



City of Appleton

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

Meeting Agenda - 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, July 9, 2019

4:00 PM

Council Chambers, 6th Floor

1. Call meeting to order
2. Roll call of membership
3. Approval of minutes from previous meeting
[19-0932](#) City Plan Minutes from 6-25-19

Attachments: [City Plan Minutes 6-25-19.pdf](#)

4. Public Hearings/Apearances

- [19-0933](#) Special Use Permit #7-19 for a wine bar/tasting room with alcohol sales and consumption located at 101 West Edison Avenue, Suite 100 (Tax Id #31-4-0257-00), 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 #19-0934)

Attachments: [ClassIIPublicHearingNoticeNewspaper Tandem SUP.pdf](#)
[PublicHearingNoticeNeighborhood Tandem SUP.pdf](#)

- [19-0935](#) The street discontinuance to vacate a portion of alley public right-of-way generally located west of South Oneida Street and south of West College Avenue (Associated with Action Item #19-0937)

Attachments: [InformalPublicHearingNotice AlleyWestOfOneida StreetVacation.pdf](#)

- [19-0938](#) The street discontinuance to vacate a portion of East North Island Street public right-of-way generally located west of South Vulcan Street (Associated with Action Item #19-0939)

Attachments: [InformalPublicHearingNotice ENorthIslandSt StreetVacation.pdf](#)

[19-0940](#) The street discontinuance to vacate a portion of West Water Street public right-of-way generally located on the southeasterly side of West Water Street, 500' m/l northeast of Jackman Street (Associated with Action Item #19-0941)

Attachments: [InformalPublicHearingNotice_WaterSt_StreetVacation.pdf](#)

5. Action Items

[19-0934](#) Request to approve Special Use Permit #7-19 for a wine bar/tasting room with alcohol sales and consumption located at 101 West Edison Avenue, Suite 100 (Tax Id #31-4-0257-00), 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_101WEdison_SUP_For07-09-19.pdf](#)

[19-0937](#) Request to approve the street discontinuance to vacate a portion of alley public right-of-way generally located west of South Oneida Street and south of West College Avenue and adopt the Initial Resolution and exhibit map

Attachments: [StaffReport_AlleyWestOfOneida_StreetVacation_For07-09-19.pdf](#)

[19-0939](#) Request to approve the street discontinuance to vacate a portion of East North Island Street public right-of-way generally located west of South Vulcan Street and adopt the Initial Resolution and exhibit map

Attachments: [StaffReport_ENorthIslandSt_StreetVacation_For07-09-19.pdf](#)

[19-0941](#) Request to approve the street discontinuance to vacate a portion of West Water Street public right-of-way generally located on the southeasterly side of West Water Street, 500' m/l northeast of Jackman Street and adopt the Initial Resolution and exhibit map (Associated with File Item #19-0942)

Attachments: [StaffReport_WaterStreet_StreetVacation_For07-09-19.pdf](#)

[19-0942](#) Request to approve the dedication of land for public right-of-way for a portion of West Water Street generally located on the northwesterly side of West Water Street, southwest of South Elm Street and southeast of West Prospect Avenue (part of Tax Id #31-3-0373-00), as shown on the attached maps (Associated with File Item #19-0941)

Attachments: [StaffReport_WaterStreet_StreetDedication_For07-09-19.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

100 North Appleton Street
Appleton, WI 54911-4799
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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, June 25, 2019

4:00 PM

Council Chambers, 6th Floor

1. Call meeting to order

Meeting called to order at 4:00 p.m.

2. Roll call of membership

City Attorney Jim Walsh acted in place of Commissioner Tanya Rabec.

Present: 4 - Buetow, Rabec, Alderperson Meltzer and Robins

Excused: 2 - Mayor Hanna and Palm

*Others present:
Beverly Rowntree, 200 E. Stratford Lane
Chuck Doupe, 200 E. Stratford Lane*

3. Approval of minutes from previous meeting

[19-0873](#)

City Plan Minutes from 6-11-19

Attachments: [City Plan Minutes 6-11-19.pdf](#)

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

Aye: 4 - Buetow, Rabec, Alderperson Meltzer and Robins

Excused: 2 - Mayor Hanna and Palm

4. Public Hearings/Appearances

[19-0874](#)

Rezoning #6-19 for the Cypress Homes - N. Haymeadow Avenue Annexation, formerly part of Town of Grand Chute, consisting of 5.518 acres m/l located south of W. Edgewood Drive and west of N. Haymeadow Avenue (E. Clearfield Lane, E. Stratford Lane and E. Wentworth Lane dead-end at the subject property), (Tax Id #31-6-5802-00, formerly Grand Chute Tax Id #101039315), as shown on the attached maps, from Temporary AG Agricultural District to R-1B Single-Family District (Associated with Action Item #19-0875)

Attachments: [InformalPublicHearingNotice_CypressHaymeadowAnnex_Rezoning.pdf](#)

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

5. Action Items

[19-0875](#)

Request to approve Rezoning #6-19 for the Cypress Homes - N. Haymeadow Avenue Annexation, formerly part of Town of Grand Chute, consisting of 5.518 acres m/l located south of W. Edgewood Drive and west of N. Haymeadow Avenue (E. Clearfield Lane, E. Stratford Lane and E. Wentworth Lane dead-end at the subject property), (Tax Id #31-6-5802-00, formerly Grand Chute Tax Id #101039315), as shown on the attached maps, from Temporary AG Agricultural District to R-1B Single-Family District

Attachments: [StaffReport_CypressAnnex_Rezoning_For062519.pdf](#)

Proceeds to Council on July 24, 2019.

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

Aye: 4 - Buetow, Rabec, Alderperson Meltzer and Robins

Excused: 2 - Mayor Hanna and Palm

6. Information Items

[19-0876](#)

Appointment of Sabrina Robins to City Plan Commission

Attachments: [APPT TO PLAN COMM Sabrina Robins 061919.pdf](#)
[Sabrina Robins Resume Profile.pdf](#)

This item was presented and Sabrina was welcomed to the Commission.

7. Adjournment

Buetow moved, seconded by Rabec, that the meeting be adjourned at 4:06 p.m. Roll Call. Motion carried by the following vote:

Aye: 4 - Buetow, Rabec, Alderperson Meltzer and Robins

Excused: 2 - Mayor Hanna and Palm

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, July 9, 2019, 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 George Koenig, applicant, for property located at 101 West Edison Avenue, Suite 100 (Tax Id #31-4-0257-00) to obtain a Special Use Permit for wine bar/tasting with alcohol sales and consumption. The wine bar/tasting room is combined with a wine, beer and spirits retail store. In the C-2 General Commercial District, a Special Use Permit is required for a wine bar/tasting room with alcohol sales and consumption.

All persons interested are invited to attend this meeting and will be given an opportunity to be heard. Any questions regarding this matter should be directed to Don Harp in the Community and Economic Development Department at (920) 832-6466.

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: June 25, 2019
July 2, 2019

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, July 9, 2019, 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 George Koenig, applicant, for property located at 101 West Edison Avenue, Suite 100 (Tax Id #31-4-0257-00) to obtain a Special Use Permit for wine bar/tasting with alcohol sales and consumption. The wine bar/tasting room is combined with a wine, beer and spirits retail store. In the C-2 General Commercial District, a Special Use Permit is required for a wine bar/tasting room with alcohol sales and consumption.

- ALDERMANIC DISTRICT: 11 – Alderperson Patti Coenen

You are being notified as a policy of the City of Appleton Community and Economic Development Department. This notification invites you to appear before the Appleton City Plan Commission, and you will be given an opportunity to express your views or concerns regarding the above-described request. You may also address the City Plan Commission by letter at the address below. The City Plan Commission makes a recommendation to the Common Council who makes the final decision on the matter.

Any questions regarding this matter should be directed to Don Harp, Principal Planner, in the Community and Economic Development Department at 920-832-6466.

CITY PLAN COMMISSION

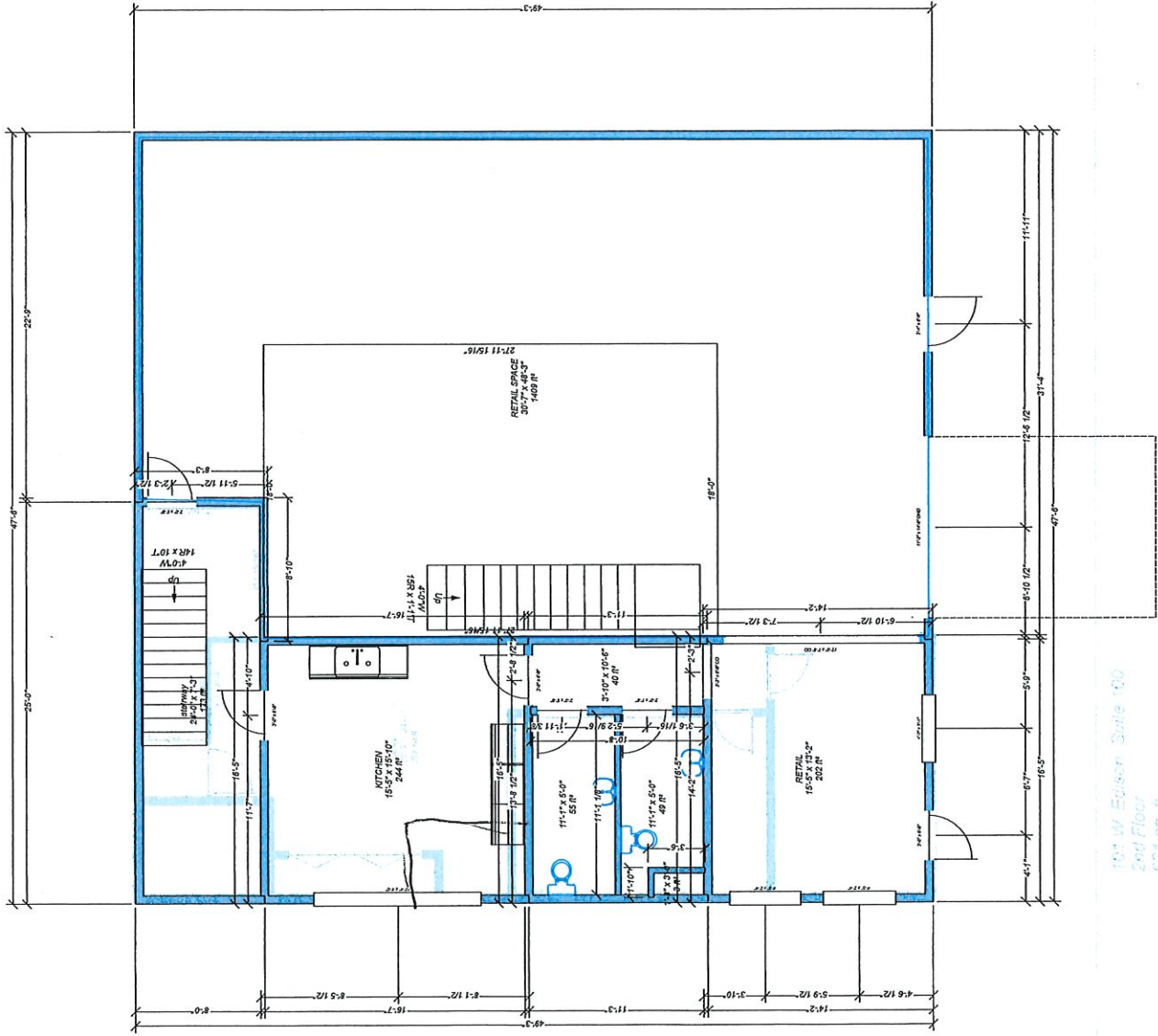
COMMUNITY & ECONOMIC DEVELOPMENT
CITY HALL - 100 NORTH APPLETON STREET
APPLETON, WISCONSIN 54911-4799
920-832-6468

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

Special Use Permit
Wine Bar/ Wine, Beer, Spirits Tasting Room for the
Tandem Wine Shop
100 W Edison Avenue, Suite 100
Aerial Map



City Plan Commission
7-9-19



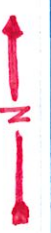
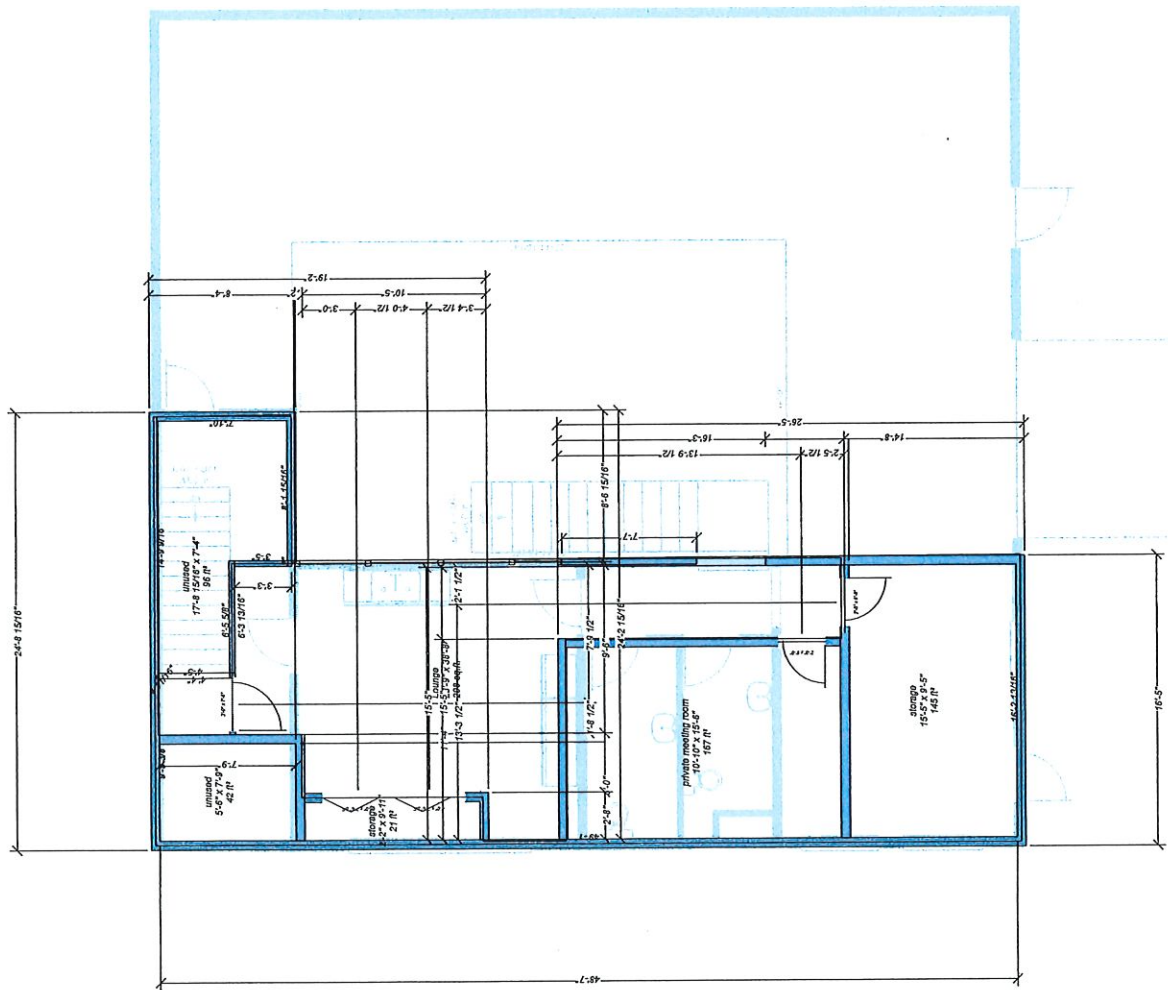
101 W. Edison Suite 100
2nd Floor
531 sq. ft.

101 W. Edison Suite 100
1st floor
2178 sq. ft.



TOTAL sq. ft. 2809

2nd floor
631 sq. ft.



101 W. Edison Suite 100
2nd Floor
631 sq. ft.

101 W. Edison Suite 100
1st floor 278 sq. ft.
2nd floor 631 sq. ft.
TOTAL sq. ft. 2609

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, July 9, 2019, 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 purpose of considering the following proposed Street Vacation (discontinuance of a portion of public street right-of-way).

LEGAL DESCRIPTION OF AREA TO BE VACATED:

All of the East 60.48 feet of a 20 foot wide Alley, being a part of Lot Three (3), Block 5, Appleton Plat (aka Second Ward Plat), all according to the recorded Assessor's Map of the City of Appleton, being located in the SE ¼ of the SW ¼ of Section 26, Township 21 North, Range 17 East, City of Appleton, Outagamie County, Wisconsin, containing 1,209 square feet of land m/l and being more fully described by:

Commencing at the Northeast corner said Lot 3;

Thence South 00°02'58" East 110.00 feet along the West line of Oneida Street and being coincident with the East line of said Lot 3 to the point of beginning;

Thence continue South 00°02'58" East 20.00 feet coincident with the East line of said Lot 3;

Thence South 89°59'06" West 60.48 feet coincident with the South line of said 20 foot wide Alley;

Thence North 00°02'58" West 20.00 feet to the North line of said 20 foot wide Alley;

Thence North 89°59'06" East 60.48 feet coincident with the North line of said Alley to the East line of said Lot 3 and the **point of beginning**.

See also attached Exhibit "A" for illustration.

COMMON DESCRIPTION: A portion of the alley west of Oneida Street and south of College Avenue

ALDERMANIC DISTRICT: 4 – Alderperson Joe Martin

PARTIAL ALLEY VACATION REQUEST:

A Street Vacation request has been initiated by the applicant, City of Appleton. The applicant requests to vacate and discontinue a portion of the alley west of Oneida Street and south of College Avenue. The area being vacated is no longer needed for public street purposes. The adjoining property owner(s) will acquire ownership to the afore-described and vacated portion of alley right-of-way, as shown on the attached maps.

