

MEMORANDUM

Date:	May 28, 2025
То:	City Plan Commission
From:	Colin Kafka, Principal Planner
Subject:	City of Appleton Comprehensive Plan 2010-2030 Future Land Use Map
	Amendment #1-25 and Rezoning #4-25

GENERAL INFORMATION

Owner/Applicant: Kevan Lewis, Health Management Partners LLC. / Michael Booth, OPN Architects, Inc.

Address/Parcel Number: 0 E. Goodland Dr (Tax ID#31-1-6723-12)

Applicant's Request: Applicant, with owner approval, requests to amend the City of Appleton Comprehensive Plan 2010-2030 Future Land Use Map from future Business/Industrial designation to future Commercial designation for the subject parcel. In tandem with the future land use map amendment request, the applicant, with owner approval, requests to rezone the subject parcel from M-1 Industrial Park District to C-2 General Commercial District.

The rezoning request is being made to permit by right the use and development of the parcel for professional services. The owner intends to construct a Clinic, Ambulatory Surgery, and Office building. The comprehensive plan future land use map amendment request is being made to provide a future land use designation that is consistent with the proposed rezoning request and proposed future use of the property.

Plan Commission Public Hearing Meeting Date: May 28, 2025

Common Council Meeting Date: July 16, 2025

BACKGROUND

1999 Parcel established as Lot 4 of CSM 3490 (Doc No. 1325228)

STAFF ANALYSIS

Procedural Findings: When a *Comprehensive Plan 2010-2030* Future Land Use Map Amendment and Rezoning application are required for the same development project, the respective staff reports are consolidated into one report.

Existing Site Conditions: The subject parcel is approximately 2.69 acres in size and is located at the corner of North Conkey Street and East Goodland Drive. A 15' wide utility easement is situated along the west, south, and east parcel lines. The parcel is vacant.

Surrounding Zoning Classification, Future Land Use Designation, and Current Land Uses:

- North: Zoning M-1 Industrial Park District Future Land Use Designation – Business/Industrial Current Land Use – Industrial (Manufacturing/Warehouse)
- South: Zoning M-1 Industrial Park District Future Land Use Designation – Business/Industrial Current Land Use – Industrial (Manufacturing/Warehouse)
- East: Zoning M-1 Industrial Park District Future Land Use Designation – Business/Industrial Current Land Use – Governmental Facility (Outagamie County Sheriff)
- West: Zoning C-2 General Commercial District Future Land Use Designation – Commercial Current Land Use – Hospital (ThedaCare Hospital)

Proposed Future Land Use Designation: Amendments to the Comprehensive Plan are sometimes triggered by technical corrections to omissions or errors, specific development proposals, or changing circumstances in the City. In this case, a potential development proposal for the subject parcel is necessitating the change to future Commercial land use designation. The proposed future land use designation is consistent with the future Commercial land use designation for the parcel immediately to the west of the subject parcel (ThedaCare Healthcare Complex).

Appleton Comprehensive Plan 2010-2030: The City of Appleton 2010-2030 Comprehensive Plan Map identifies the subject area as future business/industrial. The proposed comprehensive plan future land use amendment and rezoning is consistent with the following goals and objectives of the *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 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 9.2 Economic Development:

Grow Appleton's business community through recruitment, expansion, and retention programs that ensure a diverse business mix and jobs that pay well.

OBJECTIVE 9.5.1 Economic Development:

Ensure a continued adequate supply of industrial and commercial land to sustain new business development.

OBJECTIVE 10.5 Land Use:

Support the continued redevelopment and revitalization of land uses adjacent to Appleton's key transportation corridors and downtown.

OBJECTIVE 10.1 Land Use:

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

Policy 10.1.1 Adopt, and as necessary, amend the Future Land Use Map in the Comprehensive Plan.

Proposed Zoning Classification: The C-2 district is intended to provide for businesses which serve city and regional markets; provide goods and services to other businesses, as well as consumers, provide services to automobiles and serve the traveling public. Per Section 23-113(h) of the Municipal Code, the development standards in the C-2 General Commercial District are listed below:

- (1) Minimum lot area. Fourteen thousand (14,000) square feet.
- (2) Maximum lot coverage. Seventy-five percent (75%).
- (3) Minimum lot width. Sixty (60) feet.
- (4) Minimum front yard. Ten (10) feet.
- (5) Minimum rear yard. Twenty (20) feet.
- (6) Minimum side yard.
 - a. None.
 - b. Ten (10) feet if abutting a residentially zoned district.
- (7) Maximum building height. Thirty-five (35) feet [See §23-113 (e)].

Future Actions: If the rezoning request is approved, any future development would be reviewed against the C-2 District zoning regulations and other applicable sections of the Zoning Ordinance. Any future development on the subject parcel would require Site Plan review and approval, pursuant to Section 23-570 of the Municipal Code, prior to the issuance of a building permit by the Inspections Division.

Standards for Zoning Map Amendments: Per Section 23-65(e), all recommendations for zoning amendments shall be consistent with the adopted plans, goals and policies of the City and with the purpose and intent of this zoning ordinance. It would appear the criteria established has been satisfied. Related excerpts are listed below.

