

Return to: Department of Community  
and Economic Development  
100 North Appleton Street  
Appleton, Wisconsin 54911  
(920) 832-6411

## City of Appleton Application for Variance

Application Deadline

April 29, 2024

Meeting Date

May 20, 2024 7PM

Please write legibly and also submit a complete reproducible site plan (maximum size 11" x 17"). A complete site plan includes, but is not limited to, all structures, lot lines and streets with distances to each. There is a non-refundable \$350.00 fee for each variance application. The nonrefundable fee is payable to the City of Appleton and due at the time the application is submitted.

Property Information	
Address of Property (Variance Requested) <b>10 E COLLEGE AVE</b>	Parcel Number <b>31-2-0290-01</b>
Zoning District <b>CBD</b>	Use of Property <input type="checkbox"/> Residential <input checked="" type="checkbox"/> Commercial
Applicant Information	
Owner Name <b>FOX COMMONS PROPERTIES LLC</b>	Owner Address <b>301 W. Wisconsin Ave. Suite 305 Milwaukee, WI 53203</b>
Owner Phone Number <b>920-915-7333</b>	Owner E Mail address (optional)
Agent Name <b>SAM SCHMIDT</b>	Agent Address <b>PO Box 2517 Appleton WI 54912</b>
Agent Phone Number <b>920-915-7333</b>	Agent E Mail address (optional) <b>sam@darkhorsedevelopmentllc.com</b>
Variance Information	
Section 23-523(c)(1)(a)- Maximum wall sign size is three hundred fifty (350) sq. ft.	
Brief Description of Proposed Project  Proposed sign project will have multiple wall signs with a cumulative size of 581sq. ft. Section 23-523(c)(1)(a) of the Zoning Ordinance limits the size of wall sign to 35% of each wall of three hundred fifty (350) sq. ft.	

Owner's Signature (Required):



Date: \_\_\_\_\_

## Questionnaire

In order to be granted a variance each applicant must be able to prove that an unnecessary hardship would be created if the variance were not granted. The burden of proving an unnecessary hardship rest upon the applicant. The attached sheet provides information on what constitutes a hardship. (Attach additional sheets, if necessary, to provide the information requested. Additional information may be requested as needed.

**1. Explain your proposed plans and why you are requesting a variance:**

Fox Commons houses a dynamic mix of tenants, each with unique signage needs vital for their operations and identity within the community. Due to the diversity and number of tenants, we propose increasing the signage limit from 350 sqft to 581 sqft.

Lawrence University has leased 95,000 sqft at Fox Commons for student housing and academic offerings, necessitating prominent display of their seal and name on the facade for easy identification by students and visitors.

Mosaic Family Health is allocating 34,000 sqft to enhance healthcare accessibility in Fox Valley. Adequate signage on the College Avenue facade is crucial for directing patients and highlighting the institution's community commitment.

Additionally, first-floor tenants such as Prevea, gener8tor, Wild Goose, and the proposed Fox Den market hall, each require distinct storefront signage on College Avenue.

In compliance with the City of Appleton's TIF agreement, all original College Avenue entrances must remain operational to support a diverse mix of businesses. As such, ample signage is essential for all current and future tenants.

This signage allowance increases underscores Fox Commons' role as a cornerstone in downtown Appleton's revitalization and in promoting a vibrant, accessible community hub.

**2. Describe how the variance would not have an adverse impact on the surrounding properties:**

As the most expansive commercial space on College Avenue, Fox Commons has been redesigned to appear as 6 separate buildings to blend with the surrounding architecture of downtown Appleton. As such, none of the 6 distinct facades will have signage over 35% of their

respective surface areas, ensuring the variance will not adversely impact the surrounding properties.

3. **Describe the special conditions that apply to your lot or structure that do not apply to surrounding lots or structures:**

Fox Commons is the longest commercial building in downtown Appleton and boasts the most diverse tenant mix. Bordered on its east and west sides, the only viable space for signage is on its south wall. The development agreement with Appleton mandates that all original entrances be preserved, which has reduced the size of the first-floor suites and increased the mix of tenants and the demand for signage. Due to its extensive facade along College Avenue, an addition of 581 square feet of signage would constitute only 1.52% of its total surface area.

4. **Describe the hardship that would result if your variance were not granted:**

If the variance is not granted, the inability of tenants to effectively advertise their businesses could result in severe compromises to their operations. For instance, Lawrence University might face challenges in its expansion efforts, potentially affecting student recruitment and access to new academic programs and housing, due to inadequate signage. Similarly, the healthcare missions of Mosaic Family Health and Prevea would be compromised, as clear and navigable signage is crucial for patient access and attracting medical professionals to the area. Moreover, the visibility of first-floor tenants is critical to fulfilling Appleton's development agreement. Allowing signage to occupy less than 2% of the facade's surface area would mitigate these issues.



## CITY OF APPLETON MEMO

To: Board of Zoning Appeals

From: Kurt W. Craanen, Inspections Supervisor



Date: May 7, 2024

RE: Variance Application for 10 E. College Ave. (31-2-0290-01)

### **Description of Proposal**

The applicant proposes to install wall signs with a cumulative size of five hundred and eighty one (581) sq. ft. Section 23-523(c)(1)(a) of the zoning ordinance limits the size of wall signs to 35% of each wall or three hundred and fifty (350) sq. ft.

### **Impact on the Neighborhood**

In the application, the applicant states that none of the six (6) distinct facades will have signage over 35% of their respective surface areas, ensuring the variance will not adversely impact the surround properties.

### **Unique Condition**

In the application, the applicant states that Fox Commons is the longest commercial building in downtown Appleton and boasts the most diverse tenant mix. Also, the applicant states that due to its extensive facade along College Avenue, an addition of 581 square feet of signage would constitute only 1.52% of its total surface area.

### **Hardship**

In the application, the applicant states that if the variance is not granted, the inability of tenants to effectively advertise their businesses could result in severe compromises to their operations. The applicant also states that allowing signage to occupy less than 2% of the façade's surface area would mitigate these issues.

### **Staff Analysis**

This property is 52,664 sq. ft. The minimum lot area in the CBD zoning district is 2,400 sq. ft.

The south wall of Fox Commons is approximately 30,000 sq. ft. This building encompasses nearly two city blocks. The size of the wall is uniquely large.

Because of the large size of the wall at Fox Commons, this property meets the review criteria for a variance in accordance with Section 23-67(f)(1) of the Zoning Ordinance. This property has a condition (size) that makes this property different than other properties in the area.