You are being notified as a policy of the City of Appleton Community and Economic Development Department. This notification invites you to appear before the Appleton City Plan Commission, and you will be given an opportunity to express your views or concerns regarding the above-described request. You may also address the City Plan Commission by letter at the address below. The City Plan Commission makes a recommendation to the Common Council who makes the final decision on the matter.

Any questions regarding this matter should be directed to David Kress, Principal Planner, with the Community and Economic Development Department at 920-832-6428.

CITY PLAN COMMISSION

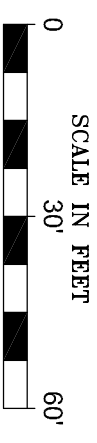
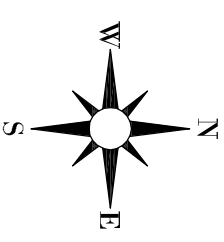
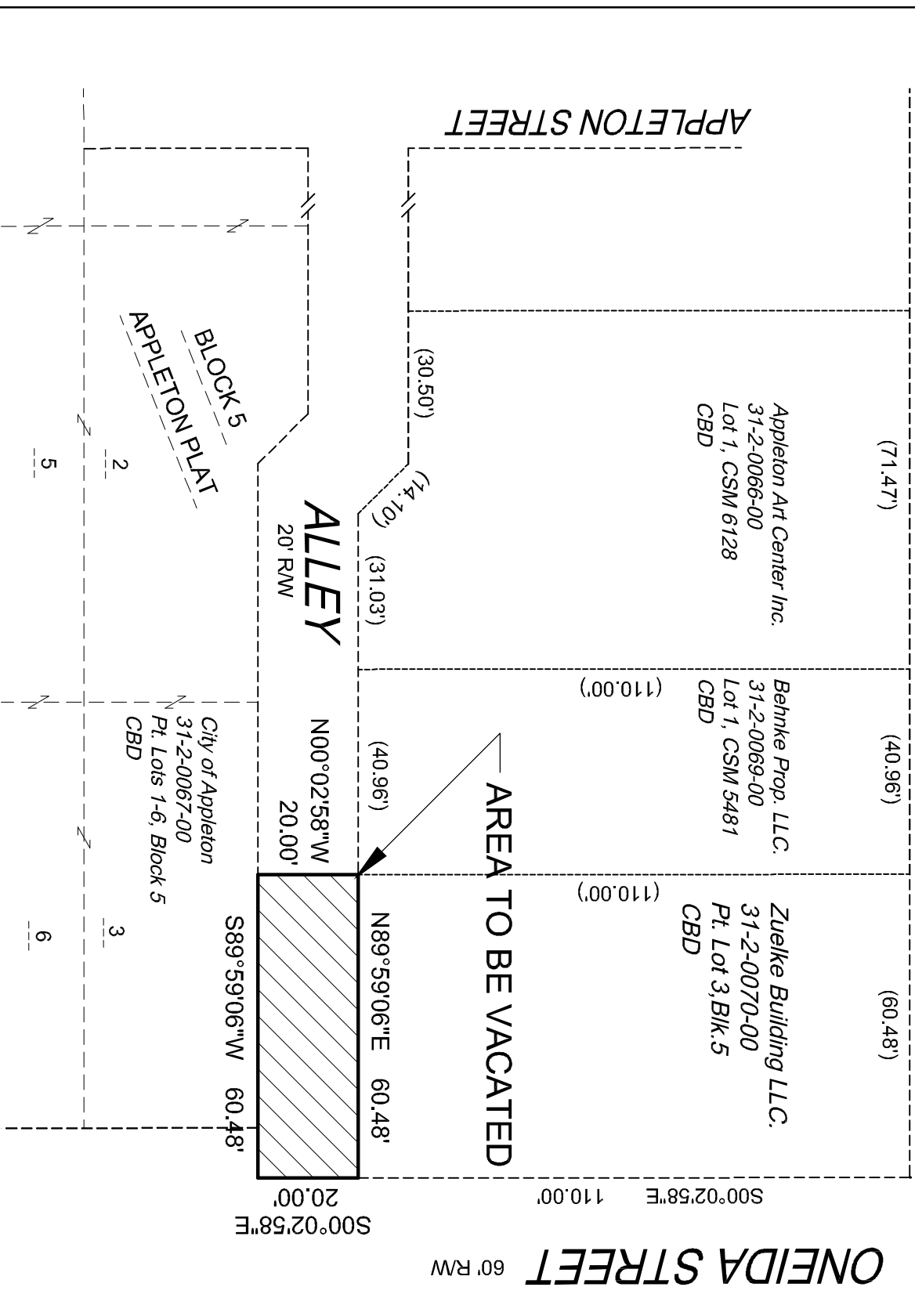
COMMUNITY & ECONOMIC DEVELOPMENT
CITY HALL – 100 NORTH APPLETON STREET
APPLETON, WISCONSIN 54911
920-832-6468

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

EXHIBIT "A"

PART OF LOT 3, BLOCK 5, APPLETON PLAT, (AKA SECOND WARD PLAT), ALL ACCORDING TO THE RECORDED ASSESSOR'S MAP OF THE CITY OF APPLETON, BEING LOCATED IN THE SE 1/4 OF THE SW 1/4 OF SECTION 26, TOWNSHIP 21 NORTH, RANGE 17 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN.

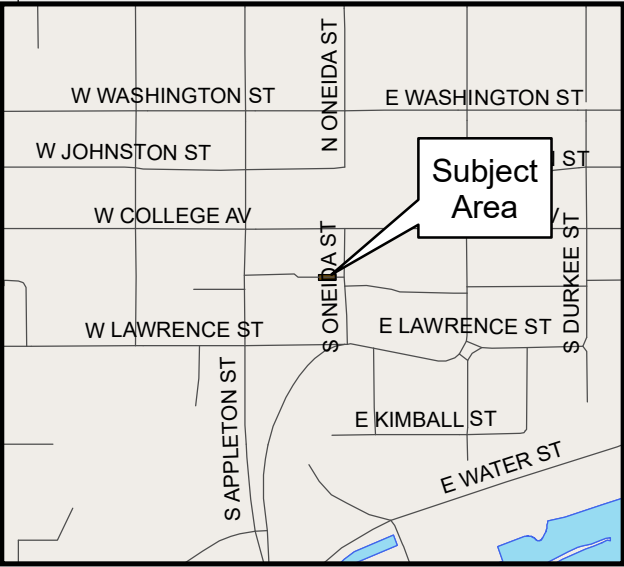
COLLEGE AVENUE 96' R/W



BEARINGS ARE REFERENCED TO WISCONSIN COUNTY COORDINATES, OUTAGAMIE COUNTY H:\Acad\Vacation\2018\Alley_WO_Oneida_SO_College_1001_2018

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

Alley West of Oneida Street
Street Vacation
Zoning Map



2-0290-1

2-0287

10

100

W COLLEGE AV

E COLLEGE AV

121

111-13

109

107

101-05

101

103

107

109

111

2-0065

2-0066

0-0069

2-0069

2-0070

2-0038

2-0039

2-0040

2-0041

2-0042

CBD

2-0067

Area to be Vacated

121

SOLIDERS SQUARE

2-0072

2-0052

100

120

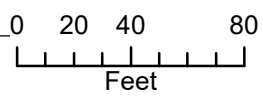
W LAWRENCE ST

2-0142

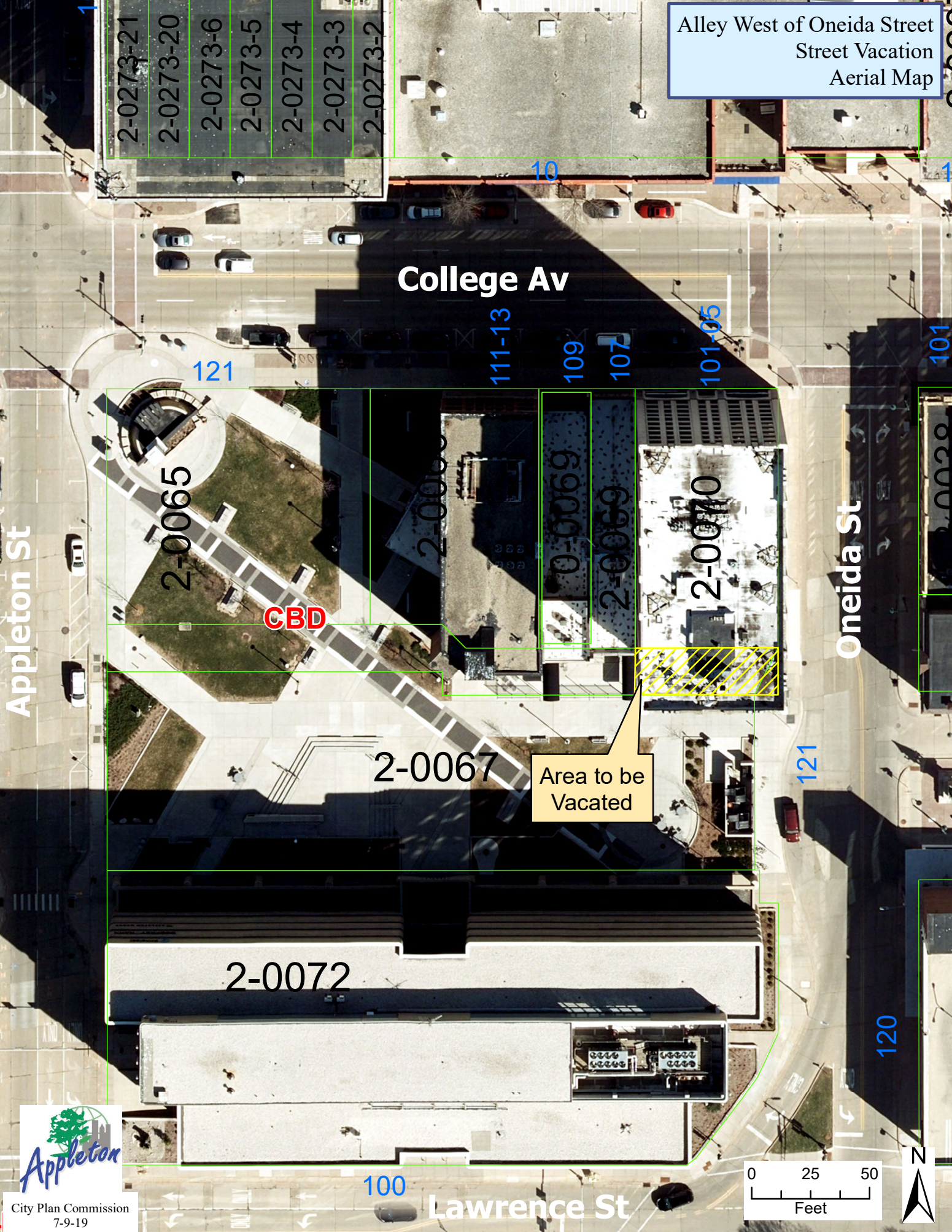
S ONEIDA ST

2-0003
117
111
109
107

PD/R-3



Alley West of Oneida Street
Street Vacation
Aerial Map



College Av

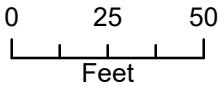
Appleton St

Oneida St

Lawrence St

CBD

Area to be
Vacated



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, July 9, 2019, 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 purpose of considering the following proposed Street Vacation (discontinuance of a portion of public street right-of-way).

LEGAL DESCRIPTION OF AREA TO BE VACATED:

All of a strip of land 30 feet in width and 123.91 feet m/l in length along its centerline and containing 3,717 square feet of land m/l and being further described by:

All that part of North Island Street lying between Lots K and M of the **GRAND CHUTE ISLAND PLAT**, according to the recorded Assessors Map of the City of Appleton, being located in the Northeast Quarter (NE ¼) of the Northeast Quarter (NE ¼), Section 35, Township 21 North, Range 17 East, City of Appleton, Outagamie County, Wisconsin and being further described as follows:

Commencing at the Southwesterly corner of North Island Street and Vulcan Street;

Thence North 80°22'38" West 100.30 feet along the Southwesterly line of North Island Street to the point of beginning;

Thence continue North 80°22'38" West 123.70 feet along the Southwesterly line to the Westerly terminus of North Island Street per Resolution document No. 1238146;

Thence North 08°48'17" East 30.00 feet along the Westerly terminus of North Island Street to the Northeasterly line thereof;

Thence South 80°22'38" East 124.13 feet along the Northeasterly line of North Island Street;

Thence South 09°37'22" West 30.00 feet to the point of beginning;

See also attached exhibit map for illustration.

COMMON DESCRIPTION: A portion of East North Island Street, west of South Vulcan Street

ALDERMANIC DISTRICT: 8 – Alderperson Matthew Reed

PARTIAL EAST NORTH ISLAND STREET VACATION REQUEST:

A Street Vacation request has been initiated by the applicant, City of Appleton. The applicant requests to vacate and discontinue a portion of North Island Street (west of Vulcan Street). The area being vacated is no longer needed for public street purposes. The adjoining property owner(s) will acquire ownership to the afore-described and vacated portion of North Island Street right-of-way, as shown on the attached maps.

You are being notified as a policy of the City of Appleton Community and Economic Development Department. This notification invites you to appear before the Appleton City Plan Commission, and you will be given an opportunity to express your views or concerns regarding the above-described request. You may also address the City Plan Commission by letter at the address below. The City Plan Commission makes a recommendation to the Common Council who makes the final decision on the matter.

Any questions regarding this matter should be directed to David Kress, Principal Planner, with the Community and Economic Development Department at 920-832-6428.

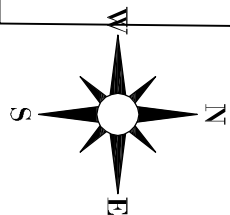
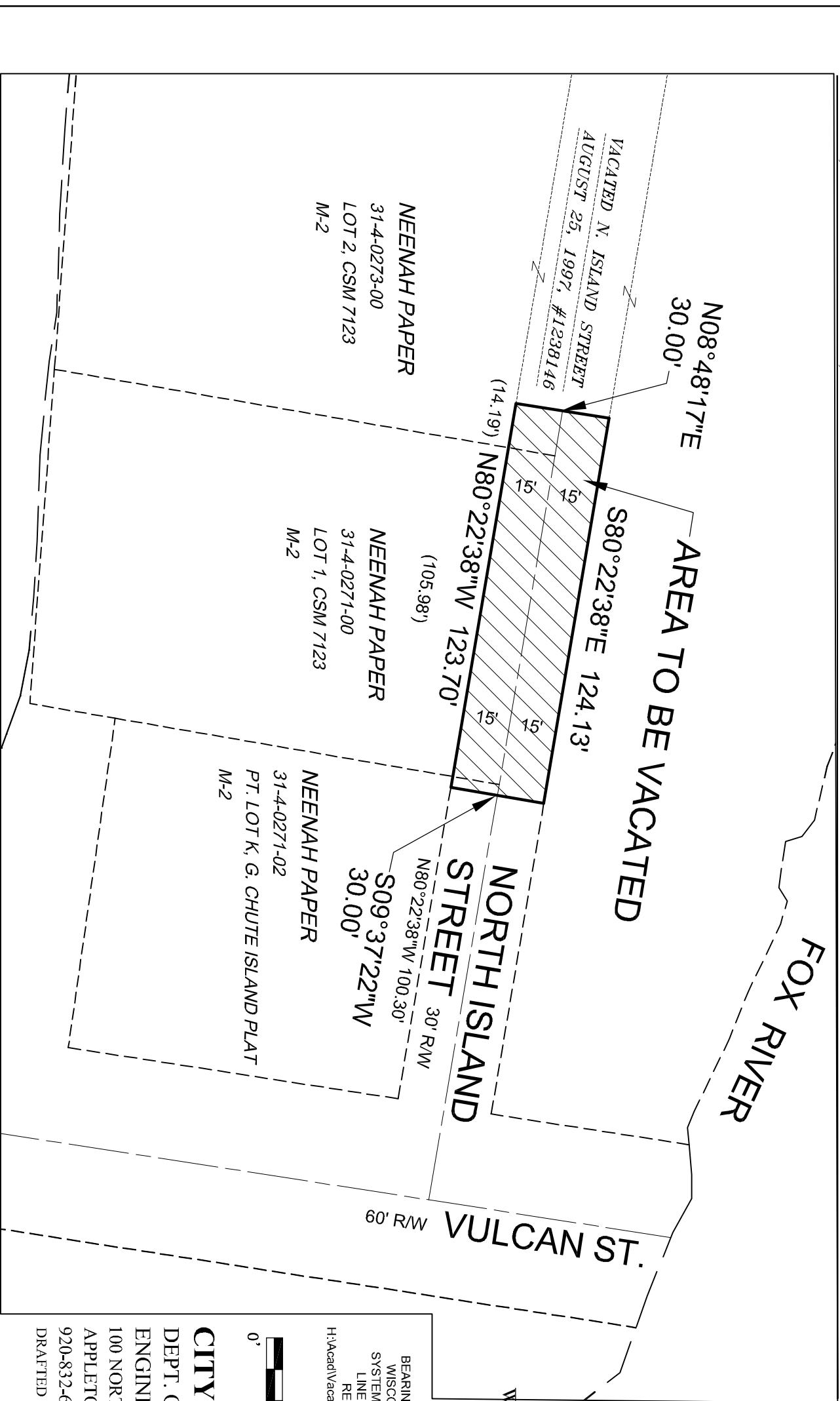
CITY PLAN COMMISSION

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

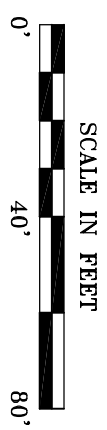
Reasonable accommodations for persons with disabilities will be made upon request and if feasible.

