



City of Appleton

100 North Appleton Street
Appleton, WI 54911-4799
www.appleton.org

Meeting Agenda - Final-revised City Plan Commission

*Any questions about items on this meeting are to be directed to
the Community and Economic Development Department,
920-832-6468.*

Tuesday, October 13, 2020

4:00 PM

Council Chambers, 6th Floor

1. Call meeting to order
2. Roll call of membership
3. Approval of minutes from previous meeting
[20-1318](#) City Plan Minutes from 9-22-20

Attachments: [City Plan Minutes 9-22-20.pdf](#)

4. Public Hearings/Apearances

- [20-1319](#) Special Use Permit #6-20 for the manufacturing of dairy products (light manufacturing) located at 300 E. Coolidge Avenue (Tax Id #31-9-0030-00), as shown on the attached maps and per attached plan of operation, to run with the land subject to the conditions in the attached staff report and approve attached Resolution (Associated with Action Item #20-1320)

Attachments: [ClassIIPublicHearingNoticeNewspaper_MalcoreFoods_SUP.pdf](#)
[PublicHearingNoticeNeighborhood_MalcoreFoods_SUP.pdf](#)

- [20-1321](#) Rezoning #8-20 to rezone the area generally located along the east and west sides of Providence Avenue for the 6th Addition to Emerald Valley (part of Tax Id #31-1-7600-00), as shown on the attached maps, from AG Agricultural District to R-1B Single-Family District (Associated with Action Item #20-1322)

Attachments: [InformalPublicHearingNotice_6thAddEmeraldValley_Rezoning#8-20.pdf](#)

- [20-1323](#) Rezoning #9-20 to rezone the area generally located west of Providence Avenue for the 7th Addition to Emerald Valley (part of Tax Id #31-1-7600-00), as shown on the attached maps, from AG Agricultural District to R1-B Single-family District (Associated with Action Item #20-1324)

Attachments: [InformalPublicHearingNotice_7thAddEmeraldValley_Rezoning#9-20.pdf](#)

5. Action Items

[20-1320](#) Request to approve Special Use Permit #6-20 for the manufacturing of dairy products (light manufacturing) located at 300 E. Coolidge Avenue (Tax Id #31-9-0030-00), as shown on the attached maps and per attached plan of operation, to run with the land subject to the conditions in the attached staff report and approve attached Resolution (2/3 vote of Common Council required for approval)

Attachments: [StaffReport_Malcore Foods_SUP_For10-13-20.pdf](#)
[Neighbor Petition 10-09-20.pdf](#)

[20-1322](#) Request to approve Rezoning #8-20 to rezone the area generally located along the east and west sides of Providence Avenue for the 6th Addition to Emerald Valley (part of Tax Id #31-1-7600-00), as shown on the attached maps, from AG Agricultural District to R-1B Single-Family District

Attachments: [StaffReport_Rezoning_6thAddEmeraldValley_For10-13-20.pdf](#)

[20-1324](#) Request to approve Rezoning #9-20 to rezone the area generally located west of Providence Avenue for the 7th Addition to Emerald Valley (part of Tax Id #31-1-7600-00), as shown on the attached maps, from AG Agricultural District to R1-B Single-family District

Attachments: [StaffReport_Rezoning_7thAddEmeraldValley_For10-13-20.pdf](#)

[20-1325](#) Request to approve the Sequoia Drive (Right-of-Way) Annexation consisting of approximately 3.3251 acres, currently in the Towns of Grand Chute and Vandebroek, in order to extend Sequoia Drive north from the North Edgewood Estates Phase II subdivision to Broadway Drive as shown on the attached maps and establish a temporary zoning classification of AG Agricultural District

Attachments: [StaffReport_SequoiaDrive_Annexation_For10-13-20.pdf](#)

6. Information Items

7. Adjournment

Notice is hereby given that a quorum of the Common Council may be present during this meeting, although no Council action will be taken.

Reasonable Accommodations for Persons with Disabilities will be made upon Request and if Feasible.



City of Appleton

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Meeting Minutes - Final City Plan Commission

*Any questions about items on this meeting are to be directed
to the Community and Economic Development Department,
920-832-6468.*

Tuesday, September 22, 2020

4:00 PM

Council Chambers, 6th Floor

1. Call meeting to order

Meeting called to order at 4:02 p.m.

2. Roll call of membership

Dr. Robins had technical difficulties joining via Teams and was unable to participate in the meeting. Therefore, she was unable to vote on the items.

Present: 6 - Palm, Rabec, Robins, Mayor Woodford, Fenton and Buetow

*Others present:
Charles Lubner, Access Mobility Vans, Inc.*

3. Approval of minutes from previous meeting

[20-1216](#)

City Plan Minutes from 9-8-20

Attachments: [City Plan Minutes 9-8-20.pdf](#)

**Buetow moved, seconded by Fenton, that the Minutes be approved. Roll Call.
Motion carried by the following vote:**

Aye: 5 - Palm, Rabec, Mayor Woodford, Fenton and Buetow

Excused: 1 - Robins

4. Public Hearings/Appearances

[20-1217](#)

Special Use Permit #5-20 for an automobile sales and display lot located at 1314 West College Avenue (Tax Id #31-5-1770-01), as shown on the attached maps and per attached plan of operation, to run with the land subject to the conditions in the attached staff report and approve attached Resolution (Associated with Action Item #20-1219)

Attachments: [ClassIIPublicHearingNoticeNewspaper_AccessMobilityVansInc_SUP.pdf](#)
[PublicHearingNoticeNeighborhood_AccessMobilityVansInc_SUP.pdf](#)

This public hearing was held, and Charles Lubner spoke on the item.

[20-1220](#)

Rezoning #7-20 to rezone 1200 South Oneida Street (Tax Id #31-4-0418-00) and 1216 South Oneida Street (Tax Id #31-4-0420-00), including to the centerline of the adjacent right-of-way, from C-2 General Commercial District to C-1 Neighborhood Mixed Use District, as shown on the attached maps (Associated with Action Item #20-1221)

Attachments: [InformalPublicHearingNotice_1200+1216SOneidaSt_Rezoning#7-20.pdf](#)

This public hearing was held, and no one spoke on the item.

5. Action Items

[20-1219](#)

Request to approve Special Use Permit #5-20 for an automobile sales and display lot located at 1314 West College Avenue (Tax Id #31-5-1770-01), as shown on the attached maps and per attached plan of operation, to run with the land subject to the conditions in the attached staff report and approve attached Resolution (2/3 vote of Common Council required for approval)

Attachments: [StaffReport_AccessMobilityVansInc_SUP_For09-22-20.pdf](#)
[EmailFromAld.SmithSupportingRequest_9-21-20.pdf](#)

Palm moved, seconded by Buetow, that the Report Action Item be recommended for approval. Roll Call. Motion carried by the following vote:

Aye: 5 - Palm, Rabec, Mayor Woodford, Fenton and Buetow

Excused: 1 - Robins

[20-1221](#)

Request to approve Rezoning #7-20 to rezone 1200 South Oneida Street (Tax Id #31-4-0418-00) and 1216 South Oneida Street (Tax Id #31-4-0420-00), including to the centerline of the adjacent right-of-way, from C-2 General Commercial District to C-1 Neighborhood Mixed Use District, as shown on the attached maps

Attachments: [StaffReport_Rezoning_7-20_1200+1216SOneidaSt_For09-22-20.pdf](#)

Proceeds to Council on October 21, 2020.

Fenton moved, seconded by Buetow, that the Report Action Item be recommended for approval. Roll Call. Motion carried by the following vote:

Aye: 5 - Palm, Rabec, Mayor Woodford, Fenton and Buetow

Excused: 1 - Robins

[20-1222](#)

Request to approve the Intergovernmental Cooperation Agreement between the City of Appleton and the Town of Buchanan to create a revised common municipal boundary line between the municipalities and assign zoning classification to the properties identified for incorporation into the City of Appleton by adoption of the attached Resolution and subject to the stipulation in the attached staff report

Attachments: [StaffReport_BuchananBoundaryAdjustment_For09-22-20.pdf](#)

Fenton moved, seconded by Buetow, that the Report Action Item be recommended for approval. Roll Call. Motion carried by the following vote:

Aye: 5 - Palm, Rabec, Mayor Woodford, Fenton and Buetow

Excused: 1 - Robins

6. Information Items

7. Adjournment

Buetow moved, seconded by Fenton, that the meeting be adjourned at 4:21 p.m. Roll Call. Motion carried by the following vote:

Aye: 5 - Palm, Rabec, Mayor Woodford, Fenton and Buetow

Excused: 1 - Robins

CITY OF APPLETON
NOTICE OF PUBLIC HEARING
PROPOSED SPECIAL USE PERMIT

NOTICE IS HEREBY GIVEN of a Public Hearing to be held before the City Plan Commission on Tuesday, October 13, 2020, at 4:00 P.M., in Council Chambers, 6th Floor, City Hall, 100 North Appleton Street, or as soon thereafter as can be heard, for the purpose of considering a Special Use Permit.

Pursuant to Sections 23-66 and 23-113 of the Appleton Municipal Code, to consider a request by Malcore Foods, applicant, and Messenger Property Management, owner, for property located at 300 East Coolidge Avenue (Tax Id #31-9-0030-00) to obtain a Special Use Permit for the manufacturing of dairy products. In the C-2 General Commercial District, a Special Use Permit is required for light manufacturing (dairy manufacturing).

All persons interested are invited to express your views or concerns regarding the above-described request. The Plan Commission meeting is open to the public; however, considering the COVID-19 Health Emergency, you are strongly encouraged to share any feedback with Plan Commission members via written letter, email or phone call instead of appearing in person. Please contact Jessica Titel, Principal Planner, in the Community and Economic Development Department at 920-832-6476 or by email at jessica.titel@appleton.org.

Alternatively, you can also contact the Mayor's Office at mayor@appleton.org and your comments will be forwarded to the Plan Commission. The City Plan Commission makes a recommendation to the Common Council who makes the final decision on the matter.

CITY PLAN COMMISSION
APPLETON, WISCONSIN

COMMUNITY & ECONOMIC DEVELOPMENT
CITY HALL - 100 NORTH APPLETON STREET
APPLETON, WISCONSIN 54911-4799
(920) 832-6468

Reasonable accommodations for persons with disabilities will be made upon request and if feasible.

RUN: September 29, 2020
October 6, 2020

NOTICE OF PUBLIC HEARING
OF THE
APPLETON CITY PLAN COMMISSION

Dear property owner(s):

The City of Appleton Plan Commission will conduct a Public Hearing on Tuesday, October 13, 2020, at 4:00 P.M., or as soon thereafter as can be heard, in Common Council Chambers, 6th Floor, City Hall, 100 North Appleton Street, for the purpose of considering the following proposed Special Use Permit:

- Pursuant to Sections 23-66 and 23-113 of the Appleton Municipal Code, to consider a request by Malcore Foods, applicant, and Messenger Property Management, owner, for the property located at 300 East Coolidge Avenue (Tax Id #31-9-0030-00) to obtain a Special Use Permit for the manufacturing of dairy products. In the C-2 General Commercial District, a Special Use Permit is required for light manufacturing (manufacturing of dairy products for the subject property).

- ALDERMANIC DISTRICT: 15 – Alderperson Corey Otis

You are being notified as a policy of the City of Appleton Community and Economic Development Department. This notification invites you to express your views or concerns regarding the above-described request. The Plan Commission meeting is open to the public; however, considering the COVID-19 Health Emergency, you are strongly encouraged to share any feedback with Plan Commission members via written letter, email or phone call instead of appearing in person. Please contact Jessica Titel, Principal Planner, in the Community and Economic Development Department at 920-832-6476 or by email at jessica.titel@appleton.org.

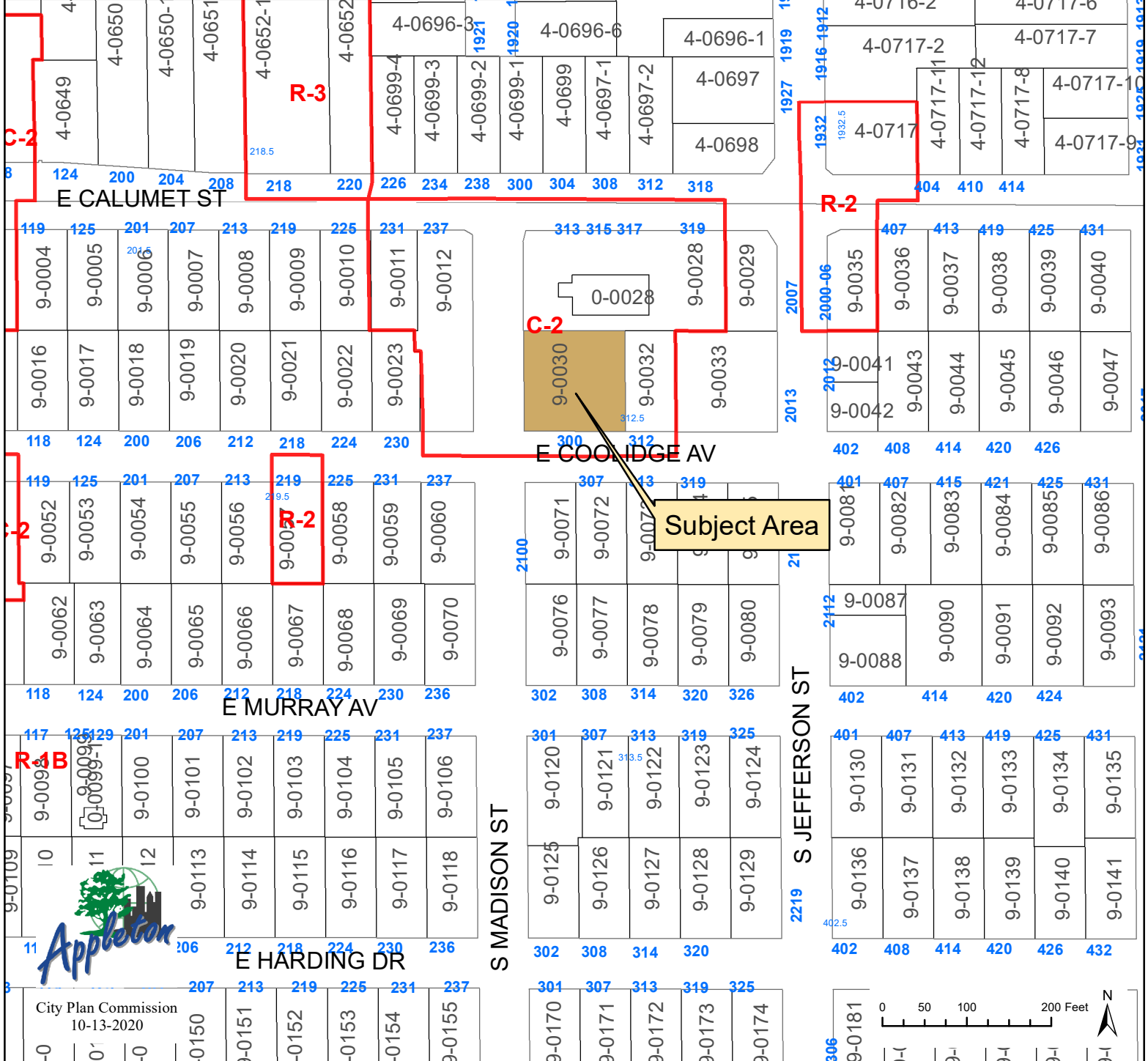
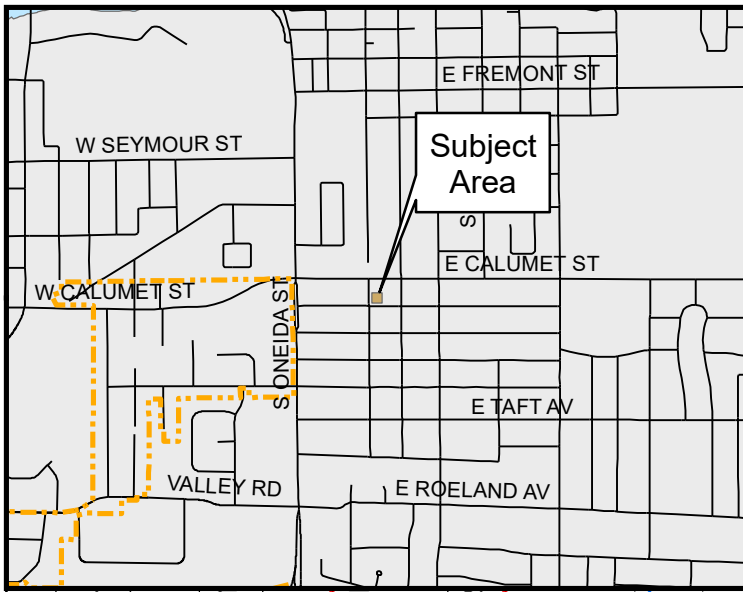
Alternatively, you can also contact the Mayor's Office at mayor@appleton.org and your comments will be forwarded to the Plan Commission. The City Plan Commission makes a recommendation to the Common Council who makes the final decision on the matter.

CITY PLAN COMMISSION

COMMUNITY & ECONOMIC DEVELOPMENT
CITY HALL - 100 NORTH APPLETON STREET
APPLETON, WISCONSIN 54911-4799
920-832-6468

Reasonable accommodations for persons with disabilities will be made upon request and if feasible.

300 E. Coolidge Avenue
 Special Use Permit
 Malcore Foods - Dairy Manufacturing
 Zoning Map



300 E. Coolidge Avenue
Special Use Permit
Malcore Foods - Dairy Manufacturing
Aerial Map

37

313

9-0012

9-0028

0-0028

Subject Area

S MADISON ST

9-0030

9-0032

312.5

300

312

E COOLIDGE AV

237

307

313

319



City Plan Commission
10-13-2020

2100

0071

0072

0073

0074



GENERAL NOTES

COMPLIANCE – All work of all trades shall be performed and completed in accordance with all applicable governing codes, laws, ordinances, regulations or statutes. Any contractor discovering any variance in the drawings with said code, law, ordinance, regulation or statute shall notify the owner and/or architect immediately.

SITE CONDITIONS – Each contractor shall be responsible for reviewing all drawings and site prior to bidding and for verifying all pertinent conditions, utilities, utility requirements, dimensions, extent of demolition and new construction required. Discrepancies or inaccuracies found in the drawings or existing conditions shall be reported to the project manager and/or architect immediately.

PERMITS – Each contractor shall be responsible for paying for and obtaining all necessary permits, licenses, insurance, etc. required to perform and complete their portion of the work.

DESIGN BUILD – This project will implement the 'design-build' process. Each plumbing, HVAC, and electrical contractor shall be responsible for furnishing all of their associated equipment, materials, labor, installation, etc. to perform and complete their work. It is understood by execution of a contract for the area of work, that the contractor will furnish a completed working product or assembly.

SCOPE – These drawings are diagrammatic and show the intent of the project but do not necessarily indicate all materials and methods of construction for the completion of the project. All contractors shall review all project drawings thoroughly and shall be responsible for providing all materials and methods of construction required to perform and complete their portion of the work in a timely and organized manner in accordance with the intent of these drawings prior to the project date of completion.

COORDINATION – Each contractor shall be responsible for coordinating their work with the general contractor and with other contractors. Each contractor shall verify and coordinate his work with any equipment provided by the owner prior to construction. Any situation or incident which would change or alter the work of the contractor in any way or which would prevent the contractor from performing or completing his work within his proper time frame must be reported immediately to the owner, general contractor and/or architect.

HOLES – All holes for plumbing, electrical, HVAC, piping or ductwork are to be repaired by the associated trade. Each hole shall be neatly cut and shall be only as large as necessary. Associated trade contractor shall be responsible for their holes left unrepaired and will be back charged accordingly for such repairs.

SUBMITTALS – Contractors shall provide to the owner all pertinent submittals, product data, relevant technical data, material samples, finish samples, etc. for review and approval prior to commencement of work. When not specified, the contractor may submit/ suggest materials to the owner/ architect for their review and approval.

INTERPRETATION – All requests for detailed project information, interpretation, intent, etc. must be made at least ten (10) days prior to bid date. Responses will be confirmed in writing.

CHANGES – The owner and/or architect shall have the right to make changes to the project during the progress of the work without voiding contracts. All changes must be made in writing.

DIMENSIONING – Do not scale drawings. Use written dimensions only. If clarifications or additional dimensions are required, then notify the architect immediately. Unless noted otherwise, all plan dimensions are shown to face of finished wall surface.

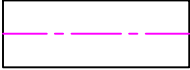
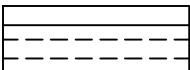
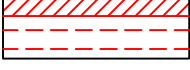

PROVISIONS – Unless noted otherwise, the owner/ General contractor shall provide temporary sanitary facilities, water, electrical, code required temporary fire extinguishers (during construction), adequate and required barricades, dust barriers, fences, safety precautions and dumpsters, and shall maintain same to be in good working order during the project.

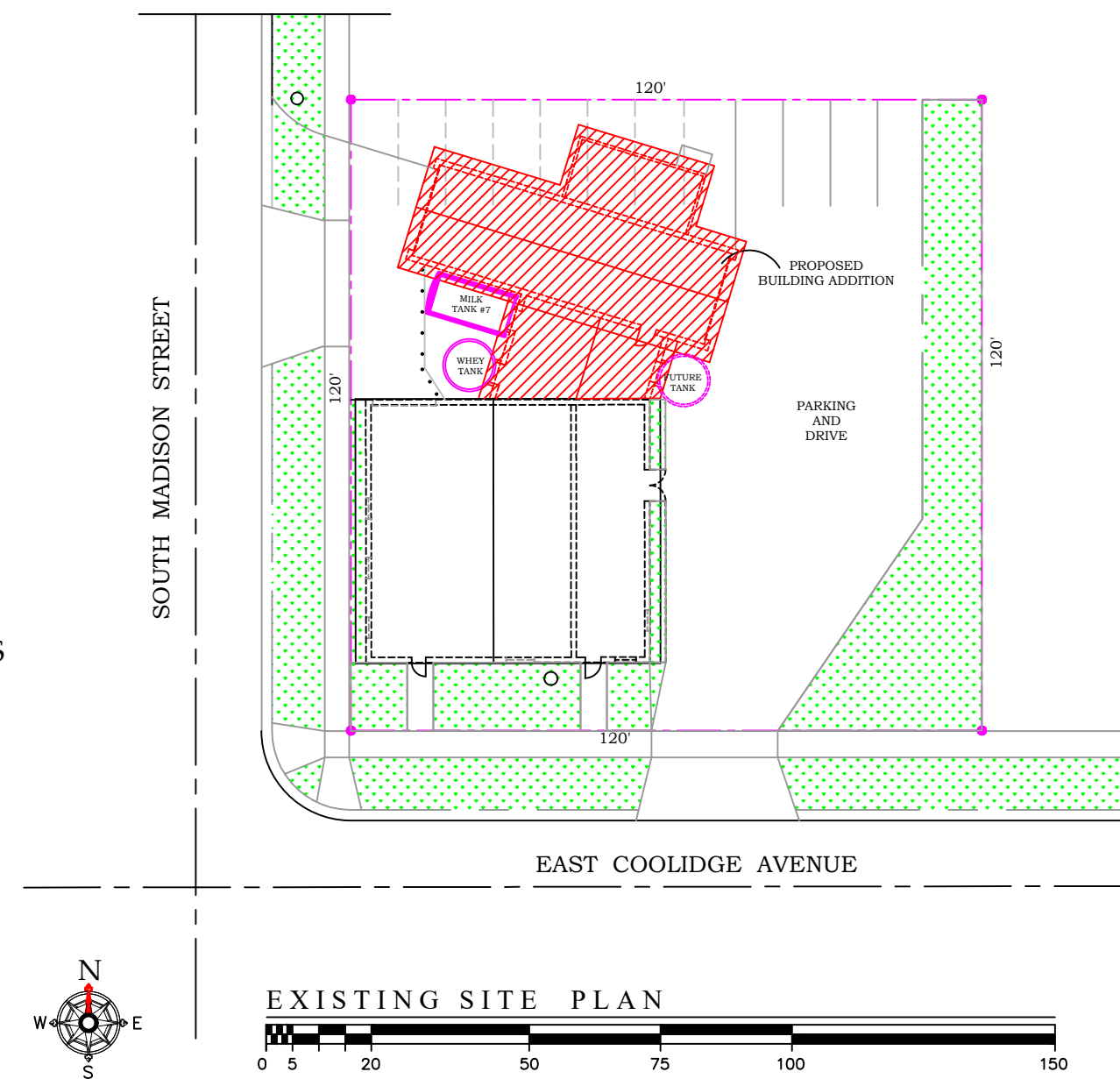
CLEANING – All contractors shall be responsible for performing and maintaining their work and equipment in an organized manner. Each contractor shall clean up and dispose of work debris at the end of each day.

