



REPORT TO CITY PLAN COMMISSION

Plan Commission Meeting Date: July 13, 2022

Common Council Meeting Date: July 20, 2022

Item: Certified Survey Map #21-22

Case Manager: David Kress, Principal Planner

GENERAL INFORMATION

Owner: Midwestern Wheels, Inc. c/o Bill Wallschaeger

Applicant: Payne & Dolan, Inc. c/o Peter Nielson

Address/Parcel: 1608 East Wisconsin Avenue (Tax Id #31-1-2605-00, #31-1-2609-00, #31-1-2607-00, and #31-1-1962-00)

Petitioner's Request: The applicant is requesting approval of a Certified Survey Map (CSM) that crosses a plat boundary. The CSM would combine four adjacent properties into one lot.

BACKGROUND

Typically, CSMs are administratively reviewed and approved by City staff. However, the subject properties were originally platted in different plats. Parcels #31-1-2605-00, #31-1-2609-00, and #31-1-2607-00 were included in the Chas Besch Subdivision Plat (recorded in 1948), and parcel #31-1-1962-00 was included in the Ullman's Addition Plat (recorded in 1916). In order to satisfy the requirements of Chapter 236 of the Wisconsin State Statutes, the proposed CSM must be approved in the same manner as a Final Plat, which includes Plan Commission and Common Council approval.

Special Use Permit #7-22, to conform and expand an automobile sales and display lot on the subject property, is also being presented at this July 13, 2022 Plan Commission meeting. Site Plan #19-22, for the proposed expansion and reconstruction of the automobile sales and display lot, has also been submitted for administrative review. The proposed expansion of the structure would cross existing lot lines. Therefore, all four subject parcels must be combined via CSM prior to expanding the automobile sales and display lot.

STAFF ANALYSIS

Existing Conditions: Currently, parcels #31-1-2605-00 and #31-1-2609-00 are developed with an existing automobile/truck rental business and automobile sales and display lot, which includes an existing office/service building that is approximately 2,770 square feet in size. Parcels #31-1-2607-00 and #31-1-1962-00 feature a paved/gravel area that was previously used for a tavern. The former tavern building was demolished in 2013. All parcels have a zoning designation of C-2 General Commercial District. If combined, proposed Lot 1 would be approximately 1.06 acres in size.

Subdivision Ordinance Requirements: Per Section 17-26(b)(1) of the Municipal Code, widths and areas of lots shall not be less than that provided in the City's Zoning Ordinance. For the C-2 General

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Commercial District, the minimum lot width is 60 feet and the minimum lot area is 14,000 square feet, per Section 23-113(h) of the Municipal Code. Proposed Lot 1 satisfies these lot development standards.

Surrounding Zoning and Land Uses: The surrounding area is under the jurisdiction of the City of Appleton (north, south, east, and west). The uses are generally commercial and residential in nature.

North: R-1B Single-Family District. The adjacent land uses to the north are currently single-family residential.

South: R-1B Single-Family District. The adjacent land to the south is currently vacant and owned by Appleton Cemetery Association.

East: C-2 General Commercial District. The adjacent land uses to the east are currently a mix of commercial uses.

West: C-2 General Commercial District and R-1B Single-Family District. The adjacent land uses to the west are currently a mix of commercial and single-family residential uses.

Appleton Comprehensive Plan 2010-2030: Community & Economic Development staff has reviewed this proposal and determined it is compatible with the Commercial uses shown on the City's *Comprehensive Plan 2010-2030* Future Land Use Map.

Technical Review Group (TRG) Report: This item appeared on the June 21, 2022 TRG agenda. Comments were received from participating departments and captured in the stipulations found below.

RECOMMENDATION

Based on the above, staff recommends that Certified Survey Map #21-22, as shown on the attached map, **BE APPROVED** subject to the following conditions:

1. On sheet 1, the name of the owner is incorrectly listed as "Appleton Property Ventures d/b/a Midwest Paper Group." Revise as necessary.
2. Under the notes on sheet 1, there should be an additional deed document listed (Document No. 948894 for parcel #31-1-2609-00).
3. Under the Surveyor's Certificate on sheet 2, there is a typo for the total square footage. Revise to match the information listed on sheet 1. It should be 46,332 square feet, not 146,332 square feet.
4. Under the Surveyor's Certificate on sheet 2, there is an incorrect reference to West Wisconsin Avenue. It should be East Wisconsin Avenue.
5. The final installment payment on all four parcels will need to be paid for Finance Department approval.