STREET VACATION

PART OF NORTH ISLAND STREET LYING BETWEEN LOTS K AND M OF THE GRAND CHUTE ISLAND PLAT, ALL ACCORDING TO THE RECORDED ASSESSORS PLAT OF THE CITY OF APPLETON, LOCATED IN THE NE 1/4 OF THE NE 1/4 OF SECTION 35, TOWNSHIP 21 NORTH, RANGE 17 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN.

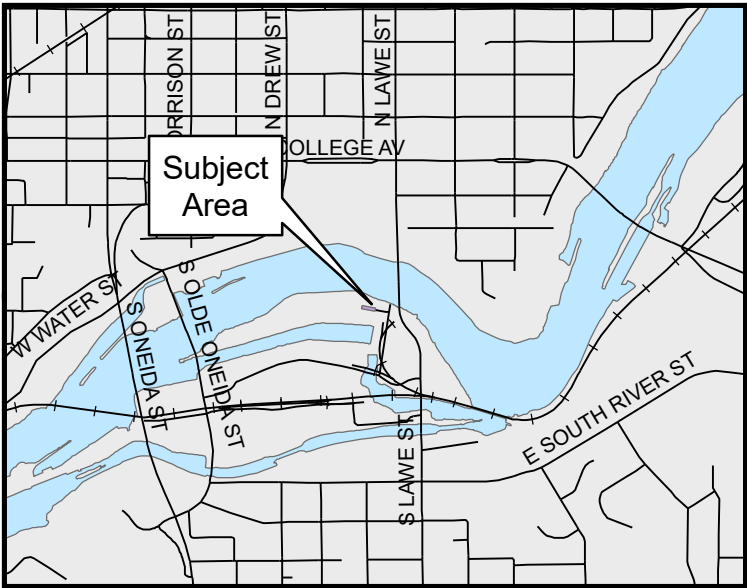


BEARINGS ARE REFERENCED TO THE WISCONSIN COUNTY COORDINATE SYSTEM, OUTAGAMIE COUNTY, NORTH LINE OF NORTH ISLAND STREET RECORDED AS N.80°22'38"W.
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CITY OF APPLETON
 DEPT. OF PUBLIC WORKS
 ENGINEERING DIVISION
 100 NORTH APPLETON STREET
 APPLETON, WI 54911
 920-832-6474
 DRAFTED BY: T. KROMM

E. North Island Street Street Vacation Zoning Map



Subject Area

218
0-0515-2
712
0-0515-3
726
0-0515-4
1-0523

E BOLDT WAY

738
723
0-0557
739
0-0657-1
1-0557
711
P-1

Subject Area

4-0273

525

4-0271

4-0271-2

330
4-0277-2

4-0277-3

M-2

S VULCAN ST
600

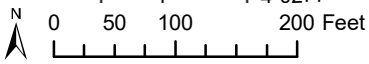
4-0277

ISLAND ST

4-0270-2

524

4-0277



E. North Island Street
Street Vacation
Aerial Map



Subject Area

4-0273

E NORTH ISLAND ST

525

330

4-0277-2

4-0277-1

4-0271-2

4-0271

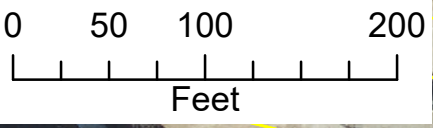
S VULCAN ST

600

601

E SOUTH ISLAND ST

4-



524



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, July 9, 2019, 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 purpose of considering the following proposed Street Vacation (discontinuance of a portion of public street right-of-way).

LEGAL DESCRIPTION OF AREA TO BE VACATED:

All that part or Water Street lying adjacent to Lots Six (6), Seven (7), Eight (8) and Nine (9), Block G, of the GRAND CHUTE PLAT and all that part of Water Street lying adjacent to Block 71 of the APPLETON PLAT, all according to the recorded Assessor's Map of the City of Appleton, being located in Government Lot Two (2), Section Thirty-Five (35), Township Twenty-One (21) North, Range Seventeen (17) East, City of Appleton, Outagamie County, Wisconsin, containing 7,349 square feet of land and being described by:

Commencing at the most Northerly corner of Lot 7 in said Block G and being the point of beginning;

Thence South 49°41'17" West 78.07 feet along the Northwesterly line of said Block G and being coincident with the Southeasterly line of Water Street;

Thence North 29°03'55" East 351.44 feet to the Southwesterly extension of a Southeasterly line of Water Street;

Thence North 48°46'37" East 42.03 feet along said extension to an angle point in the Southeasterly line of Water Street;

Thence South 26°40'00" West 318.22 feet along the Southeasterly line of Water Street and being coincident with the Northwesterly line of said Block 71 and Block G to the point of beginning.

COMMON DESCRIPTION: A portion of the southeasterly side of West Water Street, 500' m/l northeast of Jackman Street

ALDERMANIC DISTRICT: 11 – Alderperson Patti Coenen

PARTIAL WEST WATER STREET VACATION REQUEST:

A Street Vacation request has been initiated by the applicant, City of Appleton. The applicant requests to vacate and discontinue a portion of W. Water Street (500' m/l northeast of Jackman Street). The land is being vacated to realign the right-of-way to coincide with the street location. The Water Street pavement is not centered on the existing right-of-way and this street vacation is being done in concurrence with a right-of-way dedication on the northwesterly side of Water Street so that the street pavement is fully contained within the right-of-way. The adjoining property owner(s) will acquire ownership to the afore-described and vacated portion of W. Water Street right-of-way, as shown on the attached maps.

You are being notified as a policy of the City of Appleton Community and Economic Development Department. This notification invites you to appear before the Appleton City Plan Commission, and you will be given an opportunity to express your views or concerns regarding the above-described request. You may also address the City Plan Commission by letter at the address below. The City Plan Commission makes a recommendation to the Common Council who makes the final decision on the matter.

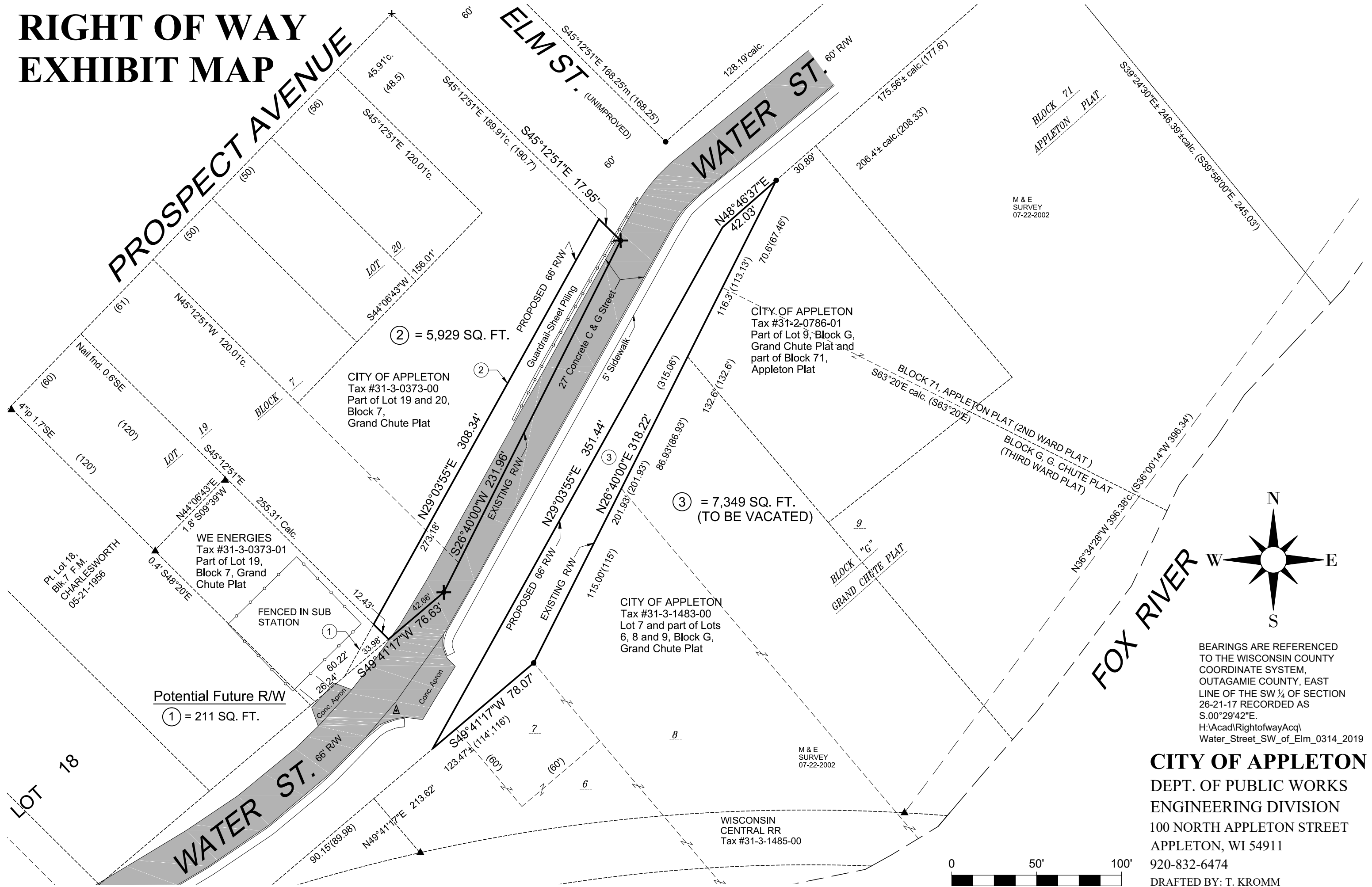
Any questions regarding this matter should be directed to Jessica Titel, Principal Planner, with the Community and Economic Development Department at 920-832-6428.

CITY PLAN COMMISSION

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

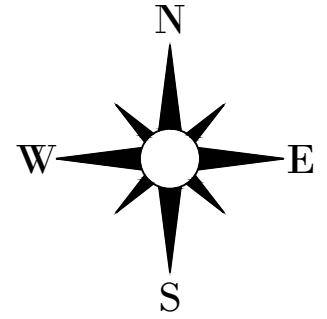
Reasonable accommodations for persons with disabilities will be made upon request and if feasible.

RIGHT OF WAY EXHIBIT MAP



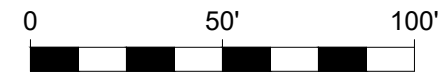
M & E
SURVEY
07-22-2002

M & E
SURVEY
07-22-2002



BEARINGS ARE REFERENCED TO THE WISCONSIN COUNTY COORDINATE SYSTEM, OUTAGAMIE COUNTY, EAST LINE OF THE SW ¼ OF SECTION 26-21-17 RECORDED AS S.00°29'42"E.
H:\Acad\Rightofway\Acq\ Water_Street_SW_of_Elm_0314_2019

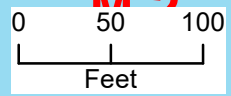
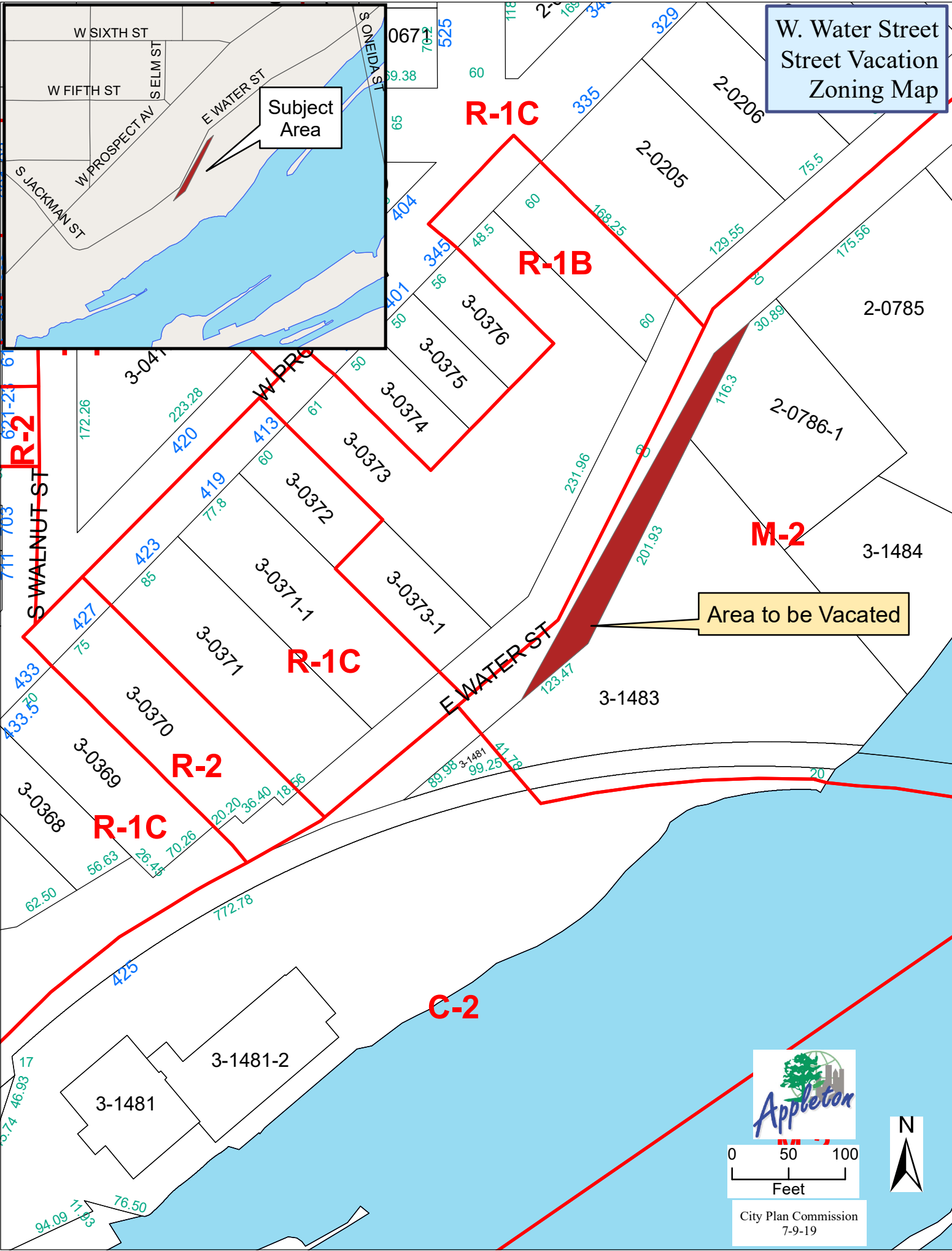
CITY OF APPLETON
DEPT. OF PUBLIC WORKS
ENGINEERING DIVISION
100 NORTH APPLETON STREET
APPLETON, WI 54911
920-832-6474
DRAFTED BY: T. KROMM



W. Water Street Street Vacation Zoning Map

Subject Area

Area to be Vacated

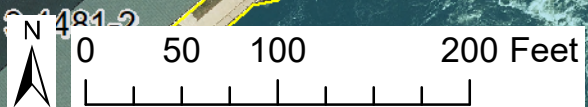


City Plan Commission
7-9-19

W. Water Street Street Vacation Aerial Map



Area to be Vacated





REPORT TO CITY PLAN COMMISSION

Plan Commission Public Hearing Date: July 9, 2019

Common Council Meeting Date: July 10, 2019

Item: Special Use Permit #7-19 for a wine bar/tasting room with alcohol sales and consumption

Case Manager: Don Harp

GENERAL INFORMATION

Owner/Applicant: Alan Ament, Ament Properties, LLC (owner) / George Koenig, Tandem Wine & Beer (applicant)

Address/Parcel #: 101 West Edison Avenue – Suite 100 (Tax Id #31-4-0257-00)

Petitioner's Request: The applicant is requesting a Special Use Permit for a wine bar/tasting room with alcohol sales and consumption.

BACKGROUND

- In the mid 1980's, this building was converted from an office building once occupied by Wisconsin Electric to a multi-tenant building pursuant to various remodeling permits issued by the Inspections Division.
- A portion of this building was used as a streetcar barn for the Appleton Electric Street Railway Company.

The State of Wisconsin State Historic Marker affixed to the building reads as follows:

"On August 16, 1886 the Appleton Electric Street Railway Company began operation of the world's first commercially successful electric street railway. The cars were driven by Van Depoele direct current motors which received power from a hydroelectric generator through two trolley wires. In 1930, the expanded electric street railway system serving the cities of Appleton, Neenah, Menasha and Kaukauna was retired when bus service was begun to better serve the transportation needs of these communities."

STAFF ANALYSIS

Project Summary: The applicant is proposing to establish a wine bar/tasting room with alcohol sales and consumption in conjunction with a retail wine, beer and spirits store. The proposed use will occupy approximately 2,178 square feet of the first floor and 631 square feet of the second floor within tenant space Suite 100.

Special Use Permit #7-19
July 9, 2019
Page 2

Existing Site Conditions: The existing multi-tenant building area totals approximately 160,368 square feet. No building expansions are proposed with this request. Therefore, the applicable provisions for number of off-street parking spaces will be regulated by Site Plan #94-49. There were 145 off-street parking spaces approved for this site pursuant to Site Plan #94-49. Access is provided by curb cuts on West Edison Avenue and Olde Oneida Street.

Outdoor Alcohol Consumption Area: No outdoor alcohol sales and consumption is requested as part of this application for a Special Use Permit.

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

Zoning Ordinance Requirements: The subject property has a zoning designation of C-2 General Commercial District. Per Section 23-113(e) of the Municipal Code, a wine bar/tasting room with alcohol sales and consumption requires a Special Use Permit in the C-2 District. In order to permit alcohol sales and consumption in conjunction with a wine bar/tasting room, the Plan Commission makes a recommendation to the Common Council who will make the final decision on the Special Use Permit. A two-thirds (2/3) vote of the Common Council is required for approval.

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 industrial and commercial in nature.

