



REPORT TO CITY PLAN COMMISSION

Plan Commission Informal Hearing Meeting Date: March 27, 2018

Common Council Public Hearing Meeting Date: April 18, 2018 (Public Hearing on Rezoning)

Item: Rezoning #2-18 – North Edgewood Estates

Case Manager: David Kress

GENERAL INFORMATION

Owners: North Edgewood Estates Development, LLC c/o Kurt Coenen
Wisconsin Electric Power Company c/o James Raabe

Applicant: City of Appleton Plan Commission

Address/Parcel: North French Road (Tax Id #31-1-7609-00 and #31-1-7610-00, formerly part of Town of Grand Chute Tax Id #101153600)

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 R-1B Single-Family District. A portion of the adjacent French Road right-of-way, currently zoned P-I Public Institutional District, is also included this request. The request is being made to facilitate future development of single-family residential.

BACKGROUND

On January 17, 2018, Common Council approved the North Edgewood Estates Development Agreement to set forth the City and developer duties and responsibilities with respect to development of the subject land. The Development Agreement is contingent upon the property being annexed to the City of Appleton.

On March 21, 2018, Common Council adopted Ordinance 32-18, 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 March 27, 2018 at 12:01 a.m. During review of the North Edgewood Estates Annexation, the Plan Commission initiated a rezoning for the subject property, from temporary AG Agricultural District to a permanent zoning classification of R-1B Single-Family District.

The North Edgewood Estates Preliminary Plat, to subdivide parcel #31-1-7609-00 into 45 lots and two outlots, is also being presented at this March 27, 2018 Plan Commission meeting.

STAFF ANALYSIS

Existing Site Conditions: The subject parcels are approximately 72.263 acres in size and located east of North French Road, between East Edgewood Drive and East Broadway Drive. North French Road is

classified as an arterial street on the City's Arterial/Collector Plan. Currently, the parcels are undeveloped, and there is a navigable stream that bisects the subject area.

Surrounding Zoning Classification and Land Uses:

North: Town of Grand Chute. The adjacent land uses to the north are currently agricultural.

South: R-3 Multi-Family District, P-I Public Institutional District, and Town of Grand Chute. The adjacent land uses to the south are currently a mix of multi-family residential and agricultural uses.

East: Town of Vandenbroek. The adjacent land uses to the east are currently agricultural.

West: R-1B Single-Family District, P-I Public Institutional District, and Town of Grand Chute. The adjacent land uses to the west are currently a mix of single-family residential and institutional uses, including an existing utility substation.

Proposed Zoning Classification: The purpose of the R-1B Single-Family District is to provide for and maintain residential areas characterized predominately by single-family, detached dwellings on medium sized lots while protecting residential neighborhoods from the intrusion of incompatible non-residential uses. The development standards for the R-1B District are listed below:

- 1) **Minimum lot area:** 6,000 square feet.
- 2) **Maximum lot coverage:** 50%.
- 3) **Minimum lot width:** 50 feet.
- 4) **Minimum front yard:** 20 feet (25 feet on arterial street).
- 5) **Minimum rear yard:** 25 feet.
- 6) **Minimum side yard:** 6 feet.
- 7) **Maximum building height:** 35 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 R-1B Single-Family 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 R-1B 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 and Public/Institutional uses. The proposed R-1B Single-Family District zoning classification is consistent with the Future Land Use Map. 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.

Policy 5.3.3 Plan for a supply of developable land suitable for residential development.

OBJECTIVE 10.1 Land Use:

Provide an adequate supply of suitable land meeting the demand for development of various land uses.

OBJECTIVE 10.4 Land Use:

Plan for compact, efficient, and fiscally responsible growth of residential, commercial, and industrial development in new neighborhoods in order to implement the principles of smart growth.

Policy 10.4.1 Continue to guide residential growth to locations either contiguous to or within presently urbanized areas. As peripheral development occurs, it should be at a compact, urban density to ensure new neighborhoods can be efficiently served by public infrastructure.

