



REPORT TO CITY PLAN COMMISSION

Plan Commission Informal Hearing Meeting Date: February 12, 2019

Common Council Public Hearing Meeting Date: March 6, 2019 (Public Hearing on Rezoning)

Item: Rezoning #1-19 – Spartan Drive at Meade Street

Case Manager: David Kress

GENERAL INFORMATION

Owner: City of Appleton

Applicant: City of Appleton Plan Commission

Address/Parcel: North Meade Street (Tax Id #31-6-6100-60, formerly part of Town of Grand Chute Tax Id #101006800 and part of Town of Grand Chute Tax Id #101006802)

Petitioner's Request: To assign a permanent zoning classification to newly annexed property, pursuant to Section 23-65(e) of the Municipal Code, from temporary AG Agricultural District to P-I Public Institutional District. The request is being made to facilitate future construction of a street officially mapped as Spartan Drive and an associated stormwater pond.

BACKGROUND

On March 5, 2008, Common Council adopted Ordinance 51-08, which amended the City's Official Map to officially map the location of an east-west roadway to be known as Spartan Drive. The public right-of-way dedication for part of Spartan Drive, located immediately south of the subject area, was approved by Common Council on September 21, 2016 and formalized with the recording of Certified Survey Map 7356.

On February 6, 2019, Common Council adopted Ordinance 3-19, to annex the subject area from the Town of Grand Chute to the City of Appleton. The property was officially annexed to the City on February 12, 2019 at 12:01 a.m. During review of the Spartan Drive at Meade Street Annexation, the Plan Commission initiated a rezoning for the subject property, from temporary AG Agricultural District to a permanent zoning classification of P-I Public Institutional District.

STAFF ANALYSIS

Existing Site Conditions: The subject parcel is approximately 2.0388 acres in size and located west of North Meade Street, between East Edgewood Drive and East Broadway Drive. North Meade Street is classified as an arterial street on the City's Arterial/Collector Plan. Spartan Drive is classified as a future collector street. Currently, the subject property consists of vacant, undeveloped land.

Surrounding Zoning Classification and Land Uses:

North: Town of Grand Chute. The adjacent land uses to the north are currently single-family residential.

South: R-3 Multi-Family District. The adjacent land uses to the south are currently a mix of multi-family residential uses, including a community-based residential facility.

East: Town of Grand Chute. The adjacent land uses to the east are currently single-family residential and Plamann Park.

West: Town of Grand Chute. The adjacent land uses to the west are currently agricultural.

Proposed Zoning Classification: The purpose of the P-I Public Institutional District is to provide for public and institutional uses and buildings, utilized by the community, and to provide open space standards where necessary for the protection of adjacent residential properties. Per Section 23-100(h) of the Municipal Code, the development standards for the P-I District are listed below:

- 1) **Minimum lot area:** None.
- 2) **Maximum lot coverage:** 70%.
- 3) **Minimum lot width:** None.
- 4) **Minimum front yard:** 20 feet plus an additional one foot for each two feet that the building or structure exceeds 35 feet in height.
- 5) **Minimum rear yard:** 20 feet plus an additional one foot for each two feet that the building or structure exceeds 35 feet in height.
- 6) **Minimum side yard:** 20 feet plus an additional one foot for each two feet that the building or structure exceeds 35 feet in height.
- 7) **Maximum building height:** 60 feet.

Zoning Ordinance Review Criteria: Per Section 23-65(e) of the Municipal Code, a temporary zoning classification is assigned to newly annexed territory, with permanent zoning taking place following the annexation process. All territory annexed to the City is assigned a zoning classification as recommended by Plan Commission. The Plan Commission shall consider the following criteria in selection of an appropriate zoning district for the annexed land:

- The existing land uses within the territory to be annexed;
- The surrounding land uses that exist on adjacent properties regardless of municipal boundary lines;
- The comprehensive plan of the City.

In this case, the Plan Commission initiated a rezoning for the subject property, from temporary AG Agricultural District to a permanent zoning classification of P-I Public Institutional District. A rezoning initiated directly by Plan Commission is processed in accordance with Section 23-65(d), Zoning Map Amendments, which includes review and action by the Common Council. If approved, any future development would need to conform to the P-I 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 future One and Two-Family Residential uses. The proposed future construction of a street is consistent with the Future Land Use Map, which identifies the location of officially mapped Spartan Drive. Listed below are related excerpts from the City's *Comprehensive Plan 2010-2030*.

