



## REPORT TO CITY PLAN COMMISSION

**Plan Commission Public Hearing Date:** December 10, 2019

**Common Council Meeting Date:** December 18, 2019

**Item:** Special Use Permit #11-19 for a medical office building in the C-2 District that exceeds 60 feet in height, not to exceed 95 feet in height

**Case Manager:** Jessica Titel

### GENERAL INFORMATION

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**Owner:** ThedaCare, Inc.

**Applicant:** Mike Kohlbeck – McMahon Associates, Inc.

**Address/Parcel #:** 2500 E. Capitol Drive (Tax Id #31-1-6601-01 and 31-1-6601-02)

**Petitioner's Request:** The applicant is requesting a Special Use Permit for a medical office building that exceeds 60 (sixty) feet in height, not to exceed 95 (ninety-five) feet in height. In the C-2 General Commercial District, a Special Use Permit is required for a building that exceeds 35 (thirty-five) feet in height; however, Special Use Permit #7-08 allowed a building with a maximum height of 60 (sixty) feet on this property.

### BACKGROUND

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This property was annexed to the City as part of several annexations in 1979 and 1991.

The subject area includes a medical office complex that was built in 2008. An approximately 85,000 square foot addition received Site Plan approval and was built in 2015. A Certified Survey Map was approved in 2015 to combine the existing parcels into one parcel.

On May 7, 2008, the Common Council approved Special Use Permit #7-08 to allow a building with a maximum height of 60 (sixty) feet on this property. The applicant is now proposing an addition to the building and is requesting approval for a building height not to exceed 95 feet.

### STAFF ANALYSIS

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**Project Summary:** The applicant proposes to construct an approximately 230,000 square foot addition onto their existing medical office building. Initially, the building will be 3 stories and approximately 45 feet in height. The addition will include medical office space, a specialty surgery center, an orthopedic and spine hospital as well as support services for these uses. The existing facility has a maximum height of 60 feet and was built in 2 phases. The initial construction of the addition will not be built to the full requested 95 feet height, but the applicant would like the option to exceed 60 feet in height for potential future phases. The structural design for the first phase will need to account for potential full height build out.

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**Existing Site Conditions:** The existing 3-story medical office building totals approximately 241,000 square feet and has a maximum height of 60 feet. The lot is 53.040 acres in area. There are 861 on-site parking spaces provided. Main access to the parcel is from the intersection of East Capitol Drive and North Roemer Road. There is also an access on North Conkey Street and another at the intersection of East Capitol Drive and North Marshall Road.

City of Appleton Arterial/Collector Plan:

- East Capitol Drive and North Roemer Road are designated as collector streets.
- North Conkey Street and North Marshall Road are designated as local streets.
- Interstate HWY 41 is shown as a Freeway. There is no access to the site from Interstate 41.

**Zoning Ordinance Requirements:** The subject property has a zoning designation of C-2 General Commercial District. Per Section 23-113(e) of the Municipal Code, buildings that exceed a height of 35 feet require a Special Use Permit in the C-2 District. On May 7, 2008, the Common Council approved Special Use Permit #7-08 to allow a building with a maximum height of 60 (sixty) feet on this property. In order to permit a building to exceed 60 feet in height on this property, the Plan Commission makes a recommendation to the Common Council who will make the final decision on the Special Use Permit. A two-thirds (2/3) vote of the Common Council is required for approval.

**Operational Information:** Conceptual site and phasing plans are attached to the staff report.

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

North: C-2 General Commercial District. The adjacent land use to the north is currently public right-of-way (Interstate 41).

South: M-1 Industrial Park District. The adjacent land uses to the south are currently used for industrial purposes.

East: M-1 Industrial Park District. The adjacent land uses to the east are currently used for industrial purposes.

West: C-2 General Commercial District. The adjacent land use to the west is currently used for office purposes (Guardian Life Insurance).

**Appleton Comprehensive Plan 2010-2030:** Community and Economic Development staff have reviewed this proposal and determined it is compatible with the Commercial designation shown on the City's *Comprehensive Plan 2010-2030* 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.*

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*Goal 8 – Economic Development*

*Appleton will pursue economic development that retains and attracts talented people, brings good jobs to the area, and supports the vitality of its industrial areas, downtown, and neighborhood business districts.*

*OBJECTIVE 9.5 Economic Development:*

*Encourage new development and redevelopment activities that create vital and attractive neighborhoods and business districts.*

**Finding of Fact:** This request was reviewed in accordance with the standards for granting a Special Use Permit under Section 23-66(e)(1-6) of the Municipal Code, which were found in the affirmative, as long as all stipulations are satisfied.

