



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, September 12, 2017

4:00 PM

Council Chambers, 6th Floor

1. Call meeting to order
2. Roll call of membership
3. Approval of minutes from previous meeting
[17-1363](#) City Plan Minutes from 8-22-17

Attachments: [City Plan Minutes 8-22-17.pdf](#)

4. Public Hearings/Apearances

- [17-1364](#) Rezoning #7-17 to rezone 611 North Superior Street (Tax Id #31-2-0687-00), including to the centerline of the adjacent right-of-way, as shown on the attached maps, from R-2 Two-Family District to C-2 General Commercial District (Associated with Action Item #17-1365)

Attachments: [Informal Public Hearing Notice Rezoning #7-17 611 N Superior.pdf](#)

5. Action Items

- [17-1365](#) Request to approve Rezoning #7-17 to rezone 611 North Superior Street (Tax Id #31-2-0687-00), including to the centerline of the adjacent right-of-way, as shown on the attached maps, from R-2 Two-Family District to C-2 General Commercial District

Attachments: [StaffReport Rezoning #7-17 611 N Superior.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.



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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, August 22, 2017

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

Present: 5 - Mayor Hanna, Buetow, Rabec, Martin and Palm

Excused: 1 - Uslabar

*Others present:
Will Weider, Appleton Downtown Inc.
Jennifer Stephany, Appleton Downtown Inc.
Jim Van Dyke, 1008 E. Sunset Avenue
Pastor Robert Raasch, Mt. Olive Church
Scott Fuhrmann, Appleton, WI 54913
Matt Mrochinski, Excel Engineering*

3. Approval of minutes from previous meeting

[17-1286](#)

City Plan Minutes from 8-8-17

Attachments: [City Plan Minutes 8-8-17.pdf](#)

Martin moved, seconded by Palm, that the Minutes be approved. Roll Call.

Motion carried by the following vote:

Aye: 5 - Mayor Hanna, Buetow, Rabec, Martin and Palm

Excused: 1 - Uslabar

4. Public Hearings/Appearances

[17-1287](#)

Special Use Permit #8-17 for a hotel/restaurant and outdoor patio/common area with alcohol sales and consumption located at 101 S. RiverHeath Way (Tax Id #31-4-0828-09), 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 #17-1288)

Attachments: [ClassIIPublicHearingNoticeNewspaper_Marriott_SUP.pdf](#)
 [PublicHearingNoticeNeighborhood_Marriott_SUP.pdf](#)

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

[17-1289](#)

Comprehensive Plan 2010-2030 Future Land Use Map Amendment #2-17 for 1000 E. Florida Avenue (Tax Id #31-1-4995-00) from One and Two-Family Residential land use designation to Public/Institutional land use designation as shown on the attached map and approve the attached resolution (Associated with Action Item #17-1290)

Attachments: [ClassIIPublicHearingNoticeNewspaper_MtOliveChurch_CompPlanAmend.pdf](#)
 [InformalPublicHearingNotice_MtOliveChurch_CompPlan+Rezoning.pdf](#)

This public hearing was held, and two people spoke on the item.

[17-1291](#)

Rezoning #6-17 to rezone 1000 E. Florida Avenue (Tax Id #31-1-4995-00), including to the centerline of the adjacent right-of-way, as shown on the attached map, from R-1A Single-Family District to P-I Public Institutional District (Associated with Action Item #17-1292)

Attachments: [InformalPublicHearingNotice_MtOliveChurch_CompPlan+Rezoning.pdf](#)

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

5. Action Items

[17-1288](#)

Request to approve Special Use Permit #8-17 for a hotel/restaurant and outdoor patio/common area with alcohol sales and consumption located at 101 S. RiverHeath Way (Tax Id #31-4-0828-09), 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 required)

Attachments: [StaffReport_SpecialUsePermit #8-17_Courtyard by Marriott.pdf](#)

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

Aye: 5 - Mayor Hanna, Buetow, Rabec, Martin and Palm

Excused: 1 - Uslabar

[17-1293](#)

****CRITICAL TIMING**** Annual review and request to approve the Downtown Appleton Business Improvement District (BID) 2018 Operating Plan

Attachments: [StaffReport_2018BIDOperatingPlan_For08-22-17.pdf](#)
[2018 BID Operational Plan.pdf](#)
[2016 BID Annual Report.pdf](#)
[2016 BID Audit.pdf](#)

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

Aye: 5 - Mayor Hanna, Buetow, Rabec, Martin and Palm

Excused: 1 - Uslabar

6. Information Items

[17-1290](#)

Request to approve Comprehensive Plan 2010-2030 Future Land Use Map Amendment #2-17 for 1000 E. Florida Avenue (Tax Id #31-1-4995-00) from One and Two-Family Residential land use designation to Public/Institutional land use designation as shown on the attached map and approve the attached resolution

Attachments: [StaffReport_MtOliveChurch_CompPlan+Rezoning_For08-22-17.pdf](#)

Proceeds to Council on October 4, 2017.