Goal 1 – Community Growth

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 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 6.1 Transportation:

Plan for the safe and efficient movement of vehicles on local and regional roads.

OBJECTIVE 6.8 Transportation:

Implement transportation improvements which also support the City's desired land use, housing and neighborhood goals, objectives, and policies.

OBJECTIVE 7.5 Utilities and Community Facilities:

Implement effective stormwater management practices.

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 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 goals and objectives stated above and the Future Land Use Map, which identifies this area for officially mapped Spartan Drive.*
 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. *City water infrastructure is already installed along North Meade Street. It is anticipated that sewer and water infrastructure will be included with the future construction of Spartan Drive.*
 2. The effect of the proposed rezoning on surrounding uses. *The location of an east-west roadway to be known as Spartan Drive was officially mapped in 2008. The recent annexation and subsequent rezoning will allow for future construction of a street and associated stormwater pond. Therefore, the proposed rezoning request is unlikely to create adverse impacts in the surrounding neighborhood.*

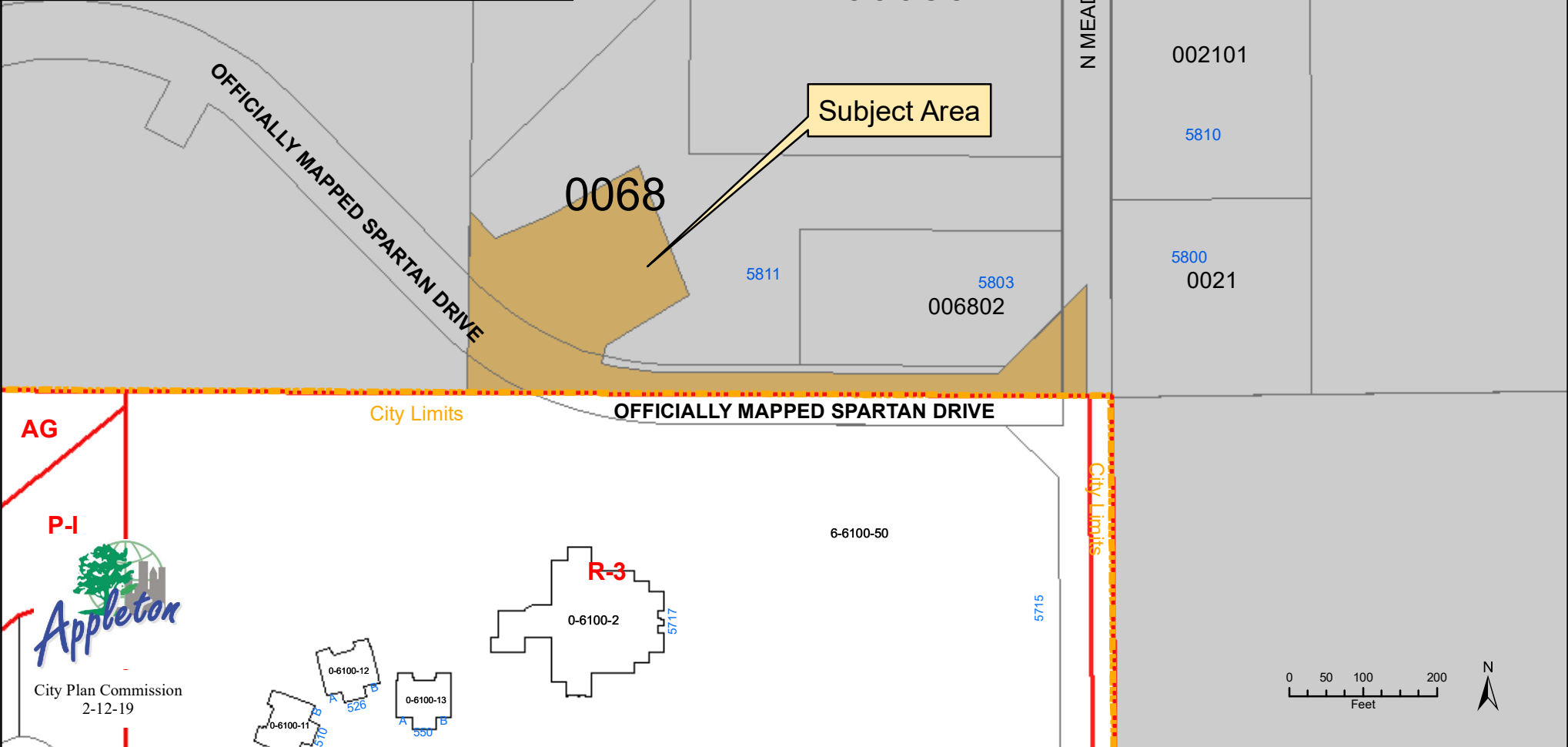
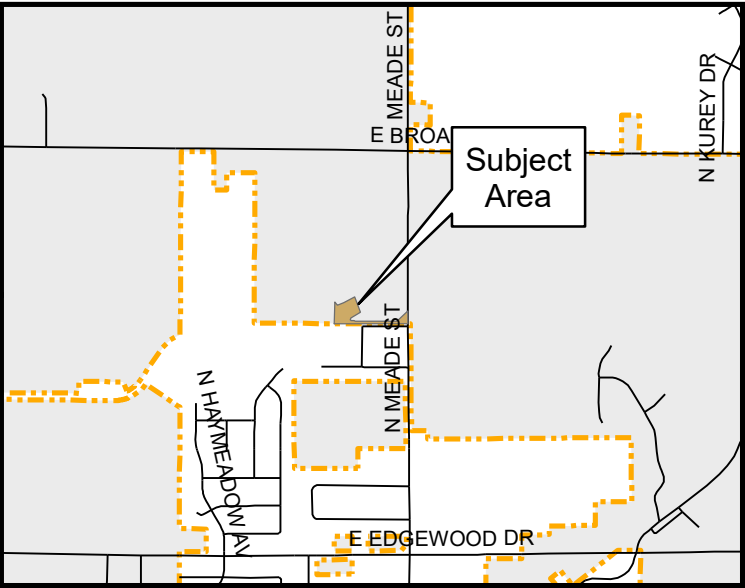
Review Criteria: Based upon the above analysis, it would appear the criteria established by Section 23-65(d)(3) Zoning Amendments has been satisfied.