QUALITY – All work by each contractor shall be performed and completed using proper and acceptable construction practices using quality materials. The owner shall have the right to reject work, or materials that are not of acceptable quality or do not conform to the intent of the project.

GUARANTEE – Unless noted otherwise, each contractor shall guarantee their work under contract against defective workmanship and/or materials for a period of not less than one year from substantial completion of their work.

**PROPOSED BUILDING ADDITION FOR:
MALCORE CHEESE PLANT
300 E. COOLIDGE AVENUE
APPLETON, WI**

-  LOT LINE
-  EXISTING CONSTRUCTION
-  NEW CONSTRUCTION
-  LANDSCAPED/LAWN AREAS



PROJECT DATA			
GOVERNING AUTHORITY	BUILDING USAGE		REMARKS
WISCONSIN DEPT. OF COMMERCE SAFETY & BUILDINGS DIVISION	CLASS OF CONSTRUCTION: VB WOOD FRAME, UNPROTECTED		AS PER TABLE 506.2 ALLOWABLE AREA IS 8,500 S.F. PLUS STREET FRONTAGE
IEBC INTERNATIONAL EXISTING BUILDING CODE -2015 IBC INTERNATIONAL BUILDING CODE - 2015	OCCUPANCY CHAPTER: SECTION 306, FACTORY GROUP "F-1", MODERATE-HAZARD		AS PER TABLE 1017.2 THE EXIT ACCESS TRAVEL DISTANCE IS 200 FEET FOR A NON-SPRINKLED BUILDING.
JURISDICTION: CITY OF APPLETON OUTAGAMIE COUNTY	AS PER TABLE 504.4 ALLOWABLE NUMBER OF STORIES IS ONE FOR TYPE "F-1" OCCUPANCY NON-SPRINKLED		
BUILDING LEVELS	CLASSIFICATION		REMARKS
FLOOR LEVEL	EXISTING	ADDITION	TOTAL
FIRST FLOOR	2,700 S.F.	1,982 S.F.	4,682 S.F.

PROJECT SCOPE:

THE EXISTING BUILDING IS A TYPE IIIB, WITH NON-COMBUSTIBLE EXTERIOR WALLS. THE NEW ADDITION WILL BE WOOD FRAME, UNPROTECTED CONSTRUCTION WHICH WILL MAKE THE ENTIRE BUILDING A TYPE VB UNPROTECTED BUILDING. IS A ONE STORY SLAB ON GRADE, NON-SPRINKLED BUILDING TO BE ALL CHEESE MAKING FACTORY. THE LAST TENANT WAS A VEHICLE REPAIR SHOP. THERE IS ONE EXISTING TOILETS THAT IS NOT UP TO TODAY'S CODES. SINCE THERE WILL BE LESS THAN 15 TOTAL OCCUPANTS IN THIS BUILDING AT ANY ONE TIME, ONE NEW CODE COMPLYING UNISEX TOILET WILL BE PROVIDED ALONG WITH A JANITORS SINK. THERE WILL BE CHANGES TO THE THE PARKING LOT AND DRIVEWAYS AS REQUIRED TO ALLOW TRUCK ENTRANCE INTO THE PROPERTY WITHOUT HAVING TO BACK INTO THE STREET.

SHEET INDEX

- A-1 COVER SHEET, SITE PLAN, PROJECT SCOPE
- A-2 EXISTING FLOOR PLAN AND EXTERIOR BUILDING ELEVATIONS
- A-3 PROPOSED SITE AND FLOOR PLAN
- A-4 FOUNDATION PLAN
- A-5 ROOF FRAMING PLAN, SECTION
- A-6 ROOM FINISH AND DOOR SCHEDULES
- A-7 WALL AND BUILDING SECTIONS
- A-8 TOILET ROOM PLANS AND DETAILS
- A-9 EXTERIOR BUILDING ELEVATIONS



ROBERT ACORD - ARCHITECT
1210 MAPLE STREET
NEENAH, WI 54956
920-729-9632 acordrj@aol.com

PROPOSED BUILDING ADDITION FOR:
MALCORE CHEESE PLANT
300 E. COOLIDGE AVENUE
APPLETON, WI

DATE
3 AUG 20

PROJECT NUMBER
20-021

SHEET
A-1

18" X 24" FORMAT



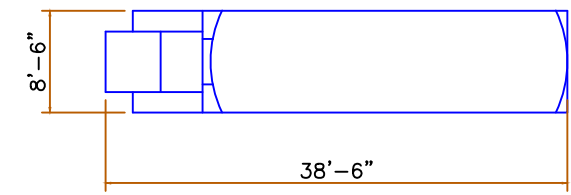
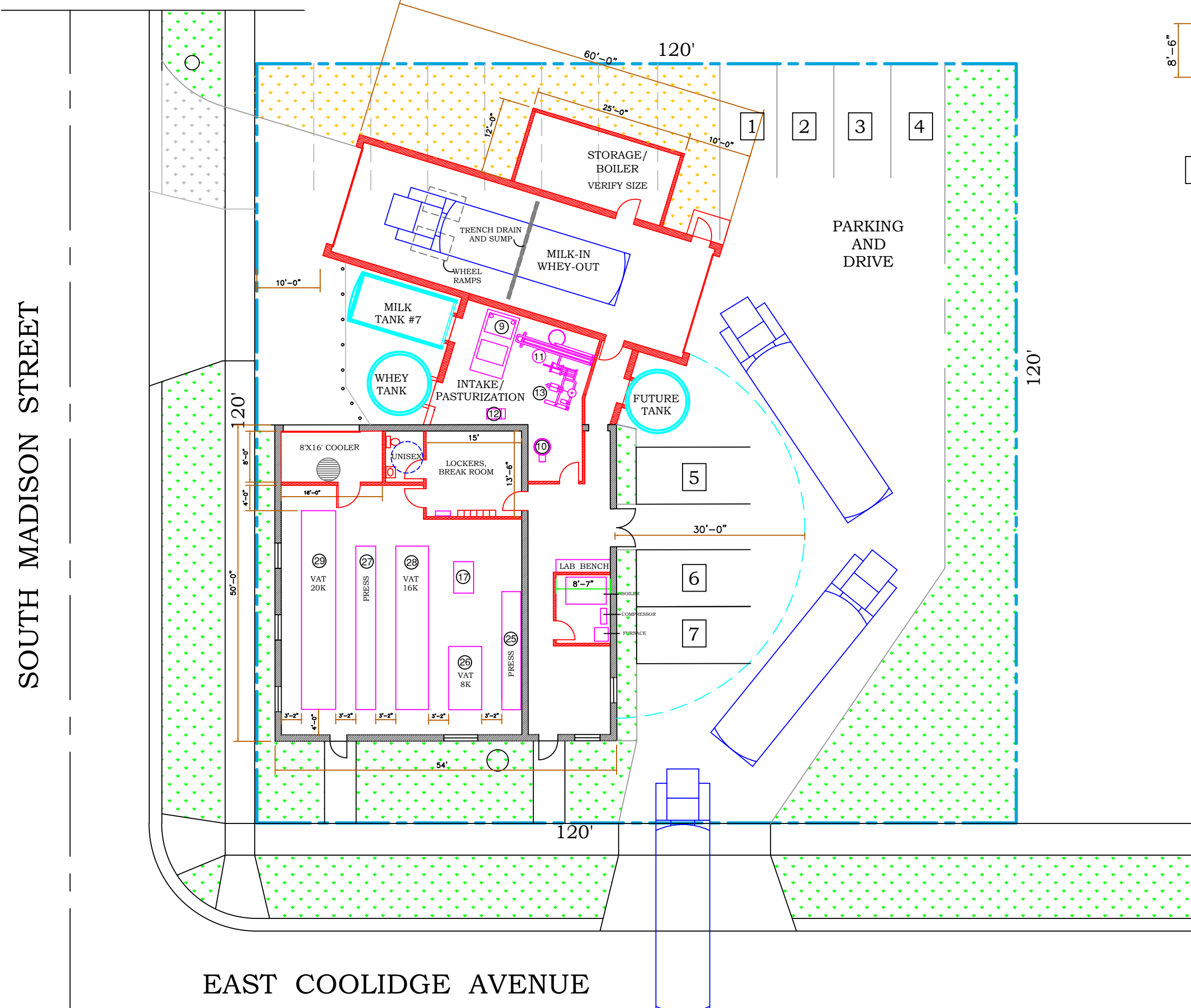
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PROPOSED BUILDING ADDITION FOR:
MALCORE CHEESE PLANT
 300 E. COOLIDGE AVENUE
 APPLETON, WI

DATE
 21 AUG 20

PROJECT NUMBER
 20-021

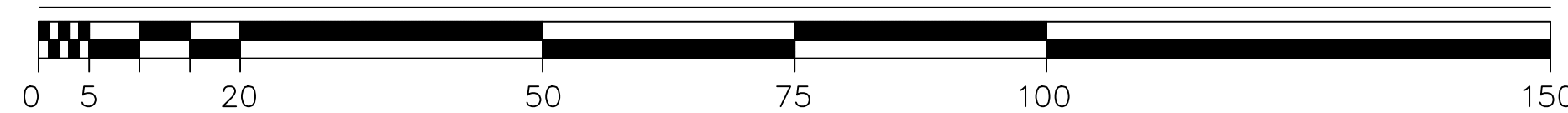
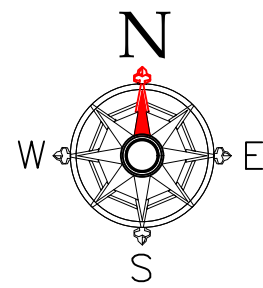
SHEET
A-3r



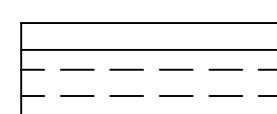
7 9' X 18' PARKING STALL

- 9 CREAM STORAGE
- 10
- 11
- 12
- 13
- 17
- 25 PRESS
- 26 VAT 8K
- 27 PRESS
- 28 VAT 16K
- 29 VAT 20K

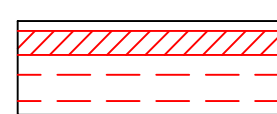
PROPOSED SITE / FLOOR PLAN



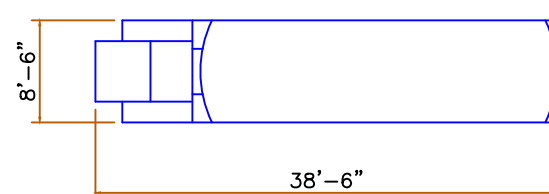
LOT LINE



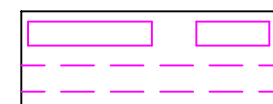
EXISTING CONSTRUCTION



NEW CONSTRUCTION



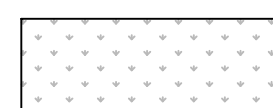
MILK TRUCK



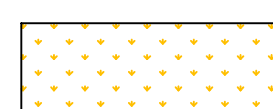
EQUIPMENT/MACHINES



LANDSCAPED/LAWN AREAS TO REMAIN



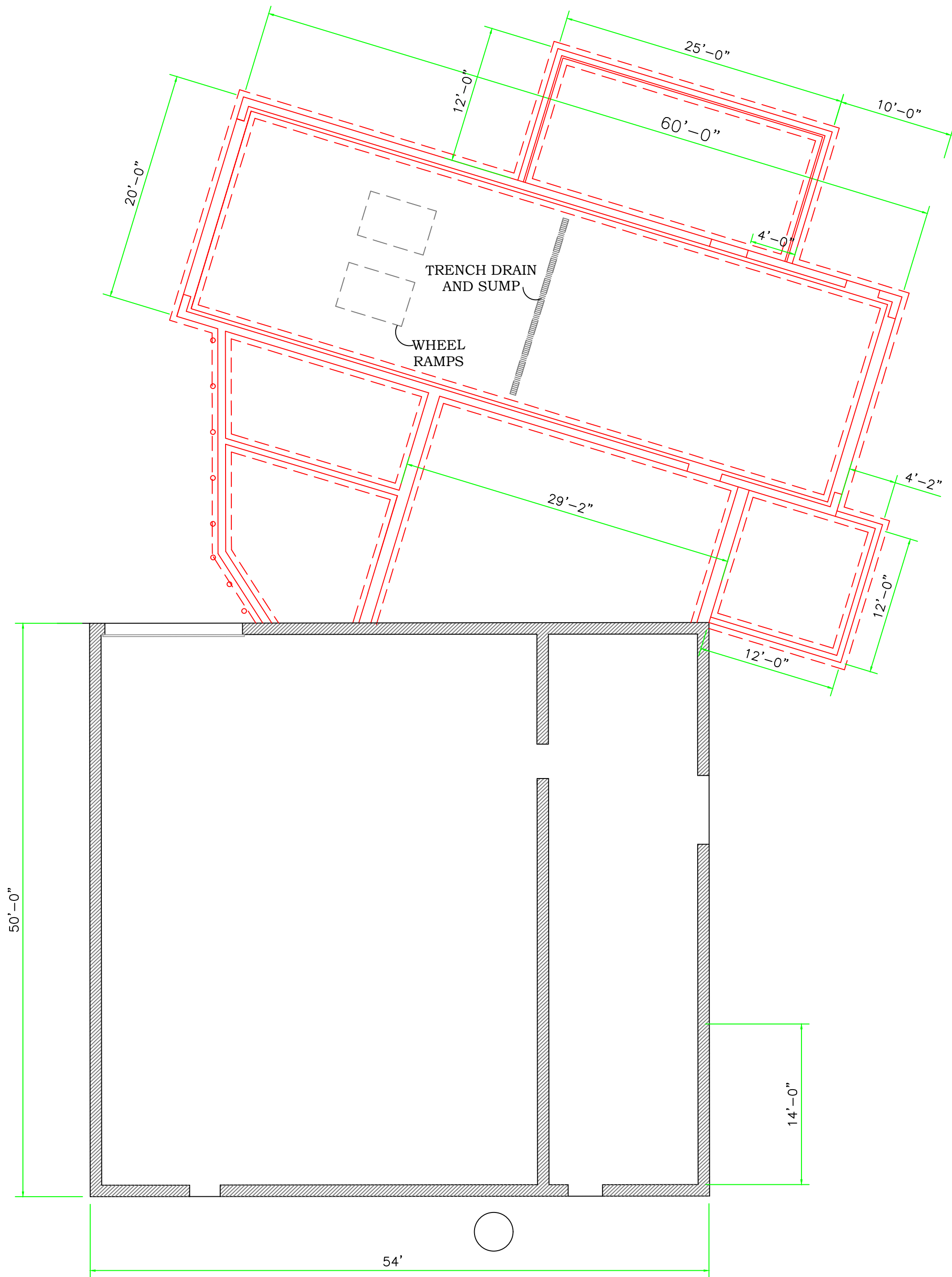
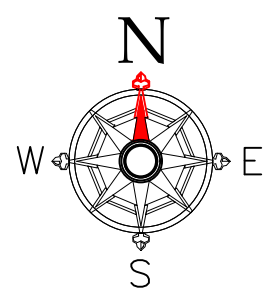
LANDSCAPED/LAWN AREAS TO BE REMOVED



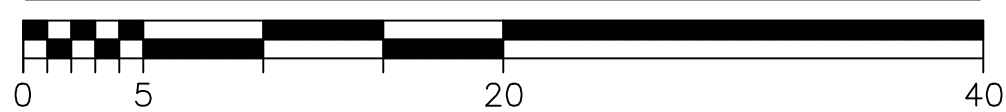
PAVED AREAS TO BE REMOVED AND LANDSCAPED

TOTAL LOT, 120' X 120' = 14,400 S.F.
 MINIMUM GREEN SPACE = 25%
 14,400 X .25 = 3,600 S.F. **REQUIRED**
 ACTUAL GREEN SPACE = 3,655 S.F.
 BUILDING: 4,682 S.F.
 ZONED C-2
 PARCEL 31-9=0030-00

1/16" = 1'-0" @ 18" X 24" FORMAT



FOUNDATION PLAN



ROBERT ACORD - ARCHITECT
1210 MAPLE STREET
NEENAH, WI 54956
920-729-9632 acordrj@aol.com

PROPOSED BUILDING ADDITION FOR:
MALCORE CHEESE PLANT
300 E. COOLIDGE AVENUE
APPLETON, WI

DATE
3 AUG 20

PROJECT NUMBER
20-021

SHEET
A-4



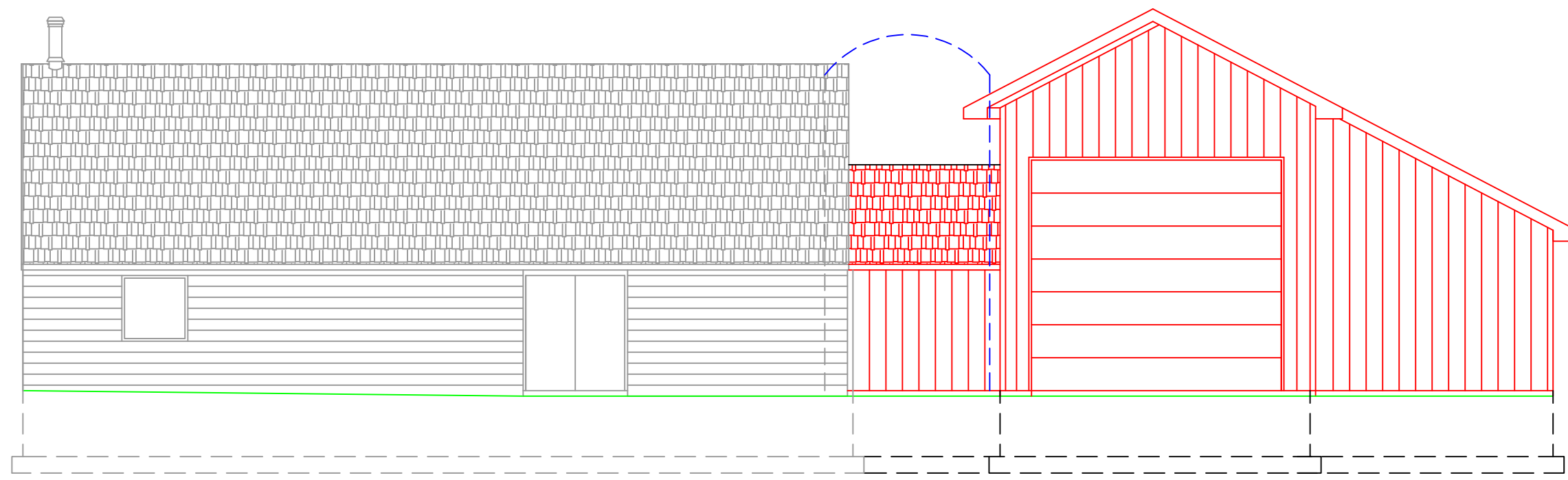
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PROPOSED BUILDING ADDITION FOR:
MALCORE CHEESE PLANT
 300 E. COOLIDGE AVENUE
 APPLETON, WI

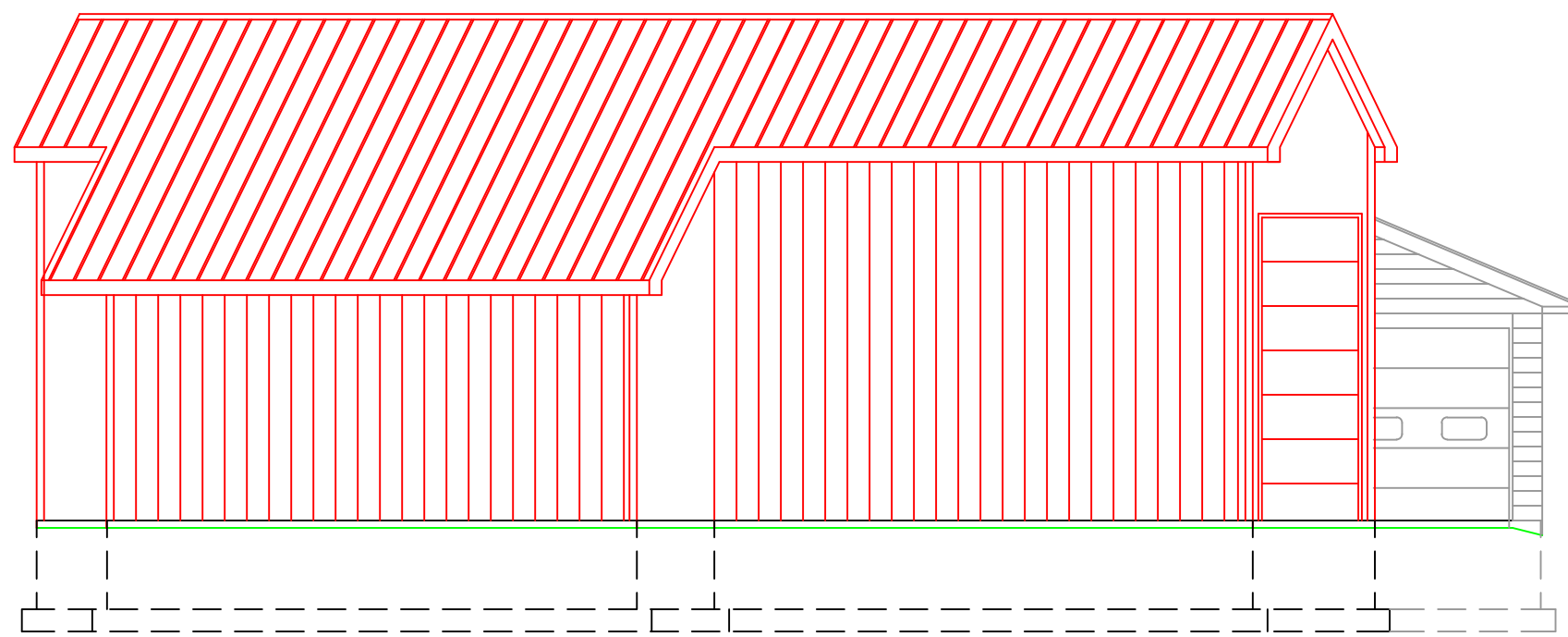
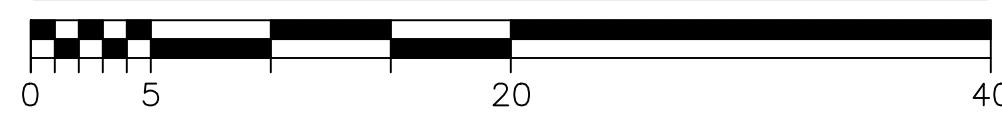
DATE
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PROJECT NUMBER
 20-021