- (1) Prior to making a recommendation on a proposed zoning amendment, the Plan Commission shall make a finding to determine if the following conditions exist. No zoning amendment shall be approved prior to finding at least one (1) of the following:
 - a. The request for a zoning amendment is consistent with the Comprehensive Plan for the City of Appleton. *If Future Land Use Map Amendment #1-25 is approved to designate the subject parcel as future Commercial, the rezoning request will be in conformance with the Comprehensive Plan 2010-2030.*
 - b. Factors have changed such as availability to new data, growth patterns and rates, the presence of new road or other infrastructure, additional development, annexation, or other zoning changes, making the subject property more appropriate for a different district.
 - c. There is an error in the zoning ordinance text or zoning map as enacted.

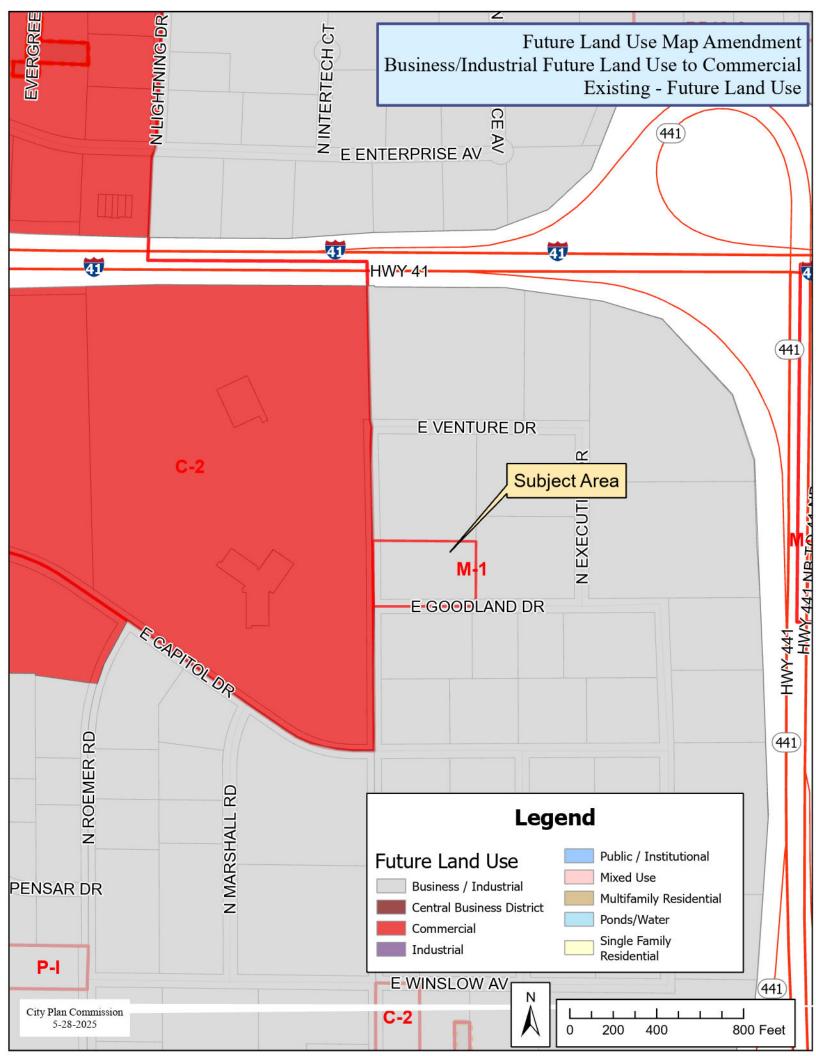
Development Review Team (DRT) Report: This item appeared on the May 6, 2025, DRT agenda. No negative comments were received from participating departments.

