



PERMIT TO OCCUPY THE PUBLIC RIGHT-OF-WAY

Permit # : _____
Effective Date: _____
Expiration Date: _____
Non-Refundable Fee: _____
Paid (yes or no): _____

Rev. 05-2024

Applicant Information

Name (print): David Baehr Company: Oshkosh Investment, LLC & Lofgren Properties 6, LLC
Address: 202 W. Main Street, Sun Prairie, WI 53590 Telephone: (608) 834-2613
E-mail: david@baehrrinc.com
Applicant Signature: _____ Date: 08-08-2025

Occupancy Information

General Description/Reason: Permanent street occupancy for basement of building at 200 W. College Ave which is located under portion of W. Johnston Street
Street Address: W. Johnston Street (Alley) Sidewalk/roadway obstruction requested ☒ Y or ☐ N
- or -
Multiple Streets: _____

Date(s) From: _____ To: _____ 35 days or < ☐ 35 days or > ☒
(Requires Committee and Council Approval)

(Department use only)

Occupancy Type

- ☒ Permanent - Obstruction (~~\$40~~)
☐ Temporary - Obstruction (\$40)
☐ Amenity/Annual (\$40)
☐ Blanket/Annual (\$250)
☐ Block Party (\$15)

Sub-Type

- ☐ Awning
☐ Dumpster
☐ Sign
☒ Obstruction / Other
☐ POD / Container

Location

- ☐ Sidewalk
☐ Terrace
☒ Roadway

Additional Requirements

☒ Plan/Sketch ☐ Certificate of Insurance ☐ Bond Committee and Council Approval
☐ Other : _____ Date: _____

Traffic Control Requirements

Type of Street: _____ Proposed Traffic Control: ☒ N/A
☐ Arterial/CBD ☐ City Manual Page(s) _____
☐ Collector ☐ State Manual Page(s) _____
☐ Local ☐ Other (attach plan) _____

Approved by: _____ Date: _____

☐ Contact Traffic Division (920-832-2379) 1 business day prior to any lane closure, or 2 business days prior to a full road closure.
Additional Requirements: _____

This permit approval is subject to the following conditions:

1. Permittee is responsible to obtain any further permits that may be required as part of this occupancy.
2. Permittee shall adhere to any plan(s) that were submitted to the City of Appleton as part of this application.
3. This permit is subject to IMMEDIATE REVOCATION and/or issuance of a MUNICIPAL CITATION if conditions of the permit are not met.
4. This permit is subject to IMMEDIATE REVOCATION if unfavorable traffic conditions develop during the period the occupancy is permitted.
5. **Dumpsters/PODs/Containers shall be located within 12" of face of curb.**
- 6.