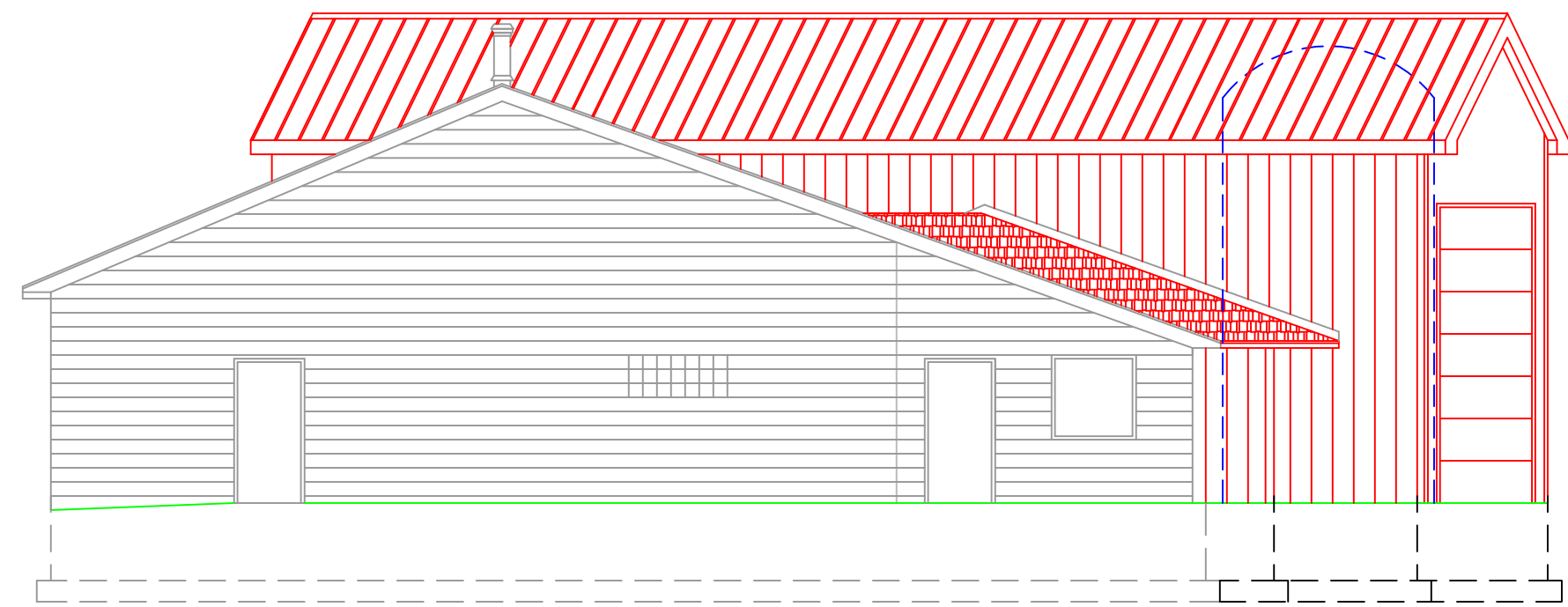
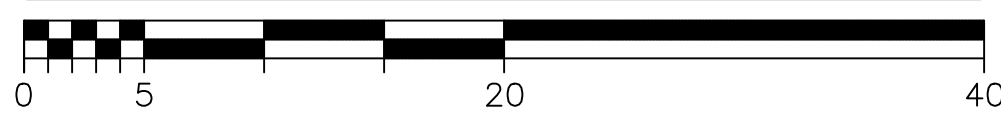
SHEET
A-9



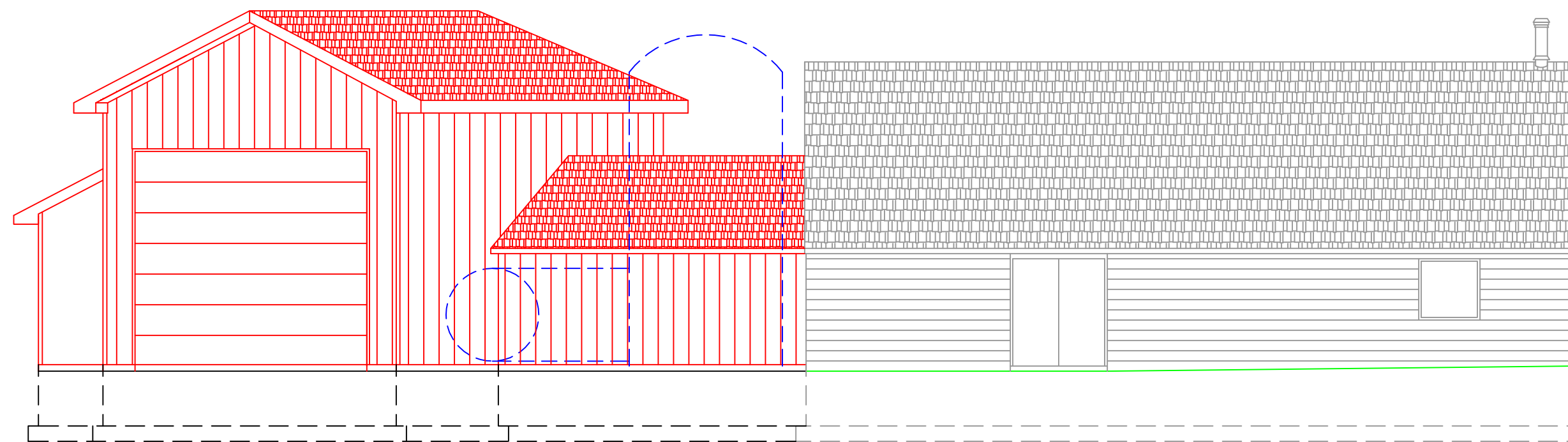
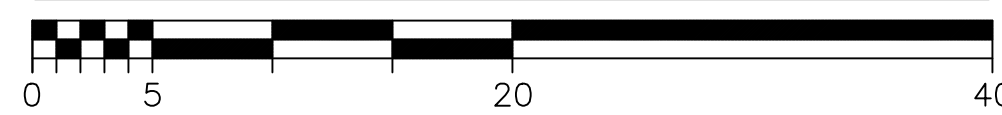
EAST ELEVATION



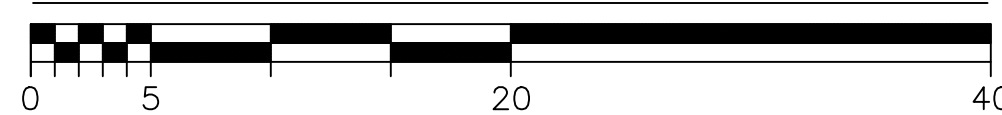
NORTH ELEVATION



SOUTH ELEVATION



WEST ELEVATION



1/8" = 1'-0" @ 18" X 24" FORMAT

NOTICE OF INFORMAL PUBLIC HEARING
OF THE
APPLETON CITY PLAN COMMISSION

Dear property owner(s):

The City of Appleton Plan Commission will conduct an Informal Public Hearing on Tuesday, October 13, 2020, at 4:00 P.M., in Common Council Chambers, 6th Floor, City Hall, 100 North Appleton Street, or as soon thereafter as can be heard, for the following proposed rezoning request:

The owner, Emerald Valley Estates LLC, Robert DeBruin is requesting to rezone part of property tax id #31-1-7600-00 from AG Agricultural District to R-1B Single-family District. The R-1B district is intended 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.

Purpose of the Rezoning: Facilitate the construction of the *6th Addition to Emerald Valley Subdivision* consisting of approximately 15 single-family lots located along the east and west side of Providence Avenue. (See attached maps)

ALDERMANIC DISTRICT: 13 – Alderperson Kyle Lobner

You are being notified as a policy of the City of Appleton Community and Economic Development Department. All persons interested are invited to express your views or concerns regarding the above-described request. The Common Council meeting is open to the public; however, considering the COVID-19 Health Emergency, you are strongly encouraged to share any feedback with council members via written letter, email or phone call instead of appearing in person. Please contact Don Harp, Principal Planner, in the Community and Economic Development Department at 920-832-6466 or by email at don.harp@appleton.org.

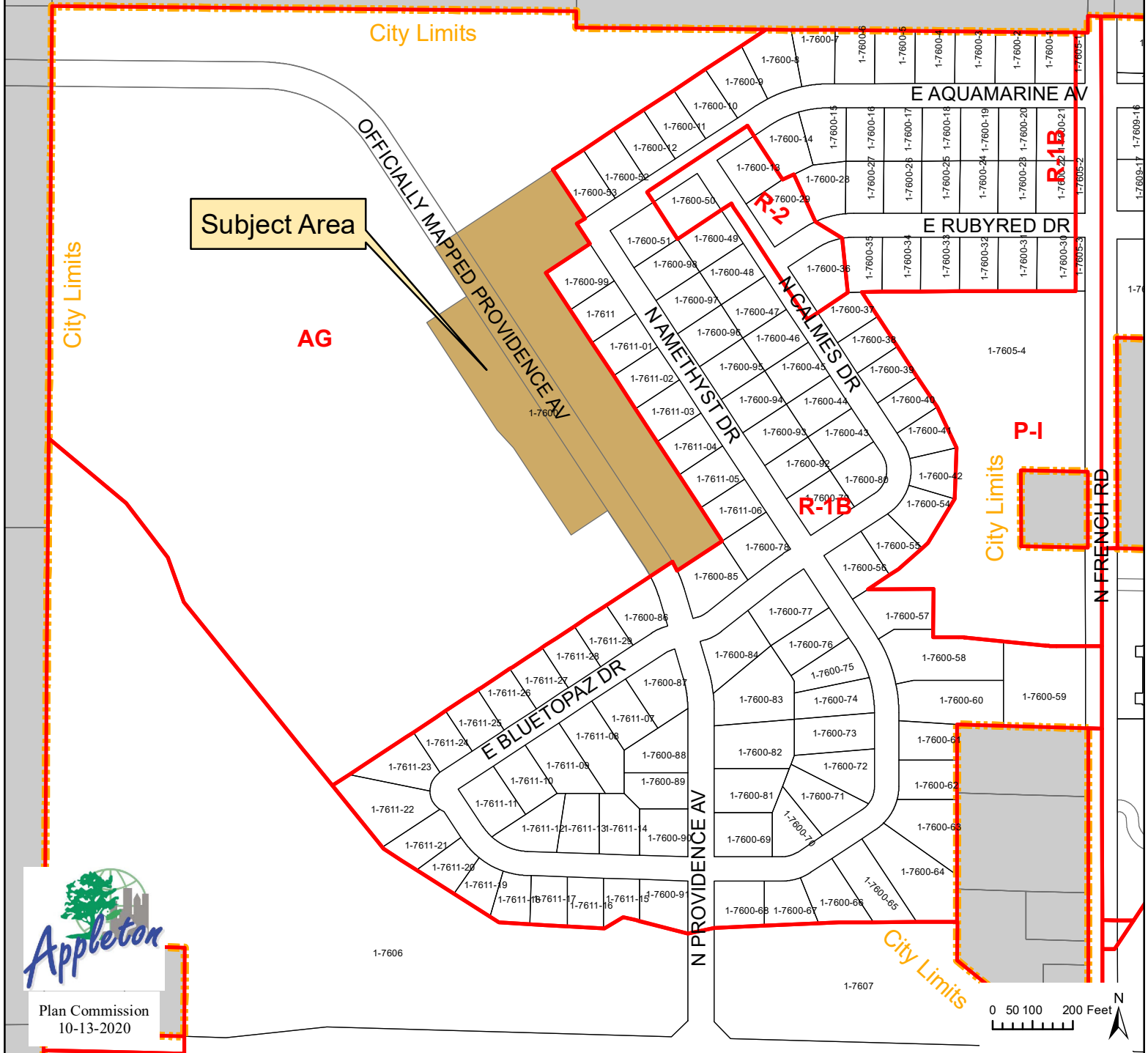
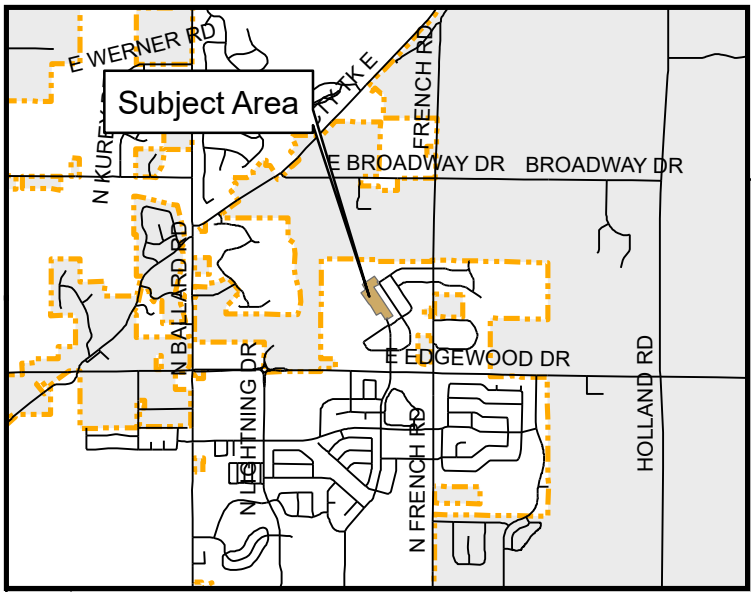
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CITY PLAN COMMISSION

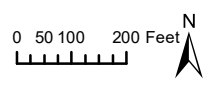
COMMUNITY & ECONOMIC DEVELOPMENT
CITY HALL - 100 NORTH APPLETON STREET
APPLETON, WISCONSIN 54911-4799
920-832-6468

Reasonable accommodations for persons with disabilities will be made upon request and if feasible.

Rezoning
6th Addition to Emerald Valley
AG Agricultural District to
R-1B Single-family District
Zoning Map



Plan Commission
10-13-2020



Rezoning
6th Addition to Emerald Valley
AG Agricultural District to
R-1B Single-family District
Aerial Map

Subject Area

OFFICIALLY MAPPED PROVIDENCE AV



City Plan Commission
10-13-2020



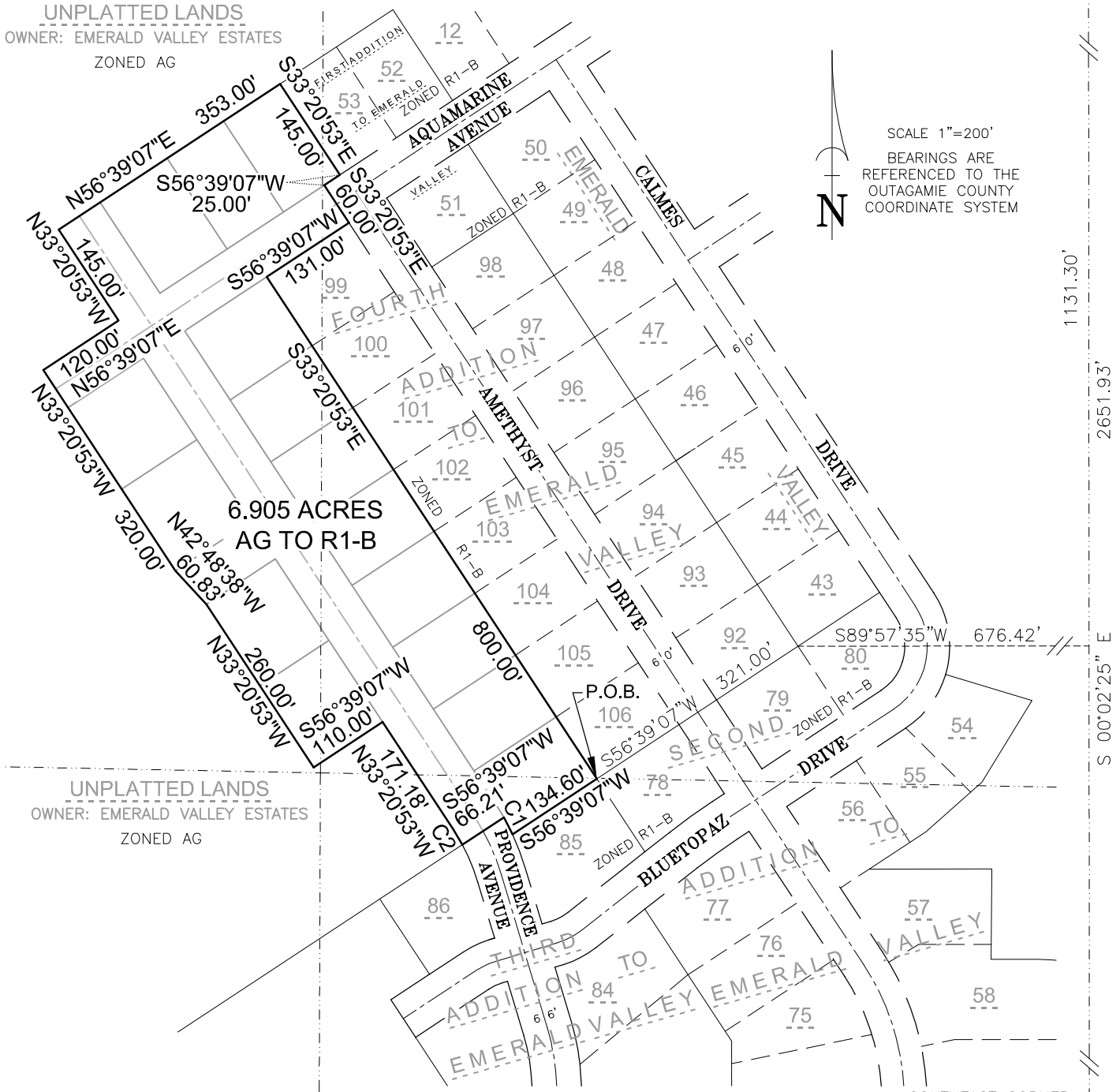
REZONING REFERENCE MAP

PART OF THE NORTHWEST 1/4, NORTHEAST 1/4 AND THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4, SECTION 6, TOWNSHIP 21 NORTH, RANGE 18 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN.

EAST 1/4 CORNER
SECTION 6
T21N, R18E

UNPLATTED LANDS
OWNER: EMERALD VALLEY ESTATES
ZONED AG

SCALE 1"=200'
BEARINGS ARE REFERENCED TO THE OUTAGAMIE COUNTY COORDINATE SYSTEM



CURVE TABLE

CURVE	RADIUS	DELTA	LENGTH	CHORD BEARING	CHORD	TANGENT IN	TANGENT OUT
1	333.00'	004°19'42"	25.16'	N 27°04'53.0" W	25.15'	N 24°55'02" W	N 29°14'44" W
2	267.00'	005°07'09"	23.86'	N 30°47'18.5" W	23.85'	N 28°13'44" W	N 33°20'53" W

Martenson & Eisele, Inc.



1377 Midway Road
Menasha, WI 54952
www.martenson-eisele.com
info@martenson-eisele.com
920.731.0381 1.800.236.0381

Planning
Environmental
Surveying
Engineering
Architecture

PROJECT NO. 1-0534-010
FILE 1-0534-010zone.dwg
THIS INSTRUMENT WAS DRAFTED BY: A.Sedlar

NOTICE OF INFORMAL PUBLIC HEARING
OF THE
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Dear property owner(s):

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Purpose of the Rezoning: Facilitate the construction of the *7th Addition to Emerald Valley Subdivision* consisting of approximately 35 single-family lots located west of Providence Avenue. (See attached maps)

ALDERMANIC DISTRICT: 13 – Alderperson Kyle Lobner

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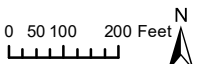
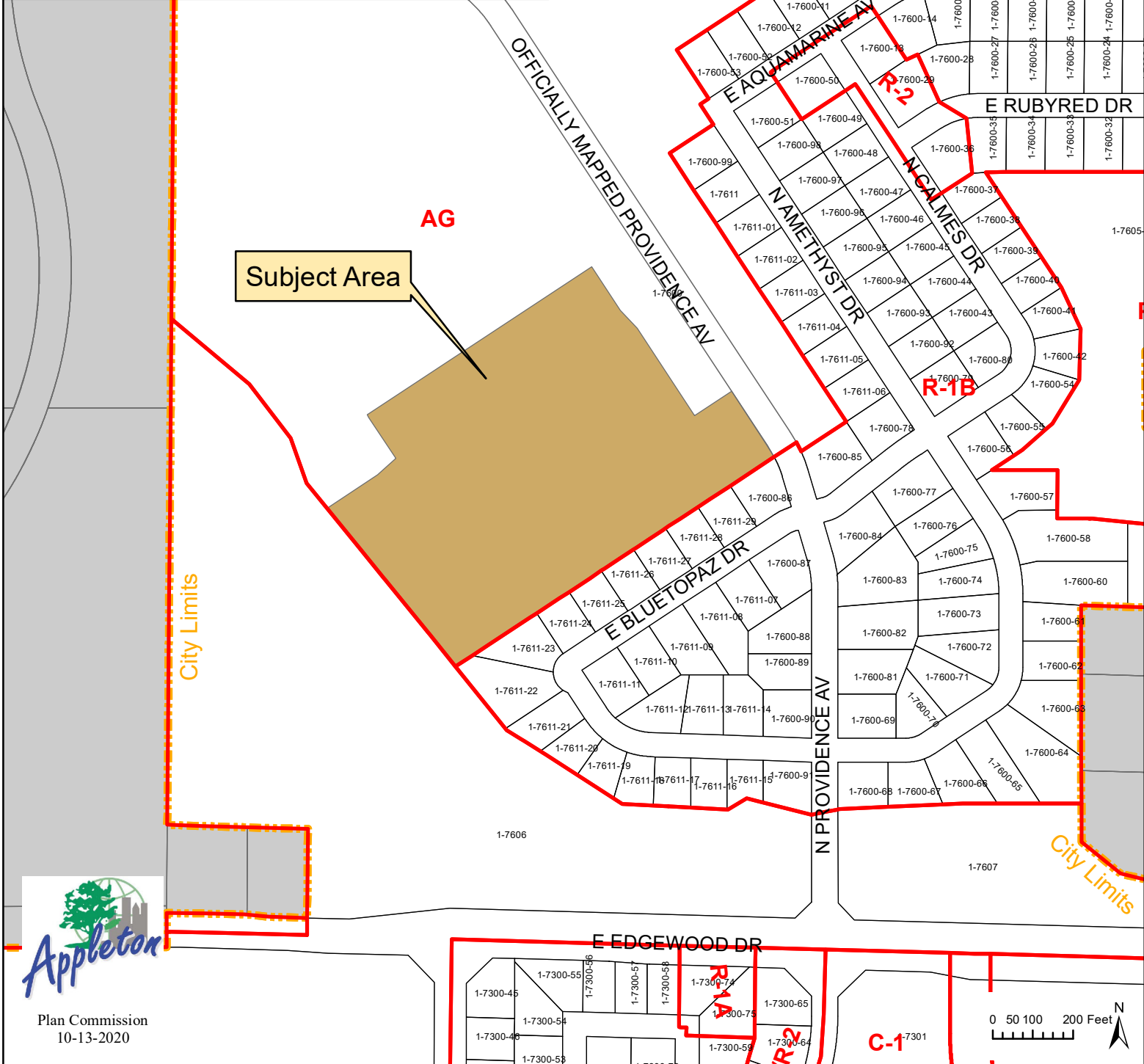
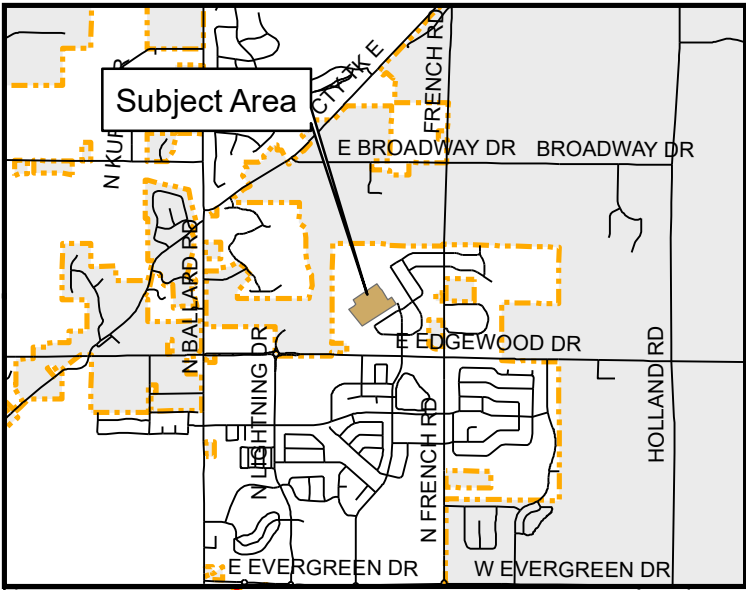
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CITY PLAN COMMISSION

COMMUNITY & ECONOMIC DEVELOPMENT
CITY HALL - 100 NORTH APPLETON STREET
APPLETON, WISCONSIN 54911-4799
920-832-6468

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Rezoning
7th Addition to Emerald Valley
AG Agricultural District to
R-1B Single-family District
Zoning Map



Rezoning
7th Addition to Emerald Valley
AG Agricultural District to
R-1B Single-family District
Aerial Map

Subject Area

OFFICIALLY MAPPED PROVIDENCE AV

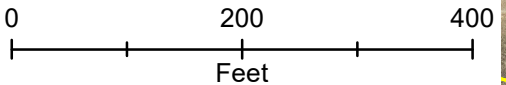
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City Plan Commission
10-13-2020



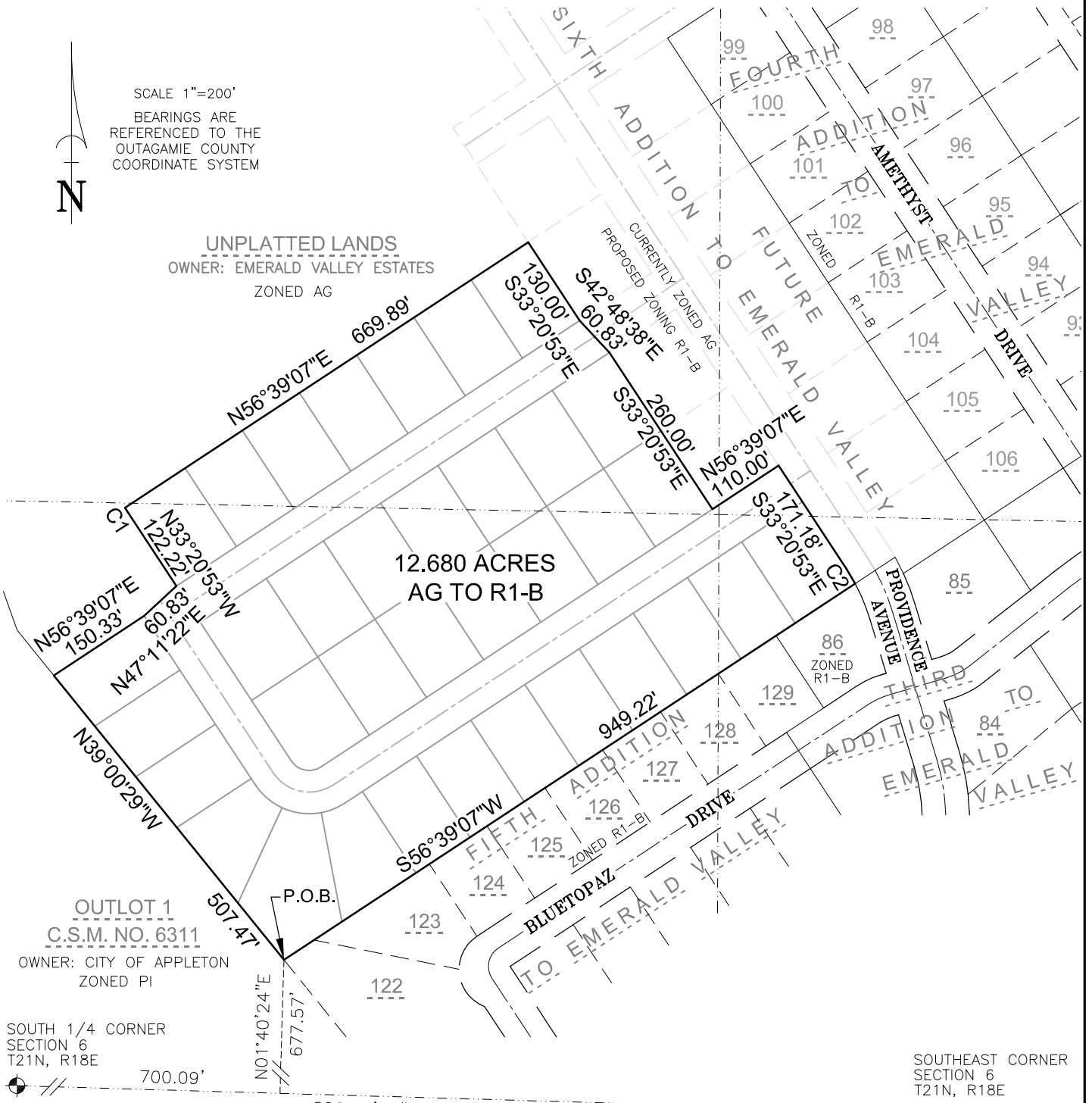
REZONING REFERENCE MAP

PART OF THE NORTHWEST 1/4, NORTHEAST 1/4, SOUTHWEST 1/4 AND THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4, SECTION 6, TOWNSHIP 21 NORTH, RANGE 18 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN.



