

**69-19**

**AN ORDINANCE AMENDING CHAPTER 23 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON AND THE OFFICIAL ZONING MAP WHICH IS A PART THEREOF, BY MAKING THE FOLLOWING CHANGES IN THE DISTRICT AS NOW PROVIDED.**

(City Plan Commission 07/10/2019)

The Common Council of the City of Appleton does ordain as follows:

**Section 1:** That Zoning Ordinance, Chapter 23 of the Municipal Code of the City of Appleton and the Official Zoning Map, which is a part thereof, is amended by making the following changes:

To rezone a portion of the parcels of lands generally located east of North Plateau Street and south of East Wisconsin Avenue (Tax Id #31-1-1044-00, #31-1-1045-01, and #31-1-1216-00) from R-1B Single-Family District to C-2 General Commercial District. (Rezoning #5-19 – Mark’s East Side – East Wisconsin Avenue)

**LEGAL DESCRIPTION:**

**DESCRIPTION OF PARCEL “A” TO BE REZONED FROM R1B TO C2:**

A PARCEL OF LAND BEING PART OF LOT 5, BLOCK 56, HARRIMAN’S LAWSBURG PLAT AND PART OF BLOCK 83 OF THE FIRST WARD PLAT, ACCORDING TO THE RECORDED ASSESSOR’S MAP OF THE CITY OF APPLETON, ALL LOCATED IN GOVERNMENT LOT 2 OF SECTION 25, TOWNSHIP 21 NORTH, RANGE 17 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTH ¼ OF SECTION 25; THENCE S89°58’11”E, 822.34 FEET ALONG THE NORTH LINE OF GOVERNMENT LOT 2 OF SECTION 25 TO THE NORTHERLY EXTENSION OF THE EAST LINE OF CERTIFIED SURVEY MAP NO. 6320; THENCE S00°31’51”W, 232.86 FEET ALONG SAID EXTENSION AND ALONG THE EAST LINE OF SAID CERTIFIED SURVEY MAP TO A SOUTH LINE OF SAID CERTIFIED SURVEY MAP AND THE POINT OF BEGINNING; THENCE CONTINUING S00°31’51”W, 69.78 FEET TO THE EASTERLY EXTENSION OF THE SOUTH LINE OF LOT 5, BLOCK 56, HARRIMAN’S LAWSBURG PLAT; THENCE S89°52’45”W, 154.02 FEET ALONG SAID EXTENSION AND ALONG SAID SOUTH LINE; THENCE N00°30’37”E, 60.00 FEET TO A SOUTH LINE OF CERTIFIED SURVEY MAP NO. 6320; THENCE N89°52’45”E, 84.04 FEET ALONG SAID SOUTH LINE; THENCE N00°31’51”E, 10.00 FEET ALONG SAID SOUTH LINE; THENCE

S89°56'32"E, 70.00 FEET ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING. SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD. SAID DESCRIBED PARCEL CONTAINS 9,933 SQUARE FEET OF LAND MORE OR LESS.

**DESCRIPTION OF PARCEL "B" TO BE REZONED FROM R1B TO C2:**

A PARCEL OF LAND BEING PART OF LOT 4, BLOCK 56, HARRIMAN'S LAWSBURG PLAT, ACCORDING TO THE RECORDED ASSESSOR'S MAP OF THE CITY OF APPLETON, LOCATED IN GOVERNMENT LOT 2 OF SECTION 25, TOWNSHIP 21 NORTH, RANGE 17 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTH ¼ OF SECTION 25; THENCE S89°58'11"E, 822.34 FEET ALONG THE NORTH LINE OF GOVERNMENT LOT 2 OF SECTION 25 TO THE NORTHERLY EXTENSION OF THE EAST LINE OF CERTIFIED SURVEY MAP NO. 6320; THENCE S00°31'51"W, 232.86 FEET ALONG SAID EXTENSION AND ALONG THE EAST LINE OF CERTIFIED SURVEY MAP TO A SOUTH LINE OF SAID CERTIFIED SURVEY MAP; THENCE N89°56'32"W, 70.00 FEET ALONG SAID SOUTH LINE; THENCE S00°31'51"W, 10.00 FEET ALONG SAID SOUTH LINE; THENCE S89°52'45"W, 101.00 FEET ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING; THENCE CONTINUING S89°52'45"W, 15.04 FEET ALONG THE SOUTH LINE OF LOT 4, BLOCK 56, HARRIMAN'S LAWSBURG PLAT; THENCE N00°30'37"E, 60.00 FEET TO THE SOUTH LINE OF CERTIFIED SURVEY MAP NO. 6320; THENCE N89°52'45"E, 15.06 FEET ALONG SAID SOUTH LINE; THENCE S00°31'51"W, 60.00 FEET ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING. SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD. SAID DESCRIBED PARCEL CONTAINS 903 SQUARE FEET OF LAND MORE OR LESS.