**Technical Review Group (TRG) Report:** This item was discussed at the December 3, 2019 Technical Review Group meeting. The following comment was received from the Fire Department: If future building height exceeds 75 feet, additional fire protection requirements may be necessary. It is recommended that the applicant be aware of these potential considerations in order to plan ahead for any future requirements.

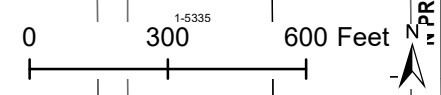
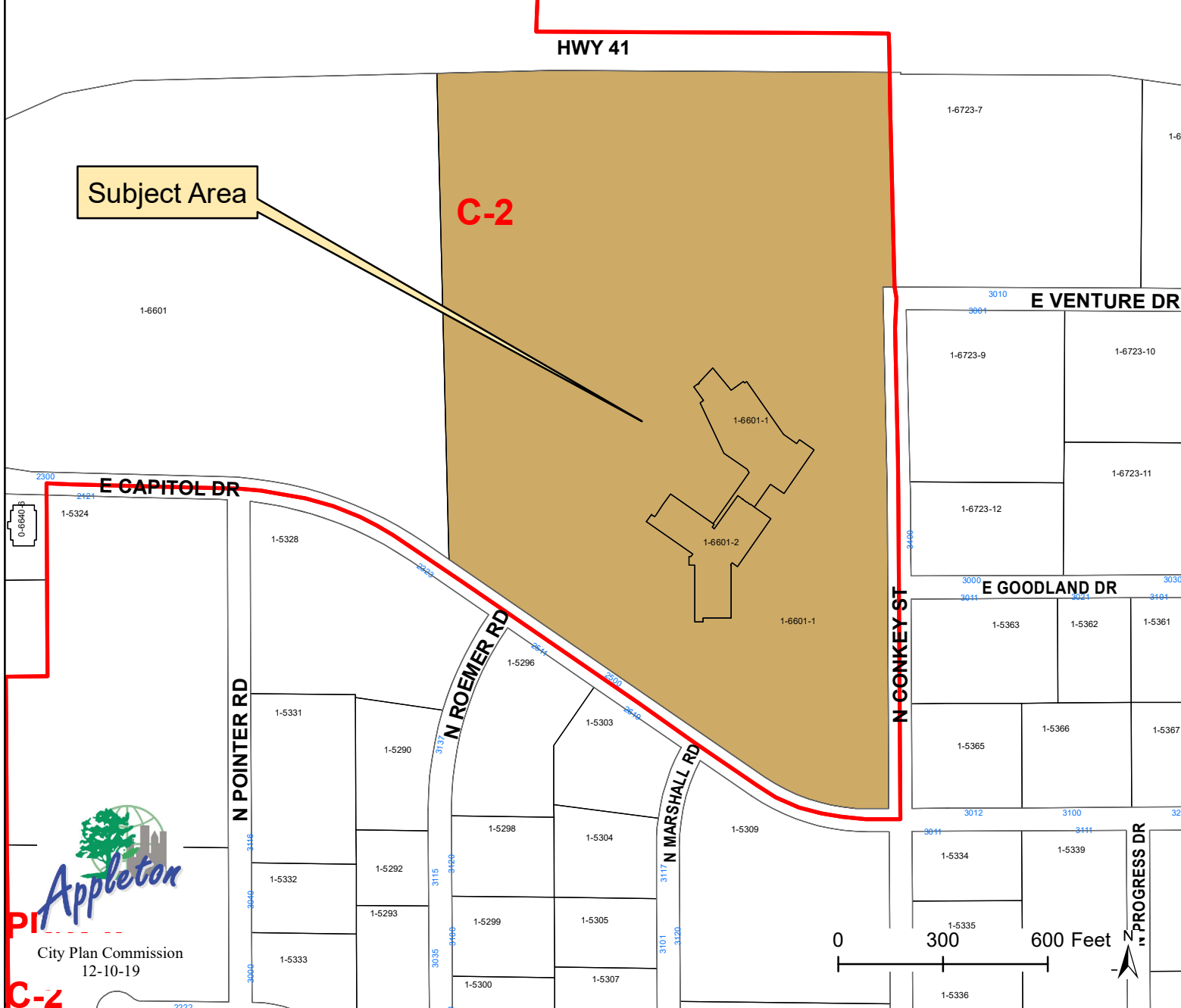
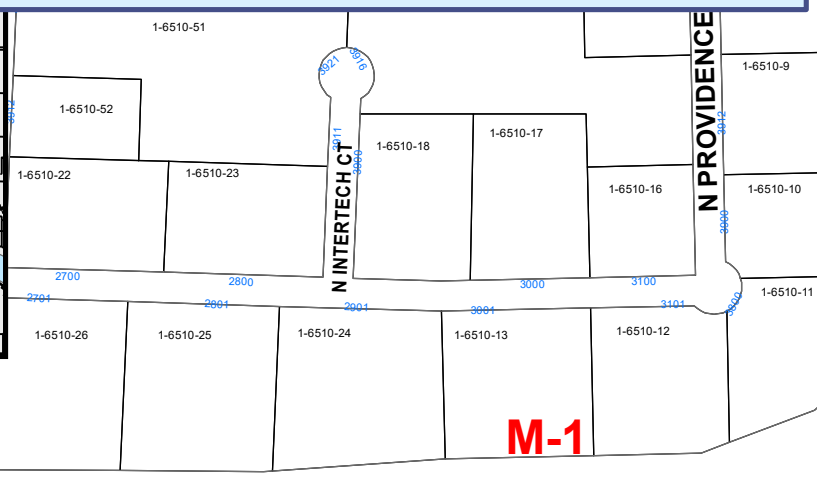
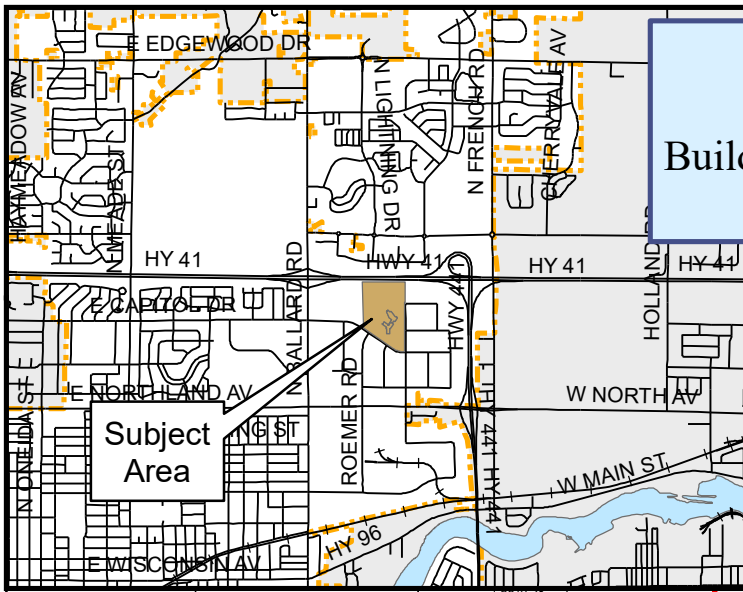
**RECOMMENDATION**