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 future One and Two-Family Residential and Public/Institutional uses.*

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 sanitary sewer and water infrastructure is already installed along North French Road. The improvements needed to connect to City utilities in this area are identified and described in the recently-approved North Edgewood Estates Development Agreement.*
 2. The effect of the proposed rezoning on surrounding uses. *Single-family residential uses are already located to the west of the subject site. Properties to the north and east of the subject area primarily consist of vacant, undeveloped land. Therefore, the proposed rezoning request is unlikely to create adverse impacts in the surrounding neighborhood.*

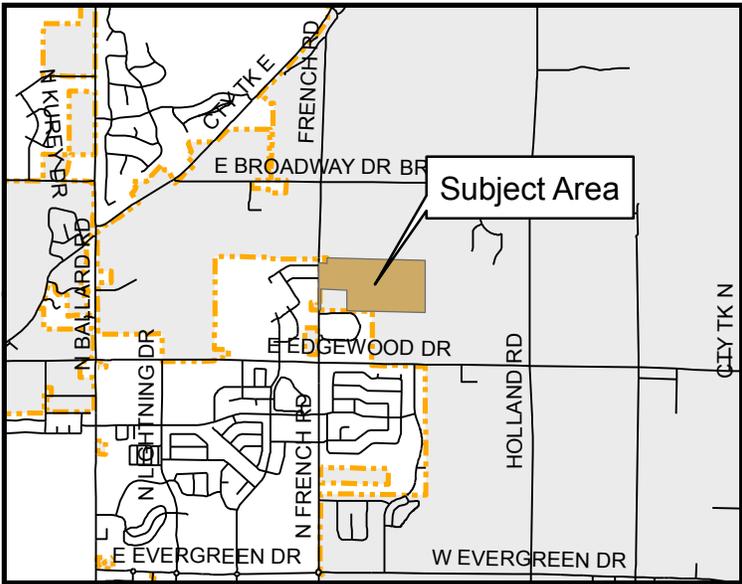
Review Criteria: Based upon the above analysis, it would appear the criteria established by Section 23-65(d)(3) Zoning Amendments has been satisfied.

Technical Review Group (TRG) Report: This item was discussed at the January 23, 2018 Technical Review Group meeting. No negative comments were received from participating departments.