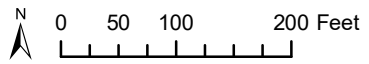
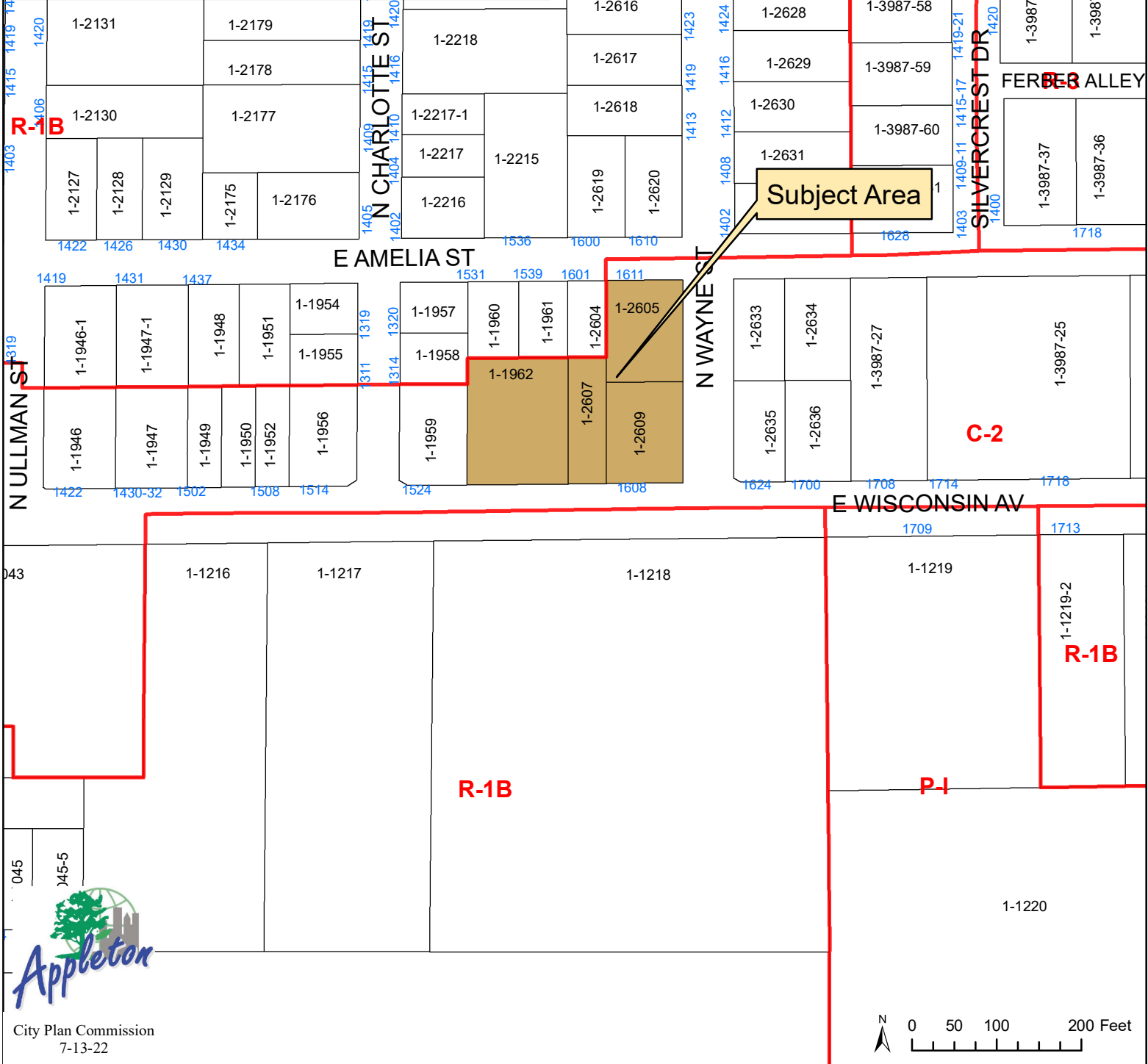
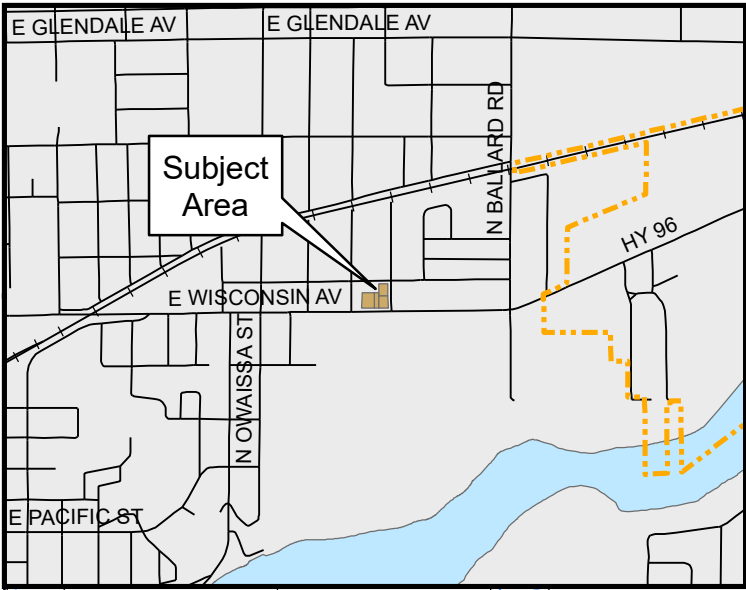
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6. The Drainage Plan requirement for this CSM will be deferred and incorporated into the site plan review process.
7. Spell check "thje" in the legal description on top of sheet 2.
8. The bearing reference note shown in sheet 1 does not match the bearing shown between the section corners, revise as necessary.
9. Minimum length for set monuments per city ordinance is 24", revise as necessary.
10. Provide offset distances to the exterior boundary for the building shown on the CSM.
11. This CSM crosses the exterior boundary of a Plat, revise the CSM to meet the minimum requirements of §236.34(1)(dm) of the Wisconsin Statutes.
12. Provide the diameter of found iron pipe monuments (i.d. or o.d.).