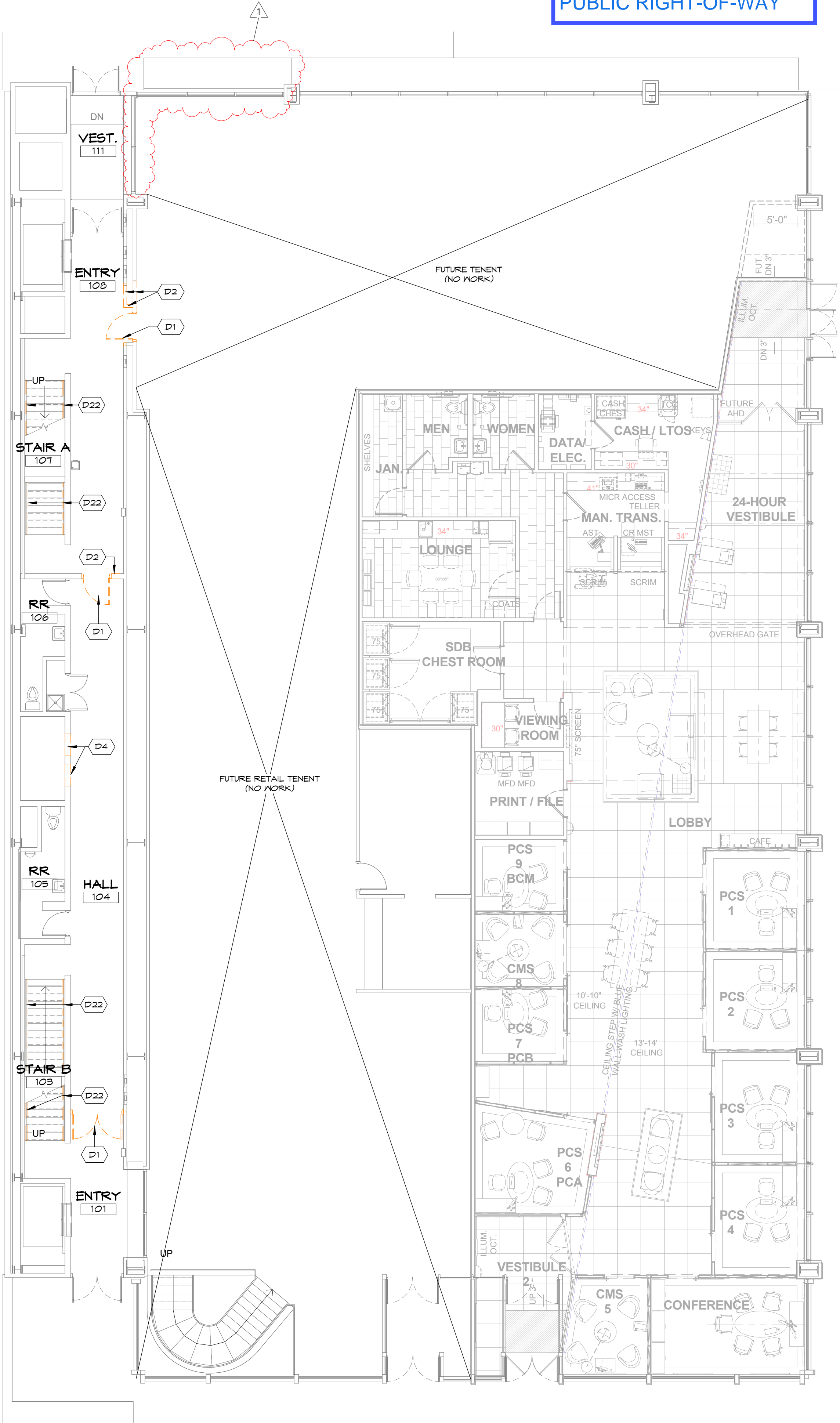
This permit is issued to the applicant upon payment of the permit fee and is expressly limited to the location and type described herein. The applicant, in exchange for receiving this permit, warrants that all street occupancies will be performed in conformity to City ordinances, standards and policies, be properly barricaded and lighted, and be performed in a safe manner. By applying for and accepting this permit, the applicant assumes full liability and/or any costs incurred by the City for corrective work required to bring the subject area into compliance with said ordinances, standards, policies and permit conditions. No occupancy shall occur prior to approval of this permit by the Department of Public Works.

The Grantee shall guarantee at their expense, the repair or replacement of pavement, sidewalk and any other facilities within the public right-of-way damaged or destroyed by the Grantee or any sub-contractor working for them. The Grantee shall assume complete and full liability and responsibility, in accordance with existing ordinances and policies, in the event of injury or damage to persons or property resulting from their facilities within the public right-of-way.