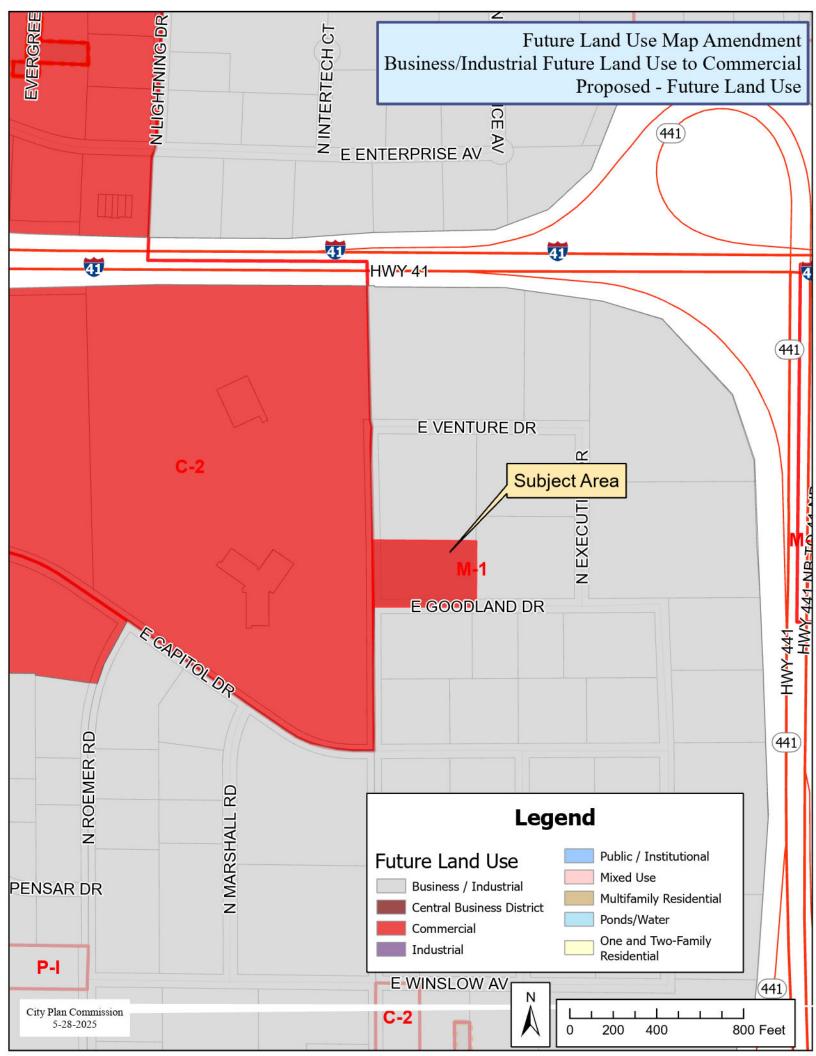
RECOMMENDATION

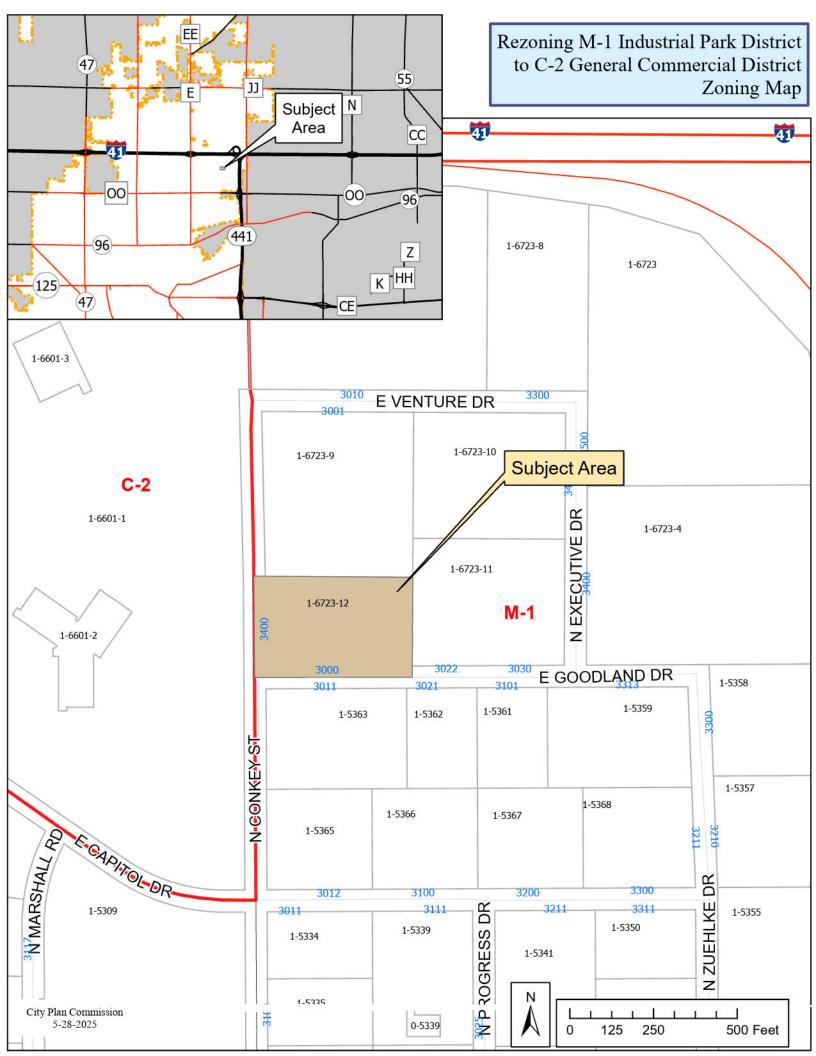
Based upon the above analysis, staff recommends the proposed City of Appleton *Comprehensive Plan 2010-2030* Future Land Use Map Amendment #1-25 for the subject parcel #31-1-6723-12 from Business/Industrial Future Land Use Designation to Commercial Future Land Use Designation and the attached resolution, **BE APPROVED**; and