North: C-2 General Commercial District. The adjacent land use to the north is currently a restaurant with alcohol sales (Pullmans at Trolley Square).

South: PD/C-2 Planned Development General Commercial District. The adjacent land use to the south is the river canal for the Appleton Locks system.

East: C-2 General Commercial District. The adjacent land use to the east is currently a bar (Union Jack).

West: M-2 General Industrial District. The adjacent land use to the west is currently a hydroelectric facility (Wisconsin Electric Power Company).

Appleton Comprehensive Plan 2010-2030: Community and Economic Development staff has reviewed this proposal and determined it is compatible with the mixed use 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.

Special Use Permit #7-19
July 9, 2019
Page 3

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.

Policy 9.6.2 Encourage the creation of vibrant mixed-use urban areas in the downtown and along the Fox River that are both walkable and bicycle-friendly.

OBJECTIVE 10.5 Land Use:

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

OBJECTIVE 13.3 Fox River Corridor Plan:

Promote an economically viable mix of existing and redeveloped uses along the riverfront.

Policy 13.3.2 Most of the new development occurring within the corridor is expected to be commercial and residential. Commercial uses will primarily consist of restaurant and small retail uses serving the neighborhood and visitors attracted to the river. (Commercial uses may also tend to cluster on the frontage of Olde Oneida Street)

Finding of Fact: Prior to the granting of any Special Use Permit, the City Plan Commission may recommend and the Common Council may place such conditions and restrictions upon the establishment, location, construction, maintenance and method or hours of operation of the special use as is deemed necessary for the protection of the public interest and to secure compliance with the standards specified in 23-66 (e) (1-6). This request was reviewed in accordance with the standards for granting a Special Use Permit under 23-66 (e) (1-6), which were found in the affirmative.

Technical Review Group (TRG) Report: This item was discussed at the June 18, 2019 Technical Review Group meeting. No negative comments were received from participating departments.

RECOMMENDATION

Staff recommends, based on the above, that Special Use Permit #7-19 for a wine bar/tasting room with alcohol sales and consumption at 101 W. Edison Avenue, Suite 100 (Tax Id #31-4-0257-00), 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 applicable codes, ordinances, and regulations, including but not limited to Fire, Building, and Health Codes and the Noise Ordinance, shall be complied with.
2. Any changes to the plan of operation shall be submitted to the Community and Economic Development Department for review and approval.

Special Use Permit #7-19
July 9, 2019
Page 4

3. Any deviations from the attached Development Plan may require a major or minor amendment request to this Special Use Permit pursuant to Section 23-66(g) of the Zoning Ordinance.
4. The use shall conform to the standards established in Chapter 9, Article III, Alcoholic Beverages, of the Municipal Code.

RESOLUTION

CITY OF APPLETON RESOLUTION APPROVING SPECIAL USE PERMIT #7-19

WHEREAS, George Koenig, Tandem Wine & Beer (applicant) has applied for a Special Use Permit for a wine bar/tasting room with alcohol sales and consumption located at 101 W. Edison Avenue, Suite 100, also identified as Parcel Number 31-4-0257-00; and

WHEREAS, the location for the proposed wine bar/tasting room with alcohol sales and consumption is located in the C-2 General Commercial District and the proposed use is permitted by special use within this zoning district; and

WHEREAS, the City of Appleton Plan Commission held a public hearing on July 9, 2019, on Special Use Permit #7-19 at which all those wishing to be heard were allowed to speak or present written comments, and other materials presented at the public hearing; and

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

WHEREAS, the City of Appleton Plan Commission reviewed the standards for granting a Special Use Permit under Sections 23-66(e)(1-6) and 23-66(h)(6) of the Municipal Code, and forwarded Special Use Permit #7-19 to the City of Appleton Common Council with a favorable or not favorable (CIRCLE ONE) recommendation; and

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

NOW, THEREFORE, BE IT RESOLVED, that the City of Appleton Common Council approves Special Use Permit #7-19 for a wine bar/tasting room with alcohol sales and consumption located at 101 W. Edison Avenue, Suite 100, also identified as Parcel Number 31-4-0257-00 and orders as follows:

CONDITIONS OF SPECIAL USE PERMIT #7-19

1. All applicable codes, ordinances, and regulations, including but not limited to Fire, Building, and Health Codes and the Noise Ordinance, shall be complied with.
2. Any changes to the plan of operation shall be submitted to the Community and Economic Development Department for review and approval.
3. Any deviations from the approved Development Plan may require a major or minor amendment request to this Special Use Permit pursuant to Section 23-66(g) of the Zoning Ordinance.

4. The use shall conform to the standards established in Chapter 9, Article III, Alcoholic Beverages, of the Municipal Code.

Adopted this _____ day of _____, 2019.

Timothy M. Hanna, Mayor

ATTEST:

Kami Lynch, City Clerk

**TAVERN AND/OR RESTAURANT WITH ALCOHOL SALES
PLAN OF OPERATION AND LOCATIONAL INFORMATION**

Business Information:

Name of business: Tandem Wine & Beer

Years in operation: 4

Percentage of business derived from restaurant service: 0 %

Type of proposed establishment (detailed explanation of business):

Tandem Wine & Beer would like to relocate to 101 E. Edison St, Suite 100. The business would be Retail - boutique wine beer & spirits with a small lounge/wine bar. We are also exploring options for serving coffee, tea, & bagels in the morning.

Proposed Hours of Operation for Indoor Uses:

Day	From	To
Week Day <i>MTWR</i>	<i>11am</i>	<i>9pm</i>
Friday	<i>11AM</i>	<i>10 PM</i>
Saturday	<i>11AM</i>	<i>10 PM</i>
Sunday	<i>-</i>	<i>-</i>

Building Capacity and Area:

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: _____ persons

Gross floor area of the existing building(s): 87000 Sq Ft

Gross floor area of the proposed building(s): _____

Describe Any Potential Noise Emanating From the Proposed Use:

Describe the noise levels anticipated from all equipment or other mechanical sources:

We do not expect to have any activities which would cause noise

Describe how the crowd noise will be controlled inside and outside the building:

We do not expect to generate Crowd noise

If off-street parking is available for the business, describe how noise from the parking lot will be controlled:

We do not expect our customers to Create noise. if this does occur we will Address with signage & monitoring

Outdoor Uses:

Location, type, size and design of outdoor facilities:

NA

Type and height of screening of plantings/fencing/gating:

NA

Is there any alcohol service incorporated in this outdoor facility proposal? Yes ___ No

Are there plans for outdoor music/entertainment? Yes ___ No

If yes, describe how the noise will be controlled:

Is there any food service incorporated in this outdoor facility proposal? Yes ___ No

Proposed Hours of Operation for Outdoor Uses: No Proposed outdoor uses

Day	From	To
Week Day		
Friday		
Saturday		
Sunday		

Outdoor Lighting:

Type: Commercial Commercial Outdoor Fixtures

Location: _____

Off-Street Parking:

Number of spaces existing: Large parking lots (3)

Number of spaces proposed: Ample parking for all tenants

Other Licensed Premises:

The number of licensed premises within the immediate geographic area of the proposed location will be considered in order to avoid an undue concentration that may have the potential of creating public safety problems or deterring neighborhood development.

List nearby licensed premises:

Stone Arch Brewing - Union Jack

Pullmans

Riverside

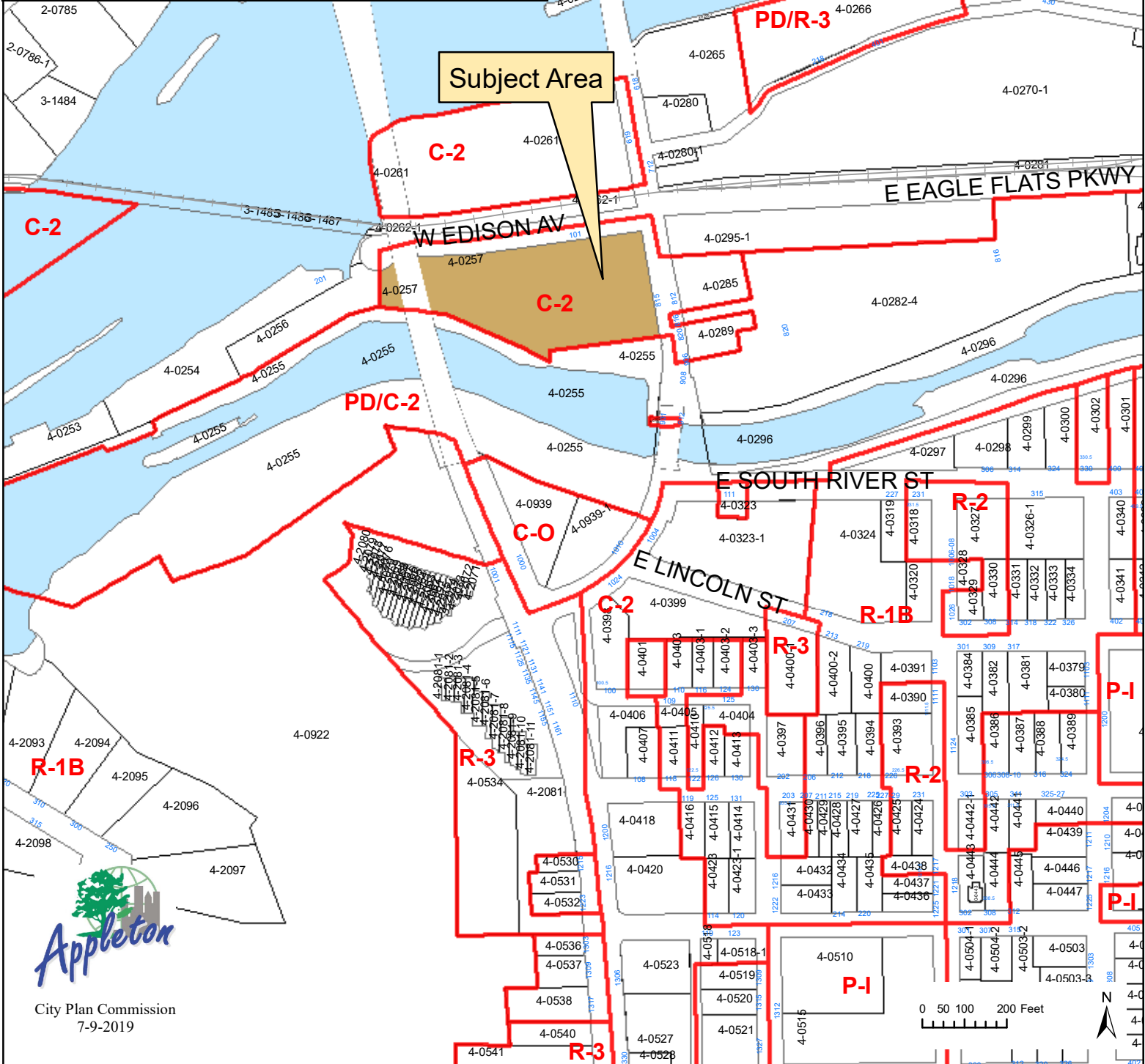
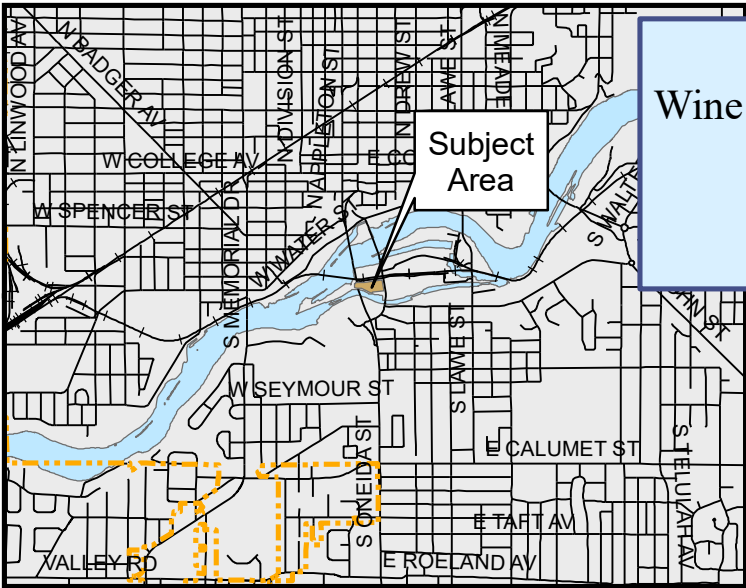
Number of Employees:

Number of existing employees: 2

Number of proposed employees: 4

Number of employees scheduled to work on the largest shift: 2

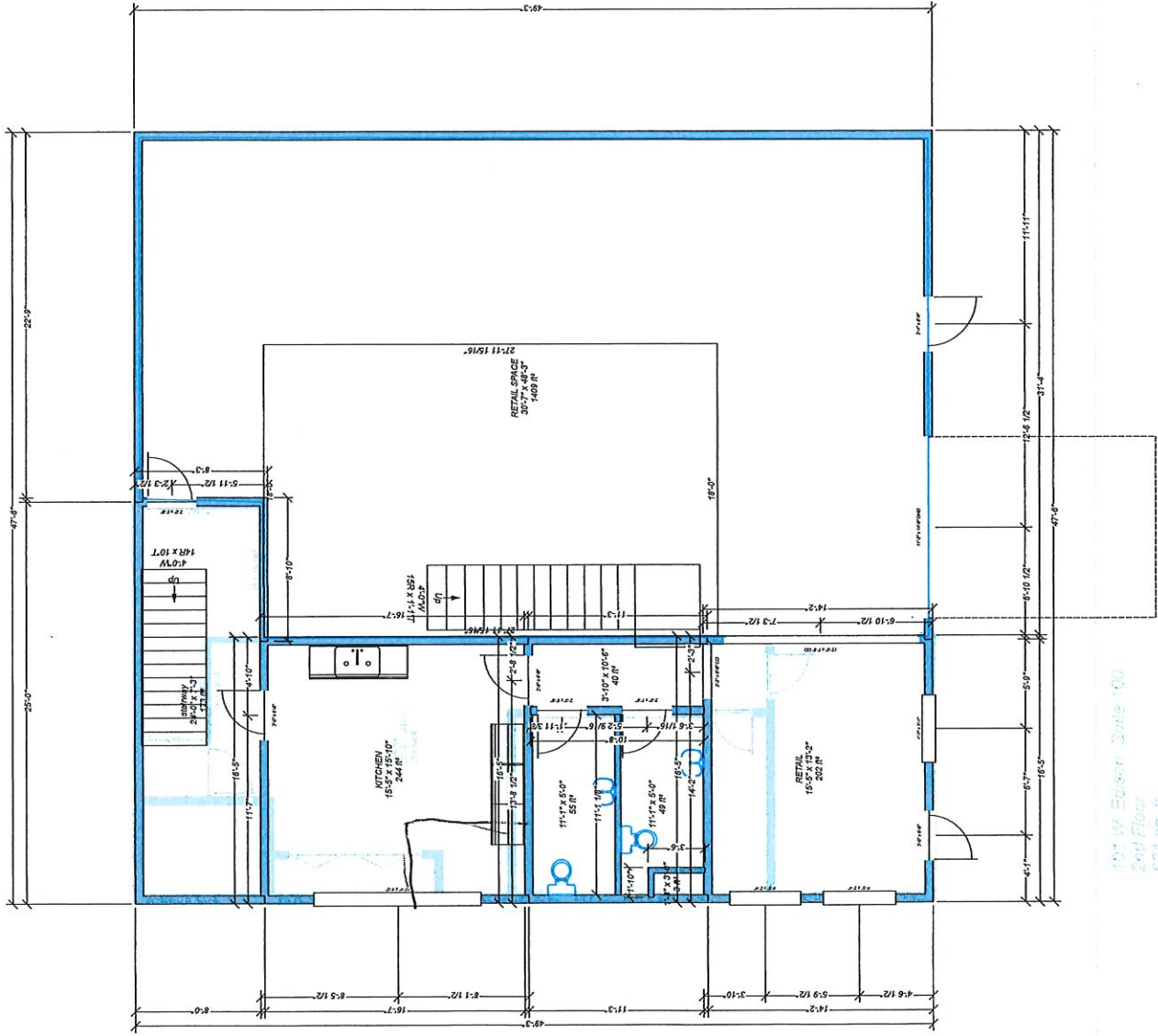
Special Use Permit
 Wine Bar/ Wine, Beer, Spirits Tasting Room for the
 Tandem Wine Shop
 100 W Edison Avenue, Suite 100
 Zoning Map



Special Use Permit
Wine Bar/ Wine, Beer, Spirits Tasting Room for the
Tandem Wine Shop
100 W Edison Avenue, Suite 100
Aerial Map