**COMMON DESCRIPTION:**

A portion of the parcels located on North Plateau Street and East Wisconsin Avenue

**Section 2:** This Ordinance shall be in full force and effect from and after its passage and publication, and upon its passage and publication the Director of Community and Economic Development is authorized and directed to make the necessary changes to the Official Zoning Map in accordance with this Ordinance.

**70-19**

AN ORDINANCE AMENDING THE  
COMPREHENSIVE PLAN FOR THE  
CITY OF APPLETON

The Common Council of the City of Appleton does ordain as follows:

**Section 1:** The Comprehensive Plan 2010-2030 Comprehensive Land Use Map

Amendment for the following area of the city be amended as follows:

**#1-19:** For a portion of the parcels of land generally located east of North Plateau Street and south of East Wisconsin Avenue, City of Appleton, Outagamie County, Wisconsin (Tax Id #31-1-1044-00, #31-1-1045-01, and #31-1-1216-00) from future Public/Institutional and One- and Two-Family Residential land use to Commercial land use and the Future Land Use Map be revised accordingly.

**LEGAL DESCRIPTION:**

**DESCRIPTION OF PARCEL “A” TO BE AMENDED FROM  
PUBLIC/INSTITUTIONAL TO COMMERCIAL:**

A PARCEL OF LAND BEING PART OF BLOCK 83 OF THE FIRST WARD PLAT, ACCORDING TO THE RECORDED ASSESSOR’S MAP OF THE CITY OF APPLETON, LOCATED IN GOVERNMENT LOT 2 OF SECTION 25, TOWNSHIP 21 NORTH, RANGE 17 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTH ¼ OF SECTION 25; THENCE S89°58’11”E, 822.34 FEET ALONG THE NORTH LINE OF GOVERNMENT LOT 2 OF SECTION 25 TO THE NORTHERLY EXTENSION OF THE EAST LINE OF CERTIFIED SURVEY MAP NO. 6320; THENCE S00°31’51”W, 232.86 FEET ALONG SAID EXTENSION AND ALONG THE EAST LINE OF CERTIFIED SURVEY MAP TO A SOUTH LINE OF SAID CERTIFIED SURVEY MAP AND THE POINT OF BEGINNING; THENCE CONTINUING S00°31’51”W, 69.78 FEET TO THE EASTERLY EXTENSION OF THE SOUTH LINE OF LOT 5, BLOCK 56, HARRIMAN’S LAWSBURG PLAT; THENCE S89°52’45”W, 70.00 FEET ALONG SAID EXTENSION TO THE EAST LINE OF LOT 5, BLOCK 65, HARRIMAN’S LAWSBURG PLAT; THENCE N00°31’51”E, 70.00 FEET ALONG SAID EAST LINE AND THE SOUTH LINE OF CERTIFIED SURVEY MAP NO. 6320; THENCE N89°52’45”E, 70.00 FEET ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING. SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF

RECORD. SAID DESCRIBED PARCEL CONTAINS 4,892 SQUARE FEET OF LAND MORE OR LESS.