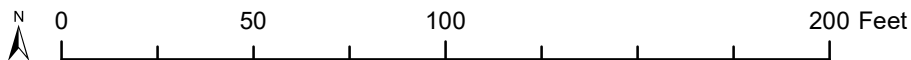
1608 E. Wisconsin Avenue
 Certified Survey Map #21-22
 Crosses Plat Boundary
 Zoning Map



1608 E. Wisconsin Avenue
Certified Survey Map #21-22 -- Crosses Plat Boundary
Aerial Map



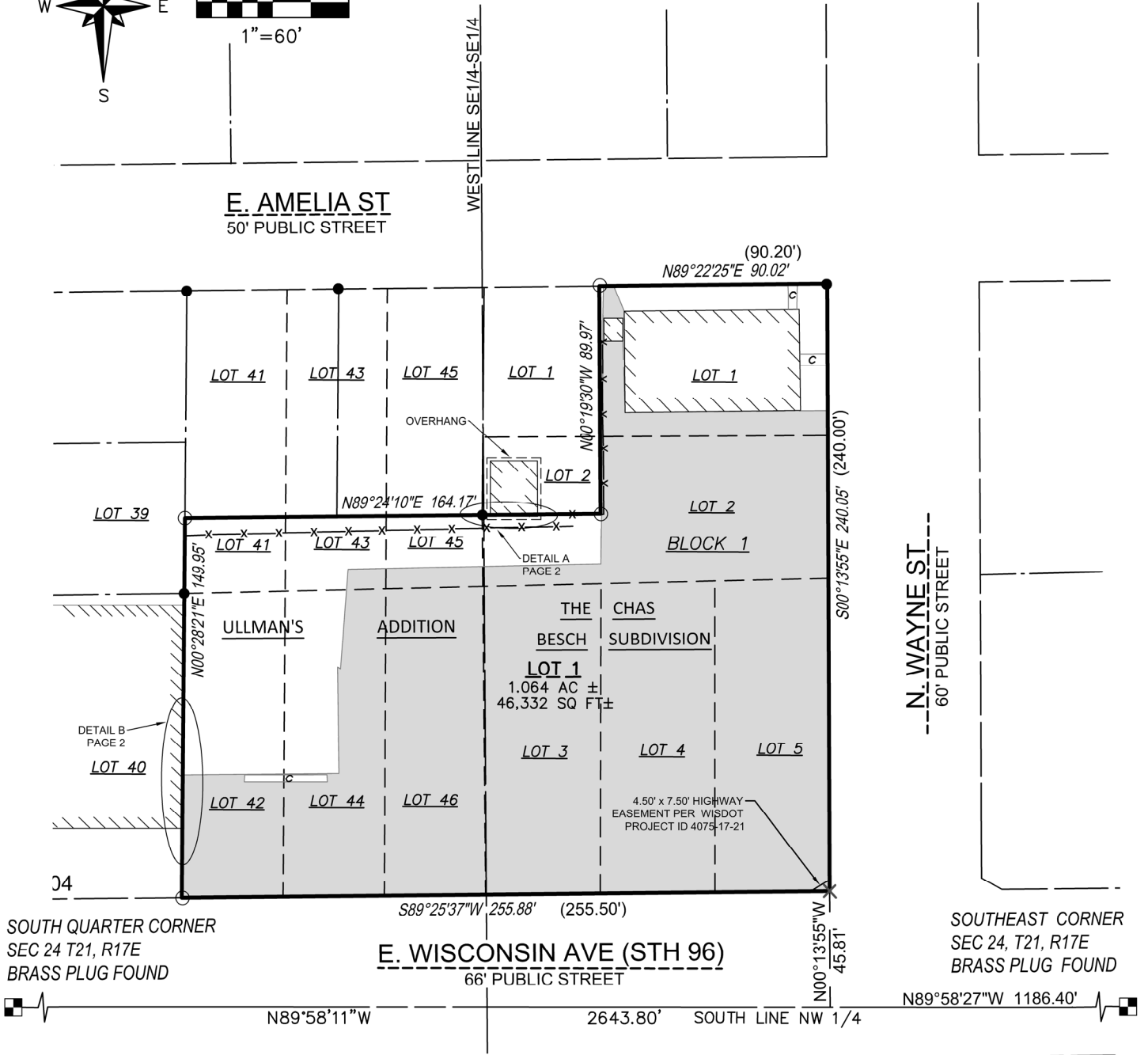
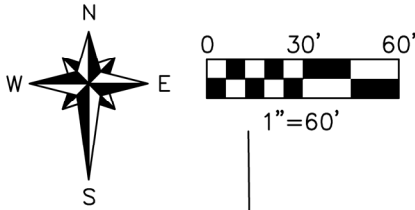
Subject Area



RECEIVED
 JUN 10 2022
 CITY OF APPLETON
 COMM/ECON DEV

CERTIFIED SURVEY MAP NO - _____

PART OF LOTS 1, 2, ALL OF LOTS 3, 4, 5, BLOCK 1, THE CHAS BESCH SUBDIVISION, ALL OF LOTS 42, 44, 46 AND PART OF LOTS 41, 43, 45 ULLMAN'S ADDITION, BEING A PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER AND SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER, SECTION 24, T21N, R17E, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN

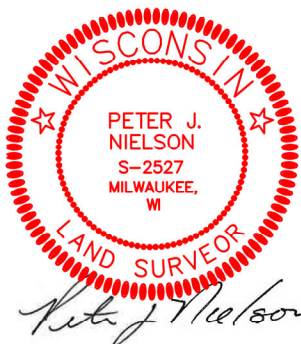


- NOTES:**
- 1) There are 1.011 Acres (44,034 Sq. Ft.) of impervious surface being 95.04% of the parcel area
 - 2) This CSM is all of Tax Parcel No's 311260500, 311260700, 311260900, 311196200, with Midwestern Wheels Inc. as owners with Document No's 721277 & 1977411 as title of record.