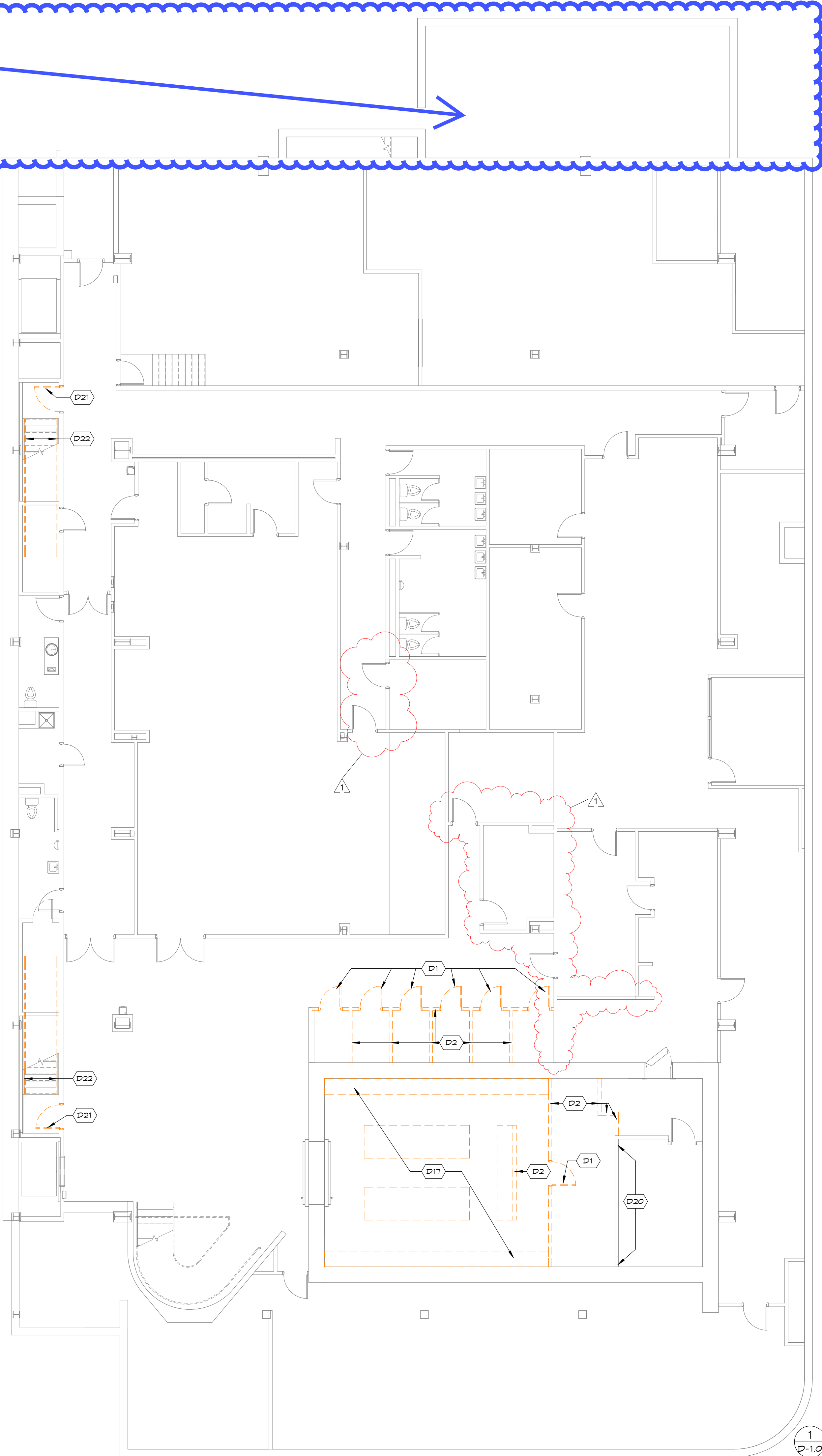
APPROVED BY: _____
(Department of Public Works)

DATE: _____

APPROXIMATE AREA OF
ENCROACHMENT INTO
PUBLIC RIGHT-OF-WAY



2 FIRST FLOOR PLAN DEMO
1/8" = 1'-0"



1 BASEMENT PLAN DEMO
1/8" = 1'-0"

GENERAL PLAN DEMOLITION NOTES:

- ALL CONTRACTORS SHALL VISIT THE SITE AND FIELD VERIFY THE LOCATION OF ALL WALLS, DOORS, LIGHTS, DUCTS, PLUMBING FIXTURES, ETC. TO BE REMOVED.
- ALL MATERIAL SHALL BECOME THE PROPERTY OF THE CONTRACTOR AND MUST BE REMOVED FROM THE SITE IN A TIMELY MANNER UNLESS NOTED OTHERWISE.
- REMOVE ALL EXISTING ROOM FINISHES AS REQUIRED TO ALLOW FOR APPLICATION OF NEW MATERIALS WHERE INDICATED ON THE ROOM FINISH SCHEDULE.
- PATCH OPENINGS IN FLOORS, WALLS, AND ROOF WHERE MECHANICAL EQUIPMENT, PLUMBING DUCTS, PIPES, CONDUITS, ETC. ARE REMOVED. MATCH ALL EXISTING FINISHES.
- ALL SITE UTILITIES MUST BE FIELD VERIFIED PRIOR TO DEMOLITION WORK.
- PROVIDE PROTECTION FOR ANY EXISTING CONSTRUCTION OPEN TO THE ELEMENTS DUE TO DEMOLITION.
- PATCHING OF MASONRY TO BE TOOTHED IN WHEN PATCHING NEW AND EXISTING.
- PRIOR TO DEMOLITION, VERIFY THAT ALL OWNER ITEMS HAVE BEEN REMOVED.