City Plan Commission
7-9-19

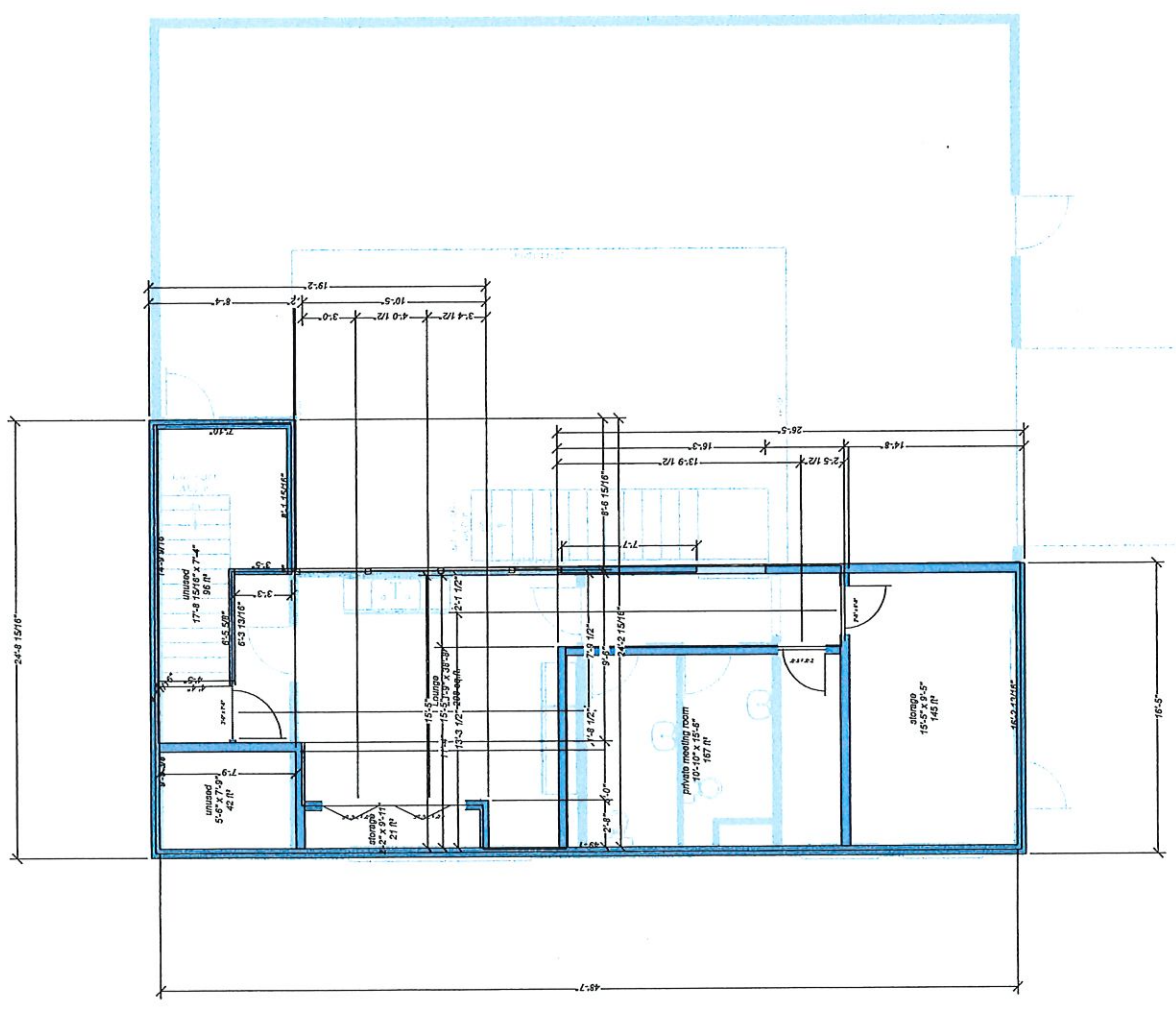


101 W. Edison Suite 100
2nd Floor
631 sq. ft.

101 W. Edison Suite 100
1st floor
2178 sq. ft.

TOTAL sq. ft. 2809

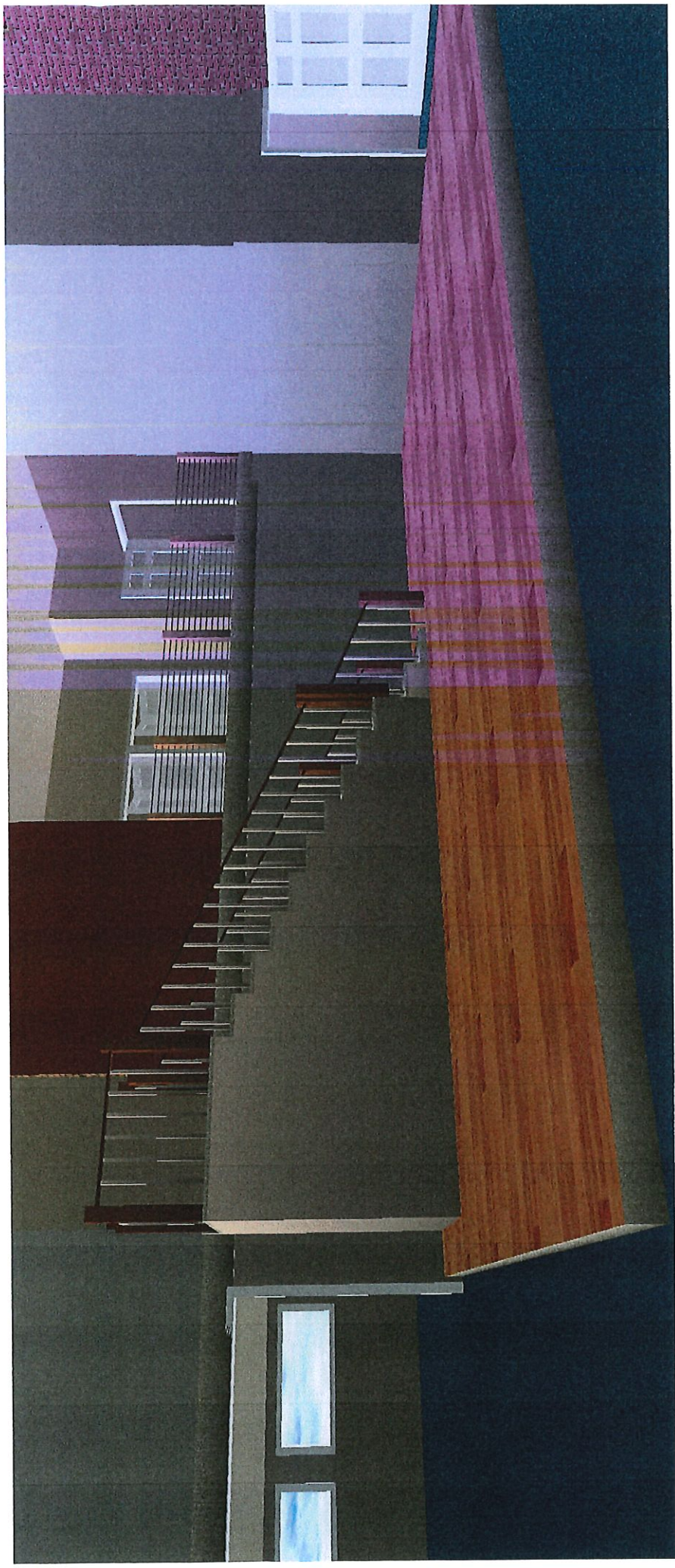




101 W. Edison Suite 100
2nd Floor
631 sq. ft.



101 W. Edison Suite 100
 1st floor 278 sq. ft.
 2nd floor 631 sq. ft.
TOTAL sq. ft. 2609





REPORT TO CITY PLAN COMMISSION

Plan Commission Informal Public Hearing Date: July 9, 2019

Municipal Services Committee Meeting Date: July 15, 2019

Common Council Meeting Date – Initial Resolution: July 24, 2019

Common Council Meeting Date – Public Hearing (40-day waiting period): September 4, 2019

Item: Street discontinuance to vacate a portion of alley, west of Oneida Street and south of College Avenue

Case Manager: David Kress

GENERAL INFORMATION

Owner/Applicant: City of Appleton / Tom Kromm, Department of Public Works

Location: Portion of alley, generally located west of Oneida Street and south of College Avenue

Owner/Applicant's Request: The applicant is requesting a street discontinuance to vacate a portion of alley west of South Oneida Street.

BACKGROUND

The subject area is referenced in a Development Agreement that was approved by Common Council on December 19, 2017 for the redevelopment of the Zuelke Building into a mixed-use property with residential, office, retail, and lower level parking. The Zuelke Building, located at 103 West College Avenue (parcel #31-2-0070-00), is immediately adjacent to the subject area. The need to work toward a mutually agreeable means of lower level access to parcel #31-2-0070-00 was anticipated in Section G of the Development Agreement.

STAFF ANALYSIS

Title to Vacated Alley: When vacated, the land reverts to its original source, which typically includes the parcels located adjacent to the proposed vacation area. In this case, title to the alley being vacated will belong to the adjoining property owner to the north. The adjoining property owner will acquire, in its entirety, the vacated right-of-way totaling approximately 1,209 square feet, as shown on the attached map.

Existing Public Utilities: The City will retain an easement for all existing utilities and any future utilities deemed necessary within the entire length and width of the vacated right-of-way.

Alley Right-of-Way Width: This portion of alley is approximately 20 feet wide.

Street Classification: This portion of alley right-of-way is not identified on the City's Arterial/Collector Plan Map.

Street Vacation – Alley west of Oneida Street

July 9, 2019

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 institutional in nature.

North: CBD Central Business District. The adjacent land uses to the north are currently a mix of commercial uses, including the Zuelke Building.

South: CBD Central Business District. The adjacent land use to the south is currently Houdini Plaza.

East: CBD Central Business District. Existing Oneida Street right-of-way is immediately east of the subject area.

West: CBD Central Business District. Unimproved alley right-of-way is immediately west of the subject area.

Comprehensive Plan 2010-2030: The City of Appleton *Comprehensive Plan 2010-2030* Future Land Use Map identifies this area with a future Central Business District designation. The proposed street vacation is consistent with the following excerpts from the *Comprehensive Plan 2010-2030*.

OBJECTIVE 6.7 Transportation:

Maintain a balanced parking program which provides an adequate supply of parking without undermining economic development and neighborhood development efforts.

Policy 6.7.4 Encourage underground and structured parking, where feasible, as future development occurs.

Chapter 14 Downtown Plan, Initiative 3 Neighborhood and Residential Development:

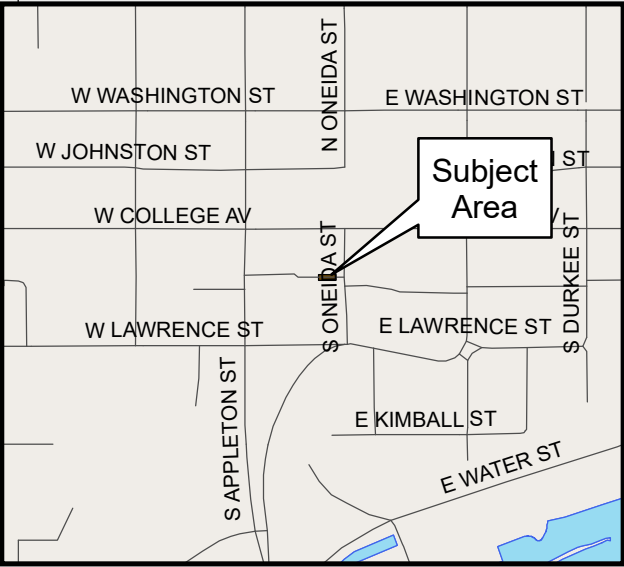
Strategy 3.1.E.5 – Continue to encourage adaptive reuse and redevelopment to increase residential density. Opportunities include the Zuelke Building and former Thompson Center block.

Technical Review Group (TRG) Report: This item was discussed at the October 23, 2018 and June 18, 2019 Technical Review Group meetings. No negative comments were received from participating departments.

RECOMMENDATION

Staff recommends the discontinuance of a portion of alley public right-of-way, as shown on the attached map and legal description, pending approval by the Municipal Services Committee, and the adoption of the Initial Resolution, **BE APPROVED**.

Alley West of Oneida Street
Street Vacation
Zoning Map



2-0290-1

2-0287

10

100

W COLLEGE AV

E COLLEGE AV

121

111-13

109

107

101-05

101

103

107

109

111

2-0065

2-0066

0-0069

2-0069

2-0070

2-0038

2-0039

2-0040

2-0041

2-0042

CBD

2-0067

Area to be Vacated

121

SOLIDERS SQUARE

2-0072

2-0052

100

120

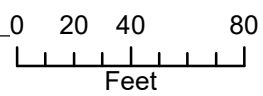
W LAWRENCE ST

2-0142

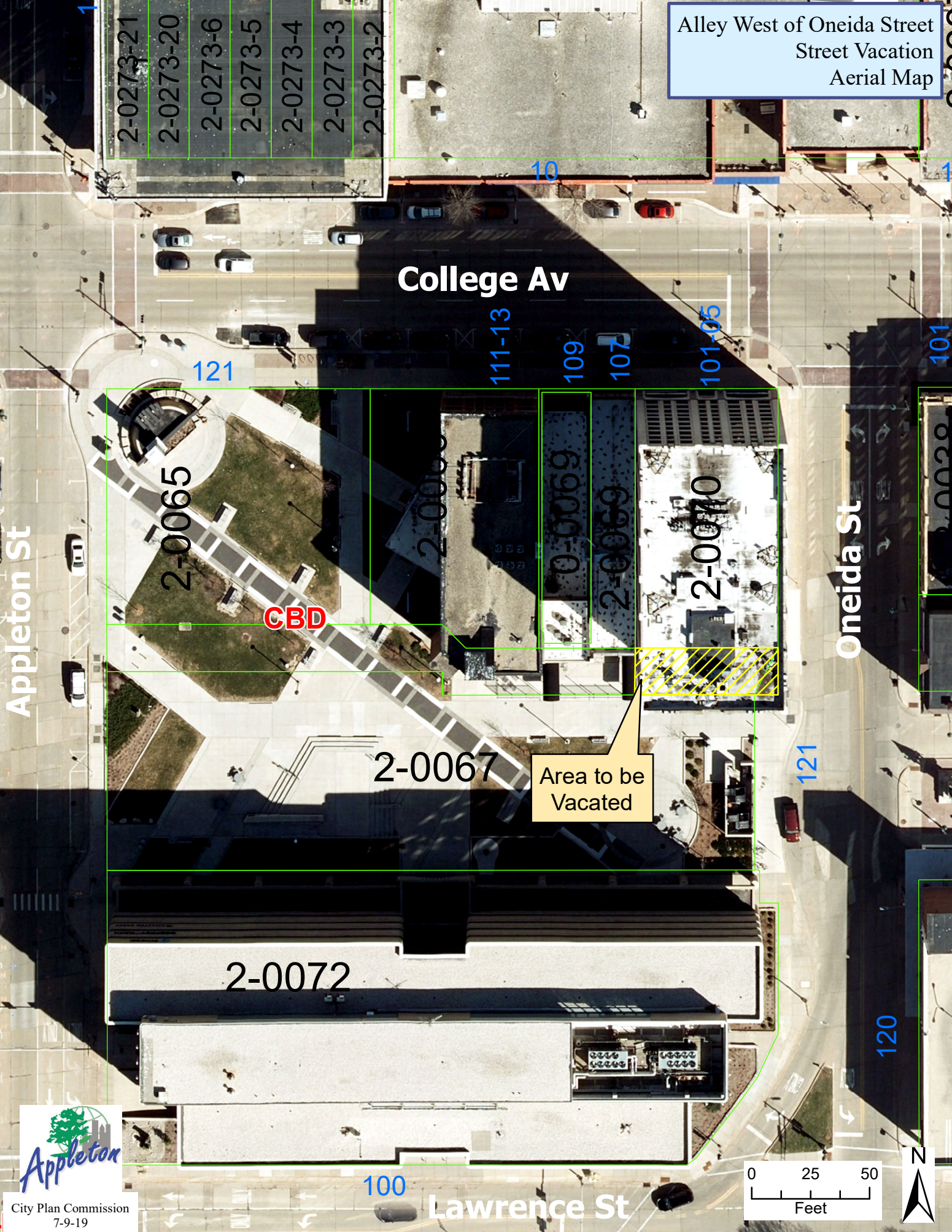
S ONEIDA ST

2-0003
117
111
109
107

PD/R-3



Alley West of Oneida Street
Street Vacation
Aerial Map



College Av

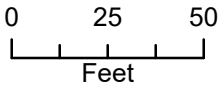
Appleton St

Oneida St

Lawrence St

CBD

Area to be
Vacated



INITIAL RESOLUTION

WHEREAS, the public interest requires that a portion of the alley west of Oneida Street and south of College Avenue, that has not previously been vacated, be vacated and discontinued,

BE IT RESOLVED, that the Common Council of the City of Appleton, Wisconsin, hereby determines that the public interest requires that a portion of this alley, City of Appleton, Outagamie County, Wisconsin, as hereinafter described, is hereby vacated and discontinued pursuant to §66.1003 of the Wisconsin Statutes.

LEGAL DESCRIPTION:

All of the East 60.48 feet of a 20 foot wide Alley, being a part of Lot Three (3), Block 5, Appleton Plat (aka Second Ward Plat), all according to the recorded Assessor's Map of the City of Appleton, being located in the SE ¼ of the SW ¼ of Section 26, Township 21 North, Range 17 East, City of Appleton, Outagamie County, Wisconsin, containing 1,209 square feet of land m/l and being more fully described by:

Commencing at the Northeast corner said Lot 3;

Thence South 00°02'58" East 110.00 feet along the West line of Oneida Street and being coincident with the East line of said Lot 3 to the point of beginning;

Thence continue South 00°02'58" East 20.00 feet coincident with the East line of said Lot 3;

Thence South 89°59'06" West 60.48 feet coincident with the South line of said 20 foot wide Alley;

Thence North 00°02'58" West 20.00 feet to the North line of said 20 foot wide Alley;

Thence North 89°59'06" East 60.48 feet coincident with the North line of said Alley to the East line of said Lot 3 and the **point of beginning**.

See also attached Exhibit "A" for illustration.

TITLE TO VACATED LANDS

The adjoining property owner shall acquire ownership to the afore described and vacated portion of the Alley, in its entirety and with the entire vacated portion attaching to owners property, as shown on the attached Exhibit "A" Map and more specifically as follows:

The owner of that part of Lot Three (3), Block 5, Appleton Plat (aka Second Ward Plat), all according to the recorded Assessor's Map of the City of Appleton, being located in the SE ¼ of the SW ¼ of Section 26, Township 21 North, Range 17 East, City of Appleton, Outagamie County, Wisconsin and being more fully described as: The East 60.48 feet of the North 110 feet of said Lot Three (3). Said Owner abutting the portion of vacated alley shall acquire, in its entirety, the vacated right-of-way.

