



CITY OF APPLETON

MEMORANDUM

Date: May 22, 2024
To: Plan Commission
From: David Kress, Deputy Director of Community Development
Subject: Rezoning #4-24 – 841 West Lawrence Street

GENERAL INFORMATION

Owner/Applicant: Timber Investments, LLC c/o Timothy Hales

Address/Parcel Number: 841 W. Lawrence Street (Parcel #31-3-0899-01)

Petitioner's Request: The applicant proposes to rezone the subject parcel from C-2 General Commercial District to R-2 Two-Family District. The applicant is proposing to convert the building back into a two-family dwelling.

Plan Commission Informal Hearing Meeting Date: May 22, 2024

Common Council Public Hearing Meeting Date: June 19, 2024

BACKGROUND

According to the 1877 Appleton City Directory, this property was used as a residence at that time. The 1978 Historic Appleton Building Survey identified the use of the property as a two-family dwelling. According to Assessor's Office and building permit records, the building started being used for commercial purposes (office and storage) in the 1980s.

STAFF ANALYSIS

Project Summary: The applicant is proposing to convert the existing structure into a two-family, upper/lower duplex.

Existing Site Conditions: The subject parcel is approximately 9,067 square feet in size and contains a principal structure that was initially built for residential use. The property also contains a detached garage with a curb cut on Pierce Avenue.

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

North: C-2 General Commercial District and CBD Central Business District. The adjacent land uses to the north are currently institutional and commercial.

South: R-1C Central City Residential District. The adjacent land uses to the south are currently single-family residential and railroad right-of-way.

East: R-1C Central City Residential District and C-2 General Commercial District. The adjacent land uses to the east are currently single-family residential and vacant land.

West: R-1C Central City Residential District. The adjacent land uses to the west are currently single-family residential.

Appleton Comprehensive Plan 2010-2030: Community Development staff has reviewed this proposal and determined it is compatible with the goals and objectives found in the City's *Comprehensive Plan 2010-2030*. 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 3 – Housing Quality, Variety, and Affordability

Appleton will provide a variety of rental and ownership housing choices in a range of prices affordable to community residents, and ensure that existing housing is adequately maintained in terms of physical quality and market viability.

OBJECTIVE 5.3 Housing and Neighborhoods:

Provide a range of housing options that meet the needs and appeal to all segments of the community and allows residents to age in place.

OBJECTIVE 10.5 Land Use:

Support the continued redevelopment and revitalization of land uses adjacent to Appleton's key transportation corridors and downtown.

Proposed Zoning Classification: The R-2 Two-Family District is intended to provide for and maintain residential areas characterized by single-family detached and two-family dwelling units. Increased densities and the introduction of two-family housing types are intended to provide for greater housing options for owners and renters while maintaining the basic qualities of a moderately dense residential neighborhood. Per Section 23-95(g) of the Municipal Code, the development standards for the R-2 District are listed below:

- (1) Two-family dwellings (duplex) and other uses.
 - a. Minimum lot area, Single-family dwelling (detached): 6,000 square feet.
 - b. Minimum lot area, Two-family dwellings (two-story duplex): 7,000 square feet.
 - c. Minimum lot area, Two-family dwellings (single-story duplex): 9,000 square feet.
 - d. Minimum lot area, All other uses: 7,000 square feet.
 - e. Minimum lot width, Single-family dwelling: 50 feet.
 - f. Minimum lot width, All other uses: 70 feet.
 - g. Minimum front lot line setback: 20 feet (25 feet minimum on arterial street).
 - h. Minimum rear lot line setback: 25 feet.
 - i. Minimum side lot line setback: 6 feet.
 - j. Maximum lot coverage: 60%.

- k. Maximum building height: 35 feet.

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. It would appear the criteria established has been satisfied. 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 with a future Mixed Use designation.*
 - 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. *College North Neighborhood Plan – Chapter 4: Market Study 2020-2030: The average annual housing need is about 301 units per the market study. The zoning map amendment (C-2 General Commercial District to R-2 Two-family residential District) will help to meet the demand for housing in Appleton as specified in the market study.*
 - 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. *Single-family and two-family residential uses are already located in this area of the City. Therefore, the proposed rezoning request is unlikely to create adverse impacts for the surrounding uses.*