BEARING REFERENCE: Bearings are referenced to the Wisconsin County County System (Outagamie County) NAD 83 (1991) which the South line of the Southeast Quarter, Section 24 T21N, R17E, assumed to bears S89°58'27"W.

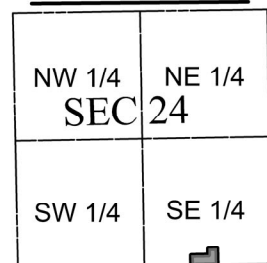
SURVEYOR:
 PAYNE & DOLAN INC.
 W6380 DESIGN DRIVE
 GREENVILLE, WI. 54945

OWNER:
 Appleton Property Ventures
 d/b/a/ Midwest Paper Group



- LEGEND**
- IRON REBAR SET (#6 REBAR X 18", 1.50lbs./LIN. FT.)
 - IRON PIPE FOUND
 - × CROSS CUT FOUND
 - PLSS MONUMENT FOUND
 - () RECORDED AS
 - x- EXISTING FENCE
 - ▨ EXISTING BUILDING
 - c EXISTING CONCRETE
 - EXISTING ASPHALT

VICINITY MAP



T21N, R17E This C.S.M

Peter J. Nielson, PLS 2527
 DATED MAY 12, 2022

CERTIFIED SURVEY MAP NO - _____

PART OF LOTS 1, 2, ALL OF LOTS 3, 4, 5, BLOCK 1, THE CHAS BESCH SUBDIVISION, ALL OF LOTS 42, 44, 46 AND PART OF LOTS 41, 43, 45 ULLMANS ADDITION, BEING A PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER AND SOUTHWEST QUARTER OF THJE SOUTHEAST QUARTER, SECTION 24, T21N, R17E, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN

SURVEYOR'S CERTIFICATE

STATE OF WISCONSIN)
:SS
OUTAGAMIE COUNTY)

I, Peter J. Nielson, Professional Land Surveyor, certify:

THAT I have surveyed, mapped and combined part of Lots 1, 2, all of Lots 3, 4, 5, Block 1, The Chas Besch Subdivision, all of Lots 42, 44, 46 and part of Lots 41, 43, 45 Ullman's Addition, being a part of the Southeast Quarter of the Southeast Quarter and Southwest Quarter of the Southeast Quarter, Section 24, T21N, R17E, City of Appleton, Outagamie County, Wisconsin, which is bounded and described as follows.

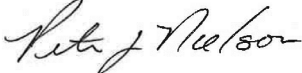
Commencing at the Southeast Corner of Section 24, thence N89°58'11"W along the South line of the Southeast Quarter of Section 24 a distance of 1186.40 feet; thence N00°13'55"W a distance of 45.81 feet to the Southeast Corner of Block 1, The Chas Besch Subdivison also being the point of beginning.

Thence S89°25'37"W along the North right-of-way line of West Wisconsin Avenue a distance of 255.88 feet; thence N00°28'21"E along West line of Lots 41 and 42, Ullman's Addition a distance of 149.95 feet; thence N89°24'10"E a distance of 164.17 feet; thence N00°19'30"W a distance of 89.97 feet; thence N89°22'25"E along the South right-of-way line of East Amelia Street a distance of 90.02 feet; thence S00°13'55"E along the West right-of-way line of North Wayne Street a distance of 240.05 feet to the point of beginning, containing 1.064 acres more or less (146,332 square feet more of less) and subject to all easements and restrictions of record.

THAT I have made the survey, land division and map by the direction of the owner, and that the map is a correct representation of all the exterior boundaries of the land surveyed and the land division thereof made.