EASEMENTS

The City of Appleton their heirs, successors and or assigns (Grantee) hereby retain an easement for any and all existing utilities and also any future utilities deemed necessary or desirable by Grantee within the vacated right of way, including but not limited to, storm sewer, drainage, sanitary sewer, watermain, gas, electric, cable and fiber-optic within the entire length and width of the above described right of way.

It is further agreed that this easement shall be a permanent easement.

It is further agreed that Grantee shall have the right to install, regrade, replace, relocate, operate, maintain, resize and repair any and all of these utilities and their associated appurtenances. It is further agreed that after installing, regrading, replacing, relocating, operating, maintaining, resizing or repairing of these utilities and their associated appurtenances Grantee shall restore unimproved surfaces such as grass, gravel and dirt on said property, as closely as possible, to the condition previously existing. Grantee shall not be required to restore or compensate for any improvements or improved surfaces such as, but not limited to, curb and gutter, hard pavements, trees, shrubs and landscaping, disturbed as a result of the maintenance activities described herein. This easement includes the right to operate all equipment deemed necessary by Grantee to perform said activities. Grantee agrees that it shall give timely notice to the Grantor of routine maintenance work.

COMMON DESCRIPTION:

Alley west of Oneida Street and south of College Avenue

FURTHER RESOLVED, that the City Clerk of the City of Appleton be authorized and directed to give notice required by §66.1003 of the Wisconsin Statutes.

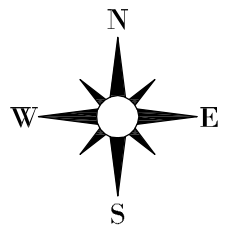
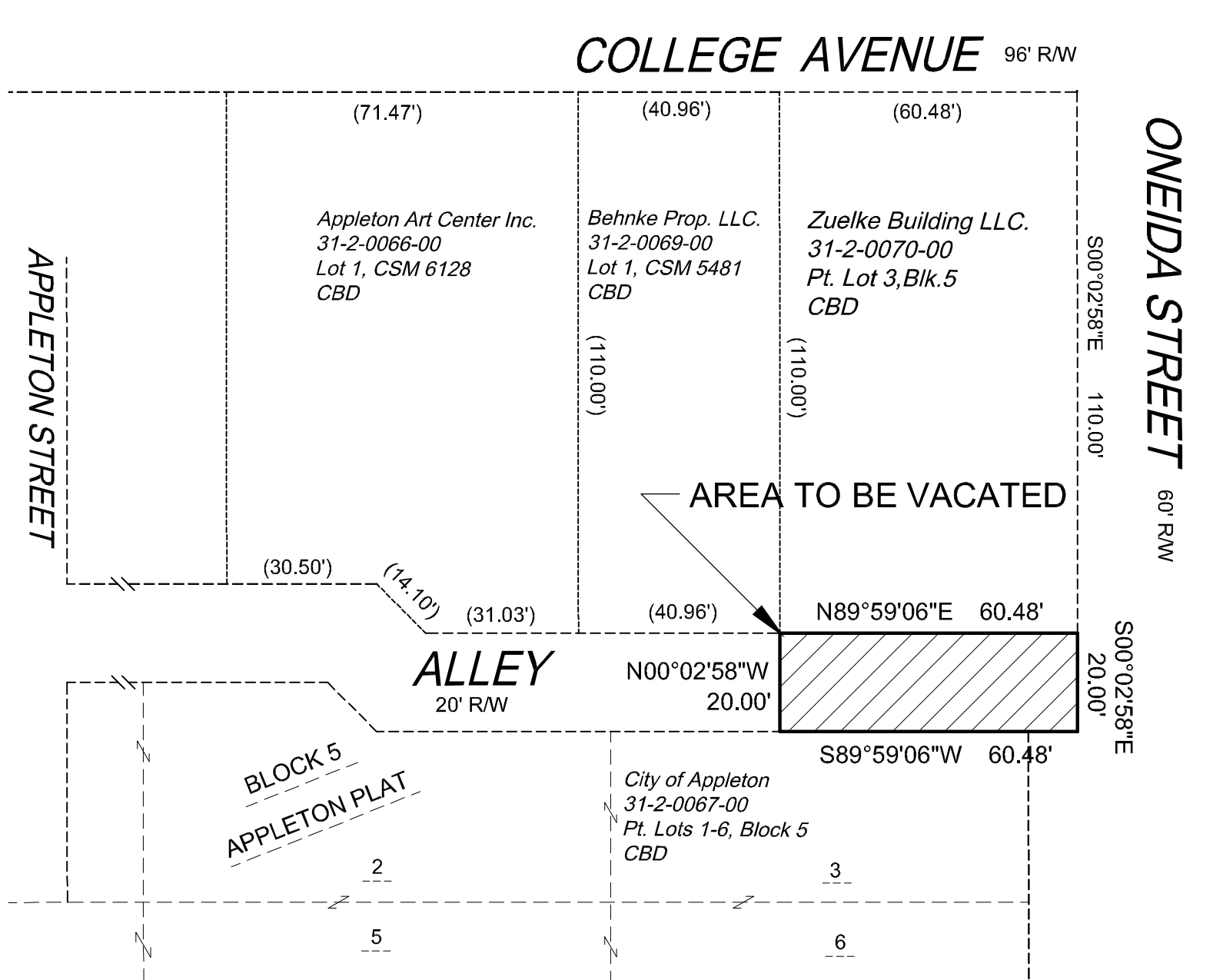
FURTHER RESOLVED, that according to §66.1005 of the Wisconsin Statutes, upon vacation and discontinuance of said alley west of Oneida Street and south of College Avenue, title to the above-described alley shall belong to the adjoining property owners and shall acquire an ownership interest in the entire area being vacated as shown on the attached Exhibit Map.

Date

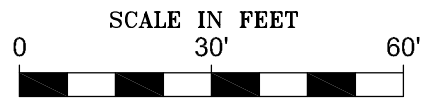
City Law: A18-0827
06/27/2019

EXHIBIT "A"

PART OF LOT 3, BLOCK 5, **APPLETON PLAT**, (AKA SECOND WARD PLAT), ALL ACCORDING TO THE RECORDED ASSESSOR'S MAP OF THE CITY OF APPLETON, BEING LOCATED IN THE SE 1/4 OF THE SW 1/4 OF SECTION 26, TOWNSHIP 21 NORTH, RANGE 17 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN.



BEARINGS ARE REFERENCED TO WISCONSIN COUNTY COORDINATES, OUTAGAMIE COUNTY
 H:\Acad\Vacation\2018\Alley_WO_Oneida_SO_College_1001_2018



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



REPORT TO CITY PLAN COMMISSION

Plan Commission Informal Public Hearing Date: July 9, 2019

Municipal Services Committee Meeting Date: July 15, 2019

Common Council Meeting Date – Initial Resolution: July 24, 2019

Common Council Meeting Date – Public Hearing (40-day waiting period): September 4, 2019

Item: Street discontinuance to vacate a portion of East North Island Street

Case Manager: David Kress

GENERAL INFORMATION

Owner/Applicant: City of Appleton / Tom Kromm, Department of Public Works

Location: Portion of East North Island Street, generally located west of South Vulcan Street

Owner/Applicant's Request: The applicant is requesting a street discontinuance to vacate a portion of East North Island Street west of South Vulcan Street.

BACKGROUND

On August 20, 1997, Common Council approved the vacation of a portion of East North Island Street right-of-way located immediately west of the subject area. On February 18, 2015, Common Council approved Special Use Permit #1-15 for a paper manufacturing facility located on several parcels adjacent to the subject area, including a new facility on parcel #31-4-0273-00. Site Plans #2-15 and #34-15 for the new building, parking lot, and subsequent building addition were also approved in 2015. The subject area is now surrounded by and functions as a part of the newly built facility.

STAFF ANALYSIS

Title to Vacated Alley: When vacated, the land reverts to its original source, which in this case includes the parcels located north and south of the proposed vacation area. Consequently, title to the street being vacated will belong to the adjoining property owner. The adjoining property owner will acquire an ownership interest in the land vacated, totaling approximately 3,717 square feet. As shown on the attached map and described in the Initial Resolution, the adjoining property owner's existing lot lines will be extended until they intersect with the street centerline, and upon recording of the street vacation, the vacated area of parcel #31-4-0271-02 shall be transferred to parcel #31-4-0271-00.

Existing Public Utilities and Emergency Access: The City will retain an easement for all existing utilities and any future utilities deemed necessary within the entire length and width of the vacated right-of-way. The City will also retain an access easement for motorized maintenance and emergency response vehicles for the purpose of responding to any and all emergency situations.

Street Right-of-Way Width: This portion of East North Island Street is approximately 30 feet wide.

Street Vacation – East North Island Street

July 9, 2019

Page 2

Street Classification: The City’s Arterial/Collector Plan Map identifies this portion of East North Island Street as a local street.

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 industrial in nature.

North: M-2 General Industrial District. The adjacent land use to the north is currently industrial (part of the Neenah Paper facility).

South: M-2 General Industrial District. The adjacent land use to the south is currently industrial (part of the Neenah Paper facility).

East: M-2 General Industrial District. Existing East North Island Street right-of-way is immediately east of the subject area.

West: M-2 General Industrial District. The adjacent land use to the west is currently industrial (part of the Neenah Paper facility).

Comprehensive Plan 2010-2030: The City of Appleton *Comprehensive Plan 2010-2030* Future Land Use Map identifies this area with a future Mixed Use designation. The proposed street vacation is consistent with the following excerpts from the *Comprehensive Plan 2010-2030*.

OBJECTIVE 9.5 Economic Development:

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

Policy 9.5.1 Ensure a continued adequate supply of industrial and commercial land to sustain new business development.

OBJECTIVE 13.3 Fox River Corridor Plan:

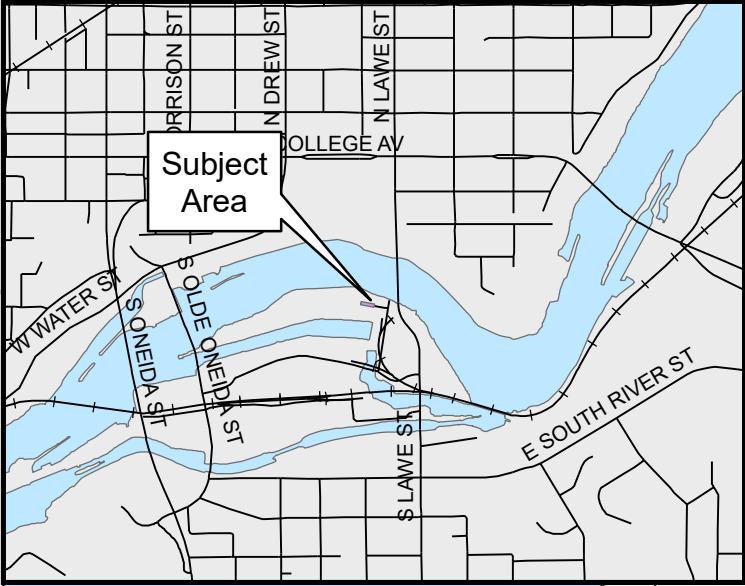
Promote an economically viable mix of existing and redeveloped uses along the riverfront.

Technical Review Group (TRG) Report: This item was discussed at the August 1, 2017 and June 18, 2019 Technical Review Group meetings. No negative comments were received from participating departments.

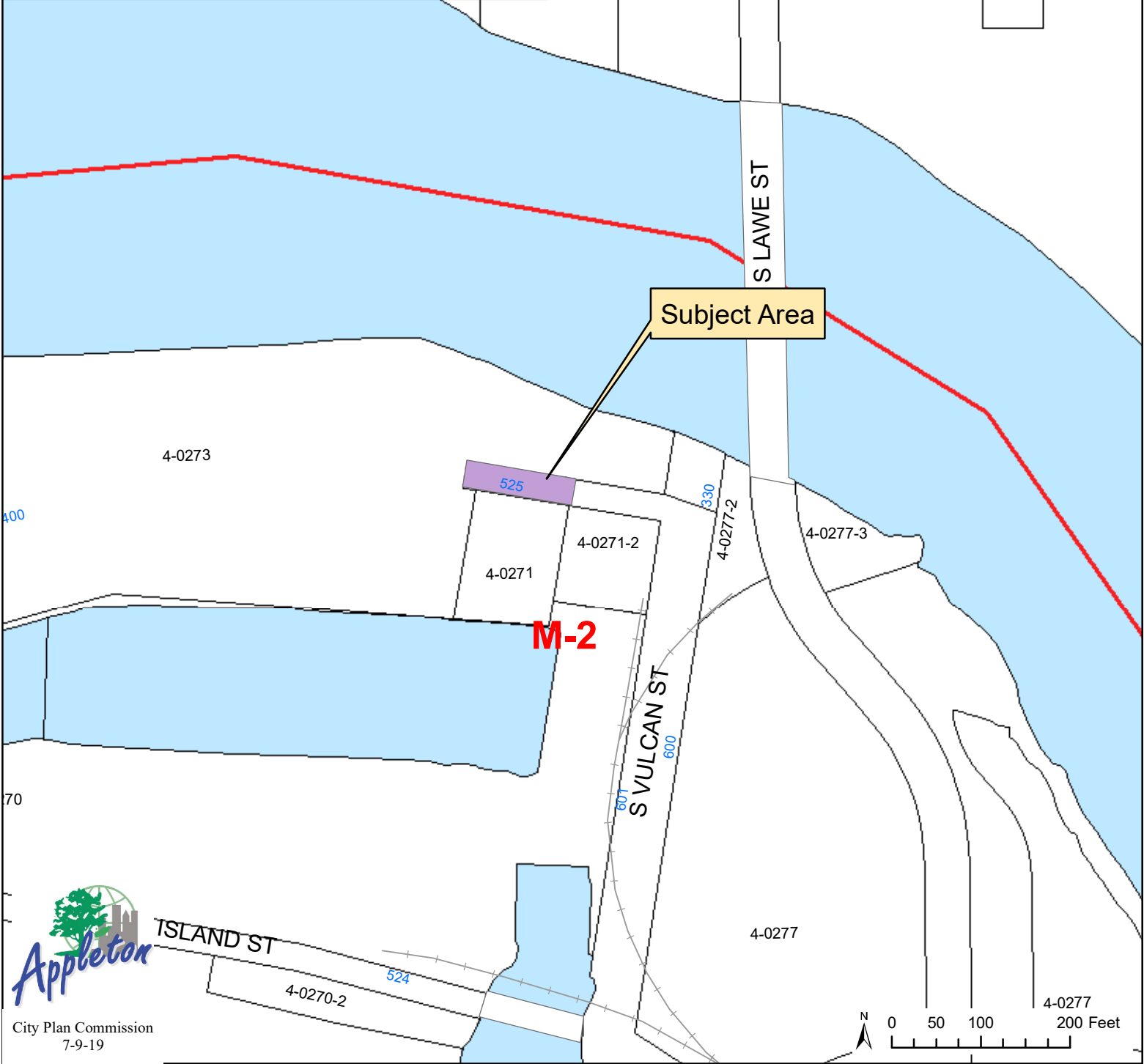
RECOMMENDATION

Staff recommends the discontinuance of a portion of East North Island Street public right-of-way, as shown on the attached map and legal description, pending approval by the Municipal Services Committee, and the adoption of the Initial Resolution, **BE APPROVED**.

E. North Island Street Street Vacation Zoning Map



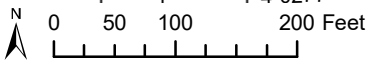
Subject Area



Subject Area

P-1

M-2



E. North Island Street
Street Vacation
Aerial Map



Subject Area

4-0273

E NORTH ISLAND ST

525

330

4-0277-2

4-0277-1

4-0271-2

4-0271

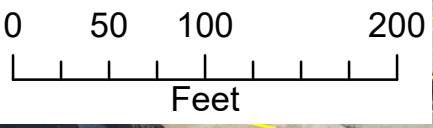
S VULCAN ST

600

601

E SOUTH ISLAND ST

4-



INITIAL RESOLUTION

WHEREAS, the public interest requires that a portion of East North Island Street, west of South Vulcan Street, that has not previously been vacated, be vacated and discontinued,

BE IT RESOLVED, that the Common Council of the City of Appleton, Wisconsin, hereby determines that the public interest requires that a portion of East North Island Street, City of Appleton, Outagamie County, Wisconsin, as hereinafter described, is hereby vacated and discontinued pursuant to §66.1003 of the Wisconsin Statutes.

LEGAL DESCRIPTION

All of a strip of land 30 feet in width and 123.91 feet m/l in length along its centerline and containing 3,717 square feet of land m/l and being further described by:

All that part of North Island Street lying between Lots K and M of the GRAND CHUTE ISLAND PLAT, according to the recorded Assessors Map of the City of Appleton, being located in the Northeast Quarter (NE ¼) of the Northeast Quarter (NE ¼), Section 35, Township 21 North, Range 17 East, City of Appleton, Outagamie County, Wisconsin and being further described as follows:

Commencing at the Southwesterly corner of North Island Street and Vulcan Street; Thence North 80°22'38" West 100.30 feet along the Southwesterly line of North Island Street to the point of beginning; Thence continue North 80°22'38" West 123.70 feet along the Southwesterly line to the Westerly terminus of North Island Street per Resolution document No.1238146; Thence North 08°48'17" East 30.00 feet along the Westerly terminus of North Island Street to the Northeasterly line thereof; Thence South 80°22'38" East 124.13 feet along the Northeasterly line of North Island Street; Thence South 09°37'22" West 30.00 feet to the point of beginning.

See also attached Exhibit "A" for illustration.

EASEMENTS

The City of Appleton their heirs, successors and or assigns (Grantee) hereby retain an easement for any and all existing utilities and also any future utilities deemed necessary or desirable by Grantee within the vacated right of way, including but not limited to, storm sewer, drainage, sanitary sewer, watermain, gas, electric, cable and fiber- optic within the entire length and width of the above described right of way. Grantee also retains an access easement for motorized maintenance and emergency response vehicles for the purpose of responding to any and all emergency situations.