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

Aye: 5 - Mayor Hanna, Buetow, Rabec, Martin and Palm

Excused: 1 - Uslabar

[17-1292](#)

Request to approve Rezoning #6-17 to rezone 1000 E. Florida Avenue (Tax Id #31-1-4995-00), including to the centerline of the adjacent right-of-way, as shown on the attached map, from R-1A Single-Family District to P-I Public Institutional District

Attachments: [StaffReport_MtOliveChurch_CompPlan+Rezoning_For08-22-17.pdf](#)

Proceeds to Council on October 4, 2017.

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

Aye: 5 - Mayor Hanna, Buetow, Rabec, Martin and Palm

Excused: 1 - Uslabar

7. Adjournment

Martin moved, seconded by Palm, that the meeting be adjourned at 4:26 p.m.

Roll Call. Motion carried by the following vote:

Aye: 5 - Mayor Hanna, Buetow, Rabec, Martin and Palm

Excused: 1 - Uslabar

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, September 12, 2017, 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, BDB Company, LLP, Daniel Densow, is requesting to rezone 611 North Superior Street - Tax Id #31-2-0687-00 from R-2 Two-family District to C-2 General Commercial District.

Purpose of the Rezoning: Facilitate the expansion of the current parking lot to accommodate additional off-street parking spaces for Wichmann-Fargo Funeral Home located at 537 North Superior Street. (See attached maps)

ALDERMANIC DISTRICT: 1 – Alderperson William Siebers

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.