KEYED DEMO PLAN NOTES

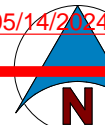
- D1 REMOVE EXISTING DOOR, HARDWARE & FRAME.
- D2 REMOVE EXISTING GYP. BD. PARTITION WALL, FULL HT., TO EXTENTS SHOWN ON DEMO/ NEW WORK PLANS.
- D4 REMOVE PORTION OF EXISTING MASONRY WALL AS REQUIRED FOR INSTALLATION OF NEW MAILBOXES.
- D17 REMOVE EXISTING LOCK BOXES THROUGHOUT VAULT.
- D20 REMOVE EXISTING FLOOR/ROOF AS REQ'D FOR INSTALLATION OF MECHANICAL EQUIPMENT/ DUCTWORK. COORD. IN FIELD.
- D21 REMOVE EXISTING DOOR AND HARDWARE. FRAME TO REMAIN IF RATED. VERIFY IN FIELD.
- D22 REMOVE EXISTING WALL-MOUNTED HANDRAIL.

PLAN CONDITIONALLY APPROVED

No Variation of this Plan is Permitted without the Approval of E-Plan Exam and the Municipal Building Inspection Department. See Plan Review Letter and/or Permit for additional conditions that must be addressed during construction prior to inspection.

Review Type: Building & Structure Review Only.

Approved By: *David Chubb* Date: 05/14/24



A REDEVELOPMENT PROJECT AT:

200 W. COLLEGE AVE. APARTMENTS

APPLETON, WISCONSIN



HUDSON OFFICE:
400 South 2nd Street, Suite #155
Appleton, WI 54911
Phone: 920-722-2445
www.gries.design

NEENAH OFFICE:
500 North Commercial Street
Neenah, WI 54956
Phone: 920-722-2445
www.gries.design

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date: FEB. 7, 2024
job: 23-021
d. by: JLN
REV.: #1- CITY REV: 4/10/24

D-1.0



HOLD HARMLESS, INDEMNIFICATION, AND DEFENSE AGREEMENT AND STATEMENT OF INSURANCE COVERAGE

The Applicant and/or the Organization agrees to indemnify, defend, and hold harmless the City of Appleton and its officers, officials, employees, and agents from and against any and all liability, loss, damage, expenses, and costs, including attorney fees, arising out of the activities performed as described below. This obligation applies to the extent caused by any negligent act or omission of the applicant/organization, anyone directly or indirectly employed by them, or anyone for whose acts they may be liable, except to the extent caused by the sole negligence or willful misconduct of the City.

Proposed Activities: Permanent street occupancy for basement of building at 200 W College Ave, which is located under a portion of W Johnston Street.

Insurance Coverage Details (if applicable):

- Insurance Carrier: Mesa Underwriters Specialty Insurance Company
- Insurance Agent Name and Phone Number: J3 Insurance - 218-728-3600
- Policy Number: MP012200110009000
- Policy Period: 06/30/2025-06/30/2026

I confirm that I have the authority to sign and certify the information contained herein as the permittee/licensee or duly authorized representative of the entity obtaining this permit/license.

I have reviewed and understand the insurance requirements of the City of Appleton. I hereby certify that I, or the company I represent, have insurance in the amounts required to obtain this permit/license and have provided the name of my insurance carrier, the policy number, and the policy period above. Further, I agree to:

1. Maintain appropriate insurance coverage for the duration of this permit/license.
2. Indemnify against any and all liability, loss, damage, and expenses, including attorney fees, arising out of the activities performed as described herein, caused in whole or in part by any negligent act or omission of the applicant or anyone directly or indirectly employed by them, which may arise from the use of City right-of-way or property under this permit or license.