SCALE 1"=200'
BEARINGS ARE REFERENCED TO THE OUTAGAMIE COUNTY COORDINATE SYSTEM

UNPLATTED LANDS
OWNER: EMERALD VALLEY ESTATES
ZONED AG



CURVE TABLE

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Planning
Environmental
Surveying
Engineering
Architecture

PROJECT NO. 1-0534-010
FILE 1-0534-010zone_7thAdd.dwg
THIS INSTRUMENT WAS DRAFTED BY: A.Sedlar



REPORT TO CITY PLAN COMMISSION

Plan Commission Public Hearing Date: October 13, 2020

Common Council Meeting Date: October 21, 2020

Item: Special Use Permit #6-20 for the manufacturing of dairy products (light manufacturing)

Case Manager: Jessica Titel, Principal Planner

GENERAL INFORMATION

Owner/Applicant: Messenger Property Management c/o Mike Faucett – Malcore Foods

Address/Parcel #: 300 E. Coolidge Avenue (Tax Id #31-9-0030-00)

Petitioner's Request: The applicant is requesting a Special Use Permit for the manufacturing of dairy products (light manufacturing).

BACKGROUND

The structure was built in 1940. The property was historically used by Pneumatic Hydraulic and contains a single-story concrete block building approximately 2,000 square feet in size. There is also a gravel parking lot on site.

STAFF ANALYSIS

Project Summary: The applicant proposes to manufacture European style cheese products. The operations would include unloading milk and converting it into artisan cheese products. The interior of the building will be remodeled to accommodate the cheese manufacturing process. The applicant proposes to construct an approximately 2,680 square foot addition onto the building. The addition will provide a covered bay for the unloading of milk. An off-street paved parking lot containing 7 parking spaces will be constructed as part of this project, which will accommodate the required number of parking spaces needed for the proposed special use.

Existing Site Conditions: The existing single-story concrete block building totals approximately 2,000 square feet in size. There is also a gravel parking lot on site with no designating parking spaces. Ingress and egress to the off-street parking lot is provided by existing curb cuts on South Madison Street and East Coolidge Avenue.

Operational Information: A plan of operation is attached to the staff report.

Current Zoning: The subject property has a zoning designation of C-2 General Commercial District. Per Section 23-113(e) of the Municipal Code, a light manufacturing facility (manufacturing of dairy products) requires a Special Use Permit in the C-2 District. A two-thirds (2/3) vote of the Common Council is required for approval.

Special Use Permit #6-20

October 13, 2020

Page 2

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 commercial and residential in nature.

North: C-2 General Commercial District. The adjacent land use to the north is currently multi-tenant commercial.

South: R-1B Single Family District. The adjacent land uses to the south are currently single-family residential.

East: C-2 General Commercial District. The adjacent land use to the east is currently single-family residential.

West: C-2 General Commercial District. The adjacent land use to the west is currently commercial and light manufacturing (Malcore Foods/Arthur Bay Cheese).

Appleton Comprehensive Plan 2010-2030: Community and Economic Development staff has 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.

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 9.4 Economic Development:

Ensure the continued vitality of downtown and the City's neighborhood commercial districts.

OBJECTIVE 10.5 Land Use:

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

Technical Review Group (TRG) Report: This item appeared on the September 22, 2020 TRG Agenda. No negative comments were received from participating departments.

Approval or Denial by Common Council:

When reviewing an application for a Special Use Permit, the City must look at the requirements and conditions found in the zoning ordinance and determine if the applicant has demonstrated that their proposed application for Special Use Permit satisfies all those requirements and conditions pursuant to Section 23-66(c)(5)c of the zoning ordinance. The Common Council must provide **substantial evidence** supporting their decision to approve, approve with conditions or deny the Special Use Permit. Substantial evidence means “*facts and information, other than merely personal preferences or speculation, directly pertaining to the requirements and conditions an applicant must meet to obtain a special use permit and that reasonable persons would accept in support of a conclusion.*”

Public comment that is based on personal opinion or speculation are not sufficient forms of evidence. All requirements and conditions listed for approval must be reasonable, and to the extent practicable, measurable.

Finding of Fact: This request was reviewed in accordance with the standards (*proper zoning district, district regulations, special regulations, comprehensive plan and other plans, traffic, landscaping and screening, neighborhood compatibility, and impact on services*) for granting a Special Use Permit under Section 23-66 (e) (1-8), which were found in the affirmative.

RECOMMENDATION

Staff recommends, based on the above analysis, that Special Use Permit #6-20 for a dairy manufacturing facility located at 300 E. Coolidge Avenue, (Tax Id #31-9-0030-00), as shown on the attached maps and per attached plan of operation, along with the attached resolution, **BE APPROVED** to run with the land, subject to the following conditions:

1. All Zoning, Building, Fire, Engineering, Utility and other Municipal Codes, and all applicable State and Federal laws shall be complied with.
 - **Substantial Evidence:** This condition assures the applicant understands they must follow the City's Municipal Code and all applicable State and Federal laws which they are required to follow while conducting business in the City; failure to follow City, State and Federal regulations may result in revocation of their special use permit.
2. Any expansions of the special use, changes to the development plan(s), plan of operation or any conditions of approval may require a major or minor amendment request to this Special Use Permit pursuant to Section 23-66(g) of the Zoning Ordinance. Contact the Community and Economic Development Department to discuss any proposed changes.
 - **Substantial Evidence:** Standardized condition that establishes a process for review and approval of future changes to the special use in order to promote the health, safety and welfare of the City.
3. 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 will be examined during the review of the Site Plan.
 - **Substantial Evidence:** The condition notifies the applicant that Site Plan review is required for certain additions and site modifications, as required in Section 23-570, prior to issuance of building permits.
4. All activities associated with the proposed dairy manufacturing including, but not limited to, operation, storing of products, packaging, etc. must occur within a completely enclosed structure. Any future plans for outdoor storage or outdoor activities shall be submitted to the Community and Economic Development Department for review. Submittal of an application for a major or minor amendment to the Special Use Permit may be required.
 - **Substantial Evidence:** The condition notifies the applicant that all activities are to occur within the building, in compliance with their submitted plan of operation, and any proposed changes shall be presented to and reviewed by Staff.

**CITY OF APPLETON
RESOLUTION FOR SPECIAL USE PERMIT #6-20
DAIRY MANUFACTURING FACILITY
300 EAST COOLIDGE AVENUE**

WHEREAS, Malcore Foods has applied for a Special Use Permit for a dairy manufacturing facility located at 300 E. Coolidge Avenue, also identified as Parcel Number 31-9-0030-00; and

WHEREAS, the location for the proposed dairy manufacturing facility is located in the C-2 General Commercial District, and the proposed use may be permitted by Special Use Permit within this zoning district pursuant to Chapter 23 of the Municipal Code; and

WHEREAS, the City of Appleton Plan Commission held a public hearing on October 13, 2020 on Special Use Permit #6-20, at which all those wishing to be heard were allowed to speak or present written comments and other materials at the public hearing; and

WHEREAS, the City of Appleton Plan Commission has reviewed and considered the Community and Economic Development Department's staff report and recommendation, as well as other spoken and written evidence and testimony presented at the public hearing; and

WHEREAS, the City of Appleton Plan Commission reviewed the standards for granting a Special Use Permit under Sections 23-66(e)(1-8) of the Municipal Code; and

WHEREAS, the City of Appleton Plan Commission reviewed the standards for imposing conditions on the Special Use Permit under Section 23-66(c)(5) of the Municipal Code, and forwarded Special Use Permit #6-20 to the City of Appleton Common Council with a favorable conditional 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 October 21, 2020.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the Common Council, based on Community and Economic Development Department's staff report and recommendation, as well as other spoken and written evidence and testimony presented at the public hearing and Common Council meeting, and having considered the recommendation of the City Plan Commission, that the Common Council:

1. Determines all standards listed under Sections 23-66(e)(1-8) of the Municipal Code are found in the affirmative YES or NO (CIRCLE ONE)
2. If NO, the City of Appleton Common Council hereby denies Special Use Permit #6-20 for a dairy manufacturing facility located at 300 E. Coolidge Avenue, also identified as Parcel Number 31-9-0030-00, based upon the following standards and determinations: (List reason(s) why the Special Use Permit was denied)
3. If YES, the City of Appleton Common Council hereby approves Special Use Permit #6-20 for a dairy manufacturing facility located at 300 E. Coolidge Avenue, also identified as Parcel Number 31-9-0030-00,

subject to the following conditions as they are related to the purpose of the City of Appleton Municipal Code and based on substantial evidence:

CONDITIONS OF APPROVAL FOR SPECIAL USE PERMIT #6-20

- A. All Zoning, Building, Fire, Engineering, Utility and other Municipal Codes, and all applicable State and Federal laws shall be complied with.
 - B. Any expansions of the special use, changes to the development plan(s), plan of operation or any conditions of approval may require a major or minor amendment request to this Special Use Permit pursuant to Section 23-66(g) of the Zoning Ordinance. Contact the Community and Economic Development Department to discuss any proposed changes.
 - C. 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 will be examined during the review of the Site Plan.
 - D. All activities associated with the proposed dairy manufacturing including, but not limited to, operation, storing of products, packaging, etc. must occur within a completely enclosed structure. Any future plans for outdoor storage or outdoor activities shall be submitted to the Community and Economic Development Department for review. Submittal of an application for a major or minor amendment to the Special Use Permit may be required.
4. The City Clerk’s Office is hereby directed to give a copy of this resolution to the owner/applicant, Community and Economic Development Department, Inspections Division, and any other interested party.

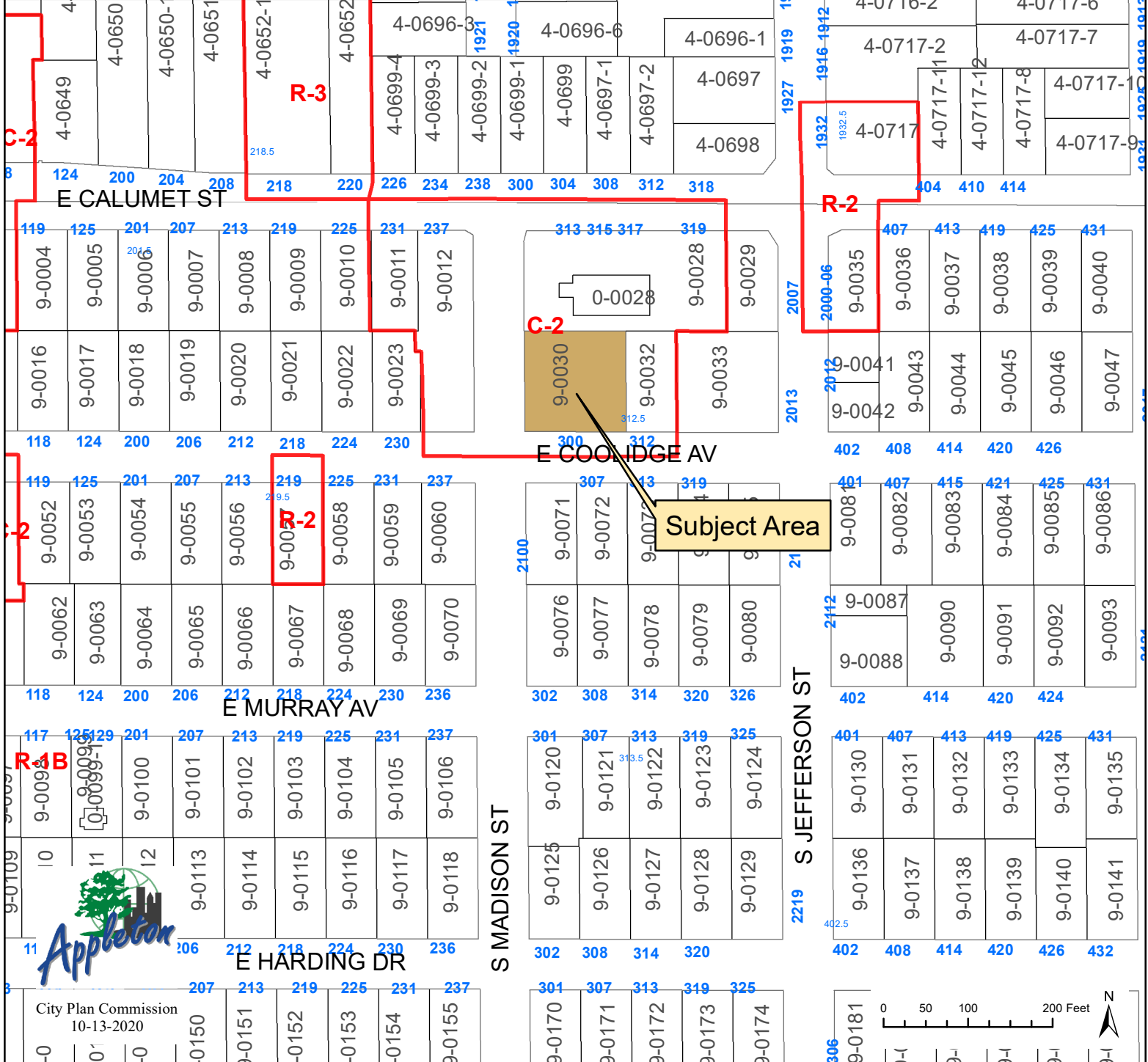
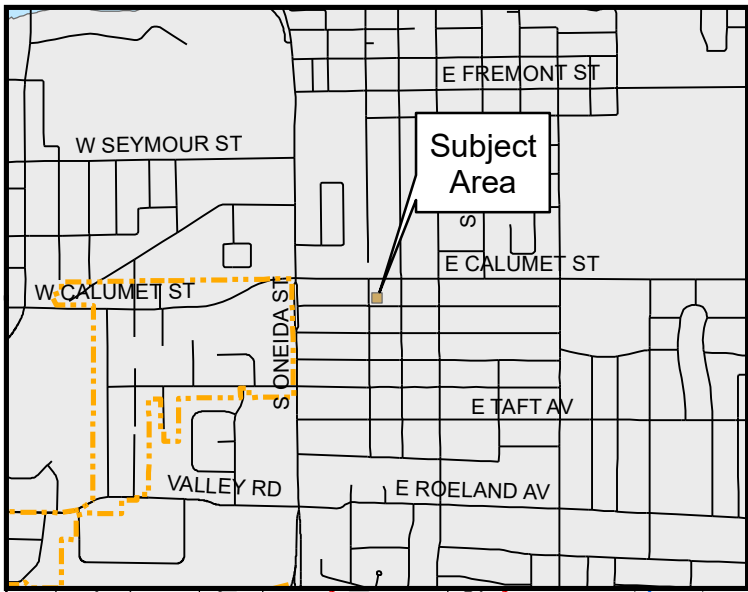
Adopted this _____ day of _____, 2020.

Jacob A. Woodford, Mayor

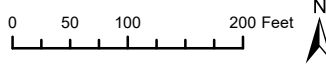
ATTEST:

Kami Lynch, City Clerk

300 E. Coolidge Avenue
 Special Use Permit
 Malcore Foods - Dairy Manufacturing
 Zoning Map



City Plan Commission
 10-13-2020



300 E. Coolidge Avenue
Special Use Permit
Malcore Foods - Dairy Manufacturing
Aerial Map

37

313

9-0012

0-0028

9-0028

Subject Area

S MADISON ST

9-0030

9-0032

312.5

300

312

E COOLIDGE AV

237

307

313

319



City Plan Commission
10-13-2020

2100

0071

0072

0073

0074



PLAN OF OPERATION AND LOCATIONAL INFORMATION

Business Information:

Name of business: Malcore Foods Inc

Years in operation: 25 years

Type of proposed establishment (detailed explanation of business):

Manufacturing of European style artisan cheese products. Operations include unloading milk and converting it into artisan cheese products.

Proposed Hours of Operation:

Day	From	To
Monday thru Thursday	12:30PM	11:30PM
Friday	12:30PM	11:30PM
Saturday	12:30PM	11:30PM
Sunday		

Building Capacity and Storage Areas:

Maximum number of persons permitted to occupy the building or tenant space as determined by the International Building Code (IBC) or the International Fire Code (IFC), whichever is more restrictive: 4.00 persons

Gross floor area of the existing building(s):

2,700 S.F.

Gross floor area of the proposed building(s):

4,682 S.F.

Identify location, number, capacity and flammable liquid materials stored in storage tanks or containers:

No flammable materials will be stored at this location.

Odor:

Describe any potential smoke, odors emanating from the proposed use and plans to control them:

No odors will be emanating from this plant.

Noise:

Describe the noise levels anticipated from the proposed use and all mechanical equipment:

Little noise will be emitted due to the slow speed of equipment used and amount of manual labor needed.

How will the noise be controlled?

By maintaining a low and constant speed of the equipment.

Outdoor Lighting:

Type: L.E.D.

Location: at entryways

Off-Street Parking:

Number of spaces existing on-site: unknown

Number of spaces proposed on-site: 7.00

Street Access:

Is street access to the subject property adequate or are any street improvements, such as a new turning lane, necessary to minimize impacts on traffic flow?

The existing curtain will need to be extended to provide extra turning for milk trucks.

Outdoor Uses:

Size: 0.00 square feet

Type and location of outdoor storage area(s) of business property, goods, or merchandise not intended for customer viewing or immediate sale:

N/A

Type and height of screening of plantings/fencing/gating for outdoor storage area(s):

N/A

Type, location, size of outdoor display area(s) of merchandise for sale or other business property:

N/A

Number of Employees:

Number of existing employees: 0.00

Number of proposed employees: 4.00

Number of employees scheduled to work on the largest shift: 3.00

GENERAL NOTES

COMPLIANCE – All work of all trades shall be performed and completed in accordance with all applicable governing codes, laws, ordinances, regulations or statutes. Any contractor discovering any variance in the drawings with said code, law, ordinance, regulation or statute shall notify the owner and/or architect immediately.

SITE CONDITIONS – Each contractor shall be responsible for reviewing all drawings and site prior to bidding and for verifying all pertinent conditions, utilities, utility requirements, dimensions, extent of demolition and new construction required. Discrepancies or inaccuracies found in the drawings or existing conditions shall be reported to the project manager and/or architect immediately.

PERMITS – Each contractor shall be responsible for paying for and obtaining all necessary permits, licenses, insurance, etc. required to perform and complete their portion of the work.

DESIGN BUILD – This project will implement the 'design-build' process. Each plumbing, HVAC, and electrical contractor shall be responsible for furnishing all of their associated equipment, materials, labor, installation, etc. to perform and complete their work. It is understood by execution of a contract for the area of work, that the contractor will furnish a completed working product or assembly.

SCOPE – These drawings are diagrammatic and show the intent of the project but do not necessarily indicate all materials and methods of construction for the completion of the project. All contractors shall review all project drawings thoroughly and shall be responsible for providing all materials and methods of construction required to perform and complete their portion of the work in a timely and organized manner in accordance with the intent of these drawings prior to the project date of completion.

COORDINATION – Each contractor shall be responsible for coordinating their work with the general contractor and with other contractors. Each contractor shall verify and coordinate his work with any equipment provided by the owner prior to construction. Any situation or incident which would change or alter the work of the contractor in any way or which would prevent the contractor from performing or completing his work within his proper time frame must be reported immediately to the owner, general contractor and/or architect.

HOLES – All holes for plumbing, electrical, HVAC, piping or ductwork are to be repaired by the associated trade. Each hole shall be neatly cut and shall be only as large as necessary. Associated trade contractor shall be responsible for their holes left unrepaired and will be back charged accordingly for such repairs.

SUBMITTALS – Contractors shall provide to the owner all pertinent submittals, product data, relevant technical data, material samples, finish samples, etc. for review and approval prior to commencement of work. When not specified, the contractor may submit/ suggest materials to the owner/ architect for their review and approval.

INTERPRETATION – All requests for detailed project information, interpretation, intent, etc. must be made at least ten (10) days prior to bid date. Responses will be confirmed in writing.

CHANGES – The owner and/or architect shall have the right to make changes to the project during the progress of the work without voiding contracts. All changes must be made in writing.

DIMENSIONING – Do not scale drawings. Use written dimensions only. If clarifications or additional dimensions are required, then notify the architect immediately. Unless noted otherwise, all plan dimensions are shown to face of finished wall surface.

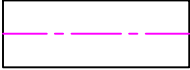
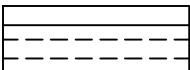
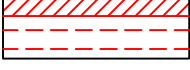

PROVISIONS – Unless noted otherwise, the owner/ General contractor shall provide temporary sanitary facilities, water, electrical, code required temporary fire extinguishers (during construction), adequate and required barricades, dust barriers, fences, safety precautions and dumpsters, and shall maintain same to be in good working order during the project.