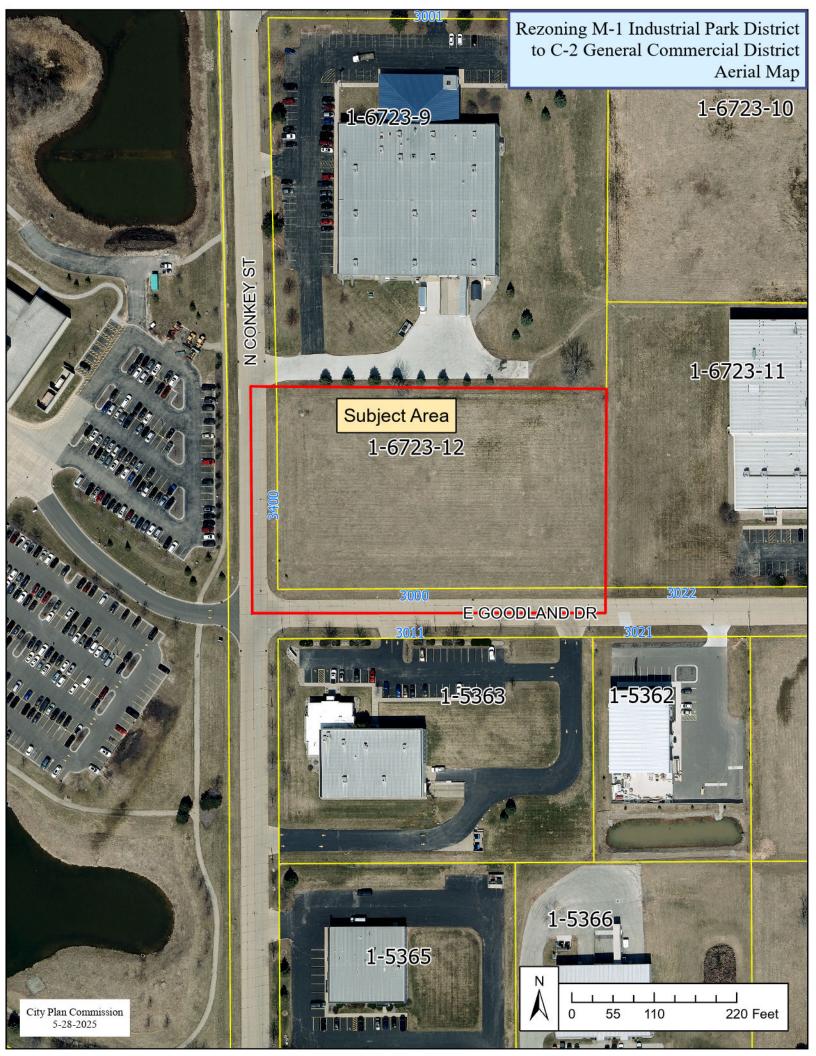
Based upon the above analysis and the standards for zoning map amendments as required by Section 23-65(e)(1)a. of the Zoning Ordinance, staff recommends Rezoning #4-25 to rezone the subject parcel #31-1-6723-12 from M-1 Industrial Park District to C-2 General Commercial District, including to the centerline of the adjacent right-of-way(s) as shown on the attached map, **BE APPROVED**.

NOTE: If approved, Rezoning #4-25 will be reported out at the same Common Council meeting as the proposed Comprehensive Plan Amendment #1-25 to accurately reflect the change in future land use from Business/Industrial Future Land Use Designation to Commercial Future Land Use Designation.