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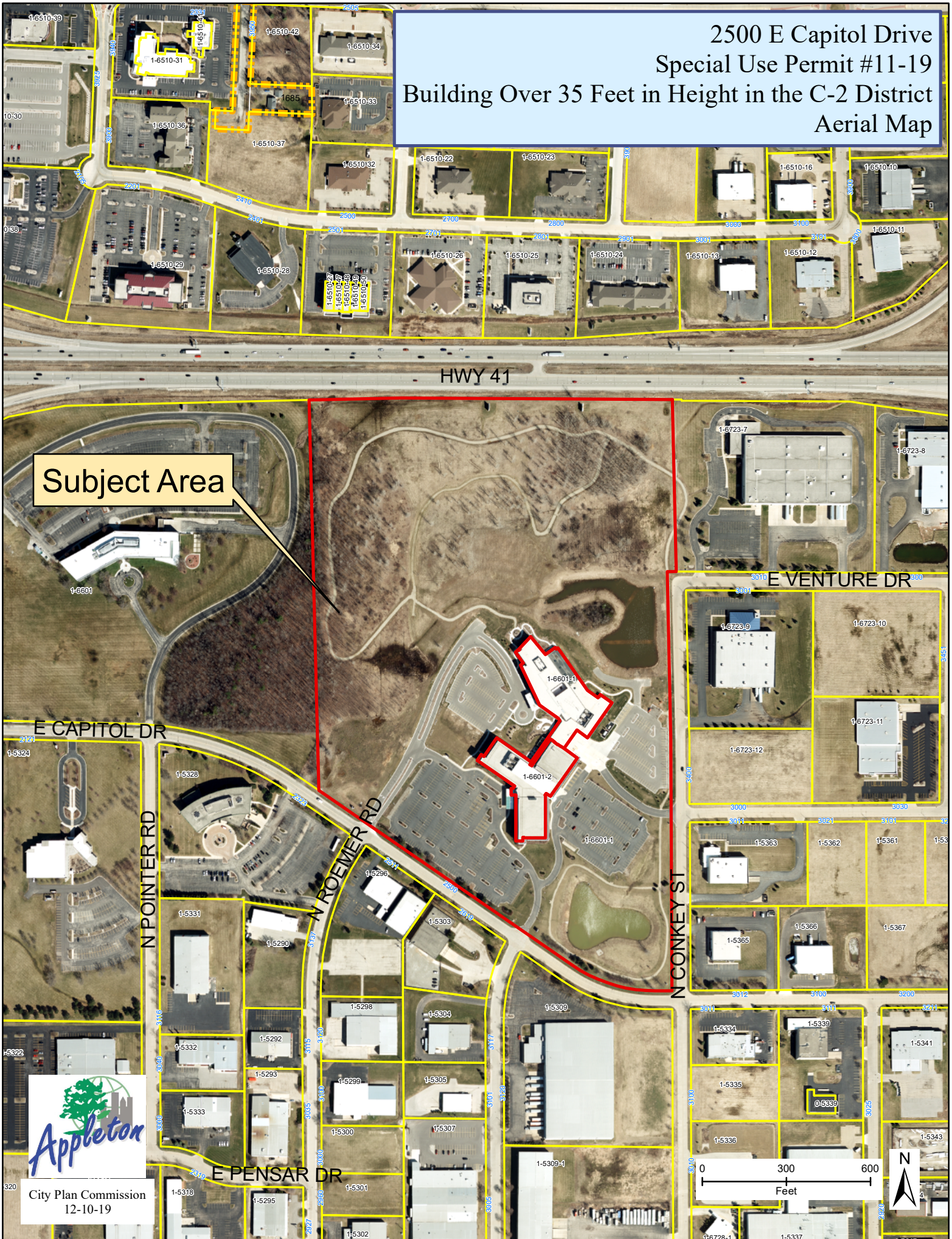
Staff recommends, based on the above, that Special Use Permit #11-19 for a medical office building in the C-2 District that exceeds 60 feet in height, not to exceed 95 feet in height, at 2500 E. Capitol Drive (Tax Id #31-1-6601-01 and 31-1-6601-02), as shown on the attached maps, along with the attached resolution, **BE APPROVED** to run with the land, subject to the following conditions:

1. All applicable codes, ordinances, deed restrictions and regulations, including but not limited to Fire, Building, and Health Codes and the Noise Ordinance, shall be complied with.
2. Maximum building height shall not exceed 95 feet. Any future building additions that exceed 95 feet in height will require a major or minor amendment request to this Special Use Permit, pursuant to Section 23-66(g) of the Municipal Code.
3. Special Use Permit #11-19 will replace Special Use Permit #7-08 in regards to the maximum building height permitted on this property.
4. Site Plan review and approval is required, pursuant to Section 23-570 of the Municipal Code, prior to the issuance of a building permit by the Inspections Division. Zoning Ordinance requirements and other departmental comments will be examined further during review of the Site Plan.

2500 E Capitol Drive  
 Special Use Permit #11-19  
 Building Over 35 Feet in Height in the C-2 District  
 Zoning Map



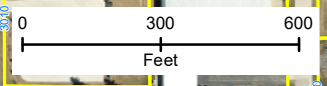
# 2500 E Capitol Drive Special Use Permit #11-19 Building Over 35 Feet in Height in the C-2 District Aerial Map



Subject Area



City Plan Commission  
12-10-19



**RESOLUTION**

**CITY OF APPLETON  
RESOLUTION APPROVING SPECIAL USE PERMIT #11-19**

**WHEREAS**, ThedaCare, Inc., has applied for a Special Use Permit for a medical office building in the C-2 District that exceeds 60 feet in height, not to exceed 95 feet in height, located at 2500 E. Capitol Drive, also identified as Parcel Number(s) 31-1-6601-01 and 31-1-6601-02; and