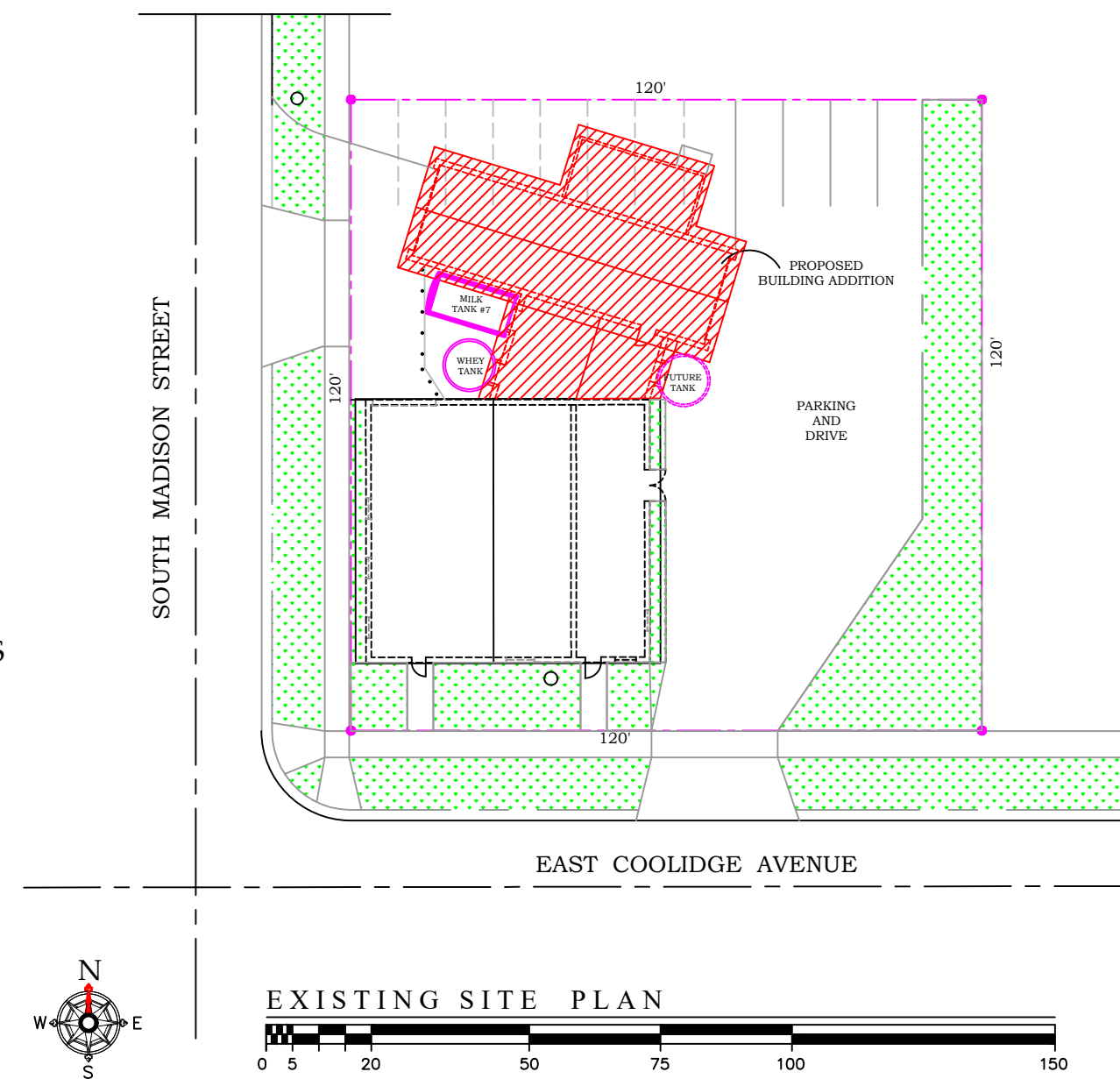
CLEANING – All contractors shall be responsible for performing and maintaining their work and equipment in an organized manner. Each contractor shall clean up and dispose of work debris at the end of each day.

QUALITY – All work by each contractor shall be performed and completed using proper and acceptable construction practices using quality materials. The owner shall have the right to reject work, or materials that are not of acceptable quality or do not conform to the intent of the project.

GUARANTEE – Unless noted otherwise, each contractor shall guarantee their work under contract against defective workmanship and/or materials for a period of not less than one year from substantial completion of their work.

**PROPOSED BUILDING ADDITION FOR:
MALCORE CHEESE PLANT
300 E. COOLIDGE AVENUE
APPLETON, WI**

-  LOT LINE
-  EXISTING CONSTRUCTION
-  NEW CONSTRUCTION
-  LANDSCAPED/LAWN AREAS



PROJECT DATA			
GOVERNING AUTHORITY	BUILDING USAGE		REMARKS
WISCONSIN DEPT. OF COMMERCE SAFETY & BUILDINGS DIVISION	CLASS OF CONSTRUCTION: VB WOOD FRAME, UNPROTECTED		AS PER TABLE 506.2 ALLOWABLE AREA IS 8,500 S.F. PLUS STREET FRONTAGE
IEBC INTERNATIONAL EXISTING BUILDING CODE -2015 IBC INTERNATIONAL BUILDING CODE - 2015	OCCUPANCY CHAPTER: SECTION 306, FACTORY GROUP "F-1", MODERATE-HAZARD		AS PER TABLE 1017.2 THE EXIT ACCESS TRAVEL DISTANCE IS 200 FEET FOR A NON-SPRINKLED BUILDING.
JURISDICTION: CITY OF APPLETON OUTAGAMIE COUNTY	AS PER TABLE 504.4 ALLOWABLE NUMBER OF STORIES IS ONE FOR TYPE "F-1" OCCUPANCY NON-SPRINKLED		
BUILDING LEVELS	CLASSIFICATION		REMARKS
FLOOR LEVEL	EXISTING	ADDITION	TOTAL
FIRST FLOOR	2,700 S.F.	1,982 S.F.	4,682 S.F.

PROJECT SCOPE:

THE EXISTING BUILDING IS A TYPE IIIB, WITH NON-COMBUSTIBLE EXTERIOR WALLS. THE NEW ADDITION WILL BE WOOD FRAME, UNPROTECTED CONSTRUCTION WHICH WILL MAKE THE ENTIRE BUILDING A TYPE VB UNPROTECTED BUILDING. IS A ONE STORY SLAB ON GRADE, NON-SPRINKLED BUILDING TO BE ALL CHEESE MAKING FACTORY. THE LAST TENANT WAS A VEHICLE REPAIR SHOP. THERE IS ONE EXISTING TOILETS THAT IS NOT UP TO TODAY'S CODES. SINCE THERE WILL BE LESS THAN 15 TOTAL OCCUPANTS IN THIS BUILDING AT ANY ONE TIME, ONE NEW CODE COMPLYING UNISEX TOILET WILL BE PROVIDED ALONG WITH A JANITORS SINK. THERE WILL BE CHANGES TO THE THE PARKING LOT AND DRIVEWAYS AS REQUIRED TO ALLOW TRUCK ENTRANCE INTO THE PROPERTY WITHOUT HAVING TO BACK INTO THE STREET.

SHEET INDEX

- A-1 COVER SHEET, SITE PLAN, PROJECT SCOPE
- A-2 EXISTING FLOOR PLAN AND EXTERIOR BUILDING ELEVATIONS
- A-3 PROPOSED SITE AND FLOOR PLAN
- A-4 FOUNDATION PLAN
- A-5 ROOF FRAMING PLAN, SECTION
- A-6 ROOM FINISH AND DOOR SCHEDULES
- A-7 WALL AND BUILDING SECTIONS
- A-8 TOILET ROOM PLANS AND DETAILS
- A-9 EXTERIOR BUILDING ELEVATIONS



ROBERT ACORD - ARCHITECT
1210 MAPLE STREET
NEENAH, WI 54956
920-729-9632 acordrj@aol.com

PROPOSED BUILDING ADDITION FOR:
MALCORE CHEESE PLANT
300 E. COOLIDGE AVENUE
APPLETON, WI

DATE
3 AUG 20

PROJECT NUMBER
20-021

SHEET
A-1

18" X 24" FORMAT



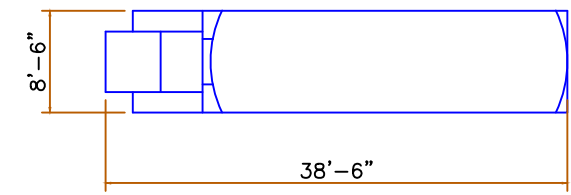
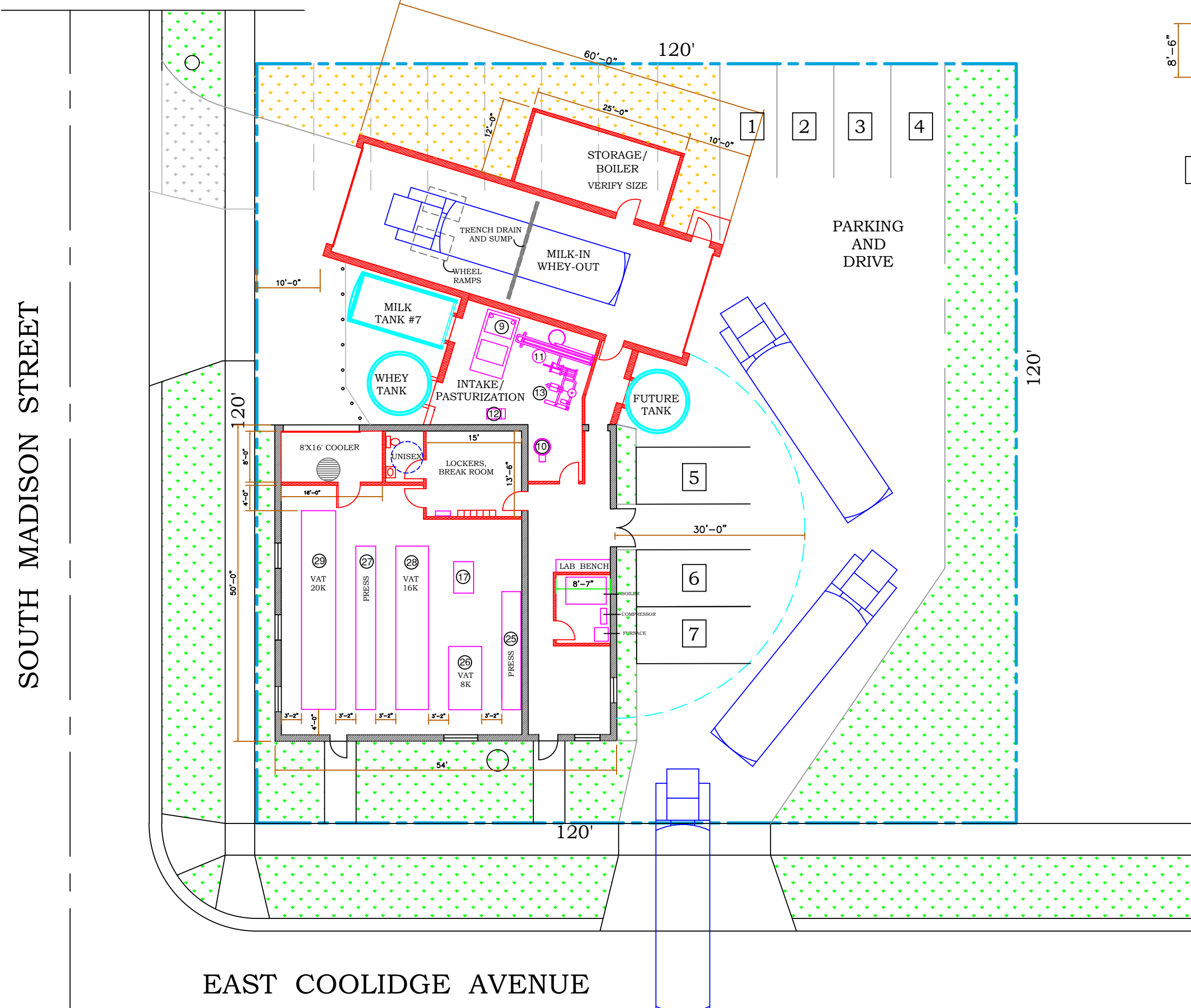
ROBERT ACORD - ARCHITECT
 1210 MAPLE STREET
 NEENAH, WI 54956
 920-729-9632 acordrj@aol.com

PROPOSED BUILDING ADDITION FOR:
MALCORE CHEESE PLANT
 300 E. COOLIDGE AVENUE
 APPLETON, WI

DATE
 21 AUG 20

PROJECT NUMBER
 20-021

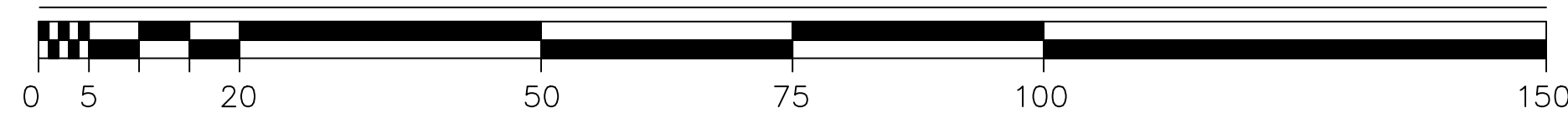
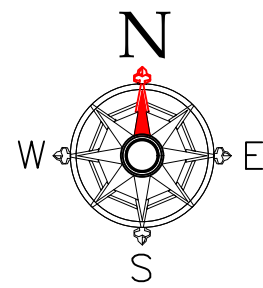
SHEET
A-3r



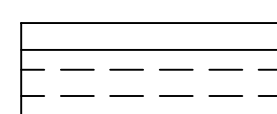
7 9' X 18' PARKING STALL

- 9 CREAM STORAGE
- 10
- 11
- 12
- 13
- 17
- 25 PRESS
- 26 VAT 8K
- 27 PRESS
- 28 VAT 16K
- 29 VAT 20K

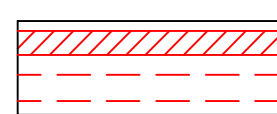
PROPOSED SITE / FLOOR PLAN



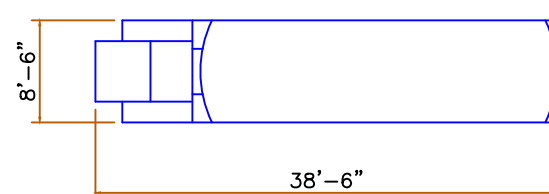
LOT LINE



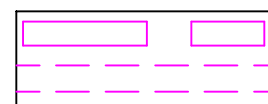
EXISTING CONSTRUCTION



NEW CONSTRUCTION



MILK TRUCK



EQUIPMENT/MACHINES



LANDSCAPED/LAWN AREAS TO REMAIN



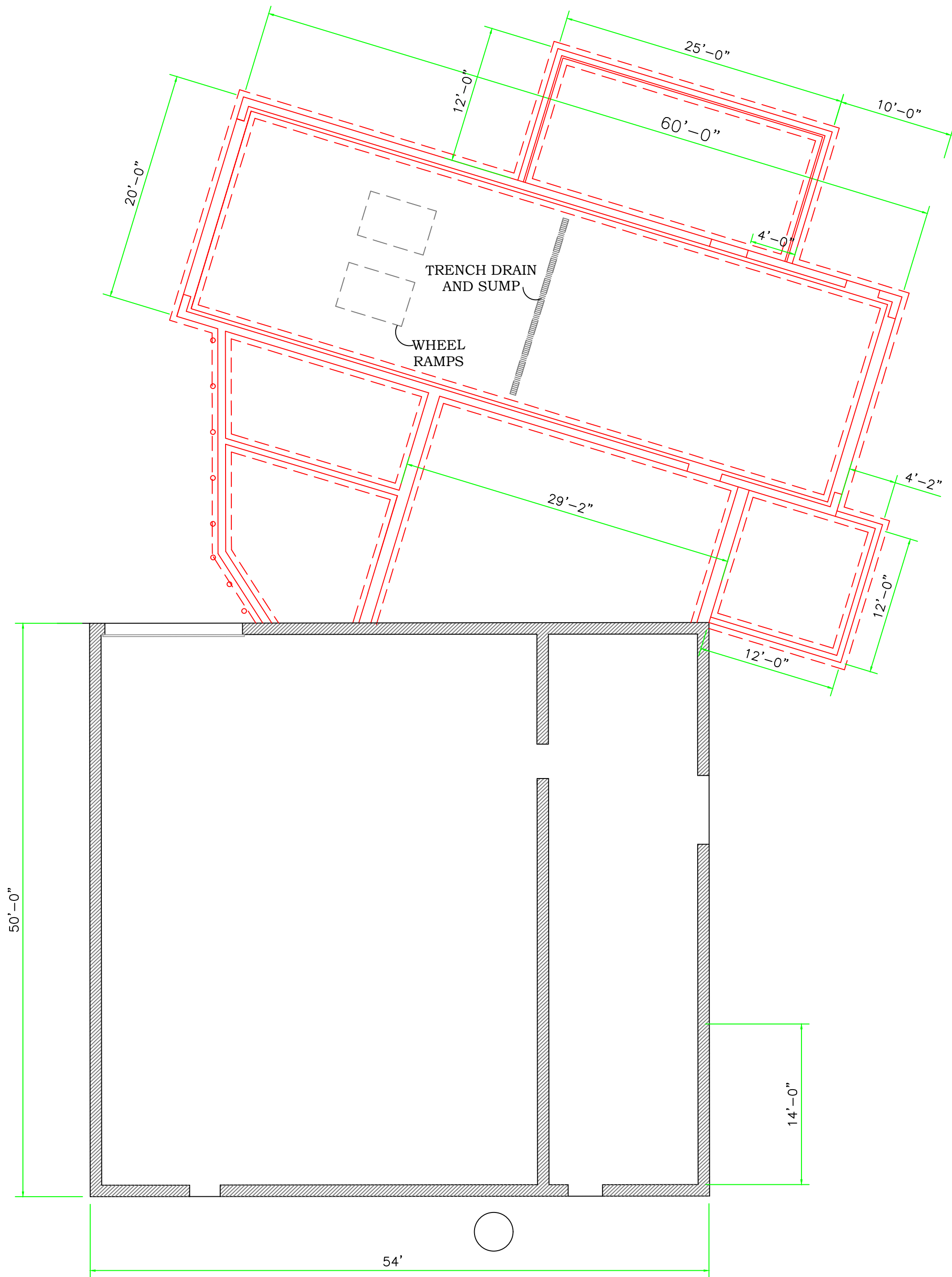
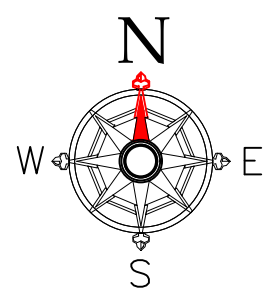
LANDSCAPED/LAWN AREAS TO BE REMOVED



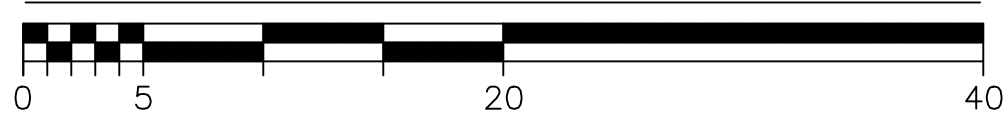
PAVED AREAS TO BE REMOVED AND LANDSCAPED

TOTAL LOT, 120' X 120' = 14,400 S.F.
 MINIMUM GREEN SPACE = 25%
 14,400 X .25 = 3,600 S.F. **REQUIRED**
 ACTUAL GREEN SPACE = 3,655 S.F.
 BUILDING: 4,682 S.F.
 ZONED C-2
 PARCEL 31-9=0030-00

1/16" = 1'-0" @ 18" X 24" FORMAT



FOUNDATION PLAN



ROBERT ACORD - ARCHITECT
1210 MAPLE STREET
NEENAH, WI 54956
920-729-9632 acordrj@aol.com

PROPOSED BUILDING ADDITION FOR:
MALCORE CHEESE PLANT
300 E. COOLIDGE AVENUE
APPLETON, WI

DATE
3 AUG 20

PROJECT NUMBER
20-021

SHEET
A-4



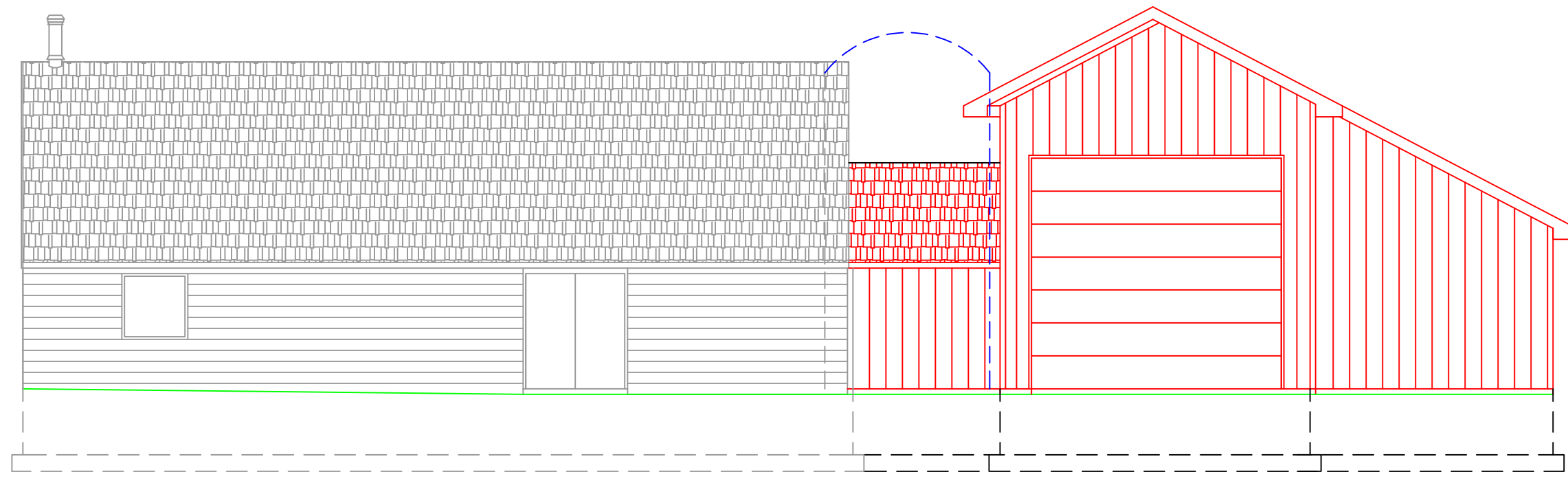
ROBERT ACORD - ARCHITECT
 1210 MAPLE STREET
 NEENAH, WI 54956
 920-729-9632 acordrj@aol.com