**I certify that this application, and all information and documentation provided therein,
is true and accurate.**

Oshkosh Investment LLC

Name of Applicant/Organization

202 W Main Street, Sun Prairie, WI 53590

Address

david@baehrinc.com

Email Address

David Baehr

Print Name

David Baehr Digitally signed by David Baehr
Date: 2025.08.08 09:34:42-05'00'

Signature

08-08-2025

Date



APPLICATION FOR LAND DEDICATION TO THE PUBLIC

Community Development Department
100 N. Appleton St. PH: 920-832-6468
Appleton, WI 54911 FAX: 920-832-5994

Stamp date received

PROPERTY OWNER		APPLICANT (owner's agent)	
Name	Oshkosh Investment LLC and Lofgren Properties 6 LLC c/o David Baehr		
Mailing Address	202 W Main Street Sun Prairie, WI 53590	Mailing Address	SAME
Phone	608-213-6686	Phone	
E-mail	david@baehrinc.com	E-mail	

PUBLIC DEDICATION INFORMATION	
If applicable, Property Tax # (31-0-0000-00) Part of 31-2-0263-00	
Description of Dedication: <input checked="" type="checkbox"/> Street Right-of-Way <input type="checkbox"/> Other Public Uses (specify type) _____	
Location North of College Avenue and west of Appleton Street	
Legal Description of Land (may be attached as separate sheet) *Please submit an electronic copy of the legal description in Microsoft Word format. See attached legal description	
Current Zoning: CBD	Proposed Zoning: CBD
Current Uses: Access that functions like alley	Proposed Uses: Formally dedicated alley right-of-way

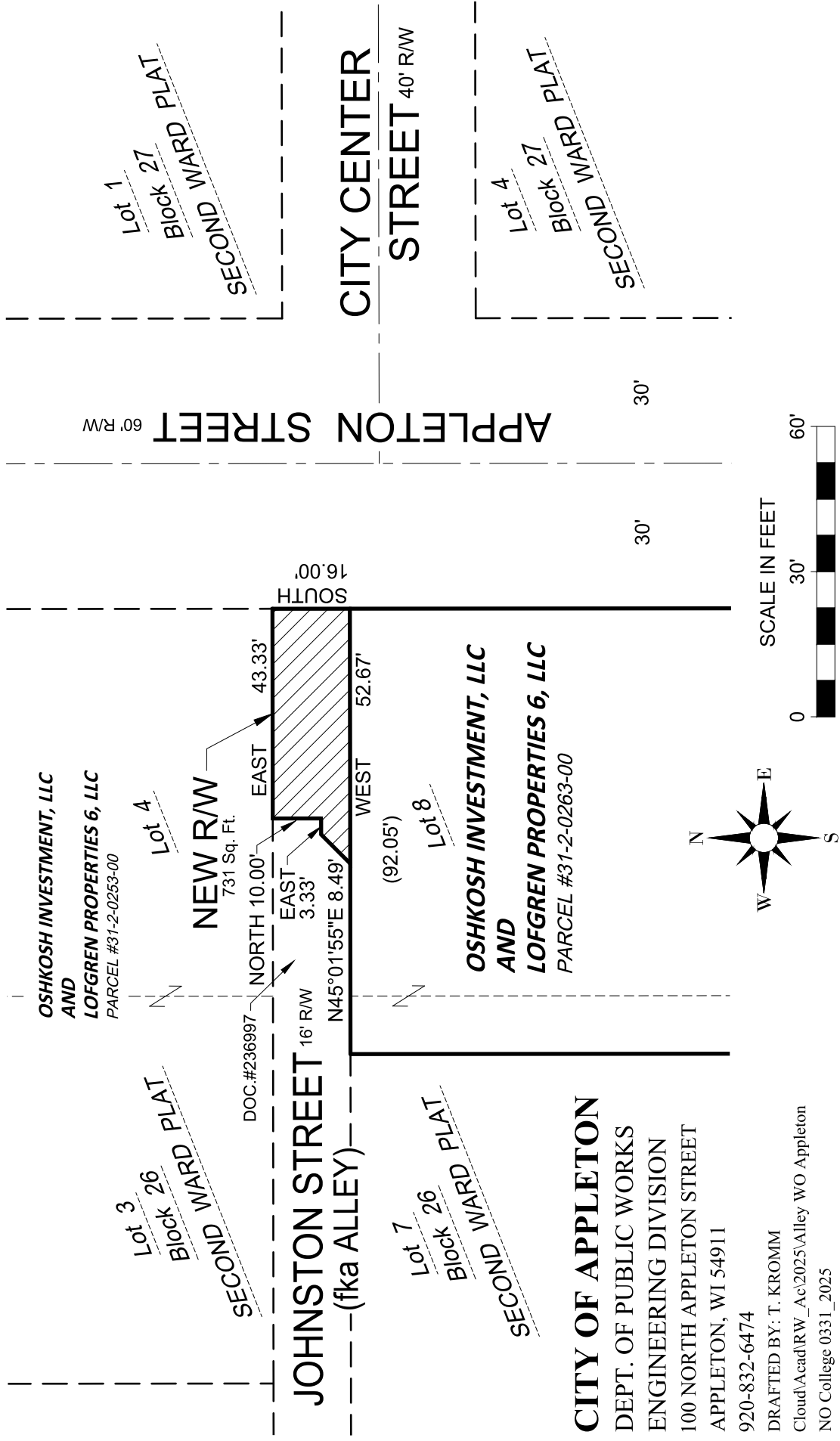
PLEASE STATE REASON(S) FOR DEDICATION TO THE PUBLIC
*Please attach a location map of the property or portion of the property in question and facts to support the request. To fully connect public alley right-of-way between Superior Street and Appleton Street. _____ _____ _____