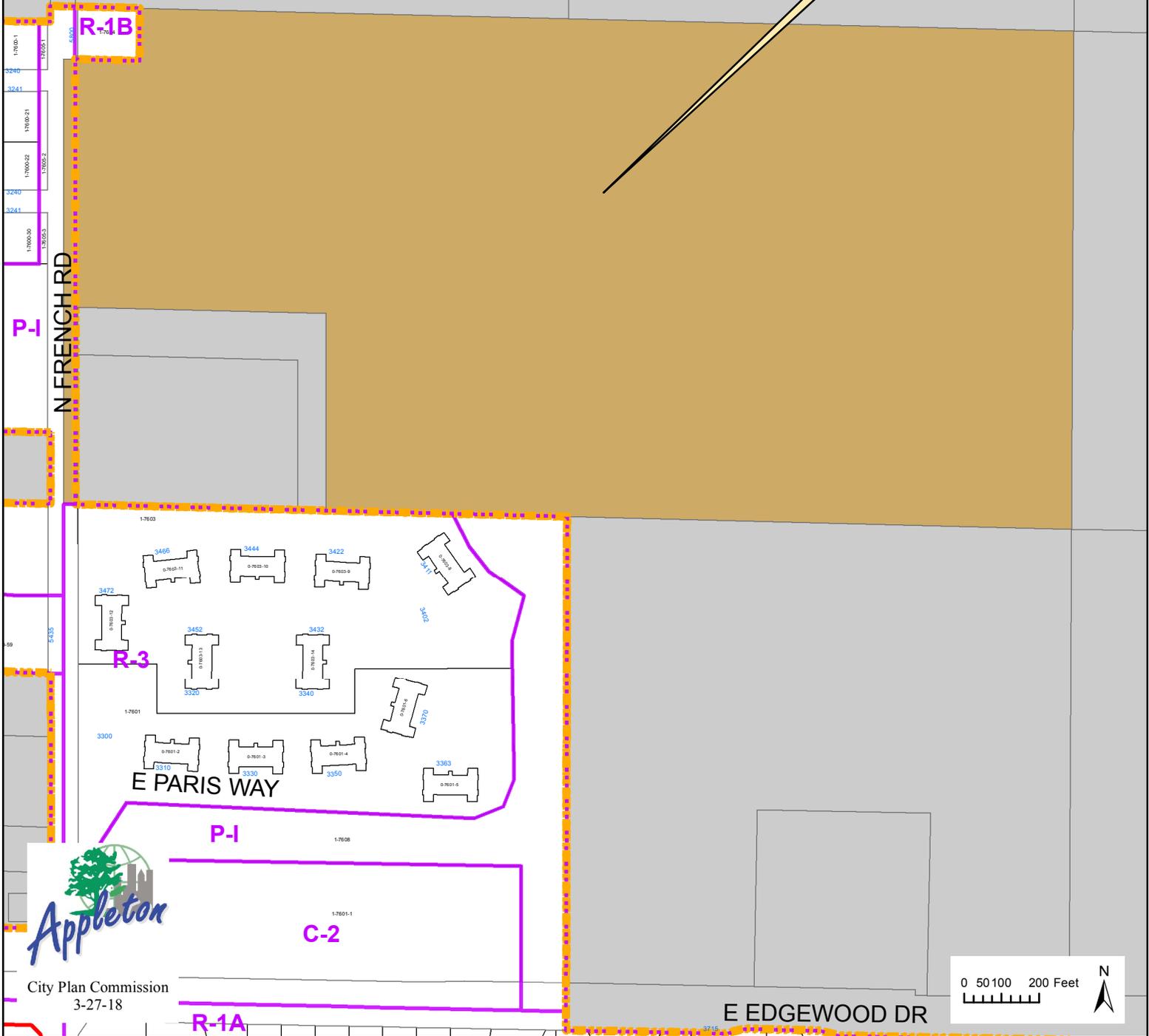
RECOMMENDATION

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 #2-18 to rezone the subject parcel located on North French Road (Tax Id #31-1-7609-00 and #31-1-7610-00, formerly part of Town of Grand Chute Tax Id #101153600) from temporary AG Agricultural District and P-I Public Institutional District to R-1B Single-Family District, including to the centerline of the adjacent right-of-way and as shown on the attached map, **BE APPROVED**.

North Edgewood Estates Annexation
 Rezoning
 Temporary AG Agricultural District and
 P-I Public Institutional District to
 R-1B Single-Family District
 Zoning Map



Subject Area



City Plan Commission
 3-27-18



North Edgewood Estates Annexation
Rezoning
Temporary AG Agricultural District and
P-I Public Institutional District to
R-1B Single-Family District
Aerial Map

Subject Area



City Limits

N FRENCH RD

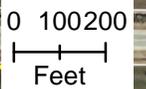
E PARIS WAY

City Limits

E EDGEWOOD DR



City Plan Commission
3-27-18



PART OF PARCEL: 101153600

Description of lands to be rezoned from temporary AG Agricultural District and P-I Public Institutional District to R-1B Single-Family District:

Part of Lot One (1) and part of Lot Two (2) of **CERTIFIED SURVEY MAP NUMBER 4228** filed in Volume 23 of Certified Survey Maps on Page 4228 as Document Number 1448301 in the Outagamie County Register of Deeds Office, located in the North One-Half (N ½) of the Southwest Quarter (SW ¼) of Section 5, Township 21 North, Range 18 East, Town of Grand Chute, Outagamie County, Wisconsin, containing 72.263 Acres of land m/l and being described by:

Commencing at the Southwest corner of said Section 5;

Thence North 00° 02' 25" West 1325.97 feet along the West line of the SW ¼ of said Section 5 to the South line of Certified Survey Map No. 4228;

Thence South 88° 34' 21" East 33.01 feet coincident to the South line of said Certified Survey Map No. 4228 to the Point of Beginning;

Thence North 00° 02' 25" West 1185.99 feet to a North line of said Certified Survey Map No. 4228;

Thence South 88° 35' 21" East 171.05 feet coincident to a North line of said Certified Survey Map No. 4228;

Thence North 00° 02' 25" West 140.00 feet coincident to a West line of said Certified Survey Map No. 4228;

Thence South 88° 35' 21" East 2486.15 feet coincident to the North line of said Certified Survey Map No. 4228 to the East line of said Certified Survey Map No. 4228;

Thence South 00° 16' 55" West 1326.58 feet coincident to the East line of said Certified Survey Map No. 4228 to the South line of said Certified Survey Map No. 4228;

Thence North 88° 34' 21" West 1982.54 feet coincident to the South line of said Certified Survey Map No. 4228;

Thence North 00° 02' 25" West 525.18 feet;

Thence North 88° 34' 11" West 660.22 feet to a point 40.00 feet East of, as measured at a right angle to, the West line of the Southwest ¼ of said Section 5;

Thence South 00° 02' 25" East 525.21 feet to the South line of said Certified Survey Map No. 4228;

Thence North 88° 34' 21" West 7.00 feet coincident to the South line of said Certified Survey Map No. 4228 to the point of beginning. Including to the centerline of the adjacent right-of-way.