PROPOSED BUILDING ADDITION FOR:
MALCORE CHEESE PLANT
 300 E. COOLIDGE AVENUE
 APPLETON, WI

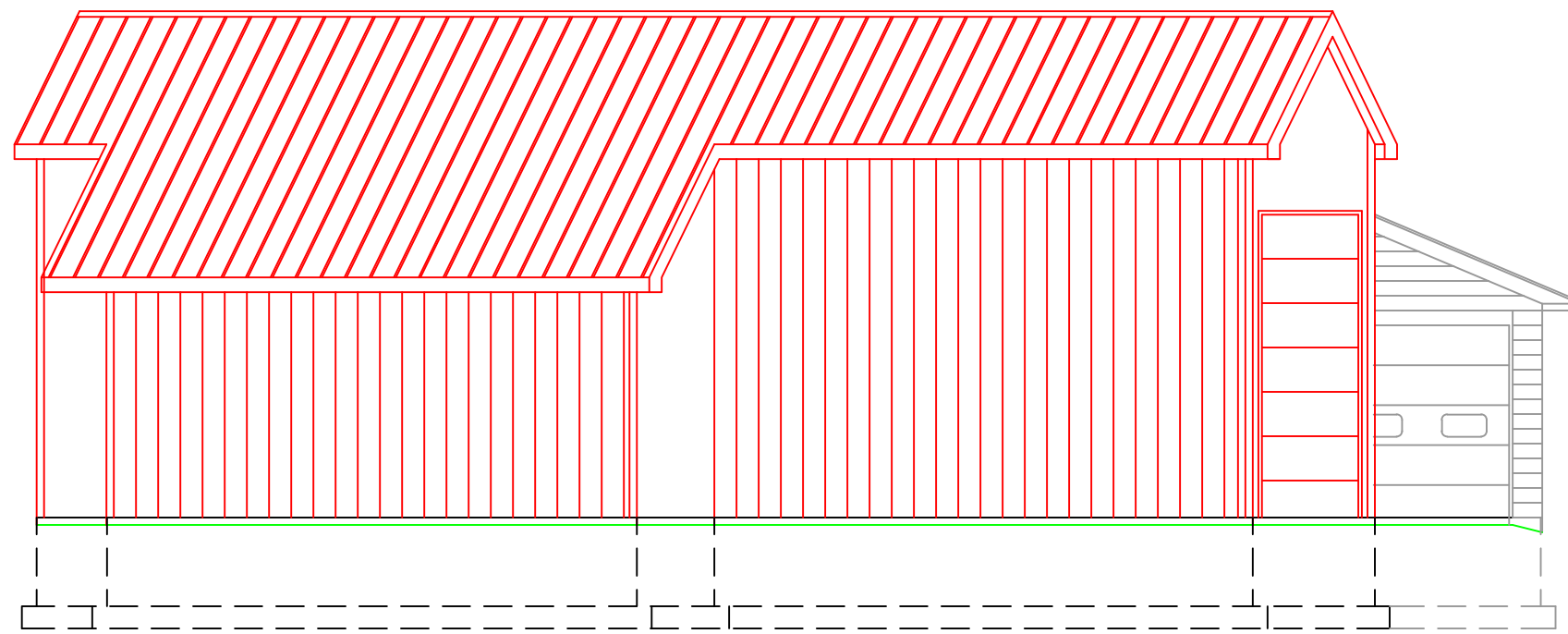
DATE
 3 AUG 20

PROJECT NUMBER
 20-021

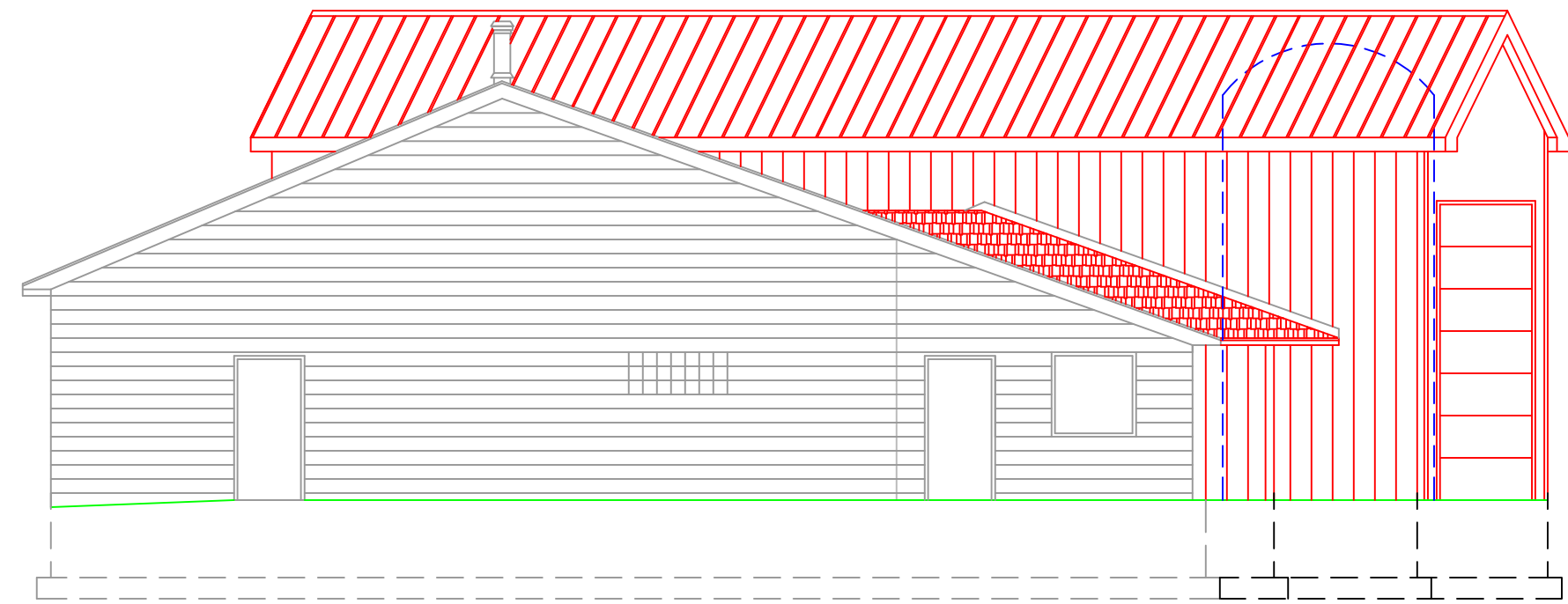
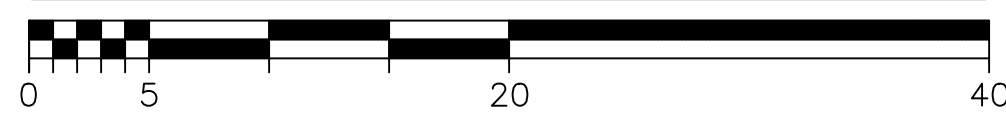
SHEET
A-9



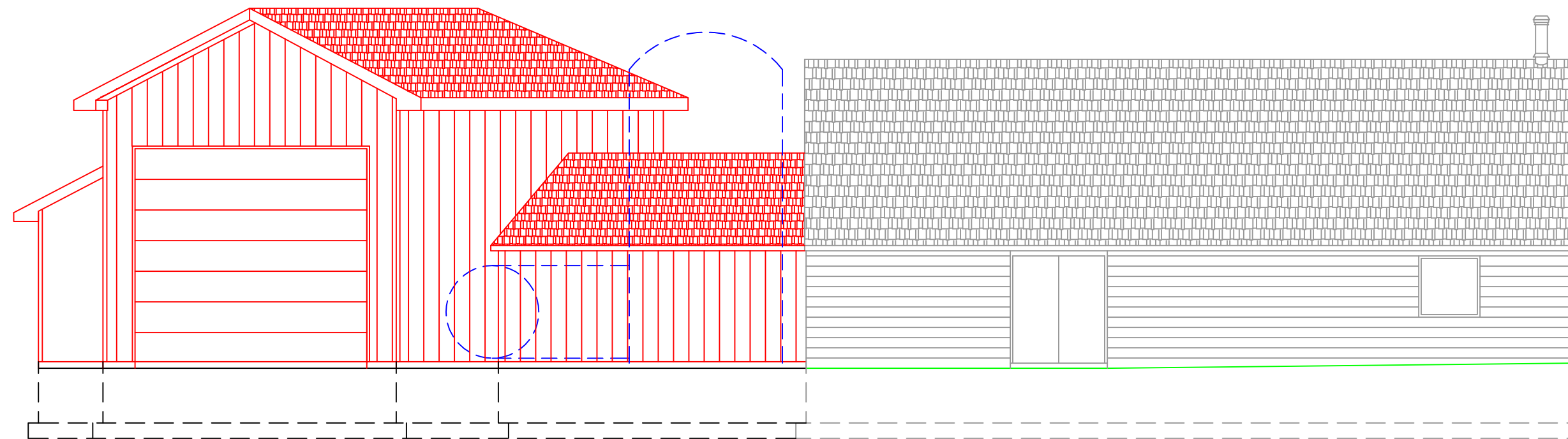
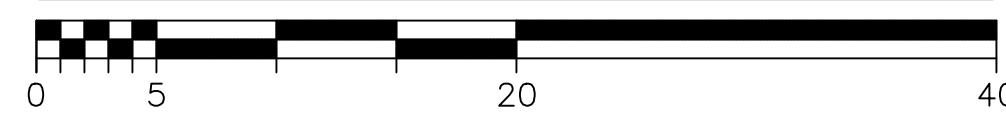
EAST ELEVATION



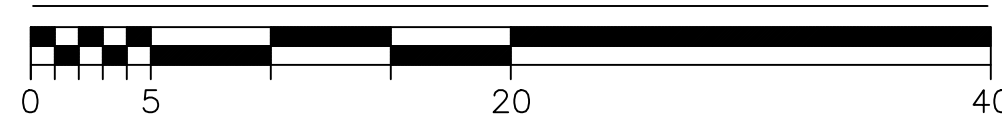
NORTH ELEVATION



SOUTH ELEVATION



WEST ELEVATION



1/8" = 1'-0" @ 18" X 24" FORMAT

Received via email on 10/9/20:

Hi Corey, Corey this Ron LaPlante at 319 E. Coolidge Ave. You are our alderman and I would like to talk to you about the proposed Malcore Cheese facility that they want to build across the street from me at 300 E. Coolidge Ave.

I and my neighbors have a few concerns :

1. we oppose this altogether.!
2. traffic congestion is already horrible with this facility. People park on both sides of the street already (workers).
3. when delivery trucks deliver at the existing cheese shop now, people who live here have to find a different way to get to their driveways/home or wait until they are finished. Some may say small inconvenience but it is not small.
4. this address is 2 short blocks from Madison grade school (kids & more kids)walking and parents dropping off at school/picking up afterwards. The elderly walking around. Kids bicycling and playing whatever in the streets.
5. with factory comes " noise" don't need anymore of that than what we have!
6. odors/smells (not good smells unless you are a mouse).
7. these are streets not designed for semis/heavy trucks on an everyday basis. Streets are narrow.
8. Parking.. the lot where the proposed factory is wanted is already filled with their delivery vans. So employees are taking up a lot of our parking space in front of our own homes already. Our guests will have an even more difficult time parking.
9. Property for homes will devalue.. who wants to buy/live in a neighborhood with a factory, noise, smells and traffic congestion. NOT me or our neighbors.

10. last tenant was not an automobile repair business. It was a pneumatic/ hydraulic business. Never an auto repair business!! And number
11. the city, county and state have already put my home at a lesser value by sneaking in a halfway home at 402 E. Coolidge Ave. that houses child sex perpetrators.

Like I said, there are many kids around here, many elderly, and 2 blocks from Madison grade school. All this done without notifying a single homeowner/ renter. Yes I am pissed that the city would even Consider Malcore Cheese Co. proposed plan.

John O'Donnell	Lara Corson
Tom Vanderder	Hou Blute
Gregory E. Craig	Nicene LaPlante
Mandy Fredericks	My [unclear]
Alice York	Paul [unclear]
Tom Yalm	Barber
Aidan [unclear]	Ed [unclear]
Stu [unclear]	Leola Klesmp
Justin [unclear]	Ben Khan
Paula Sosalla	Timothy [unclear]
Stel [unclear]	James [unclear]
Cheryl Colner	
Debra [unclear]	
Kenneth Schmidt	
Cynthia Schmidt	
Rye [unclear]	
Ed [unclear]	



REPORT TO CITY PLAN COMMISSION

Plan Commission Informal Hearing Meeting Date: October 13, 2020

Common Council Public Hearing Meeting Date: November 4, 2020
(Public Hearing on Rezoning)

Item: Rezoning #8-20 – Sixth Addition to Emerald Valley

Case Manager: Don Harp

GENERAL INFORMATION

Owner/Applicant: Robert DeBruin, Emerald Valley Estates, LLC – owner/applicant

Parcel #: Part of 31-1-7600-00

Petitioner's Request: The owner/applicant is requesting a zoning change of 6.905 acres of land from AG Agricultural District to R-1B Single-Family District to construct the sixth addition to the Emerald Valley subdivision. This phase consists of 15 lots.

BACKGROUND

The subject property was annexed to the City in 2004 as part of the French Road Annexation, and a zoning classification of AG Agricultural District was assigned at that time. In 2005, a preliminary plat had been submitted for the overall property, which called for the creation of a total of 252 residential lots.

The Preliminary Plat for the Sixth and Seven Addition to Emerald Valley was submitted to the City on September 29, 2020. The Preliminary Plat is currently under review and it is anticipated to be placed on the October 27, 2020 Plan Commission Agenda for action.

STAFF ANALYSIS

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.

Existing Conditions: The portion of the lot to be rezoned is currently undeveloped and zoned AG Agricultural District.

Zoning Ordinance Review Criteria: Lot development standards (Section 23-93 – R-1B Single-Family District) are as follows:

- Minimum lot area: Six thousand (6,000) square feet.
 - *The proposed lots shown on the preliminary plat satisfy this standard.*

- Minimum lot width: Fifty (50) feet.
 - *The proposed lots shown on the preliminary plat satisfy this standard.*

Surrounding Zoning and Land Uses:

North: AG Agricultural District – undeveloped land
South: R-1B Single-Family District – residential uses
East: R-1B Single-Family District – residential uses
West: Proposed R-1B Single-Family District – residential uses

Appleton Comprehensive Plan 2010-2030: The City of Appleton 2010-2030 Comprehensive Plan Map identifies this parcel for future Single-Family/Two-Family residential land uses.

Overall Community Goals

Goal 1 – Community Growth (Chapter 10)

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.

Findings: The proposed single-family zoning classification supports this goal. The proposed zoning classification will allow the construction of residential housing units on the subject site after the platting process has been completed.

Goal 3 – Housing Quality, Variety, and Affordability (Chapter 5)

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.

Findings: The proposed single-family zoning classification supports this goal. The proposed zoning classification will allow the construction of residential housing units on subject site after the platting process has been completed. Maintaining an adequate supply of housing units will help to address affordability for Appleton residents and ensures an adequate supply of housing styles to all income levels.

5.1 OBJECTIVE: *Continue efforts to ensure an adequate supply of housing affordable to all income levels in the community.*

5.3 OBJECTIVE: *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.*

Findings: The request is consistent with these objectives because the single-family zoning classification will allow the subject site to be developed with residential housing units. Maintaining an adequate supply of housing units will help to address affordability for Appleton residents and ensures an adequate supply of housing styles to all income levels. The proposal is compatible with the existing single-family dwellings development on adjacent properties.

6.3 OBJECTIVE: Create an environment that is safe and conducive to walking and bicycling throughout the entire city.

6.3.2 Maintain existing sidewalks and implement plans to install new sidewalks in targeted areas where they do not exist. Continue the City's policies to require sidewalks in new neighborhoods.

6.3.5 Continue to implement the City's On-Street Bike Lane Plan and the Sidewalk Installation Policy as approved by the Common Council to ensure multi-modal transportation opportunities.

Findings: The proposed development will be a continuation of the lot-block pattern and straight street patterns previously established by the earlier phases of Emerald Valley Subdivision. As new homes are built, new sidewalk segments will be installed in this area of the City. Once all sidewalk segments are connected together, opportunities for walking to services, schools, and parks and transit will exist in the area of the City. These objectives and policies appear to be met.

7.1 OBJECTIVE: Provide a pattern of development that minimizes impacts to municipal services and utilities.

7.1.1 Prioritize development and redevelopment that minimizes the need for additional public and private infrastructure such as water storage facilities and sewage lift stations.

Findings: The anticipated development is consistent with this objective and policy, as adequate public infrastructure exists in this area of the City.

9.5 OBJECTIVE: Encourage new development and redevelopment activities that create vital and attractive neighborhoods and business districts.

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.

Findings: The proposed development will be contiguous to an existing residential area which can be efficiently served by connecting to existing public infrastructure located in this area of the City.

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. It would appear the criteria established by Section 23-65(d)(3) Zoning Amendments has been satisfied.

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 objectives and policies stated above.*
 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. *The subject area is served by existing infrastructure, and the transportation network should be able to accommodate the proposed rezoning.*
 2. The effect of the proposed rezoning on surrounding uses. *Single-family uses are already present to the north, east and south of the subject site. The rezoning request is being made to accommodate the 6th addition of this residential subdivision which will expand this residential neighborhood. Therefore, the proposed rezoning request is unlikely to create adverse impacts on the surrounding uses.*

Technical Review Group Report (TRG): This item appeared on the September 22, 2020 TRG Agenda. No negative comments were received from participating departments.

RECOMMENDATION

Staff recommends, based upon the standards for map amendments as required by Section 23-65(d)(3) of the Zoning Ordinance, that Rezoning Application #8-20 to rezone the subject property from AG Agricultural District to R-1B Single-Family District as shown on the attached maps, **BE APPROVED**.

REZONING LEGAL DESCRIPTION CURRENTLY ZONED AG TO BE REZONED TO R1-B

PART OF THE NORTHWEST 1/4, NORTHEAST 1/4 AND THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4, SECTION 6, TOWNSHIP 21 NORTH, RANGE 18 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN, MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST 1/4 CORNER OF SAID SECTION 6; THENCE SOUTH 00 DEGREES 02 MINUTES 25 SECONDS EAST, ALONG THE EAST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION, A DISTANCE OF 1131.30 FEET; THENCE SOUTH 89 DEGREES 57 MINUTES 35 SECONDS WEST, A DISTANCE OF 676.42 FEET; THENCE SOUTH 56 DEGREES 39 MINUTES 07 SECONDS WEST, ALONG THE NORTH LINE OF THE SECOND ADDITION TO EMERALD VALLEY, A DISTANCE OF 321.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 56 DEGREES 39 MINUTES 07 SECONDS WEST, ALONG THE NORTH LINE OF THE THIRD ADDITION TO EMERALD VALLEY, A DISTANCE OF 134.60 FEET; THENCE 25.16 FEET ALONG AN ARC OF A CURVE TO THE LEFT, ALONG THE EASTERLY RIGHT-OF-WAY LINE OF PROVIDENCE AVENUE, SAID CURVE HAVING A RADIUS OF 333.00 FEET AND A CHORD THAT BEARS NORTH 27 DEGREES 04 MINUTES 53.0 SECONDS WEST, 25.15 FEET; THENCE SOUTH 56 DEGREES 39 MINUTES 07 SECONDS WEST, ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF PROVIDENCE AVENUE, A DISTANCE OF 66.21 FEET; THENCE 23.86 FEET ALONG AN ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 267.00 FEET AND A CHORD THAT BEARS NORTH 30 DEGREES 47 MINUTES 18.5 SECONDS WEST, 23.85 FEET; THENCE NORTH 33 DEGREES 20 MINUTES 53 SECONDS WEST, 171.18 FEET; THENCE SOUTH 56 DEGREES 39 MINUTES 07 SECONDS WEST, 110.00 FEET; THENCE NORTH 33 DEGREES 20 MINUTES 53 SECONDS WEST, 260.00 FEET; THENCE NORTH 42 DEGREES 48 MINUTES 38 SECONDS WEST, 60.83 FEET; THENCE NORTH 33 DEGREES 20 MINUTES 53 SECONDS WEST, 320.00 FEET; THENCE NORTH 56 DEGREES 39 MINUTES 07 SECONDS EAST, 120.00 FEET; THENCE NORTH 33 DEGREES 20 MINUTES 53 SECONDS WEST, 145.00 FEET; THENCE NORTH 56 DEGREES 39 MINUTES 07 SECONDS EAST, 353.00 FEET TO THE NORTHWEST CORNER OF LOT 53 OF THE FIRST ADDITION TO EMERALD VALLEY; THENCE SOUTH 33 DEGREES 20 MINUTES 53 SECONDS EAST, ALONG THE WESTERLY LINE OF SAID LOT 53, A DISTANCE OF 145.00 FEET; THENCE SOUTH 56 DEGREES 39 MINUTES 07 SECONDS WEST, ALONG THE NORTHWESTERLY RIGHT-OF-WAY LINE OF AQUAMARINE AVENUE, A DISTANCE OF 25.00 FEET; THENCE SOUTH 33 DEGREES 20 MINUTES 53 SECONDS EAST, ALONG THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF AQUAMARINE AVENUE, A DISTANCE OF 60.00 FEET; THENCE SOUTH 56 DEGREES 39 MINUTES 07 SECONDS WEST, ALONG THE NORTHWESTERLY LINE OF LOT 99 OF THE FOURTH ADDITION TO EMERALD VALLEY, A DISTANCE OF 131.00 FEET; THENCE SOUTH 33 DEGREES 20 MINUTES 53 SECONDS EAST, ALONG THE SOUTHWESTERLY LINE OF THE FOURTH ADDITION TO EMERALD VALLEY, A DISTANCE OF 800.00 FEET TO THE POINT OF BEGINNING. CONTAINING 300,775 SQUARE FEET [6.905 ACRES].

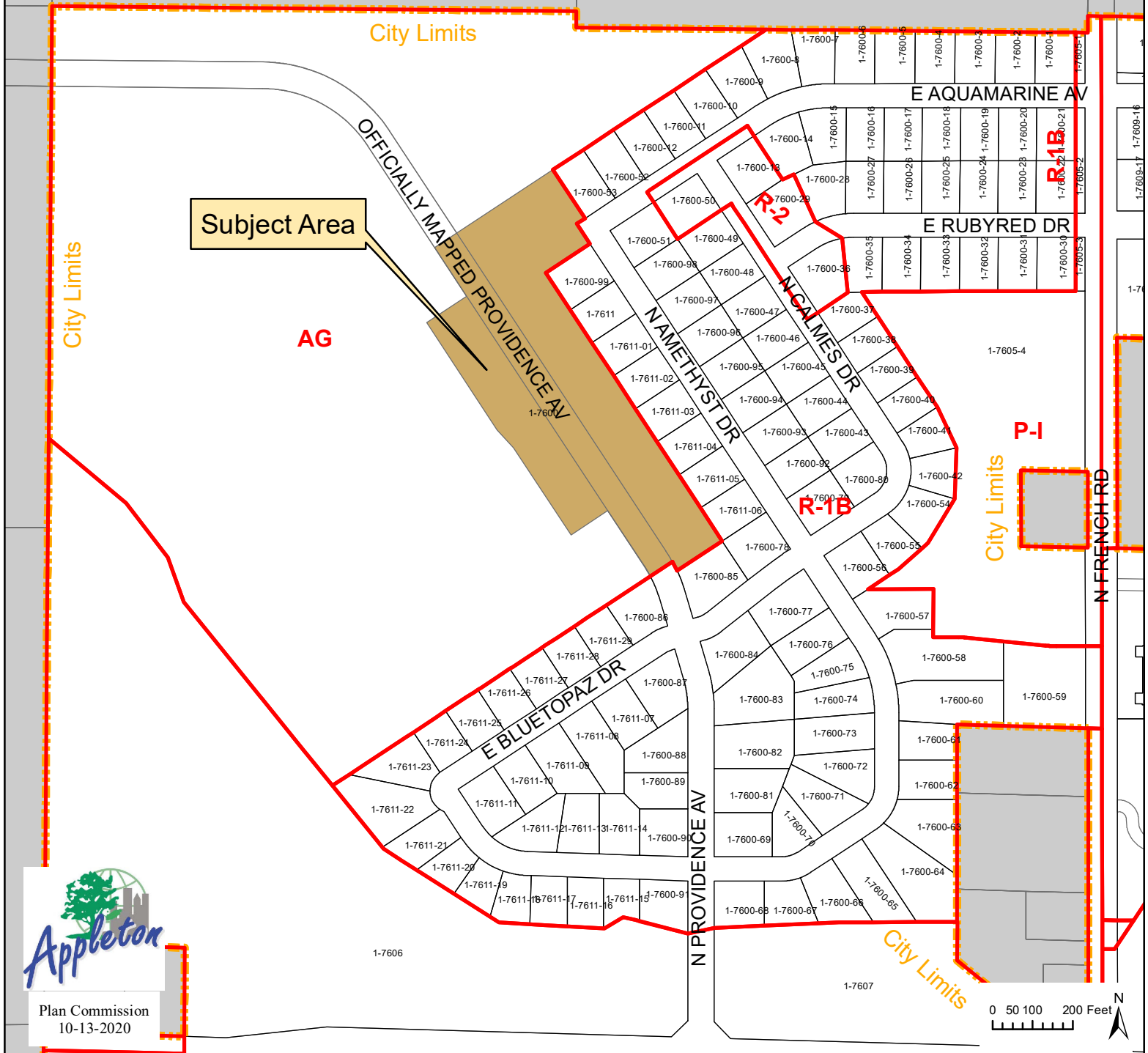
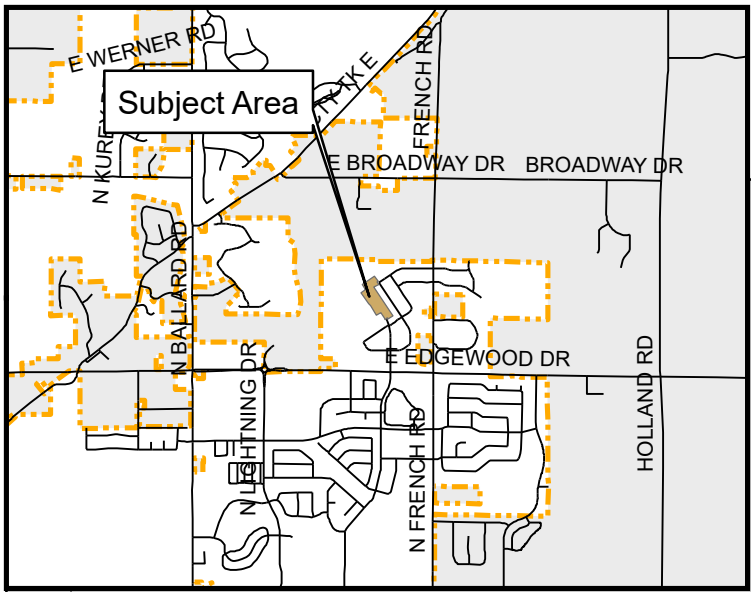
PROJECT NO. 1-0534-010

