



## REPORT TO CITY PLAN COMMISSION

**Plan Commission Informal Public Hearing Date:** August 12, 2013

**Common Council Public Hearing Date:** September 4, 2013

**Item:** Rezoning #9-13

**Case Manager:** Brad Schmidt, AICP 

### GENERAL INFORMATION

**Owner/Applicant:** City of Appleton, Thomas Kelly and Robert Lemke, Owners  
Thomas Kromm, City of Appleton, Applicant

**Address/Parcel #:** 420 W. Prospect Avenue (31-3-0417-00 & 31-3-0422-00), 416 W. Prospect Avenue (31-3-0418-00) and 602 S. Walnut Street (31-3-0423-00)

**Petitioner's Request:** The owners/applicant are requesting to rezone 420 W. Prospect Avenue from R-1B Single-Family Residential District to P-I Public Institutional District with the intent of designating the area as a City park and partially rezoning a portion of 416 W. Prospect Avenue and 602 S. Walnut Street from the R-1B District to the R-1C Central City Residential District to accommodate a lot line adjustment.

### BACKGROUND

The City-owned property (31-3-0417-00 & 31-3-0422-00) is undeveloped and contained an underground water reservoir tank. The tank was removed in the summer of 2013 and the property will be transferred from the City's Water Utility to the Parks and Recreation Department for designation as a City Park.

### STAFF ANALYSIS

The purpose of the P-I Public Institutional District is intended 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. As part of the City's Capital Improvement Program (CIP), the subject site will be acquired by the City's Parks and Recreation Department from the City's Water Utility and designated as a City park. The site is currently undeveloped.

The purpose of the R-1C Central City Residential District is intended to provide for the conservation and revitalization of residential areas located in the oldest parts of the City characterized predominately by single-family, detached dwellings on small sized lots of record while protecting residential neighborhoods from the intrusion of incompatible non-residential uses. Two adjacent single-family residences (602 S. Walnut Street and 416 W. Prospect Avenue), both within the R-1C District, submitted lot line adjustment requests in which each parcel would acquire a portion of the City-owned lot to correct encroachment issues. The total area to be acquired by the two residential parcels is 39 square feet (602 S. Walnut Street) and 940 square feet (416 W. Prospect Avenue).

**Surrounding zoning and land uses:**

North: R-1C – Central City Residential – Single-family  
South: R-2 – Single-Family Residential – Single-Family  
R-1C – Central City Residential – Single-family  
West: R-2 – Single-Family Residential – Single-Family  
R-1C – Central City Residential – Single-family  
East: R-1C – Central City Residential – Single-family

**2010-2030 Comprehensive Plan:** The 2010-2030 Future Land Use Map currently represents this area to be used for one and two-family residential uses. The proposed zoning classifications are consistent with the future land use map and the following goals and objective of the 2010-2030 Comprehensive Plan:

**Overall Community Goals**

**Goal 2: Neighborhood Development** (Chapter 10: Land Use)

Appleton will preserve and enhance existing City neighborhoods and require quality design in newly developed areas, to continue to provide an attractive setting for living and raising a family.

**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 Report (TRG):** This item was discussed at the July 30, 2013 Technical Review Group meeting. No negative comments were received from participating departments.

**Neighborhood Comments:** A representative from the Old Third Ward registered neighborhood was contacted and they indicated that the neighborhood is aware and in support of this request.

**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, Rezoning Application #9-13 to rezone the site located at 420 W. Prospect Avenue (Tax Id. 31-3-0417-00 & 31-3-0422-00) from R-1B Single-Family District to P-I Public Institutional District and partially rezone 416 W. Prospect Avenue (31-3-0418-00) and 602 S. Walnut Street (31-3-0423-00) from the R-1B District to the R-1C Central City Residential District including to the centerline of adjacent street right-of-way and as shown on the map, **BE APPROVED.**

Rezoning - Prospect and Walnut  
 Area "A" from R-1B to R-1C  
 Area "B" from R-1B to R-1C  
 Taxkeys 3-0417 & 3-0422 from R-1B to P-I