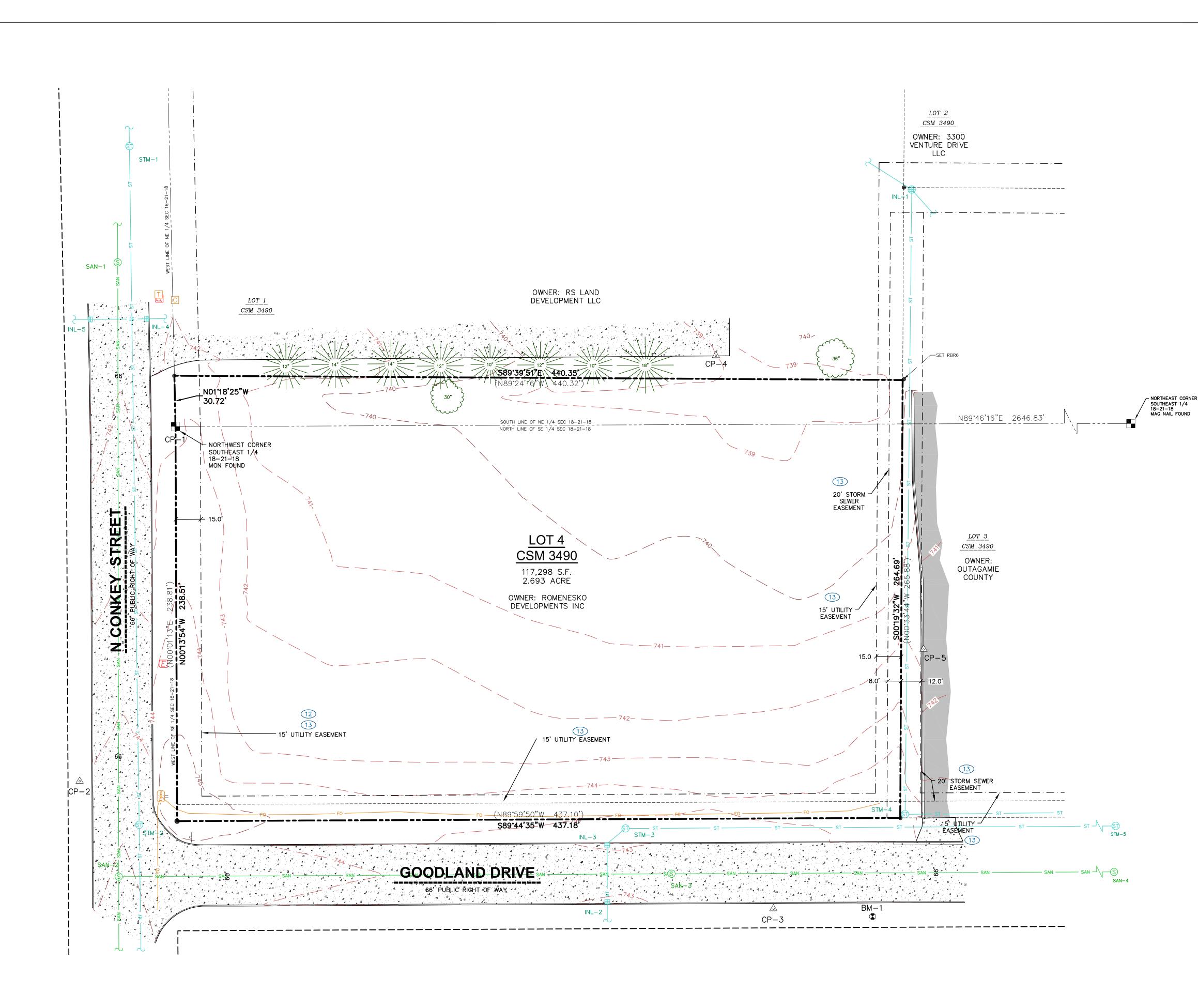




LEGAL DESCRIPTION (AS FURNISHED)

STEWART TITLE GUARANTY COMPANY, FILE No.: QAP2024-801, EFFECTIVE DATE: NOVEMBER 10, 2024 AT 12:01 A.M.

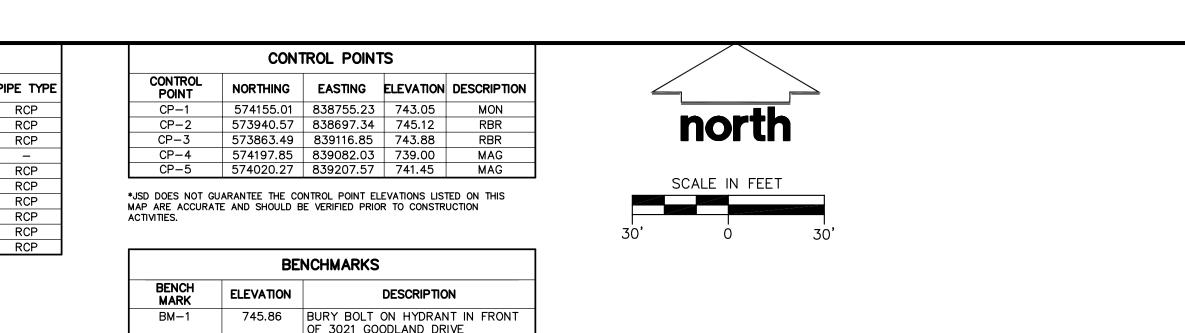
LOT FOUR (4), CERTIFIED SURVEY MAP NO. 3490 RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR OUTAGAMIE COUNTY, WISCONSIN ON MAY 7, 1999, IN VOLUME 18 OF CERTIFIED SURVEY MAPS ON PAGE 3490 AS DOCUMENT NO. 1325228, BEING PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, TOGETHER WITH PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER, TOGETHER WITH PART OF LOT 3, CERTIFIED SURVEY MAP NO. 3262, ALL IN THE EAST HALF OF SECTION 18, TOWNSHIP 21 NORTH, RANGE 18 EAST, LOCATED IN THE CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN, INCLUDING TO THE CENTERLINE OF THE ADJACENT STREET RIGHT-OF-WAY.