**WHEREAS**, in the C-2 General Commercial District, a special use permit is required for a building that exceeds 35 (thirty-five) feet in height; however, Special Use Permit #7-08 allowed a building with a maximum height of 60 (sixty) feet on this property; and

**WHEREAS**, the location for the proposed medical office building that exceeds 60-feet in height is located in the C-2 General Commercial District and the proposed building height is permitted by special use within this zoning district; and

**WHEREAS**, the City of Appleton Plan Commission held a public hearing on December 10, 2019, on Special Use Permit #11-19 at which all those wishing to be heard were allowed to speak or present written comments, and other materials presented at the public hearing; and

**WHEREAS**, the City of Appleton Plan Commission has considered the application, the staff reports, oral and written, the Comprehensive Plan and zoning on the subject property, the testimony, written comments, and other materials presented at the public hearing; and

**WHEREAS**, the City of Appleton Plan Commission reviewed the standards for granting a Special Use Permit under Section 23-66(e)(1-6) of the Municipal Code, and forwarded Special Use Permit #11-19 to the City of Appleton Common Council with a favorable or not favorable (CIRCLE ONE) recommendation; and

**WHEREAS**, the City of Appleton Common Council has reviewed the report and recommendation of the City of Appleton Plan Commission at their meeting on \_\_\_\_\_, 2019 and found it to be acceptable.

**NOW, THEREFORE, BE IT RESOLVED**, that the City of Appleton Common Council approves Special Use Permit #11-19 for a medical office building in the C-2 District that exceeds 60 feet in height, not to exceed 95 feet in height, located at 2500 E. Capitol Drive, also identified as Parcel Number(s) 31-1-6601-01 and 31-1-6601-02, to run with the land with the following conditions:

**CONDITIONS OF SPECIAL USE PERMIT #11-19**

1. All applicable codes, ordinances, deed restrictions and regulations, including but not limited to Fire, Building, and Health Codes and the Noise Ordinance, shall be complied with.

2. Maximum building height shall not exceed 95 feet. Any future building additions that exceed 95 feet in height will require a major or minor amendment request to this Special Use Permit, pursuant to Section 23-66(g) of the Municipal Code.
3. Special Use Permit #11-19 will replace Special Use Permit #7-08 in regards to the maximum building height permitted on this property.
4. Site Plan review and approval is required, pursuant to Section 23-570 of the Municipal Code, prior to the issuance of a building permit by the Inspections Division. Zoning Ordinance requirements and other departmental comments will be examined further during review of the Site Plan.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

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Timothy M. Hanna, Mayor

ATTEST:

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Kami Lynch, City Clerk



# ThedaCare®

## **THEDACARE, HAND TO SHOULDER CENTER OF WISCONSIN & NEUROSCIENCE GROUP ANNOUNCE ORTHOPEDICS, SPINE AND PAIN CARE**

To meet growing consumer demand for convenient, specialized services, ThedaCare, Hand to Shoulder Center of Wisconsin and Neuroscience Group are creating the region's first comprehensive Orthopedic, Spine and Pain Center. This collaboration brings together a team of physician experts, specialized care teams and comprehensive services at a single location. The goal is to put patients first, minimize patient recovery time and ultimately fulfill their mission of improving the health and quality of life for the people in Northeast and Central Wisconsin.

The new Orthopedic, Spine and Pain Center will be located at ThedaCare Health Campus - Encircle in Appleton, Wis. The location will include a medical office building, specialty surgery center, and orthopedic and spine hospital, as well as support services for total patient care.

A highlight of the Center is the ThedaCare orthopedic and spine hospital, which will include operating suites designed for and dedicated to orthopedic and spine surgery, 25 inpatient beds, support services such as imaging, lab, pharmacy and dining, and a simulation apartment allowing patients and their families to complete therapy to prepare for life post-discharge.

Total cost is expected to be \$144M. The 230,000 sq. ft. Center is expected to open in late 2021, with groundbreaking planned for spring 2020.

To learn more about the Orthopedic, Spine and Pain Center, visit [ThedaCareOSP.org](http://ThedaCareOSP.org).