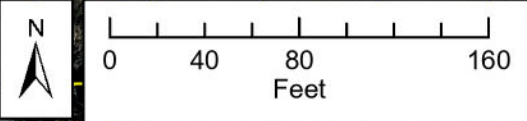
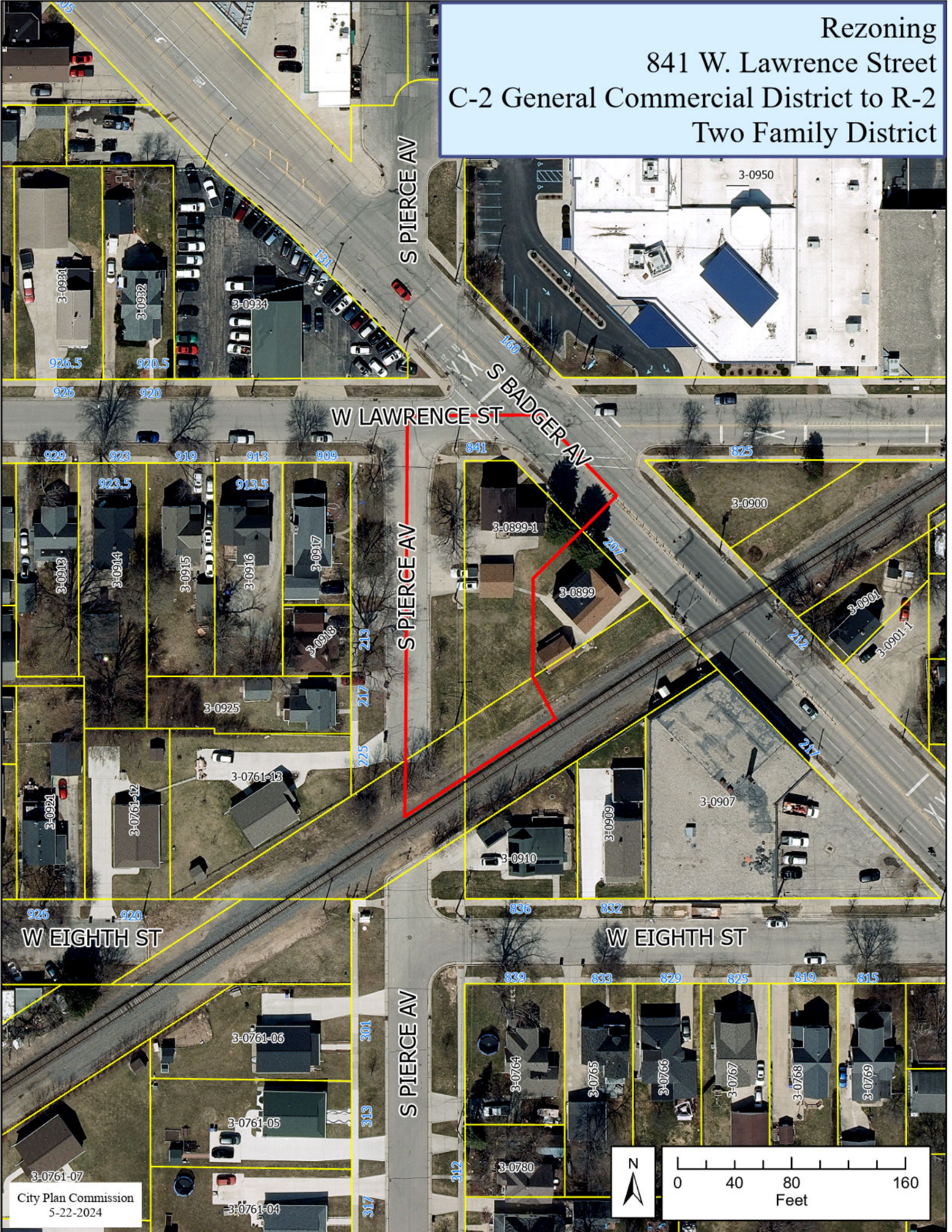
Technical Review Group (TRG) Report: This item appeared on the April 30, 2024 TRG agenda. No negative comments were received from participating departments.

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 #4-24 to rezone the subject property at 841

West Lawrence Street (Parcel #31-3-0899-01) from C-2 General Commercial District to R-2 Two-Family District, including to the centerline of existing adjacent street and railroad right-of-way, as shown on the attached maps, **BE APPROVED**.

Rezoning
841 W. Lawrence Street
C-2 General Commercial District to R-2
Two Family District



Rezoning #4-24

841 W. Lawrence Street

Parcel #31-3-0899-01

LEGAL DESCRIPTION:

GRAND CHUTE PLAT 3WD AS 484D121 OF LOT 1 BLK 47, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN. INCLUDING TO THE CENTERLINE OF THE ADJACENT RAILROAD LINE AND INCLUDING THE ADJACENT ONE-HALF (1/2) RIGHT-OF-WAY OF WEST LAWRENCE STREET, SOUTH BADGER AVENUE AND SOUTH PIERCE AVENUE.