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STRUCT. ID	RIM ELEVATION	INVERT	ELEVATION	PIPE SIZE	PIPE TYPE
STM-1	741.21	N	733.17	_	RCP
		NE	N/A	_	PVC
		S	733.04	_	RCP
STM-2	744.60	N	732.47	-	RCP
		S	732.42		RCP
STM-3	743.69	SE	N/A	15"	PVC
		S	736.66	15"	PVC
		E	736.28	18"	RCP
STM-4	744.34	N	732.87	15"	PVC
		E	732.87	15"	PVC
STM-5	742.86	E	735.28	18"	RCP
		W	N/A	18"	RCP
	STORI	s M SEWEI	735.21	15"	PVC
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	RIM ELEVATION	M SEWER	R INLETS ELEVATION 733.64	PIPE SIZE	PIPE TYPE RCP
	RIM ELEVATION	M SEWER INVERT SE	ELEVATION 733.64 733.74	PIPE SIZE 24" 12"	PIPE TYPE RCP HDPE
INL-1	RIM ELEVATION 737.34	M SEWER INVERT S SE NW	ELEVATION 733.64 733.74 N/A	PIPE SIZE 24" 12" 8" 15" 6"	PIPE TYPE RCP HDPE PVC
INL-1	RIM ELEVATION 737.34	M SEWER INVERT S SE NW N	R INLETS ELEVATION 733.64 733.74 N/A 739.71	PIPE SIZE 24" 12" 8" 15"	PIPE TYPE RCP HDPE PVC PVC
INL-1 INL-2	RIM ELEVATION 737.34 737.34	M SEWER INVERT S SE NW N S	R INLETS ELEVATION 733.64 733.74 N/A 739.71 739.71	PIPE SIZE 24" 12" 8" 15" 6"	PIPE TYPE RCP HDPE PVC PVC PVC
INL-1 INL-2	RIM ELEVATION 737.34 737.34	M SEWER INVERT S SE NW N S N	R INLETS ELEVATION 733.64 733.74 N/A 739.71 739.71 739.42	PIPE SIZE 24" 12" 8" 15" 6" 15"	PIPE TYPE RCP HDPE PVC PVC PVC PVC
INL-1 INL-2 INL-3	RIM ELEVATION 737.34 742.86 742.87	M SEWER INVERT S SE NW N S N S N S	R INLETS ELEVATION 733.64 733.74 N/A 739.71 739.71 739.71 739.42 739.57	PIPE SIZE 24" 12" 8" 15" 6" 15" 15"	PIPE TYPE RCP HDPE PVC PVC PVC PVC PVC
INL-1 INL-2 INL-3	RIM ELEVATION 737.34 742.86 742.87	M SEWEI INVERT S SE NW N S N S E	R INLETS ELEVATION 733.64 733.74 N/A 739.71 739.71 739.42 739.57 738.51	PIPE SIZE 24" 12" 8" 15" 6" 15" 6" 15" 6"	PIPE TYPE RCP HDPE PVC PVC PVC PVC PVC PVC

SANITARY SEWER MANHOLES							
STRUCT. ID	RIM ELEVATION	INVERT	ELEVATION	PIPE SIZE	PI		
SAN-1	741.64	N	724.04	36"			
		S	724.04	36"			
SAN-2	745.10	S	733.43	12"			
		S	723.79	-			
		Ν	723.79	36"			
		E	N/A	36"			
SAN-3	743.34	E	723.70	36"			
		W	723.70	36"			
SAN-4	741.94	E	723.52	36"			
		W	723.37	36"			



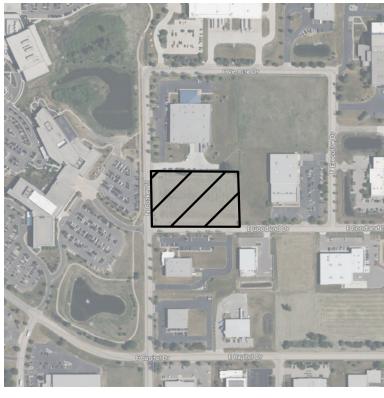
*JSD DOES NOT GUARANTEE THE BENCHMARK ELEVATIONS LISTED ON THIS MAP ARE ACCURATE AND SHOULD BE VERIFIED PRIOR TO CONSTRUCTION

ACTIVITIES.

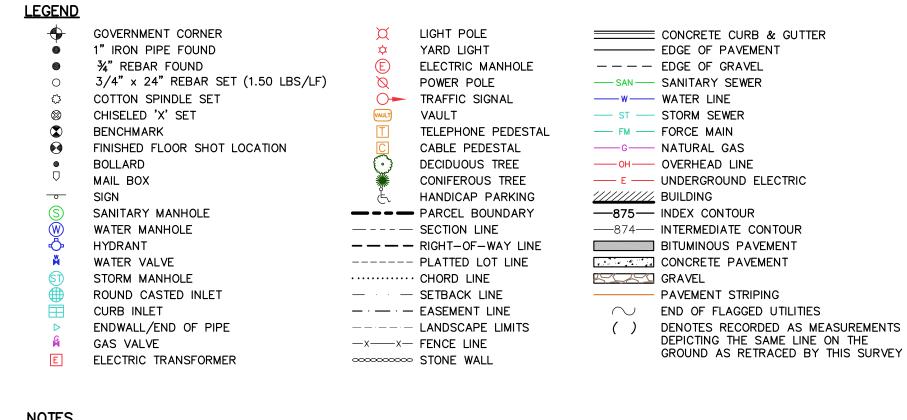
ALTA/NSPS LAND TITLE SURVEY

PART OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4, TOGETHER WITH PART OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4, ALL IS THE EAST HALF OF SECTION 18, TOWNSHIP 21 NORTH, RANGE 18 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN.