08-08-2025	
Date	Owner/Agent Signature (Agents must provide written proof of authorization)

OFFICE USE ONLY	
Application Complete _____ / ____ / ____	Date Filed ____ / ____ / ____
Fee: \$0	

EXHIBIT "A"

A portion of land for street right way and being more fully described by: The North 16 feet of Lot Eight (8), of Block Twenty-Six (26), of Second Ward PLAT (aka **APPLETON PLAT**), according to the recorded Assessor's Map of said City, being located in the Northeast Quarter (NE ¼) of the Southwest Quarter (SW ¼) of Section Twenty-Six (26), Township Twenty-One (21) North, Range Seventeen (17) East, City of Appleton, Outagamie County, Wisconsin, less all that part of said Lot 8 that has previously been dedicated to the public for street right of way.





CITY OF APPLETON

MEMORANDUM

Date: August 27, 2025
To: City Plan Commission
From: Colin Kafka, Principal Planner
Subject: Dedication of Public Right-of-Way for West Johnston Street

GENERAL INFORMATION

Owner/Applicant: David Baehr / Oshkosh Investment LLC and Lofgren Properties 6 LLC

Address/Parcel Number: 200 West College Avenue (Tax Id #31-2-0263-00)

Applicant's Request: The applicant is requesting a dedication of land for public right-of-way for West Johnston Street

Plan Commission Public Hearing Meeting Date: August 27, 2025

Common Council Meeting Date: September 3, 2025

BACKGROUND

The public right-of-way dedication is proposed to provide complete public right-of-way access through the 200 block of West College Avenue. The basement of 200 W. College Ave will encroach under the proposed dedication; therefore, the owner/applicant has submitted a permanent street occupancy permit for review and approval by the Municipal Services Committee and Common Council.

Wis. State Statute 62.23(5) states that the location, acceptance and/or acquisition of land to be used as a public way, (i.e. public alley) or public grounds shall be referred to the Plan Commission for its consideration and report before final action is taken by the Common Council.

STAFF ANALYSIS

Public Right-of-Way Dedication: The owner/applicant has submitted an application to dedicate a portion of parcel #31-2-0263-00 for right-of-way. The limits and dimensions of the proposed dedication are identified in Exhibit A.

Surrounding Zoning and Land Uses: The surrounding zoning and uses (north, south, east, and west) are generally commercial in nature.

North: CBD Central Business District. The adjacent land use to the north is commercial (parking lot).

South: CBD Central Business District. The adjacent land use to the south is mixed use (apartments and ground floor commercial).

East: CBD Central Business District. The adjacent land use to the east is N. Appleton Street right-of-way.

West: CBD Central Business District. The adjacent land use to the west is W. Johnston Street right-of-way.

Appleton Comprehensive Plan 2010-2030: The City of Appleton 2010-2030 Comprehensive Plan Map identifies the subject area as future Central Business District. The proposed public right-of-way dedication is consistent with the following goals and objectives of the *Comprehensive Plan 2010-2030*.

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.

Development Review Team (DRT) Report: This item appeared on the April 22, 2025 DRT agenda. No negative comments were received from participating departments. Staff did note that a permanent street occupancy permit would be required due to basement portions of the building located at 200 W. College Ave. encroaching under the proposed dedication. A permanent street occupancy permit would be required to be submitted for review and approval by the Municipal Services Committee and Common Council.

RECOMMENDATION

Staff recommends the dedication of land for public right-of-way for West Johnston Street, as shown on the attached map, **BE APPROVED**, conditional on approval of the permanent street occupancy permit.