Technical Review Group (TRG) Report: This item was discussed at the December 18, 2018 Technical Review Group meeting. No negative comments were received from participating departments.

RECOMMENDATION

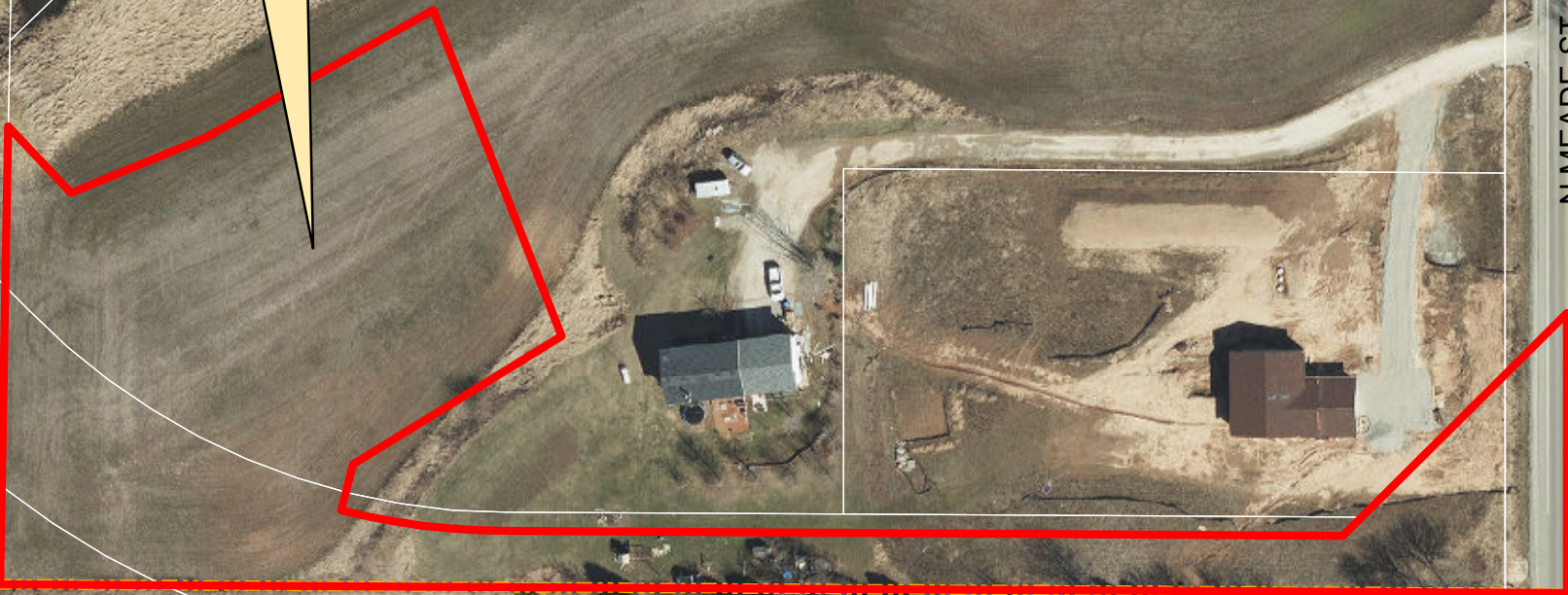
Staff recommends, based upon the standards for zoning map amendments as required by Section 23-65(d)(3) of the Zoning Ordinance, that Rezoning Application #1-19 to rezone the subject parcel located on North Meade Street (Tax Id #31-6-6100-60, formerly part of Town of Grand Chute Tax Id #101006800 and part of Town of Grand Chute Tax Id #101006802) from temporary AG Agricultural District to P-I Public Institutional District, including to the centerline of the adjacent Meade Street right-of-way and as shown on the attached map, **BE APPROVED**.

Spartan Drive at Meade Street Annexation
Rezoning
Temporary AG Agricultural District
to P-I Public Institutional District
Zoning Map



Spartan Drive at Meade Street Annexation
Rezoning
Temporary AG Agricultural District
to P-I Public Institutional District
Aerial Map

Subject Area



City Limits

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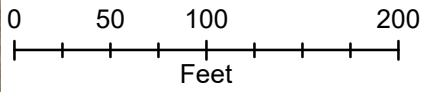
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City Plan Commission
2-12-19

6-6100-50



PART OF PARCEL: 101006800 and 101006802

Description of lands to be rezoned from temporary AG Agricultural District to P-I Public Institutional District:

A part of Lot One (1) and part of Lot Two (2) of **CERTIFIED SURVEY MAP NO. 4431**, located in and being a part of the Southeast Quarter (SE $\frac{1}{4}$) of the Fractional Northeast Quarter (NE $\frac{1}{4}$) of Section 2, Township 21 North, Range 17 East, Town of Grand Chute, Outagamie County, Wisconsin, containing 88,809 Square Feet (2.0388 Acres) of land and described as follows:

Commencing at the East $\frac{1}{4}$ corner of said Section 2 and being the point of beginning;

Thence North 89°40'21" West 839.03 feet along the South line of the Fractional NE $\frac{1}{4}$ of said Section 2 and being coincident with the South line of Lot 1 and 2 of said Certified Survey Map No. 4431;

Thence North 01°03'01" East 245.13 feet being coincident with the West line of said Lot 1;

Thence South 43°27'00" East 48.98 feet;

Thence North 67°23'29" East 78.51 feet;

Thence North 60°46'47" East 139.15 feet;

Thence South 21°27'49" East 187.73 feet;

Thence South 58°24'35" West 131.24 feet;

Thence South 14°06'00" West 25.35 feet;

Thence Southeasterly 88.94 feet along the arc of a curve to the left having a radius of 370.00 feet and the chord of which bears South 82°47'12" East 88.73 feet;

Thence South 89°40'21" East 448.18 feet;

Thence North 45°09'52" East 169.22 feet to the East line of the Fractional NE $\frac{1}{4}$ of said Section 2;

Thence South 00°00'05" West 150.00 feet coincident to the East line of the Fractional NE $\frac{1}{4}$ of said Section 2 to the Point of Beginning. Said lands subject to all easements and restrictions of record.