VICINITY MAP



SCALE: 1" = 500'



<u>NOTES</u>

- 1. FIELD WORK PERFORMED ON NOVEMBER 21 & 22, 2024.
- 2. BEARINGS FOR THIS SURVEY AND MAP ARE REFERENCED TO THE WISCONSIN COORDINATE REFERENCE SYSTEM, (OUTAGAMIE). THE SOUTH LINE OF THE NE 1/4 OF SEC 18-21-18 BEARS N89'46'16"E.
- ELEVATIONS ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88). BENCHMARK IS A OUTGAMIE COUNTY MONUMENT MARKING THE NW CORNER OF THE SE 1/4 SECTION 18, T21N, R18E, ELEVATION = 743.05'
 SUBSURFACE UTILITIES AND FEATURES SHOWN ON THIS MAP HAVE BEEN APPROXIMATED BY LOCATING SURFICIAL FEATURES AND
- 4.. SOBSORFACE OTILITIES AND FEATORES SHOWN ON THIS MAP HAVE BEEN APPROXIMATED BY LOCATING SORFICIAL FEATORES AND APPURTENANCES, LOCATING DIGGERS HOTLINE FIELD MARKINGS AND BY REFERENCE TO UTILITY RECORDS AND MAPS. DIGGER'S HOTLINE TICKET NO. 20244618887, 202444618890 AND 202444618887, WITH A CLEAR DATE OF 11-21-24.
 5. UTILITY COMPANIES CONTACTED THRU DIGGERS HOTLINE:
- APPLETON AREA SCHOOL DISTRICT CITY OF APPLETON WE ENERGIES (ELECTRIC AND GAS)
- NET LEC AT&T DISTRIBUTION
- TDS METROCOM TIME WARNER CABLE
- 6. BEFORE EXCAVATION, APPROPRIATE UTILITY COMPANIES SHOULD BE CONTACTED. FOR EXACT LOCATION OF UNDERGROUND UTILITIES, CONTACT DIGGERS HOTLINE, AT 1.800.242.8511.

7. NO BUILDINGS OBSERVED

NOTES CORRESPONDING TO TABLE A REQUIREMENTS:

ITEM 16	THERE IS NO OBSERVED EVIDENCE OF CURRENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS AT THE TIME OF THIS SURVEY.
ITEM 20	DIGGER'S HOTLINE TICKET NOS. 20244618887, 20244618890, AND 20244618897 CALLED IN, CLEARED ON NOVEMBER 21, 2024.

NOTES CORRESPONDING TO SCHEDULE B-SECTION TWO EXCEPTIONS STEWART TITLE GUARANTY COMPANY, FILE No.: QAP2024-801, EFFECTIVE DATE: NOVEMBER 10, 2024 AT 12:01 A.M.

 RESTRICTIONS, COVENANTS, AND EASEMENTS AS SHOWN ON CERTIFIED SURVEY MAP NO. 3262 RECORDED ON AUGUST 21, 1998 THIS ITEM DOES AFFECT THE SUBJECT PROPERTY AND IS PLOTTED HEREON.
 RESTRICTIONS, COVENANTS, AND EASEMENTS AS SHOWN ON CERTIFIED SURVEY MAP NO. 3490 RECORDED ON MAY 7, 1999 AS DOCUMENT NO. 1325228.

- THIS ITEM DOES AFFECT THE SUBJECT PROPERTY AND IS PLOTTED HEREON.
- (14) CERTIFICATE OF ANNEXATION RECORDED ON OCTOBER 7, 1987 AS DOCUMENT NO. 924639 THIS ITEM DOES AFFECT THE SUBJECT PROPERTY AND IS NOT GRAPHIC IN NATURE, THEREFORE IT IS NOT PLOTTED HEREON.

DECLARATION OF COVENANTS AND RESTRICTIONS RECORDED ON JANUARY 22, 1997 AS DOCUMENT NO. 1215803. AMENDMENT RECORDED ON SEPTEMBER 20, 1999 AS DOCUMENT NO. 1342720. AMENDMENT RECORDED ON SEPTEMBER 20, 1999 AS DOCUMENT NO. 1342721. AMENDMENT RECORDED ON APRIL 5, 2001 AS DOCUMENT NO. 1401433. AMENDMENT RECORDED ON APRIL 5, 2001 AS DOCUMENT NO. 1401434. ANNEXATION RECORDED ON OCTOBER 7, 1987 AS DOCUMENT NO. 924639

THIS ITEM DOES AFFECT THE SUBJECT PROPERTY AND IS NOT GRAPHIC IN NATURE, THEREFORE IT IS NOT PLOTTED HEREON.