DATE: September 8, 2020

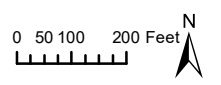
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A.Sedlar

Rezoning
6th Addition to Emerald Valley
AG Agricultural District to
R-1B Single-family District
Zoning Map



Plan Commission
10-13-2020



Rezoning
6th Addition to Emerald Valley
AG Agricultural District to
R-1B Single-family District
Aerial Map

Subject Area

OFFICIALLY MAPPED PROVIDENCE AV



City Plan Commission
10-13-2020



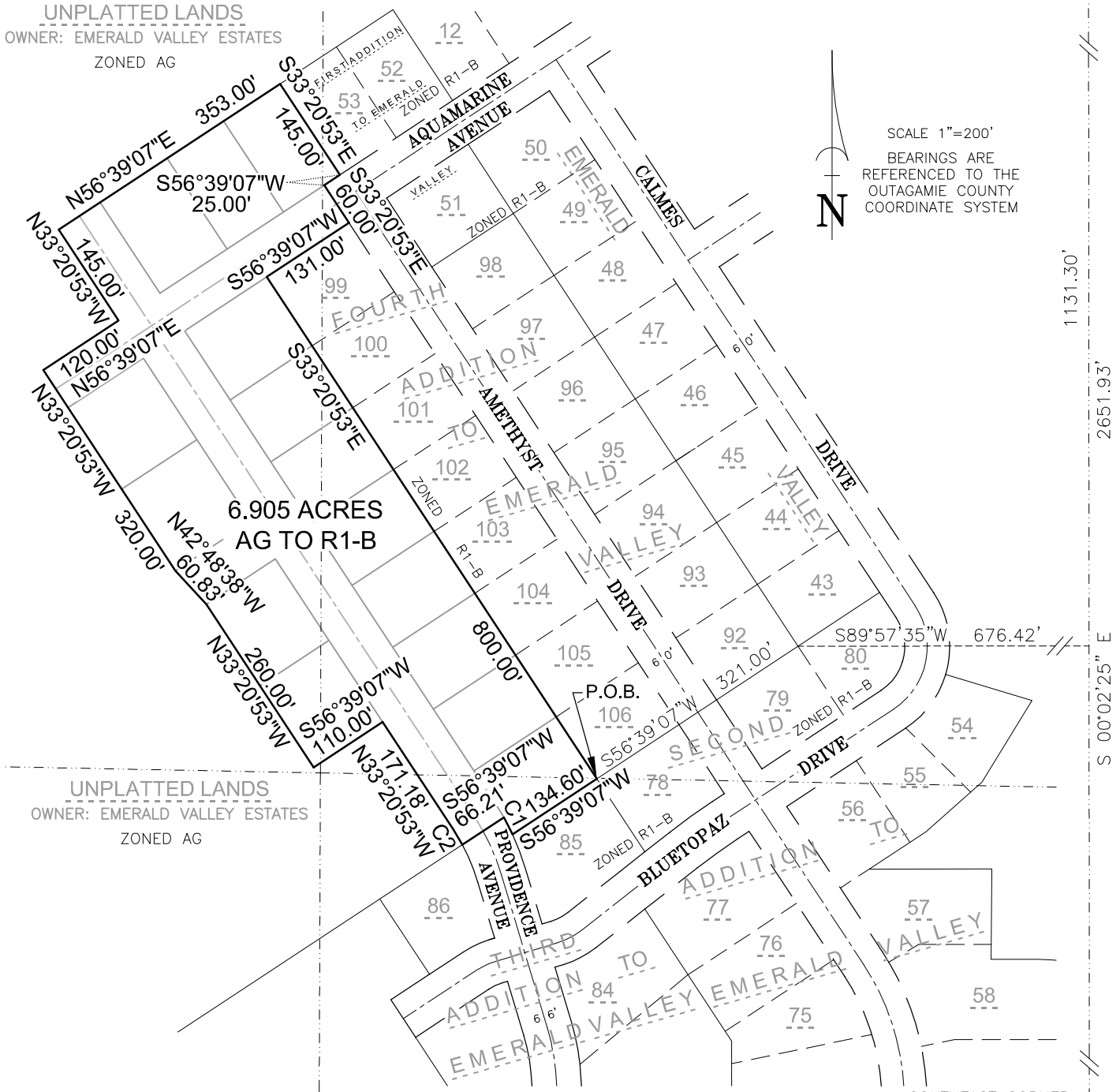
REZONING REFERENCE MAP

PART OF THE NORTHWEST 1/4, NORTHEAST 1/4 AND THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4, SECTION 6, TOWNSHIP 21 NORTH, RANGE 18 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN.

EAST 1/4 CORNER
SECTION 6
T21N, R18E

UNPLATTED LANDS
OWNER: EMERALD VALLEY ESTATES
ZONED AG

SCALE 1"=200'
BEARINGS ARE REFERENCED TO THE OUTAGAMIE COUNTY COORDINATE SYSTEM



SOUTHEAST CORNER
SECTION 6
T21N, R18E

CURVE TABLE

CURVE	RADIUS	DELTA	LENGTH	CHORD BEARING	CHORD	TANGENT IN	TANGENT OUT
1	333.00'	004°19'42"	25.16'	N 27°04'53.0" W	25.15'	N 24°55'02" W	N 29°14'44" W
2	267.00'	005°07'09"	23.86'	N 30°47'18.5" W	23.85'	N 28°13'44" W	N 33°20'53" W

Martenson & Eisele, Inc.
 1377 Midway Road
 Menasha, WI 54952
 www.martenson-eisele.com
 info@martenson-eisele.com
 920.731.0381 1.800.236.0381

Planning
 Environmental
 Surveying
 Engineering
 Architecture

PROJECT NO. 1-0534-010
 FILE 1-0534-010zone.dwg
 THIS INSTRUMENT WAS DRAFTED BY: A.Sedlar



REPORT TO CITY PLAN COMMISSION

Plan Commission Informal Hearing Meeting Date: October 13, 2020

Common Council Public Hearing Meeting Date: November 4, 2020
(Public Hearing on Rezoning)

Item: Rezoning #9-20 – Seventh Addition to Emerald Valley

Case Manager: Don Harp

GENERAL INFORMATION

Owner/Applicant: Robert DeBruin, Emerald Valley Estates, LLC – owner/applicant

Parcel #: Part of 31-1-7600-00

Petitioner's Request: The owner/applicant is requesting a zoning change of 12.68 acres of land from AG Agricultural District to R-1B Single-Family District to construct the seventh addition to the Emerald Valley subdivision. This phase consists of 35 lots.

BACKGROUND

The subject property was annexed to the City in 2004 as part of the French Road Annexation, and a zoning classification of AG Agricultural District was assigned at that time. In 2005, a preliminary plat had been submitted for the overall property, which called for the creation of a total of 252 residential lots.

The Preliminary Plat for the Sixth and Seven Addition to Emerald Valley was submitted to the City on September 29, 2020. The Preliminary Plat is currently under review and it is anticipated to be placed on the October 27, 2020 Plan Commission Agenda for action.

STAFF ANALYSIS

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.

Existing Conditions: The portion of the lot to be rezoned is currently undeveloped and zoned AG Agricultural District.

Zoning Ordinance Review Criteria: Lot development standards (Section 23-93 – R-1B Single-Family District) are as follows:

- Minimum lot area: Six thousand (6,000) square feet.
 - *The proposed lots shown on the preliminary plat satisfy this standard.*

- Minimum lot width: Fifty (50) feet.
 - *The proposed lots shown on the preliminary plat satisfy this standard.*

Surrounding Zoning and Land Uses:

North: AG Agricultural District – undeveloped land
South: R-1B Single-Family District – residential uses
East: Proposed R-1B Single-Family District – residential uses
West: P-I Public Institutional District – City drainage corridor

Appleton Comprehensive Plan 2010-2030: The City of Appleton 2010-2030 Comprehensive Plan Map identifies this parcel for future Single-Family/Two-Family residential land uses.

Overall Community Goals

Goal 1 – Community Growth (Chapter 10)

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.

Findings: The proposed single-family zoning classification supports this goal. The proposed zoning classification will allow the construction of residential housing units on the subject site after the platting process has been completed.

Goal 3 – Housing Quality, Variety, and Affordability (Chapter 5)

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.

Findings: The proposed single-family zoning classification supports this goal. The proposed zoning classification will allow the construction of residential housing units on subject site after the platting process has been completed. Maintaining an adequate supply of housing units will help to address affordability for Appleton residents and ensures an adequate supply of housing styles to all income levels.

5.1 OBJECTIVE: *Continue efforts to ensure an adequate supply of housing affordable to all income levels in the community.*

5.3 OBJECTIVE: *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.*

Findings: The request is consistent with these objectives because the single-family zoning classification will allow the subject site to be developed with residential housing units. Maintaining an adequate supply of housing units will help to address affordability for Appleton residents and ensures an adequate supply of housing styles to all income levels. The proposal is compatible with the existing single-family dwellings development on adjacent properties.

6.3 OBJECTIVE: Create an environment that is safe and conducive to walking and bicycling throughout the entire city.

6.3.2 Maintain existing sidewalks and implement plans to install new sidewalks in targeted areas where they do not exist. Continue the City's policies to require sidewalks in new neighborhoods.

6.3.5 Continue to implement the City's On-Street Bike Lane Plan and the Sidewalk Installation Policy as approved by the Common Council to ensure multi-modal transportation opportunities.

Findings: The proposed development will be a continuation of the lot-block pattern and straight street patterns previously established by the earlier phases of Emerald Valley Subdivision. As new homes are built, new sidewalk segments will be installed in this area of the City. Once all sidewalk segments are connected together, opportunities for walking to services, schools, and parks and transit will exist in the area of the City. These objectives and policies appear to be met.

7.1 OBJECTIVE: Provide a pattern of development that minimizes impacts to municipal services and utilities.

7.1.1 Prioritize development and redevelopment that minimizes the need for additional public and private infrastructure such as water storage facilities and sewage lift stations.

Findings: The anticipated development is consistent with this objective and policy, as adequate public infrastructure exists in this area of the City.

9.5 OBJECTIVE: Encourage new development and redevelopment activities that create vital and attractive neighborhoods and business districts.

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.

Findings: The proposed development will be contiguous to an existing residential area which can be efficiently served by connecting to existing public infrastructure located in this area of the City.

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. It would appear the criteria established by Section 23-65(d)(3) Zoning Amendments has been satisfied.

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 objectives and policies stated above.*
 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. *The subject area is served by existing infrastructure, and the transportation network should be able to accommodate the proposed rezoning.*
 2. The effect of the proposed rezoning on surrounding uses. *Single-family uses are already present to the south and proposed to the east of the subject site. The rezoning request is being made to accommodate the 7th addition of this residential subdivision which will expand this residential neighborhood. Therefore, the proposed rezoning request is unlikely to create adverse impacts on the surrounding uses.*

Technical Review Group Report (TRG): This item appeared on the September 22, 2020 TRG Agenda. No negative comments were received from participating departments.

RECOMMENDATION

Staff recommends, based upon the standards for map amendments as required by Section 23-65(d)(3) of the Zoning Ordinance, that Rezoning Application #9-20 to rezone the subject property from AG Agricultural District to R-1B Single-Family District as shown on the attached maps, **BE APPROVED**.

REZONING LEGAL DESCRIPTION CURRENTLY ZONED AG TO BE REZONED TO R1-B

PART OF THE NORTHWEST 1/4, NORTHEAST 1/4, SOUTHWEST 1/4 AND THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4, SECTION 6, TOWNSHIP 21 NORTH, RANGE 18 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN, MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION 6; THENCE SOUTH 88 DEGREES 19 MINUTES 36 SECONDS EAST, ALONG THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION, A DISTANCE OF 700.09 FEET; THENCE NORTH 01 DEGREES 40 MINUTES 24 SECONDS EAST, A DISTANCE OF 677.57 FEET TO THE POINT OF BEGINNING; THENCE NORTH 39 DEGREES 00 MINUTES 29 SECONDS WEST, ALONG THE NORTHERLY LINE OF CERTIFIED SURVEY MAP NO. 6311, A DISTANCE OF 507.47 FEET; THENCE NORTH 56 DEGREES 39 MINUTES 07 SECONDS EAST, 150.33 FEET; THENCE NORTH 47 DEGREES 11 MINUTES 22 SECONDS EAST, 60.83 FEET; THENCE NORTH 33 DEGREES 20 MINUTES 53 SECONDS WEST, 122.22 FEET; THENCE 7.78 FEET ALONG AN ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 270.00 FEET AND A CHORD THAT BEARS NORTH 32 DEGREES 31 MINUTES 20.0 SECONDS WEST, 7.78 FEET; THENCE NORTH 56 DEGREES 39 MINUTES 07 SECONDS EAST, 669.89 FEET; THENCE SOUTH 33 DEGREES 20 MINUTES 53 SECONDS EAST, 130.00 FEET; THENCE SOUTH 42 DEGREES 48 MINUTES 38 SECONDS EAST, 60.83 FEET; THENCE SOUTH 33 DEGREES 20 MINUTES 53 SECONDS EAST, 260.00 FEET; THENCE NORTH 56 DEGREES 39 MINUTES 07 SECONDS EAST, 110.00 FEET; THENCE SOUTH 33 DEGREES 20 MINUTES 53 SECONDS EAST, 171.18 FEET; THENCE 23.86 FEET ALONG AN ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 267.00 FEET AND A CHORD THAT BEARS SOUTH 30 DEGREES 47 MINUTES 18.5 SECONDS EAST, 23.85 FEET; THENCE SOUTH 56 DEGREES 39 MINUTES 07 SECONDS WEST, ALONG THE NORTHERLY LINES OF THE THIRD ADDITION TO EMERALD VALLEY AND FIFTH ADDITION TO EMERALD VALLEY, A DISTANCE OF 949.22 FEET THE POINT OF BEGINNING. CONTAINING 552,321 SQUARE FEET [12.680 ACRES].

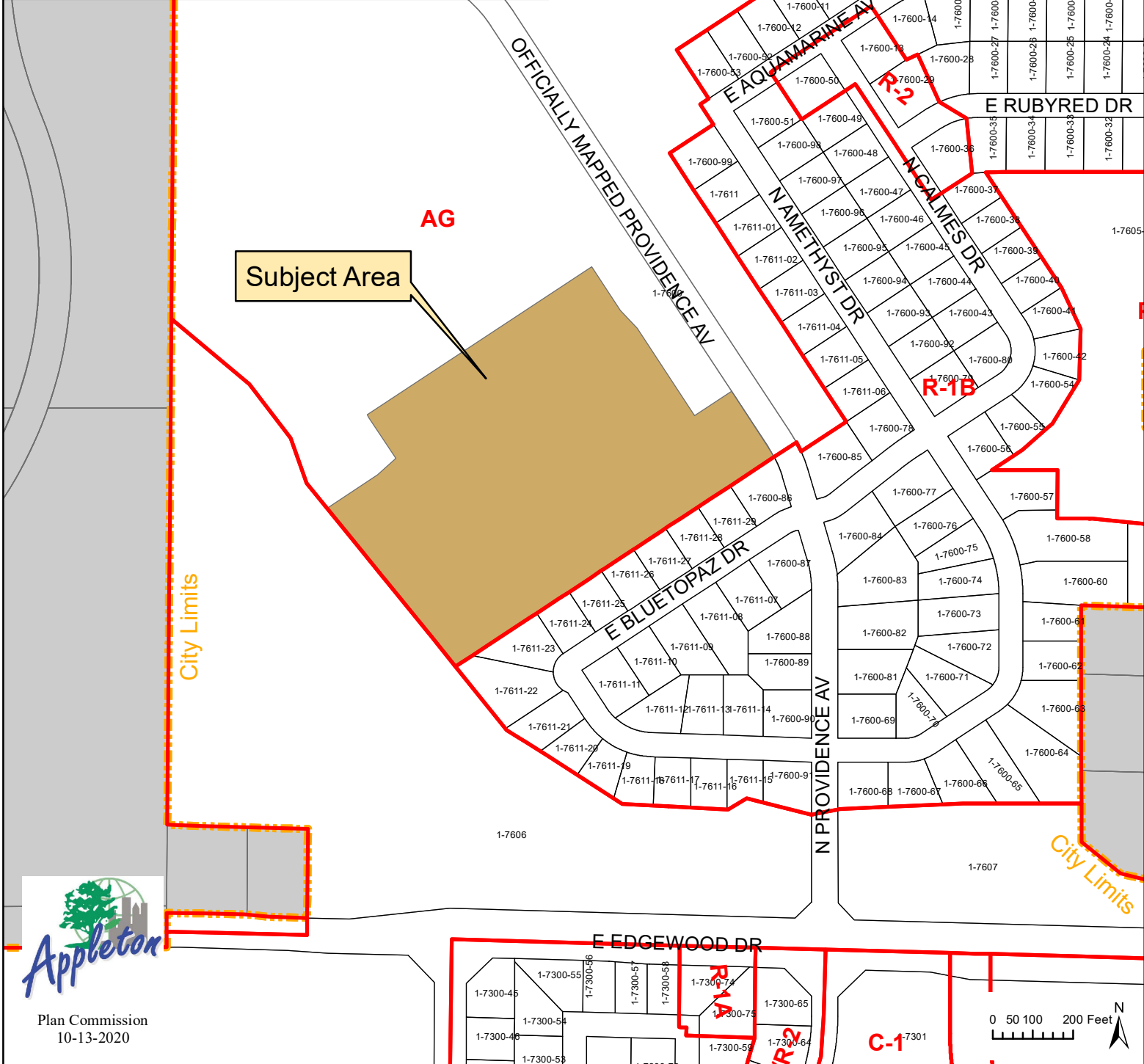
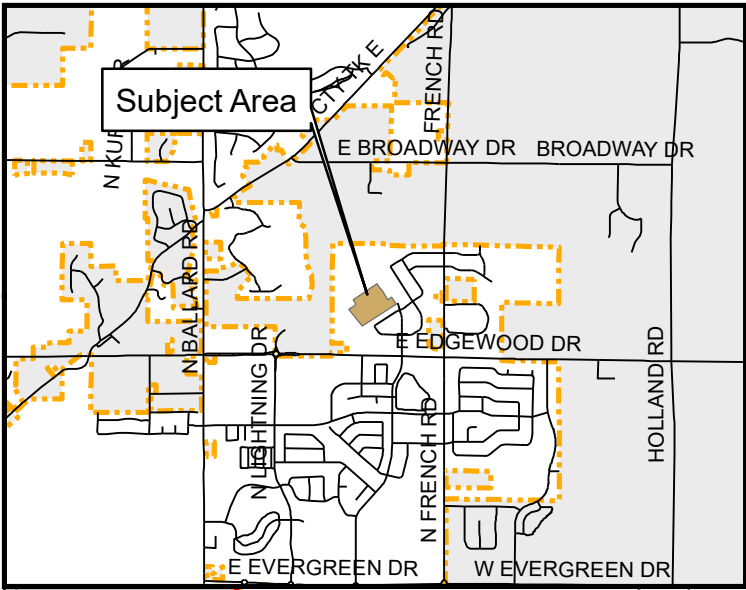
PROJECT NO. 1-0534-010

DATE: September 8, 2020

FILE: Q:\1-0534-010 6th Add to Emerald Valley Estates\Rezoning\Seventh Addition\Rezoning LegalDesc.doc

A.Sedlar

Rezoning
7th Addition to Emerald Valley
AG Agricultural District to
R-1B Single-family District
Zoning Map



Rezoning
7th Addition to Emerald Valley
AG Agricultural District to
R-1B Single-family District
Aerial Map