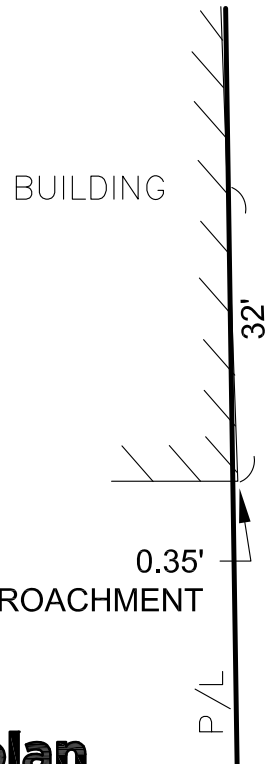
THAT I have complied with Chapter 236 of the Wisconsin Statutes and City of Appleton in surveying, mapping and combined of same. Per Wis. Stats. 236.21 (1), this certificate has the same force and effect as an affidavit.

Date: May 12, 2022

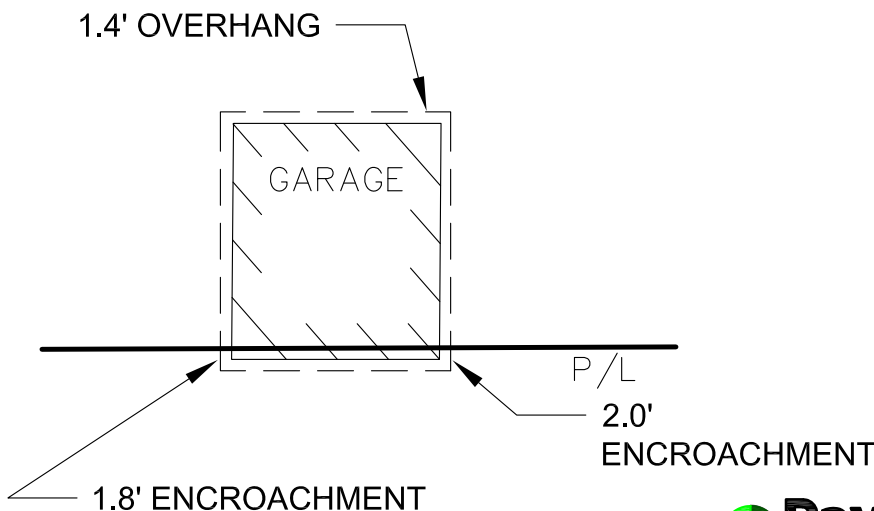

PETER J. NIELSON
PROFESSIONAL LAND SURVEYOR S-2527



DETAIL B
N.T.S.



DETAIL A
N.T.S.



CERTIFIED SURVEY MAP NO - _____

PART OF LOTS 1, 2, ALL OF LOTS 3, 4, 5, BLOCK 1, THE CHAS BESCH SUBDIVISION, ALL OF LOTS 42, 44, 46 AND PART OF LOTS 41, 43, 45 ULLMANS ADDITION, BEING A PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER AND SOUTHWEST QUARTER OF SOUTHEAST QUARTER SECTION 24, T21N, R17E, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN

OWNER'S CERTIFICATE

Midwestern Wheels Inc., as owners, we hereby certify that we caused the land described on this certified survey map to be surveyed, divided, mapped and combined as represented on the plat. We also certify this plat is required by s. 236.10 and s. 236.12 to be submitted to the following for approval or objection: City of Appleton.

In Witness Where thereof that Midwestern Wheels, Inc., has caused these presents to be signed

this _____ day of _____, 2022.

STATE OF WISCONSIN}

:SS

OUTAGAMIE COUNTY}

Personally came before me this _____ day of _____, 2022, _____, to me known to be the person executed the foregoing instrument, and to me known

[Seal]

Notary Public, State of Wisconsin

My commission expires on _____

TREASURER'S CERTIFICATE

I, being duly elected, qualified and acting treasurer, do hereby certify that there are no unpaid taxes or unpaid special assessments on any of the lands included in this Certified Survey Map as of:

City Treasurer Date

County Treasurer Date

CITY OF APPLETON APPROVAL

This Certified Survey Map is approved by the City of Appleton on this _____ Day of _____, 2022.

Jacob A. Woodford, Mayor Date

Kami Lynch, City Clerk Date



www.walbecgroup.com
(920) 757-7559



Peter J. Nielson

Peter J. Nielson, PLS 2527
DATED: May 12, 2022