LEGAL DESCRIPTION (AS FURNISHED)

STEWART TITLE GUARANTY COMPANY, FILE No.: QAP2024-801, EFFECTIVE DATE: NOVEMBER 10, 2024 AT 12:01 A.M. THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF OUTAGAMIE, STATE OF WISCONSIN AND IS DESCRIBED AS FOLLOWS:

LOT FOUR (4), CERTIFIED SURVEY MAP NO. 3490 RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR OUTAGAMIE COUNTY, WISCONSIN ON MAY 7, 1999, IN VOLUME 18 OF CERTIFIED SURVEY MAPS ON PAGE 3490 AS DOCUMENT NO. 1325228, BEING PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, TOGETHER WITH PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER, TOGETHER WITH PART OF LOT 3, CERTIFIED SURVEY MAP NO. 3262, ALL IN THE EAST HALF OF SECTION 18, TOWNSHIP 21 NORTH, RANGE 18 EAST, LOCATED IN THE CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN.

FOR INFORMATIONAL PURPOSES ONLY: ADDRESS: VACANT LOT ON GOODLAND DRIVE, APPLETON, WI TAX KEY NUMBER: 311672312

SURVEYOR'S CERTIFICATE

TO:

i) STEWARD TITLE GUARANTY COMPANY,ii) HEALTH MANAGEMENT PARTNERS, LLC,



THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS AND INCLUDES ITEMS 1-2, 4-5, 8, 13, 16, 18 AND 20 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON NOVEMBER 22, 2024.

ANDREW W. WILKOWSKI, S-3121 PROFESSIONAL LAND SURVEYOR Email: andy.wilkowski@jsdinc.com Website: www.jsdinc.com FEBRUARY 14, 2025

CREATE THE VISION jsdinc.com APPLETON REGIONAL OFFICE 3215 WEST LAWRENCE STREET, SUITE 6 APPLETON, WI 54914 P. 920.733.2800 **OPN ARCHITECTS** CLIENT ADDRESS: 301 NORTH BROOM ST, STE 100 **MADISON, WI 53703** LOT 4 - GOODLAND DRIVE ROJECT LOCATION: VACANT LOT, GOODLAND DRIVE APPLETON, OUTAGAMIE COUNTY WISCONSIN, 54911 MODIFICATIONS: Date: Description: _____ _____ _____ _____ -_____ _____ CPL 02/12/25 repared By: SHEET TITLE: ALTA/NSPS LAND TITLE SURVEY HEET NUMBER: **1 OF** PROJECT NO: 24-14764

RESOLUTION CITY OF APPLETON

ADOPTION OF THE RECOMMENDED AMENDMENT TO THE COMPREHENSIVE PLAN AS PREPARED BY THE CITY OF APPLETON PLAN COMMISSION

WHEREAS, the Common Council of the City of Appleton pursuant to Section 62.23 of the Wisconsin Statutes, has established a City Plan Commission; and

WHEREAS, on March 3, 2010, the Common Council adopted the City of Appleton Comprehensive Plan to promote public health, safety and welfare of the City by effectively guiding long-range growth and development within the city and its statutory extraterritorial planning jurisdiction; and

WHEREAS, Chapter 12: Implementation, Comprehensive Plan Update Procedures, of the Comprehensive Plan was created in the City of Appleton Code of Ordinances to provide procedures and criteria for amending and updating the City of Appleton Comprehensive Plan; and

WHEREAS, members of the public were invited to make comments at a meeting held on May 28, 2025, by the City Plan Commission, wherein the following Comprehensive Plan amendment (Amendment #1-25) herein adopted were reviewed and commented upon by members of the public; and

WHEREAS, the City of Appleton Plan Commission has reviewed the recommended amendment to the Comprehensive Plan Future Land Use Map at a meeting held on May 28, 2025, and

WHEREAS, the City of Appleton Plan Commission reviewed the following Comprehensive Plan Amendments, found these amendments to meet the criteria outlined in Chapter 12: Implementation, Comprehensive Plan Update Procedures, warranting inclusion in this resolution

1. Having been filed with the City Clerk by the City of Appleton Community Development Department requesting a Comprehensive Plan Future Land Use Map Amendment to change future land use designations for specified property (Tax Id #31-1-6723-12) on the Future Land Use Map from Business/Industrial to Commercial.

WHEREAS, members of the public, adjacent and nearby local governmental units will be given a 30-day review and comment period prior to the public hearing, which will be conducted by the Common Council for the Comprehensive Plan proposed amendment; and

WHEREAS, after said public hearing, the Common Council will decide whether to adopt by ordinance the proposed amendments to the Comprehensive Plan; and

WHEREAS, the Comprehensive Plan may be used as the basis for, among other things, updating the zoning ordinance, accomplishing extra-territorial zoning and as a guide for approving or disapproving actions affecting growth and development within the jurisdiction of the City of Appleton; and

WHEREAS, this Comprehensive Plan may from time to time be amended, extended, or added to in greater detail; and

NOW, THEREFORE, BE IT RESOLVED, by the City of Appleton Plan Commission that the recommended Comprehensive Plan amendments are hereby adopted as a part of the City of Appleton Comprehensive Plan 2010-2030 pursuant to §66.1001(4), Wis. Stats. and that the Plan Commission recommends said Comprehensive Plan amendments to the City of Appleton Common Council for adoption by ordinance, after a 30-day public review and comment period and public hearing.

Adopted this _____ day of _____, 2025.

Jacob A. Woodford, Mayor

ATTEST:

Kami Lynch, City Clerk