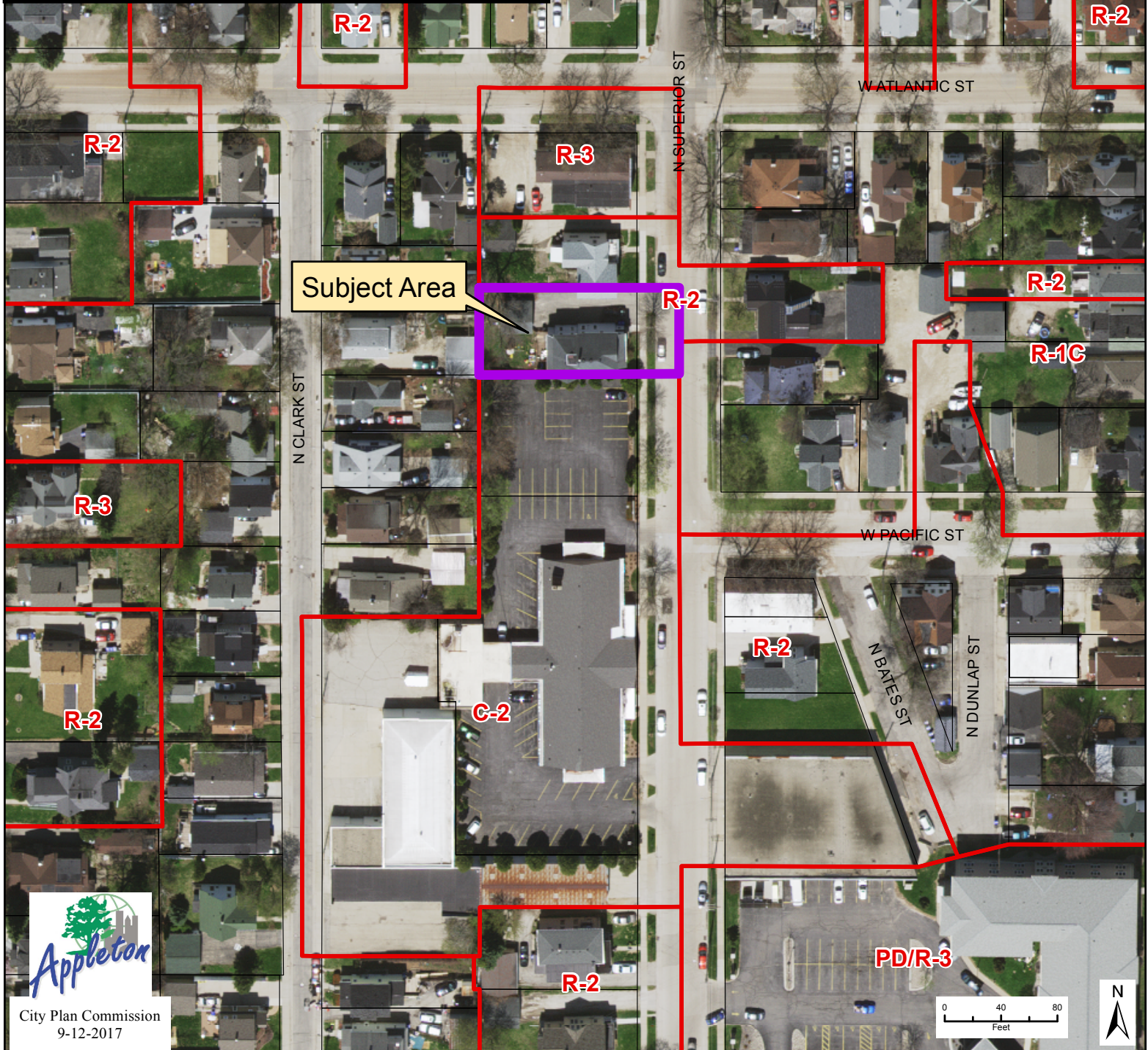
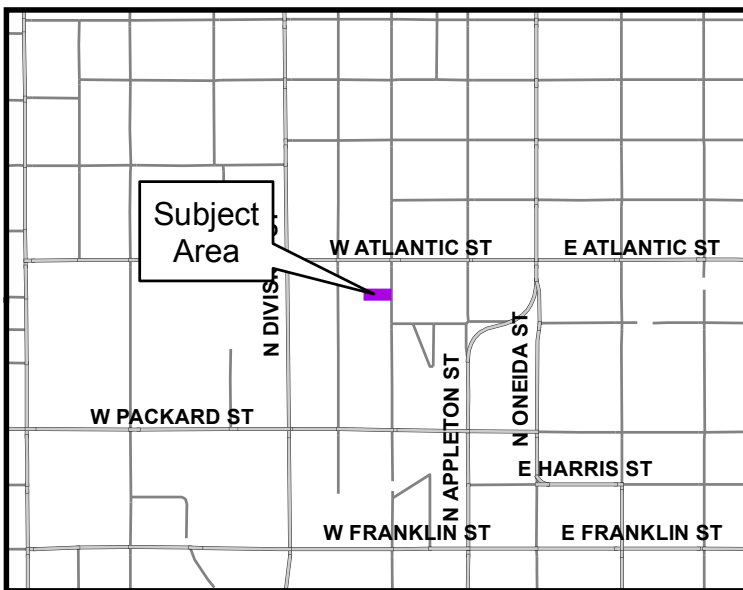
Any questions regarding this matter should be directed to Don Harp, Principal Planner, in the Community and Economic Development Department at 920-832-6466.

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.

Rezoning
611 N Superior Street
R-2 Two-Family District to
C-2 General Commercial District
Air Photo



Rezoning
611 N Superior Street
R-2 Two-Family District to
C-2 General Commercial District

Subject
Area

Subject Area



REPORT TO CITY PLAN COMMISSION

Plan Commission Public Hearing Meeting Date: September 12, 2017

Common Council Public Hearing Meeting Date: October 4, 2017 (Public Hearing on Rezoning)

Item: Rezoning #7-17 – 611 North Superior Street

Case Manager: Don Harp

GENERAL INFORMATION

Owner/Applicant: BDB Company, LLP / Daniel Densow, owner/applicant

Address/Parcel #: 611 North Superior Street (Tax Id #31-2-0687-00)

Petitioner's Request: The applicant is requesting a Rezoning to change the Zoning Map from R-2 Two-Family District to C-2 General Commercial District for the subject parcel. The request is being made to facilitate the expansion of the current parking lot to accommodate additional off-street parking spaces for Wichmann-Fargo Funeral Home located at 537 North Superior Street.

BACKGROUND

The applicant's site consists of a 6,720 square foot lot. The site is currently developed with a 2,212 square foot, lead-based painted two-family dwelling that was built in 1880. The remainder of the site includes a detached garage and paved driveway.

STAFF ANALYSIS

Proposed Zoning Classification: The purpose of the C-2 District is intended to provide for businesses which serve city and regional markets, provide goods and services to other businesses as well as consumers, provide services to automobiles and serve the traveling public.

Parking, loading, and landscape standards. Off-street parking and loading requirements are set forth in §23-172, Off-street parking and loading standards. Landscaping requirements are set forth in §23-601, Landscaping and screening standards.