It is further agreed that this easement shall be a permanent easement. It is further agreed that Grantee shall have the right to install, regrade, replace, relocate, operate, maintain, resize and repair any and all of these utilities and their associated appurtenances. It is further agreed that after installing, regrading, replacing, relocating, operating, maintaining, resizing or repairing of these utilities and their associated appurtenances Grantee shall restore unimproved surfaces such as grass, gravel and dirt on said property, as closely as possible, to the condition previously existing. Grantee shall not be required to restore or compensate for any improvements or improved surfaces such as, but not limited to, curb and gutter, hard pavements, trees, shrubs and landscaping, disturbed as a result of the maintenance activities described herein. Buildings or any other type of permanent structure shall not be placed over Grantees' facilities or in, upon or over said easement area. This easement includes the right to operate any and all equipment deemed necessary by Grantee to perform said activities. Grantee agrees that it shall give timely notice to the Grantor of routine maintenance work.

EXISTING LOT LINE PROJECTIONS AND THE FINAL OWNERSHIP DISTRIBUTION OF THE VACATED STREET AREA

It is the intent of the City of Appleton that the adjoining property owner's existing lot lines be extended until they intersect with the centerline of North Island Street. The City of Appleton and the abutting landowner (Neenah Paper) have also agreed that upon the recording of the vacation in the Outagamie County Register of Deeds Office the abutting landowner of tax parcel 31-4-0271-02 (Neenah Paper) shall immediately transfer its interest in the vacated street area to the owner of tax parcel 31-4-0271-00 (Neenah Paper). The purpose of this transfer of interest in the vacated street area is to maintain frontage on a public street for tax parcel 31-4-0271-00.

COMMON DESCRIPTION:

A portion of East North Island Street west of South Vulcan Street

FURTHER RESOLVED, that the City Clerk of the City of Appleton be authorized and directed to give notice required by §66.1003 of the Wisconsin Statutes.

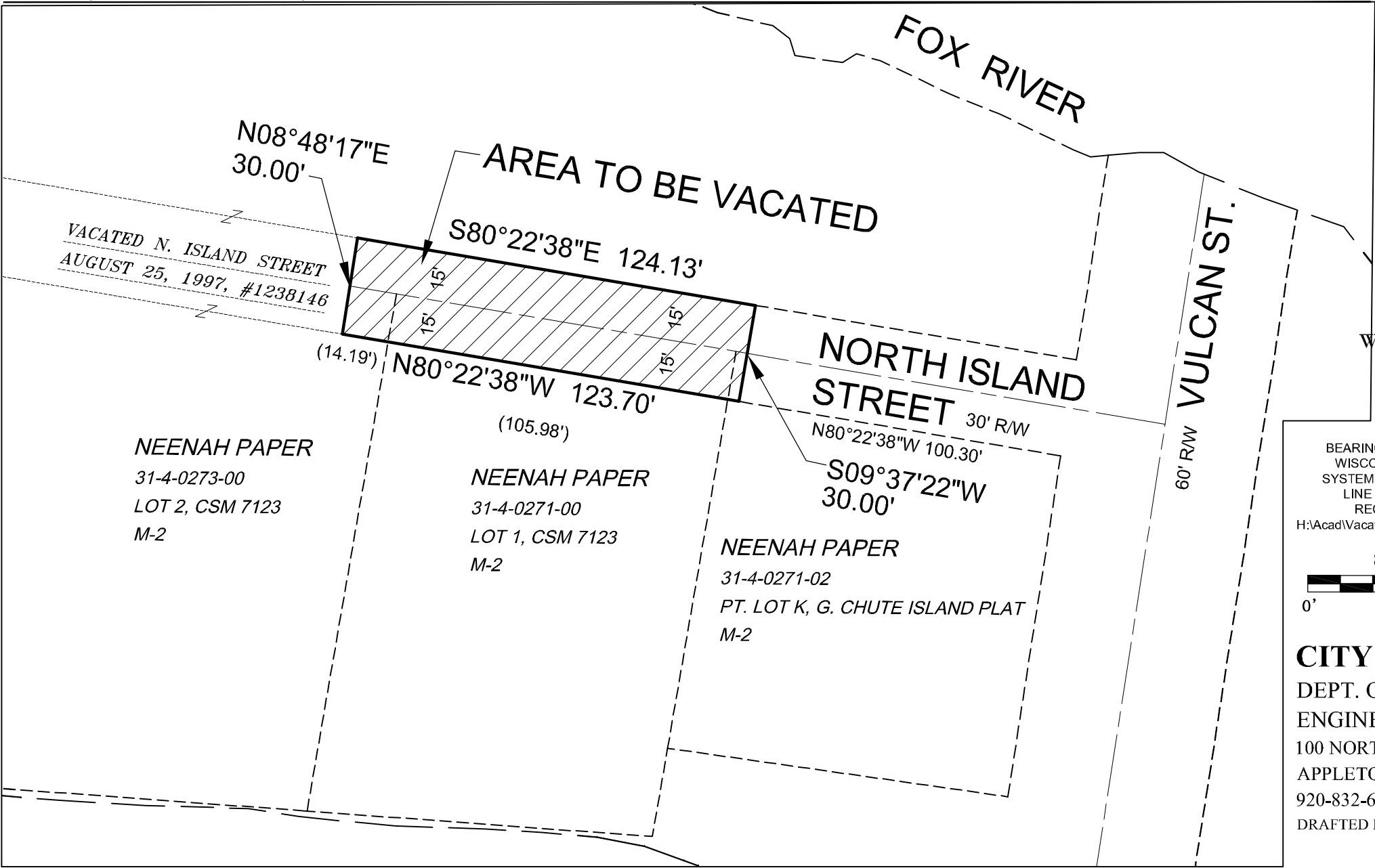
FURTHER RESOLVED, that according to §66.1005 of the Wisconsin Statutes, upon vacation and discontinuance of said portion of East North Island Street, title to the above-described street shall belong to the adjoining property owners and shall acquire an ownership interest in the entire area being vacated as shown on the attached Exhibit Map.

Date

City Law A19-0481
06/27/2019

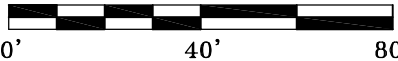
STREET VACATION

PART OF NORTH ISLAND STREET LYING BETWEEN LOTS K AND M OF THE **GRAND CHUTE ISLAND PLAT**, ALL ACCORDING TO THE RECORDED ASSESSOR'S PLAT OF THE CITY OF APPLETON, LOCATED IN THE NE 1/4 OF THE NE 1/4 OF SECTION 35, TOWNSHIP 21 NORTH, RANGE 17 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN.



BEARINGS ARE REFERENCED TO THE WISCONSIN COUNTY COORDINATE SYSTEM, OUTAGAMIE COUNTY, NORTH LINE OF NORTH ISLAND STREET RECORDED AS N.80°22'38"W.
 H:\Acad\Vacation\2019\N_Island_Street_0627_2019

SCALE IN FEET



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



REPORT TO CITY PLAN COMMISSION

Municipal Services Committee Meeting Date: July 15, 2019

Plan Commission Informal Public Hearing Date: July 9, 2019

Common Council Meeting Date – Initial Resolution: July 24, 2019

Common Council Meeting Date – Public Hearing (40-day waiting period): September 4, 2019

Item: Vacate a portion of West Water Street public right-of-way

Case Manager: Jessica Titel

GENERAL INFORMATION

Owner/Applicant: City of Appleton / Tom Kromm, Department of Public Works

Street Name/Location: Portion of West Water Street, generally located 500' m/l northeast of Jackman Street.

Owner/Applicant's Request: The applicant is requesting to vacate a portion of West Water Street right-of-way, northeast of Jackman Street.

BACKGROUND

The proposed street vacation is being proposed to realign the Water Street right-of-way in this area in order to coincide with the street location. The Water Street pavement is not centered on the existing right-of-way and this street vacation is being done in concurrence with a right-of-way dedication on the northwesterly side of Water Street so that the street pavement is fully contained within the right-of-way. The City of Appleton owns the land adjacent to the proposed vacation and dedication.

STAFF ANALYSIS

Title to Vacated Street: When vacated, the land must revert to its original source, which in this case includes the parcels located south of the proposed vacation area. Consequently, title to the street being vacated will belong to the adjoining property owner, which is the City of Appleton. The adjoining property owner will acquire an ownership interest in the land vacated, totaling approximately 7,349 square feet, as shown on the attached map.

Existing Public Utilities: The City will retain title of the vacated land; therefore, no easements are needed for the small length of existing water main that is located within the vacated portion of right-of-way.

Street Classification: The City's Arterial/Collector Plan Map identifies this portion of West Water Street as a collector street.

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 public/institutional in nature.

Street Vacation – West Water Street

July 9, 2019

Page 2

North: M-2 General Industrial District. The adjacent property to the north is currently Water Street right-of-way.

South: M-2 General Industrial District. The adjacent property to the south is currently undeveloped (future Ellen Kort Peace Park).

East: M-2 General Industrial District. The adjacent property to the east is currently undeveloped (future Ellen Kort Peace Park).

West: M-2 General Industrial District. The adjacent property to the west is currently Water Street right-of-way.

Comprehensive Plan 2010-2030: The City of Appleton *Comprehensive Plan 2010-2030* Future Land Use Map identifies this area with a future Public Parks and Open Space designation. The proposed street vacation is consistent with the following excerpts from the *Comprehensive Plan 2010-2030*.

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.

Chapter 14 – Downtown Plan

Initiative 7.4 – Plan, design, and construct improvements to Jones Park and Ellen Kort Peace Park

Technical Review Group (TRG) Report: This item was discussed at the May 21, 2019 and June 18, 2019 Technical Review Group meetings. No negative comments were received from participating departments. Staff discussed the need to coordinate with WE Energies regarding potential future dedication of 211 square feet of their property for Water Street right-of-way.

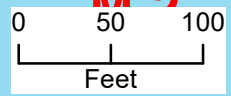
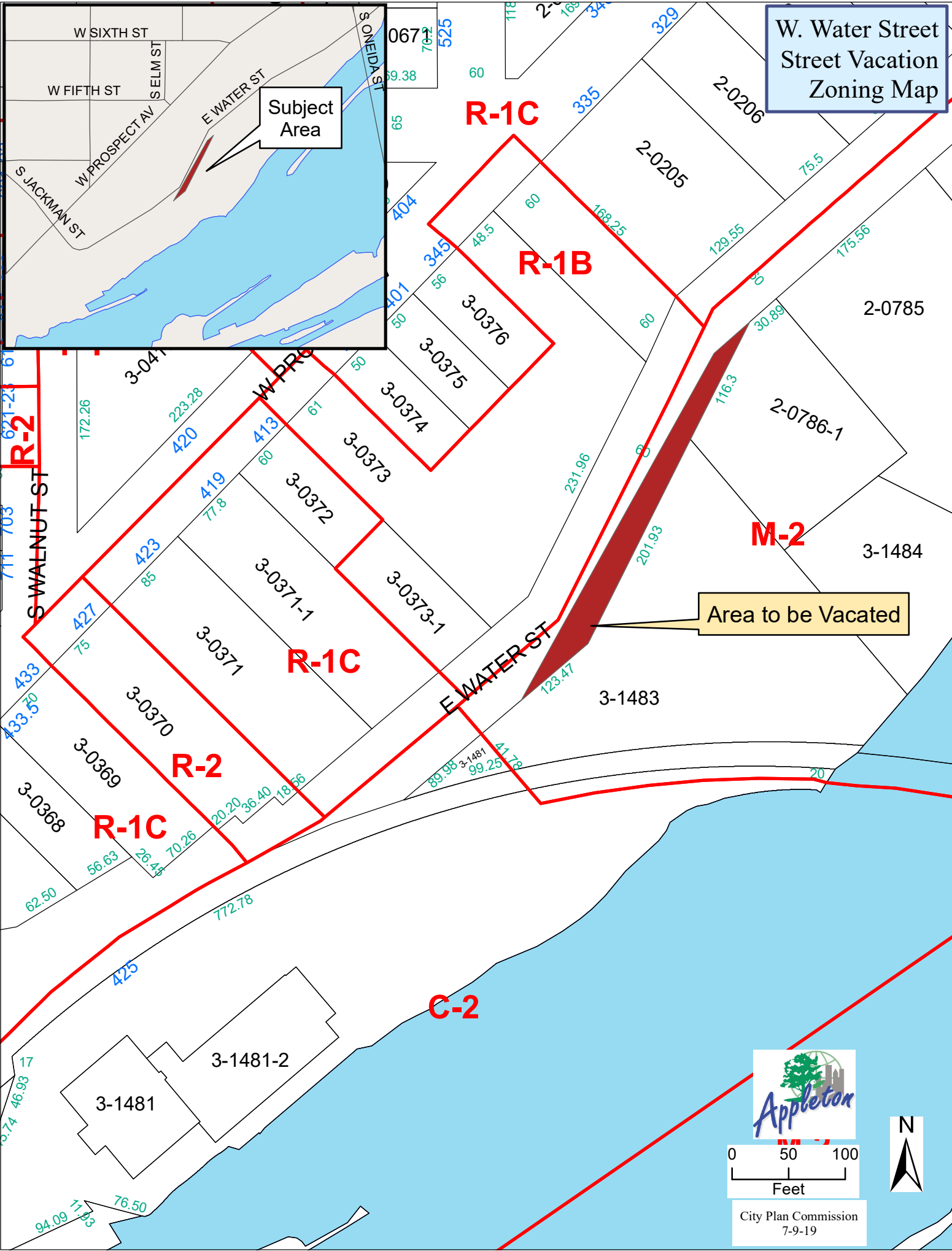
RECOMMENDATION

Staff recommends the discontinuance of a portion of West Water Street public right-of-way, as shown on the attached map and legal description, pending approval by the Municipal Services Committee, and the adoption of the Initial Resolution, **BE APPROVED**.

W. Water Street Street Vacation Zoning Map

Subject
Area

Area to be Vacated



City Plan Commission
7-9-19

W. Water Street Street Vacation Aerial Map



Area to be Vacated



INITIAL RESOLUTION

WHEREAS, the public interest requires that a portion of the southeasterly side of West Water Street located 500' m/l northeast of Jackman Street, that has not previously been vacated, be vacated and discontinued,

BE IT RESOLVED, that the Common Council of the City of Appleton, Wisconsin, hereby determines that the public interest requires that a portion of West Water Street, City of Appleton, Outagamie County, Wisconsin, as hereinafter described, is hereby vacated and discontinued pursuant to §66.1003 of the Wisconsin Statutes.

LEGAL DESCRIPTION:

All that part or Water Street lying adjacent to Lots Six (6), Seven (7), Eight (8) and Nine (9), Block G, of the **GRAND CHUTE PLAT** and all that part of Water Street lying adjacent to Block 71 of the **APPLETON PLAT**, all according to the recorded Assessor's Map of the City of Appleton, being located in Government Lot Two (2), Section Thirty-Five (35), Township Twenty-One (21) North, Range Seventeen (17) East, City of Appleton, Outagamie County, Wisconsin, containing 7,349 square feet of land and being described by:

Commencing at the most Northerly corner of Lot 7 in said Block G and being the point of beginning; Thence South 49°41'17" West 78.07 feet along the Northwesterly line of said Block G and being coincident with the Southeasterly line of Water Street; Thence North 29°03'55" East 351.44 feet to the Southwesterly extension of a Southeasterly line of Water Street; Thence North 48°46'37" East 42.03 feet along said extension to an angle point in the Southeasterly line of Water Street; Thence South 26°40'00" West 318.22 feet along the Southeasterly line of Water Street and being coincident with the Northwesterly line of said Block 71 and Block G to the point of beginning.

COMMON DESCRIPTION:

A portion of the southeasterly side of West Water Street located 500' m/l northeast of Jackman Street

FURTHER RESOLVED, that the City Clerk of the City of Appleton be authorized and directed to give notice required by §66.1003 of the Wisconsin Statutes.