**DESCRIPTION OF PARCEL "B" TO BE AMENDED FROM 1 AND 2 FAMILY RESIDENTIAL TO COMMERCIAL:**

A PARCEL OF LAND BEING PART OF LOT 5, BLOCK 56, HARRIMAN'S LAWSBURG PLAT, ACCORDING TO THE RECORDED ASSESSOR'S MAP OF THE CITY OF APPLETON, LOCATED IN GOVERNMENT LOT 2 OF SECTION 25, TOWNSHIP 21 NORTH, RANGE 17 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTH ¼ OF SECTION 25; THENCE S89°58'11"E, 822.34 FEET ALONG THE NORTH LINE OF GOVERNMENT LOT 2 OF SECTION 25 TO THE NORTHERLY EXTENSION OF THE EAST LINE OF CERTIFIED SURVEY MAP NO. 6320; THENCE S00°31'51"W, 232.86 FEET ALONG SAID EXTENSION AND ALONG THE EAST LINE OF CERTIFIED SURVEY MAP TO A SOUTH LINE OF SAID CERTIFIED SURVEY MAP; THENCE N89°56'32"W, 70.00 FEET ALONG SAID SOUTH LINE; THENCE S00°31'51"W, 10.00 FEET ALONG SAID SOUTH LINE TO THE EAST LINE OF LOT 5, BLOCK 56, HARRIMAN'S LAWSBURG PLAT AND THE POINT OF BEGINNING; THENCE CONTINUING S00°31'51"W, 60.00 FEET ALONG SAID EAST LINE TO THE SOUTH LINE OF SAID LOT 5; THENCE S89°52'45"W, 84.02 FEET ALONG SAID SOUTH LINE; THENCE N00°30'37"E, 60.00 FEET TO THE SOUTH LINE OF CERTIFIED SURVEY MAP NO. 6320; THENCE N89°52'45"E, 84.04 FEET ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING. SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD. SAID DESCRIBED PARCEL CONTAINS 5,041 SQUARE FEET OF LAND MORE OR LESS.

**DESCRIPTION OF PARCEL "C" TO BE AMENDED FROM 1 AND 2 FAMILY RESIDENTIAL TO COMMERCIAL:**

A PARCEL OF LAND BEING PART OF LOT 4, BLOCK 56, HARRIMAN'S LAWSBURG PLAT, ACCORDING TO THE RECORDED ASSESSOR'S MAP OF THE CITY OF APPLETON, LOCATED IN GOVERNMENT LOT 2 OF SECTION 25, TOWNSHIP 21 NORTH, RANGE 17 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTH ¼ OF SECTION 25; THENCE S89°58'11"E, 822.34 FEET ALONG THE NORTH LINE OF GOVERNMENT LOT 2 OF SECTION 25 TO THE NORTHERLY EXTENSION OF THE EAST LINE OF CERTIFIED SURVEY MAP NO. 6320; THENCE S00°31'51"W, 232.86 FEET ALONG SAID EXTENSION AND ALONG THE EAST LINE OF CERTIFIED SURVEY MAP TO A SOUTH LINE

OF SAID CERTIFIED SURVEY MAP; THENCE N89°56'32"W, 70.00 FEET ALONG SAID SOUTH LINE; THENCE S00°31'51"W, 10.00 FEET ALONG SAID SOUTH LINE; THENCE S89°52'45"W, 101.00 FEET ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING; THENCE CONTINUING S89°52'45"W, 15.04 FEET ALONG THE SOUTH LINE OF LOT 4, BLOCK 56, HARRIMAN'S LAWSBURG PLAT; THENCE N00°30'37"E, 60.00 FEET TO THE SOUTH LINE OF CERTIFIED SURVEY MAP NO. 6320; THENCE N89°52'45"E, 15.06 FEET ALONG SAID SOUTH LINE; THENCE S00°31'51"W, 60.00 FEET ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING. SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD. SAID DESCRIBED PARCEL CONTAINS 903 SQUARE FEET OF LAND MORE OR LESS.

**Section 2:** This ordinance shall be in full force and effect from and after its passage and publication.