- **Minimum landscape buffer from edge of pavement to side or rear lot line.** Ten (10) feet from an R-1C and R-2 District.
- **Minimum landscape buffer from edge of pavement to front lot line.** Eight (8) feet from an R-1C and R-2 District.

Development standards. The space limits applicable in the C-2 District are as follows:

(1) ***Minimum lot area.*** Fourteen thousand (14,000) square feet.

(2) ***Maximum lot coverage.*** Seventy-five percent (75%).

(3) ***Minimum lot width.*** Sixty (60) feet.

(4) ***Minimum front yard.*** Ten (10) feet.

(5) ***Minimum rear yard.*** Twenty (20) feet.

(6) ***Minimum side yard.***

a. None.

b. Ten (10) feet if abutting a residentially zoned district.

(7) ***Maximum building height.*** 35 feet.

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

- **North:**

Zoning – R-2 Two-family District

Future Land Use Designation – One and Two-family Residential

Current Land Use – Multifamily Residential (3-Unit Dwelling)

- **South:**

Zoning – C-2 General Commercial District

Future Land Use Designation – Mixed Use

Current Land Use – Wichmann-Fargo Funeral Home and parking lot

- **East:**

Zoning – R-1C Central City Residential District and R-2 Two-family District

Future Land Use Designation – One and Two-family Residential

Current Land Use – Single and Two-family Residential

- **West:**

Zoning – R-1C Central City Residential District

Future Land Use Designation – One and Two-family Residential

Current Land Use – Single-family Residential & Mixed Use

General Information:

This general area of the City is identified for future one and two-family residential uses, as well as mixed use. A rezoning is often triggered by development proposals or changing circumstances in the City. In this case, the demand for additional parking by Wichmann-Fargo Funeral Home prompted the owner to submit a rezoning request. Reusing the subject site as a surface parking lot would help meet the parking needs without making a detrimental impact on the surrounding neighborhood.

Appleton Comprehensive Plan 2010-2030: The City of Appleton *Comprehensive Plan 2010-2030* identifies this area for future mixed uses. The proposed C-2 General Commercial District rezoning is consistent with the Future Land Use Map. Listed below are related excerpts from the City's *Comprehensive Plan 2010-2030*.

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.

OBJECTIVE 10.1 Land Use:

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

Standards for Zoning Map Amendments: Per Section 23-65(d)(3) of the Appleton 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 this zoning ordinance. 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 (1) of the following:

1. The request for a zone change is in conformance with the Comprehensive Plan for the City of Appleton.

Findings: *The rezoning request is in conformance with the Comprehensive Plan 2010-2030 objectives stated above and the future land use map which shows this area of the City as future mixed use.*

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 proposed rezoning to C-2 District should not have a significant impact on traffic.*
 2. The effect of the proposed rezoning on surrounding uses. *Surface parking lots associated with commercial uses are already located within this neighborhood. The proposed amendment will allow for a lot combination with adjacent parcels and an expansion of the existing parking lot. Parking lot landscape buffers will be reviewed in accordance with the Zoning Code requirements at the time of Site Plan review.*

Review Criteria: Based upon the above analysis, it would appear the criteria established by Section 23-65(d)(3) Zoning Amendments has been satisfied.

Technical Review Group (TRG) Report: This item was discussed at the August 22, 2017 Technical Review Group meeting. No negative comments were received from participating departments.

Public Comments: No questions, concerns, or comments have been received from the surrounding neighborhood.

Future Actions: Prior to the issuance of a paving permit to expand the existing parking lot located at 537 North Superior Street, the following items will be needed.

1. A Certified Survey Map will need to be prepared to combine the subject site (Tax Id #31-2-0687-00 with Tax Id #31-2-0689-00 and Tax Id #31-2-0698-00.
2. Site Plan review and approval for the parking expansion.

RECOMMENDATION

Staff recommends, based upon the standards for zoning map amendments as required by Section 23-65(d)(3) of the Zoning Ordinance, that Rezoning Application #7-17 to rezone the subject site located at 611 North Superior Street (Tax Id #31-2-0687-00) from R-2 Two-Family District to C-2 General Commercial District, including to the midpoint of the adjacent road right-of-way and as shown on the attached map, **BE APPROVED**.

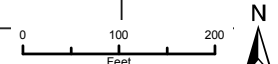
Rezoning
611 N Superior Street
R-2 Two-Family District to
C-2 General Commercial District

Subject
Area

Subject Area



City Plan Commission
9-12-2017



Rezoning
611 N Superior Street
R-2 Two-Family District to
C-2 General Commercial District
Air Photo