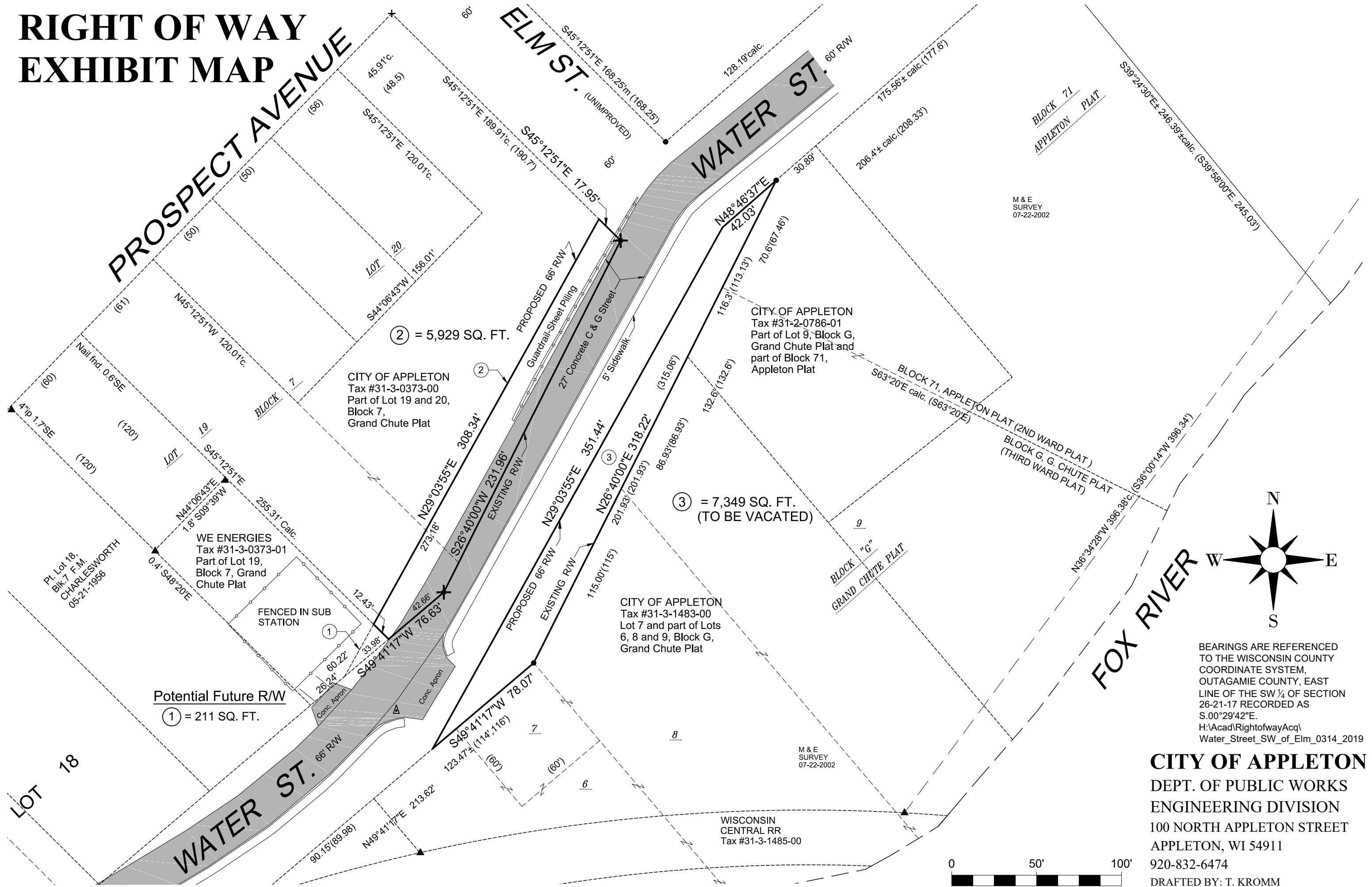
FURTHER RESOLVED, that according to §66.1005 of the Wisconsin Statutes, upon

vacation and discontinuance of said portion of West Water Street, title to the above-described street shall belong to the adjoining property owners and shall acquire an ownership interest in the entire area being vacated as shown on the attached Exhibit Map.

Date

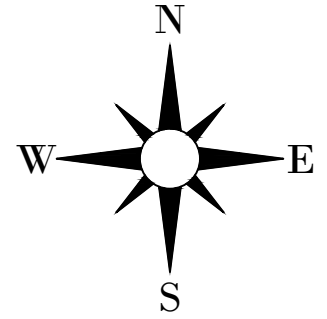
City Law A19-0480
06/27/2019

RIGHT OF WAY EXHIBIT MAP



M & E SURVEY 07-22-2002

M & E SURVEY 07-22-2002



BEARINGS ARE REFERENCED TO THE WISCONSIN COUNTY COORDINATE SYSTEM, OUTAGAMIE COUNTY, EAST LINE OF THE SW 1/4 OF SECTION 26-21-17 RECORDED AS S.00°29'42"E.
 H:\Acad\Rightofway\Acq\ Water_Street_SW_of_Elm_0314_2019

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



REPORT TO CITY PLAN COMMISSION

Plan Commission Meeting Date: July 9, 2019

Common Council Meeting Date: September 4, 2019 (this item will track with the associated West Water Street public right-of-way vacation)

Item: Dedication of Public Right-of-Way for West Water Street

Case Manager: Jessica Titel

GENERAL INFORMATION

Owner/Applicant: City of Appleton c/o Tom Kromm

Location: Generally located southwest of South Elm Street and southeast of West Prospect Avenue (part of parcel #31-3-0373-00)

Petitioner's Request: The applicant is requesting a dedication of land for public right-of-way for West Water Street.

BACKGROUND

The proposed public right-of-way dedication is being proposed to realign the Water Street right-of-way in this area in order to coincide with the street location. The Water Street pavement is not centered on the existing right-of-way and this street dedication is being done in concurrence with a right-of-way vacation on the southeasterly side of Water Street so that the street pavement is fully contained within the right-of-way. The City of Appleton owns the land adjacent to the proposed vacation and dedication.

STAFF ANALYSIS

Public Right-of-Way Dedication: Approximately 5,929 square feet of land is included in the proposed right-of-way dedication. This includes land in the southeastern portion of a lot currently owned by the City of Appleton. The Water Street right-of-way will be 66 feet wide upon completion of the dedication and associated right-of-way vacation.

Street Classification: The City's Arterial/Collector Plan Map identifies this portion of Water Street as a collector street.

Surrounding Zoning Classification and Land Uses:

North: R-1B Single-Family Residential District. The adjacent property to the north is currently undeveloped.

South: R-1B Single-Family Residential District. The adjacent properties to the south are currently Water Street right-of-way and a WE Energies substation.

East: R-1B Single-Family Residential District. The adjacent property to the east is currently Water Street right-of-way.

Street Dedication – West Water Street

July 9, 2019

Page 2

West: R-1B Single-Family Residential District. The adjacent property to the west is currently undeveloped.

Comprehensive Plan 2010-2030: The City of Appleton *Comprehensive Plan 2010-2030* Future Land Use Map identifies this area with a future one and two-family residential designation. The proposed public right-of-way dedication is consistent with the following excerpt from the *Comprehensive Plan 2010-2030*.

Goal 4 – Transportation

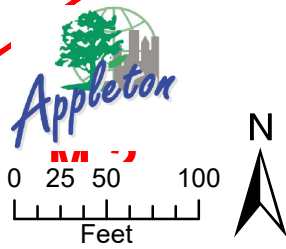
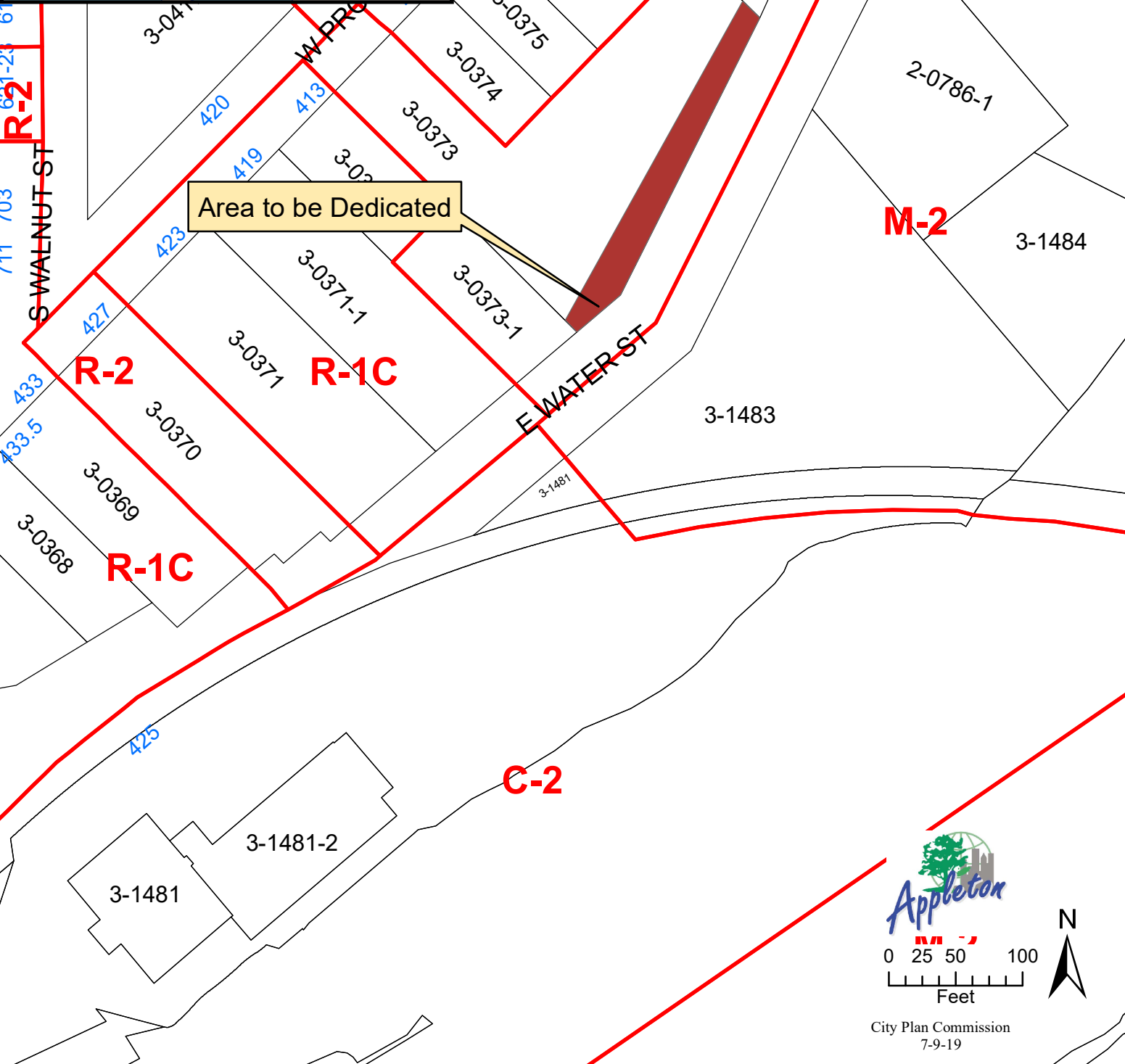
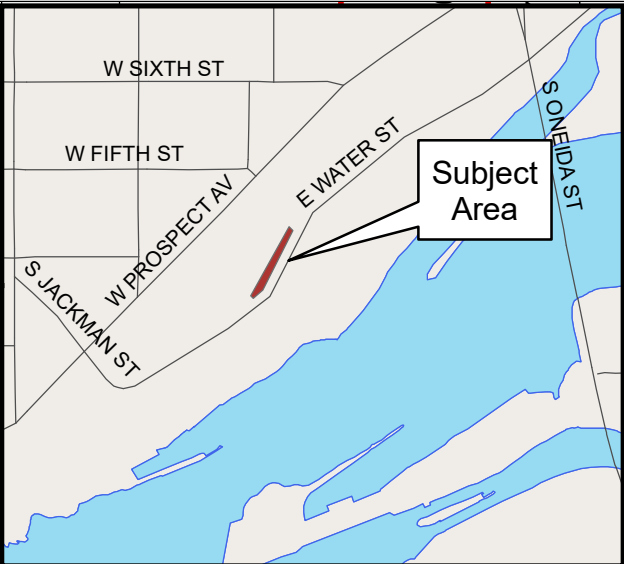
Appleton will support a comprehensive transportation network that provides viable options for pedestrian, bicycle, highway, rail, and air transportation, both locally and within the region.

Technical Review Group (TRG) Report: This item was discussed at the May 21, 2019 and June 18, 2019 Technical Review Group meetings. No negative comments were received from participating departments. Staff discussed the need to coordinate with WE Energies regarding potential future dedication of 211 square feet of their property for Water Street right-of-way.

RECOMMENDATION

Staff recommends the dedication of land for public right-of-way for West Water Street, as shown on the attached maps, **BE APPROVED**.

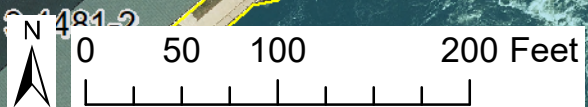
W. Water Street Street Right-of-Way Dedication Zoning Map



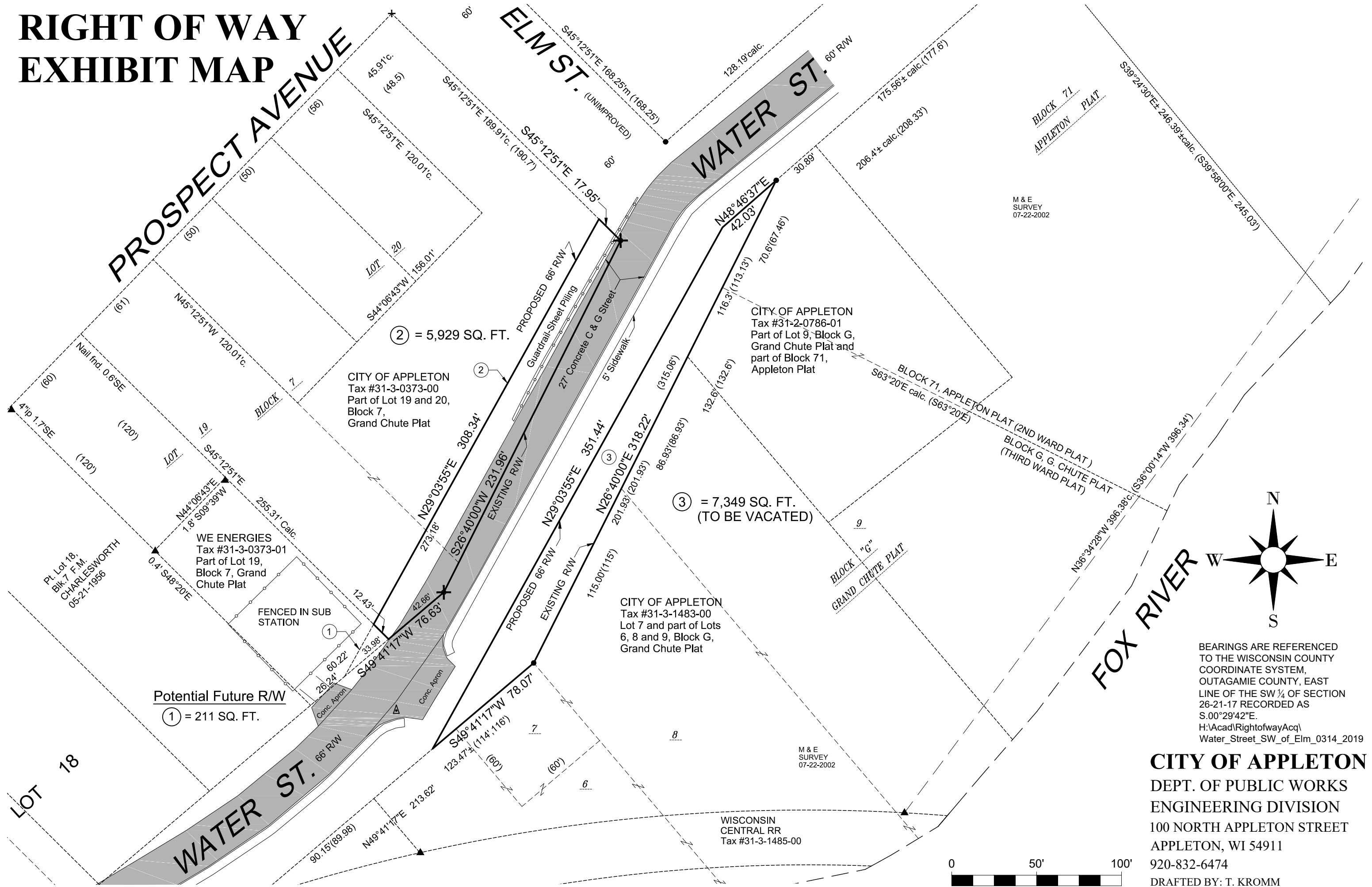
W. Water Street
Street Right-of-Way Dedication
Aerial Map



Area to be Dedicated

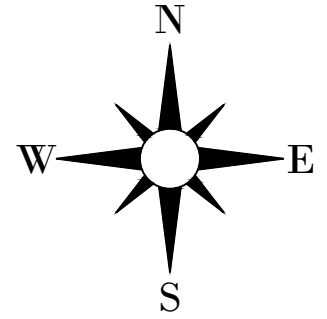


RIGHT OF WAY EXHIBIT MAP



M & E SURVEY 07-22-2002

M & E SURVEY 07-22-2002



BEARINGS ARE REFERENCED TO THE WISCONSIN COUNTY COORDINATE SYSTEM, OUTAGAMIE COUNTY, EAST LINE OF THE SW ¼ OF SECTION 26-21-17 RECORDED AS S.00°29'42"E.
 H:\Acad\Rightofway\Acq\ Water_Street_SW_of_Elm_0314_2019

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

Owner: City of Appleton

Document: W.D. Document No.196243, Document No.126684 and Document No.183911

Fee Simple Interest: 5,929 total Sq. Ft. of new right of way

A portion of land for street right way being a part of Lot Nineteen (19) and Lot Twenty (20) in Block 7, **GRAND CHUTE PLAT**, according to the recorded Assessor's Map of the City of Appleton, being located in Government Lot Two (2), Section Thirty-Five (35), Township Twenty-One (21) North, Range Seventeen (17) East, City of Appleton, Outagamie County, Wisconsin, containing 5,929 square feet of land and being described by:

Commencing at the most Southerly corner of said Lot 19;

Thence North 49°41'17" East 60.22 feet along the Southeasterly line of said Lot 19 and being coincident with the Northwesterly line of Water Street to the point of beginning;

Thence North 45°12'51" West 12.43 feet coincident with the Northeasterly line of lands described in Document No.597413;

Thence North 29°03'55" East 273.18 feet to the Northeasterly line of said Lot 20 and being coincident with Southwesterly line of Elm Street;

Thence South 45°12'51" East 17.95 feet along the Northeasterly line of said Lot 20 and being coincident with the Southwesterly line of Elm Street to the Northwesterly line of Water Street;

Thence South 26°40'00" West 231.96 feet along the Southeasterly line of said Lot 19 and being coincident with the Northwesterly line of Water Street;

Thence South 49°41'17" West 42.66 feet along the Southeasterly line of said Lot 19 and being coincident with the Northwesterly line of Water Street to the point of beginning;

Part of Tax Parcel No. 31-3-0373-00.

SEE ALSO ATTACHED RIGHT OF WAY EXHIBIT MAP