**Minimum Construction Type  
HOSPITAL**

**TYPE 1B (2,2,2)**  
(NFPA Type II)

Max Stories: 5  
Max Height:  
Max Area: Unlimited

**Minimum Construction Type  
HOSPITAL, ASC, MOB**  
(No Frontage Increase)

**TYPE 2A (1,1,1)**  
(NFPA Type II)

Max Stories: 6  
Max Height:  
Max Area: 112,500 SF per floor  
**Max Total Area: 562,500**

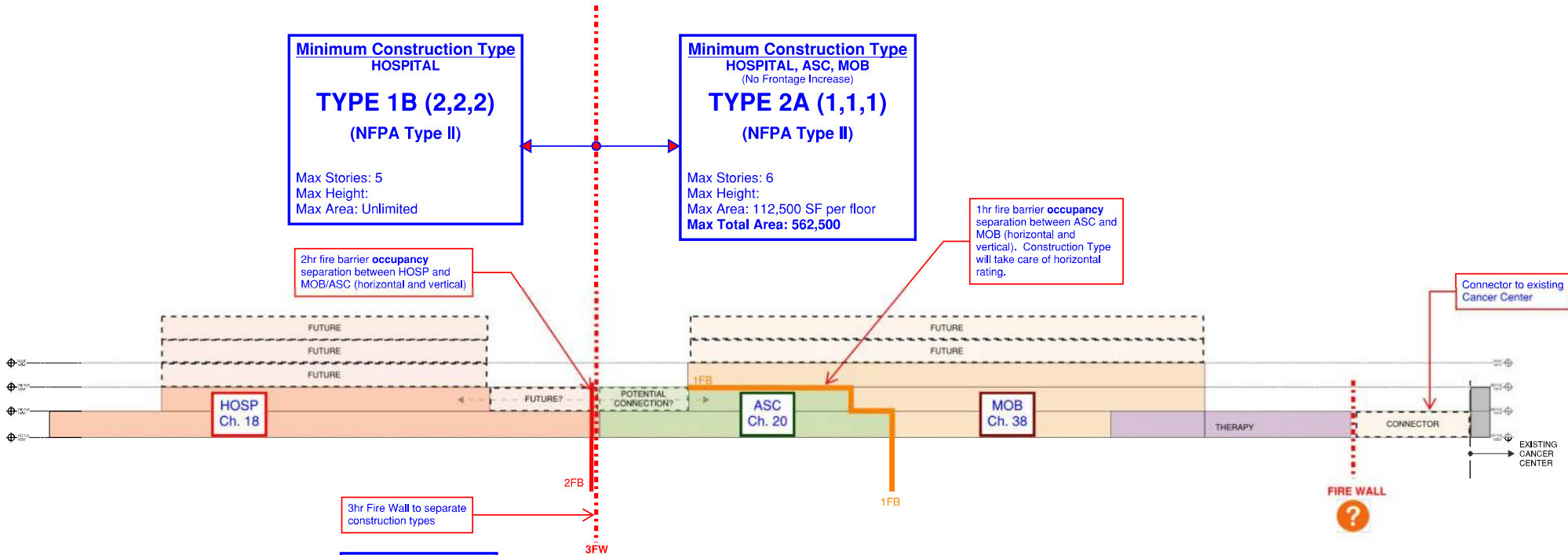
2hr fire barrier **occupancy** separation between HOSP and MOB/ASC (horizontal and vertical)

1hr fire barrier **occupancy** separation between ASC and MOB (horizontal and vertical). Construction Type will take care of horizontal rating.

3hr Fire Wall to separate construction types

Fire Wall must be vertically aligned and cannot offset horizontally (for the most part).

Connector to existing Cancer Center





**Mapped Features**

- Parcel Line
- Road Centerline

Sources: Outagamie County, 2018; Eppstein Uhen Architects, Inc., 2019.

Disclaimer: The property lines, right-of-way lines, and other property information on this drawing were developed or obtained as part of the County Geographic Information System or through the County property tax mapping function. McMAHON ASSOCIATES, INC. does not guarantee this information to be correct, current, or complete. The property and right-of-way information are only intended for use as a general reference and are not intended or suitable for site-specific uses. Any use to the contrary of the above stated uses is the responsibility of the user and such use is at the user's own risk.

**ORTHOPEDIC, SPINE  
AND PAIN CENTER AT THE  
THEDA CARE CAMPUS - ENCIRCLE  
CITY OF APPLETON  
OUTAGAMIE COUNTY, WISCONSIN**