Central Business District, including to the centerline of the adjacent right-of-way and as shown on the attached maps, **BE APPROVED**.

# Jones Park Rezoning P-I (Public Institutional District) to CBD (Central Business District) Zoning Map

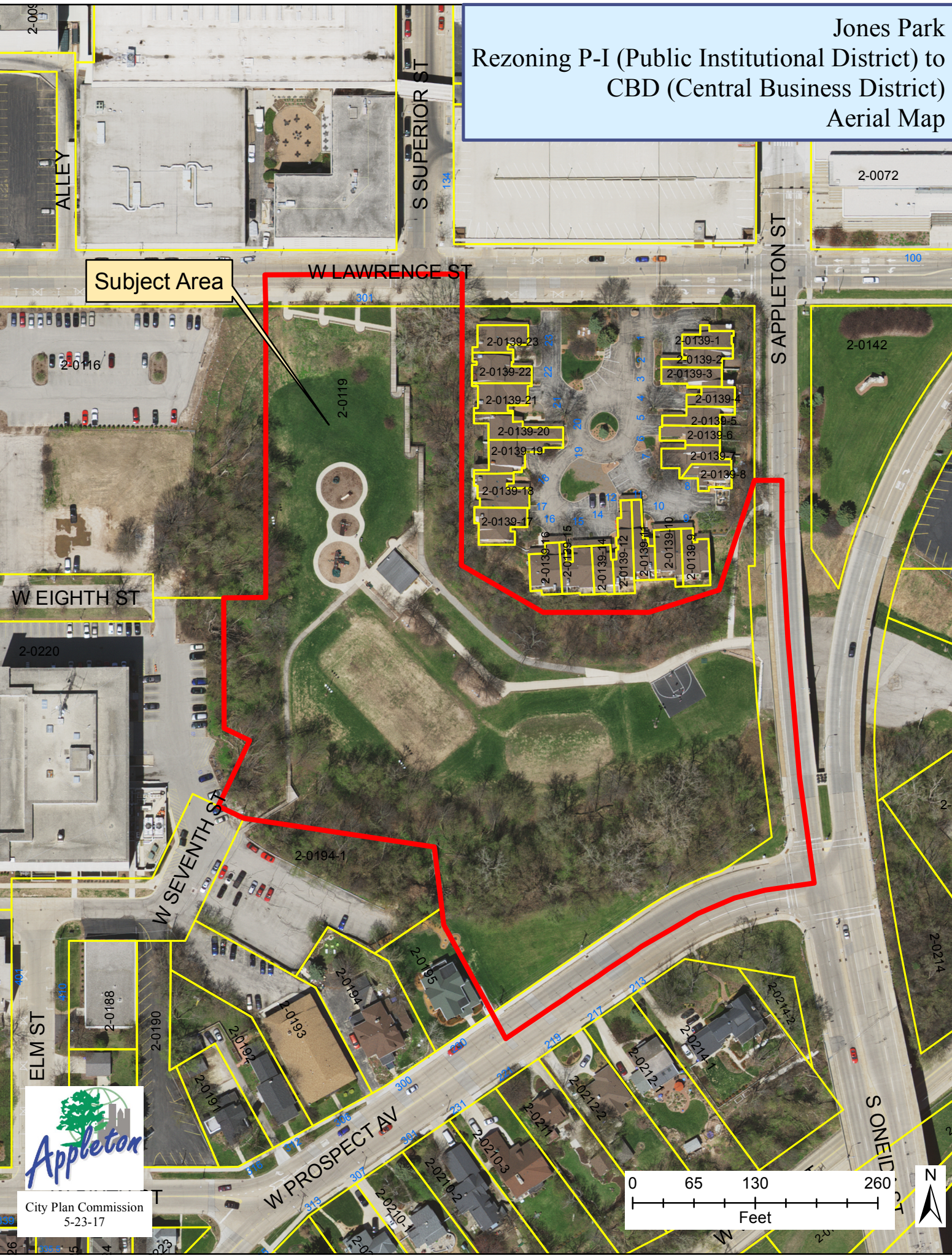


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Jones Park  
Rezoning P-I (Public Institutional District) to  
CBD (Central Business District)  
Aerial Map

Subject Area



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