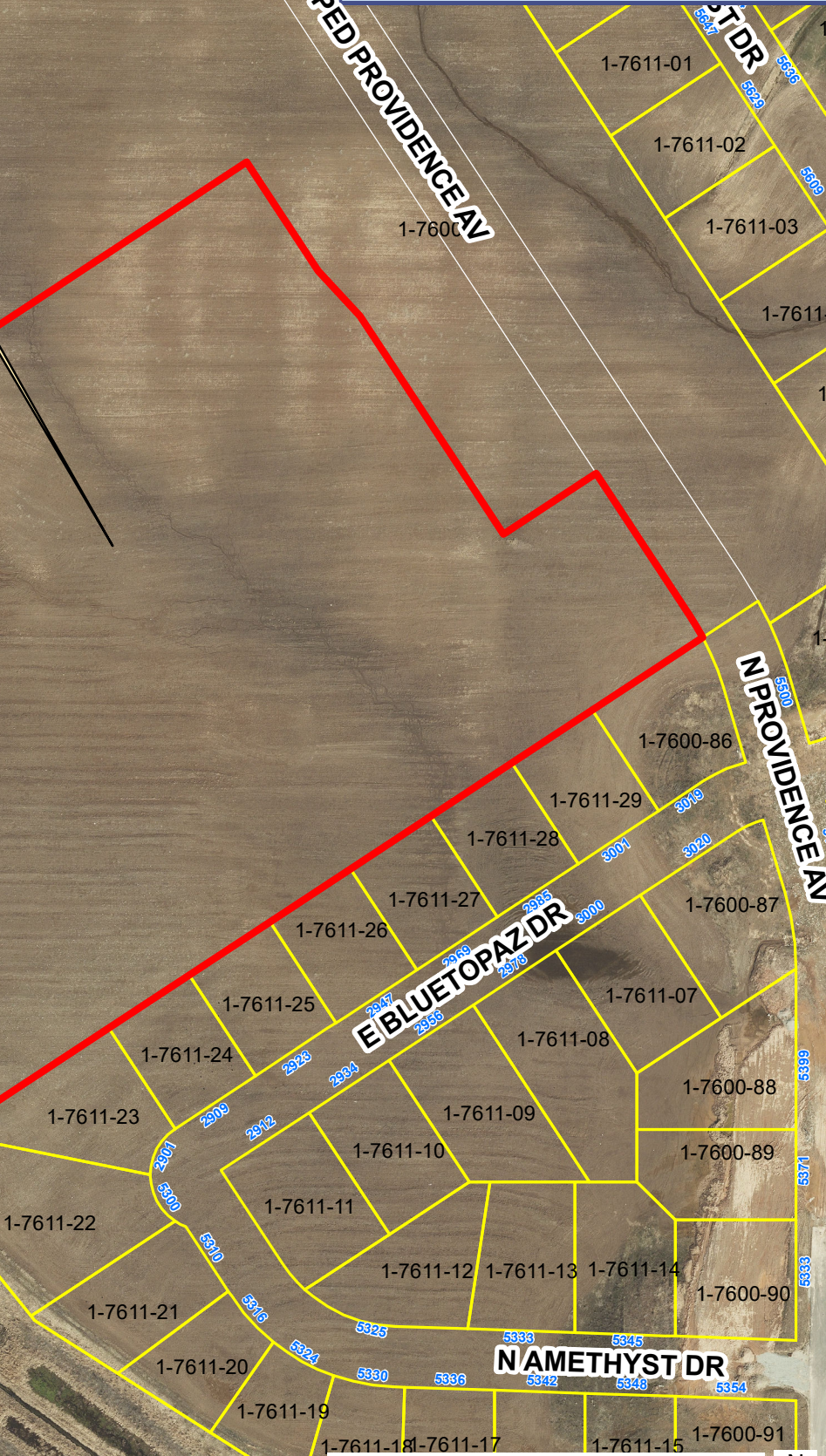
Subject Area

OFFICIALLY MAPPED PROVIDENCE AV

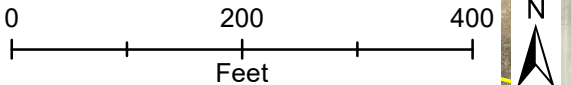
N PROVIDENCE AV

E BLUETOPEZ DR

N AMETHYST DR



City Plan Commission
10-13-2020



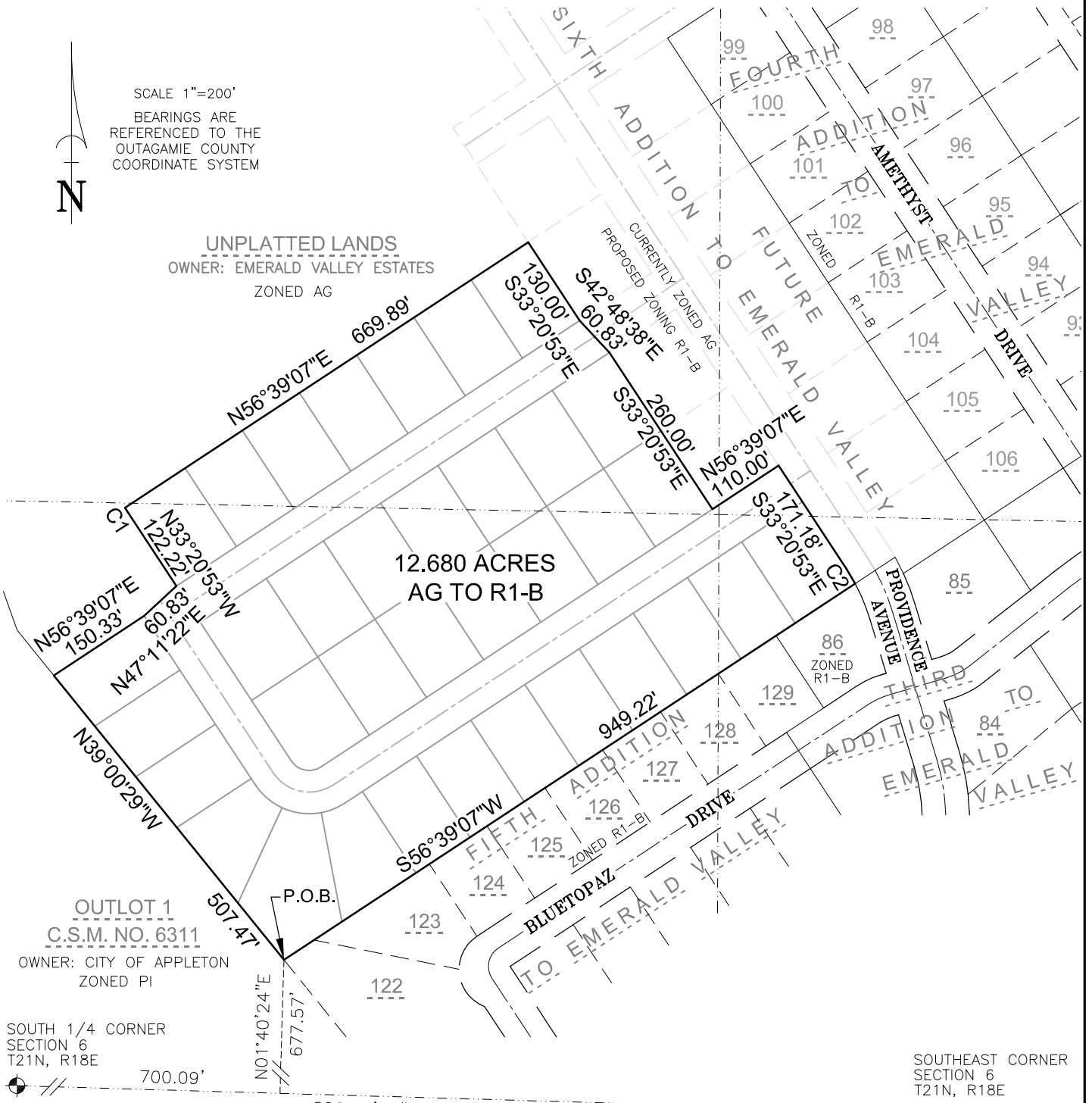
REZONING REFERENCE MAP

PART OF THE NORTHWEST 1/4, NORTHEAST 1/4, SOUTHWEST 1/4 AND THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4, SECTION 6, TOWNSHIP 21 NORTH, RANGE 18 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN.



SCALE 1"=200'
BEARINGS ARE REFERENCED TO THE OUTAGAMIE COUNTY COORDINATE SYSTEM

UNPLATTED LANDS
OWNER: EMERALD VALLEY ESTATES
ZONED AG



CURVE TABLE

CURVE	RADIUS	DELTA	LENGTH	CHORD BEARING	CHORD	TANGENT IN	TANGENT OUT
1	270.00'	001°39'06"	7.78'	N 32°31'20.0" W	7.78'	S 31°41'47" E	S 33°20'53" E
2	267.00'	005°07'09"	23.86'	S 30°47'18.5" E	23.85'	N 28°13'44" W	N 33°20'53" W

Martenson & Eisele, Inc.



1377 Midway Road
Menasha, WI 54952
www.martenson-eisele.com
info@martenson-eisele.com
920.731.0381 1.800.236.0381

Planning
Environmental
Surveying
Engineering
Architecture

PROJECT NO. 1-0534-010
FILE 1-0534-010zone_7thAdd.dwg
THIS INSTRUMENT WAS DRAFTED BY: A.Sedlar



REPORT TO CITY PLAN COMMISSION

Plan Commission Meeting Date: October 13, 2020

Common Council Meeting Date: October 21, 2020

Anticipated Date Annexation Effective: October 27, 2020 at 12:01 a.m.

Item: Sequoia Drive (Right-of-Way) Annexation

Case Manager: Don Harp, Principal Planner

GENERAL INFORMATION

Owner: City of Appleton

Initiated by: Department of Public Works - Engineering Division

Town Where Property is Located: Town of Grand Chute and Town of Vandebroek

Parcel Numbers: Part of Id.'s 101153201, 101153500, 200012500 and 200012700

Petitioner's Request: The City of Appleton is requesting direct annexation by unanimous approval pursuant to Section 66.0217(2), Wisconsin State Statutes.

Purpose for Annexation: To allow the City of Appleton to construct a public street and extend utilities within the territory proposed for annexation.

Population of Such Territory: 0

Annexation Area: 3.3251 acres m/l

BACKGROUND

The City is fulfilling a condition identified in a Development Agreement with the developer of North Edgewood Estates Subdivision (residential development directly south of the annexation area) to acquire land and fund the costs associated with installing a second access point (public street) from Phase II of the North Edgewood Estates subdivision to Broadway Drive. Also, this public street will provide opportunities to buildout a street network and extend utilities in the City's future growth area.

Sequoia Drive (Right-of-Way) Annexation
October 13, 2020
Page 2

On March 16, 1992, the City of Appleton and the Town of Grand Chute agreed to and entered into an Intermunicipal Boundary Agreement pursuant to Section 66.027 and 66.30 of the Wisconsin State Statutes for the purpose of defining and expanding the provision of governmental services, including water and sewer services, by establishing the City's growth area and establishing provisions for annexation of land within the Town of Grand Chute to the City of Appleton.

On January 17, 2019 the City of Appleton and the Village of Little Chute executed an amendment their Intermunicipal Boundary Agreement pursuant to 66.30 of the Wisconsin State Statutes for the purpose of revising the future common municipal boundary line within the towns of Grand Chute and Vandebroek in order for the City to annex the subject site and extend Sequoia Drive north from the North Edgewood Estates Phase II subdivision to Broadway Drive.

Before Common Council approves the annexation ordinance, the City must allow a 20-day statutory review period, which starts when the Wisconsin Department of Administration (DOA) receives the annexation application materials and fee. The DOA received the annexation application materials and fee on September 23, 2020, so this requirement will be satisfied prior to Common Council taking action at their October 21, 2020 meeting.

STAFF ANALYSIS

The Community and Economic Development Department staff has reviewed the annexation petition and identifies the following:

- The area proposed for annexation is contiguous to the existing City boundary located to the south of the annexation area.
- Annexation of the site in question is consistent with the Intermunicipal Cooperation Agreement with the Town of Grand Chute and the Village of Little Chute
- City has the capacity to install sanitary sewer and water infrastructure within the annexation area.
- In the spring of 2021, the City is planning to install the sanitary sewer and water infrastructure within the annexation area.
- Currently, the subject property is agricultural land.
- 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. In this case, the owner is not requesting a rezoning for the subject property, so the temporary AG Agricultural District will be assigned. If a rezoning request is not made within 90 days of annexation, the zoning of the property will revert to AG Agricultural District.

Surrounding Municipal Zoning Classification and Land Uses:

North: Town of Grand Chute. The adjacent land use to the north is currently agricultural land.

South: City of Appleton. R-1B Single-Family District. The adjacent land use to the south is currently agricultural land.

East: Town of Town of Vandebroek. The adjacent land use to the north is currently agricultural land.

West: Town of Grand Chute. The adjacent land use to the north is currently agricultural land.

Appleton Comprehensive Plan 2010-2030: The City of Appleton 2010-2030 Comprehensive Plan Map identifies the western portion of the subject site as future Single-Family/Two-Family residential land uses. The next time staff initiates amendments to the future land use map, the subject site will be identified as a road and the City limit line will be shifted to east to reflect the exterior boundary line of this annexation.

Goal 4 – Transportation

Appleton will support a comprehensive transportation network that provides viable options for pedestrian, bicycle, highway, rail, and air transportation, both locally and within the region.

OBJECTIVE 6.1 Transportation:

Plan for the safe and efficient movement of vehicles on local and regional roads.

OBJECTIVE 6.8 Transportation:

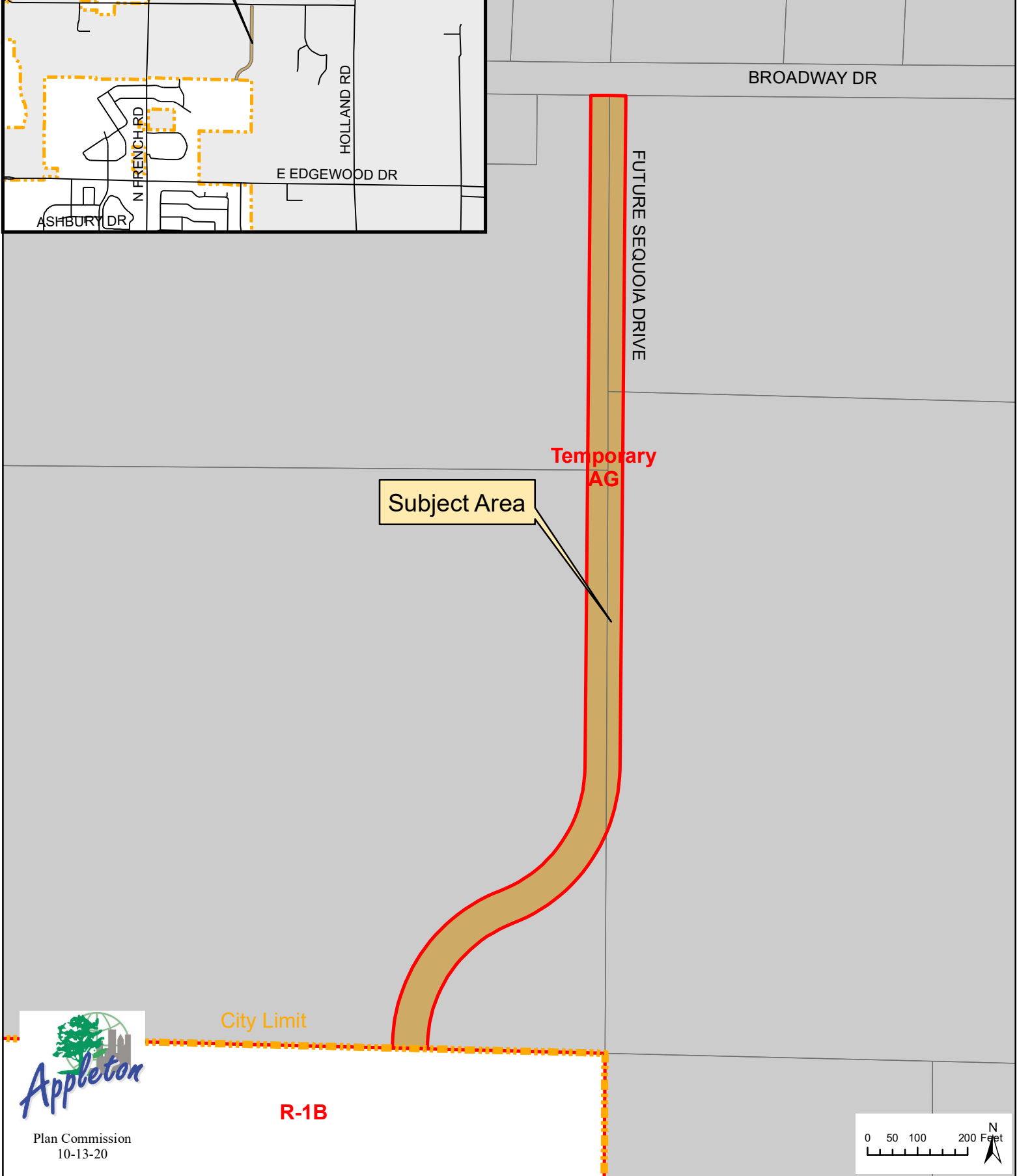
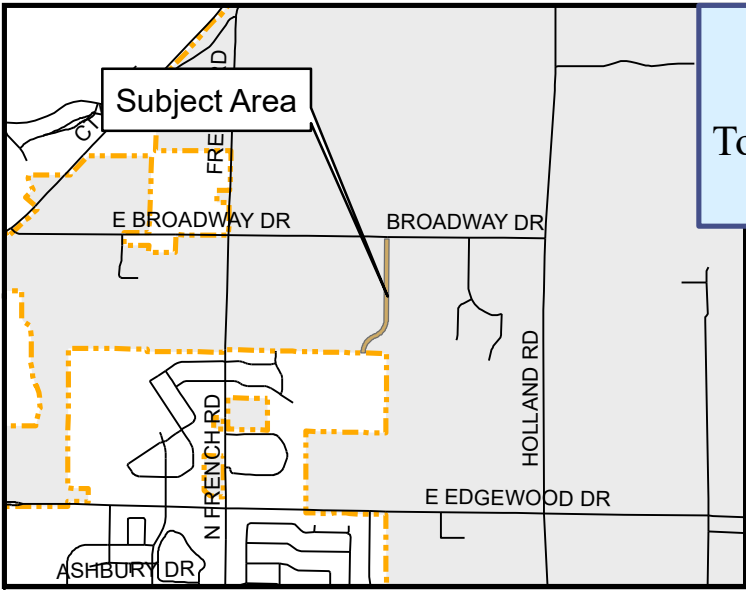
Implement transportation improvements which also support the City's desired land use, housing and neighborhood goals, objectives, and policies.

Technical Review Group (TRG) Report: This item appeared on the September 22, 2020 TRG Agenda. No negative comments were received from participating departments.

RECOMMENDATION

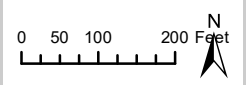
Staff recommends that the Sequoia Drive (Right-of-Way) Annexation and establishing a temporary zoning classification of AG Agricultural District pursuant to Section 23-65(e) of the Municipal Code, as shown on the attached maps, **BE APPROVED**.

Annexation
Sequoia Drive (Right-of-Way)
Town of Grand Chute and Town of Vandebroek
Zoning Map



Plan Commission
10-13-20

R-1B



Annexation
Sequoia Drive (Right-of-Way)
Town of Grand Chute and Town of Vandebroek
Aerial Map

E BROADWAY DR

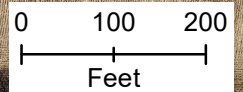
FUTURE SEQUOIA DRIVE

Subject Area



Plan Commission
10-13-20

City Limit



Annexation
Sequoia Drive (Right-of-Way)
Town of Grand Chute and Town of Vandebroek
Aerial Map



Subject Area

FUTURE SEQUOIA DRIVE

E BROADWAY DR

BROADWAY DR

FRENCH RD

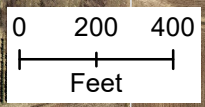
JAMARINE AV

E RUBYRED DR

City Limit



Plan Commission
10-13-20





**PETITION FOR DIRECT ANNEXATION BY UNANIMOUS APPROVAL
PURSUANT TO SECTION 66.0217(2), WISCONSIN STATUTES
WHERE NO ELECTORS RESIDE IN TERRITORY**

I, the undersigned, constituting all of the owners of the real property in which no electors reside in the following territory of the Towns of Grand Chute and Vandebroek, Outagamie County, Wisconsin, lying contiguous to the City of Appleton, petition the Common Council of the City of Appleton to annex the territory described below and shown on the attached scale map to the City of Appleton, Outagamie County, Wisconsin.

A part of Lot 2 of Certified Survey Map No. 5163 filed in Volume 29 of Certified Survey Maps on Page 5163 as Document No. 1676059, a part of the East $\frac{1}{2}$ of the Fractional Northwest $\frac{1}{4}$ and a part of the West $\frac{1}{2}$ of the Fractional Northeast $\frac{1}{4}$ of Section 5, Township 21 North, Range 18 East, Town of Grand Chute and the Town of Vandebroek, Outagamie County, Wisconsin, containing 3.3251 Acres (144,841 sq. ft.) of land and being more fully described by:

Commencing at the N $\frac{1}{4}$ corner of said Section 5;

Thence South $00^{\circ}16'59''$ West 33.00 feet along the West line of the Fractional NE $\frac{1}{4}$ of said Section 5 to the Point of Beginning;

Thence South $89^{\circ}33'00''$ East 33.02 feet along the South line of Broadway Drive;

Thence South $00^{\circ}31'45''$ West 1,347.02 feet;

Thence Southwesterly 400.24 feet along the arc of curve to the right having a radius of 335.00 feet and the chord of which bears South $34^{\circ}45'22''$ West 376.86 feet;

Thence Southwesterly 312.44 feet along the arc of a curve to the left having a radius of 265.00 feet and the chord of which bears South $35^{\circ}12'24''$ West 294.66 feet;

Thence South $01^{\circ}25'49''$ West 9.99 feet;

Thence North $88^{\circ}35'21''$ West 70.00 feet;

Thence North $01^{\circ}25'49''$ East 10.01 feet;

Thence Northeasterly 394.97 feet along the arc of curve to the right having a radius of 335.00 feet and the chord of which bears North $35^{\circ}12'24''$ East 372.49 feet;

Thence Northeasterly 316.61 feet along the arc of a curve to the left having a radius of 265.00 feet and the chord of which bears North $34^{\circ}45'22''$ East 298.11 feet;

Thence North $00^{\circ}31'45''$ East 1,347.07 feet;

Thence South $89^{\circ}18'26''$ East 36.81 feet;

Thence South $89^{\circ}33'00''$ East 0.17 feet to the point of beginning.


I, the undersigned, elect that this annexation shall take effect to the full extent consistent with outstanding priorities of other annexation, incorporation, or consolidation proceedings, if any.

I further understand a temporary zoning classification of AG Agricultural zoning classification is assigned to newly annexed territory with no public hearing required.

Area of lands to be annexed contains 3.3251 acres m/l.

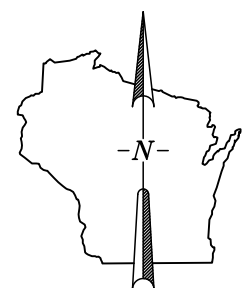
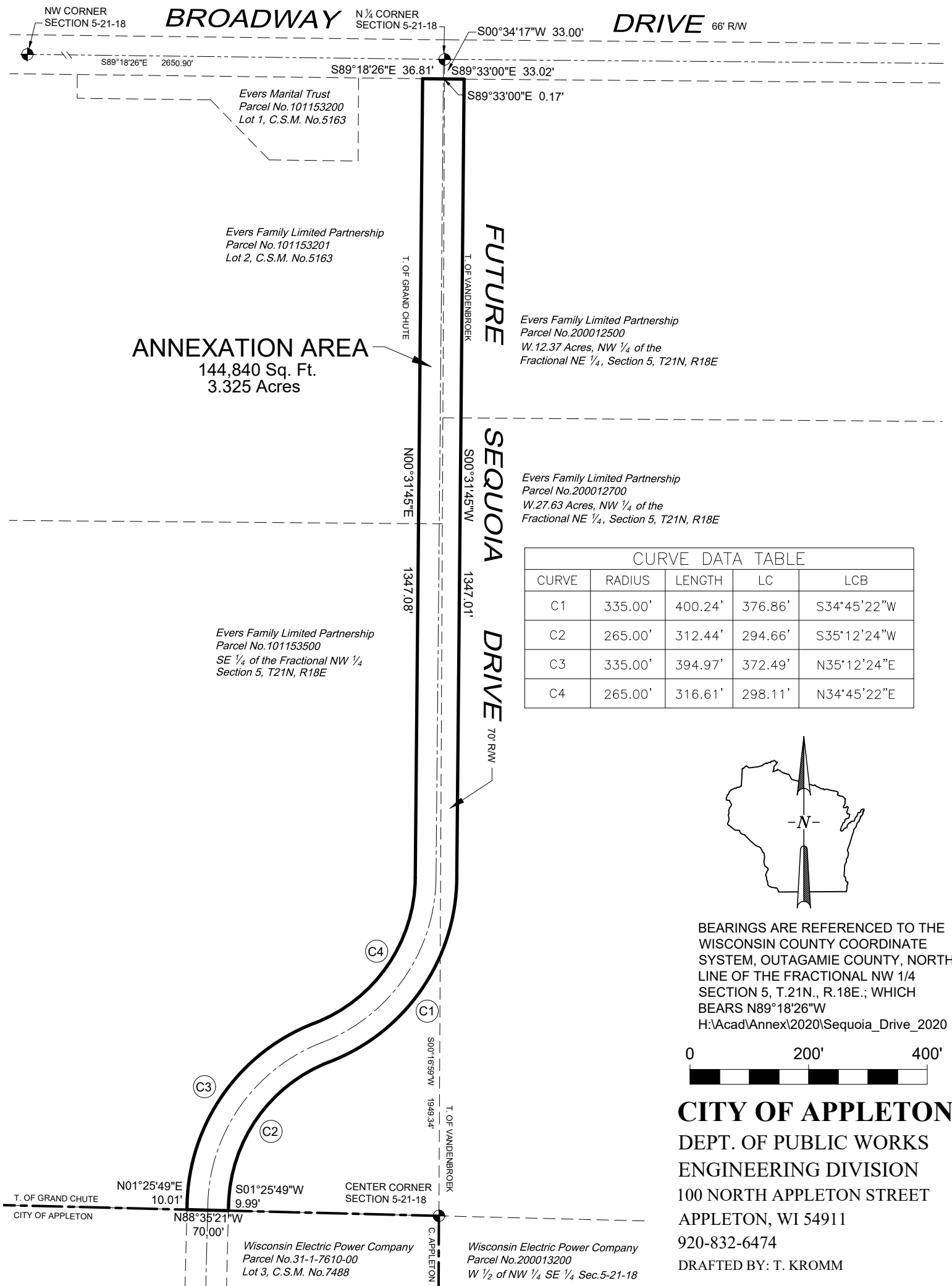
Tax Parcel numbers of lands to be annexed: Part of Tax Key #101153201, 101153500, 200012500 and 200012700

The current population of such territory is 0.

Signature of Petitioner	Owner	Date of Signing	Address of Petitioner (Include Zip Code)
	City of Appleton	9/8/20	100 N. Appleton Street Appleton, WI 54911
Jacob A. Woodford, Mayor City of Appleton			

ANNEXATION EXHIBIT

Part of Lot 2 of Certified Survey Map No.5163, part of the East One-half (E 1/2) of the Fractional Northwest Quarter (NW 1/4) and part of the West 40 Acres of the Fractional Northeast Quarter (NE 1/4) of Section 5, Township 21 North, Range 18 East, Town of Grand Chute and Town of Vandenberg, Outagamie County, Wisconsin.



BEARINGS ARE REFERENCED TO THE WISCONSIN COUNTY COORDINATE SYSTEM, OUTAGAMIE COUNTY, NORTH LINE OF THE FRACTIONAL NW 1/4 SECTION 5, T. 21N., R. 18E.; WHICH BEARS N89°18'26"W
 H:\Acad\Annex\2020\Sequoia_Drive_2020



CITY OF APPLETON
 DEPT. OF PUBLIC WORKS
 ENGINEERING DIVISION
 100 NORTH APPLETON STREET
 APPLETON, WI 54911
 920-832-6474
 DRAFTED BY: T. KROMM