



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, August 7, 2018

4:00 PM

Council Chambers, 6th Floor

1. Call meeting to order
2. Roll call of membership
3. Approval of minutes from previous meeting

[18-1165](#) City Plan Minutes from 7-10-18

Attachments: [City Plan Minutes 7-10-18.pdf](#)

4. Public Hearings/Appearances

5. Action Items

[18-1166](#) Request to approve the Apple Ridge Annexation, located at the southeast corner of N. Ballard Road and E. Apple Creek Road currently in the Town of Grand Chute, as shown on the attached maps, and establish a temporary zoning classification of AG Agricultural District, subject to the stipulation in the attached staff report

Attachments: [StaffReport_AppleRidge_Annexation_For08-07-18.pdf](#)

6. Information Items

7. Adjournment

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

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



City of Appleton

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Meeting Minutes - Final City Plan Commission

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

Tuesday, July 10, 2018

4:00 PM

Council Chambers, 6th Floor

1. Call meeting to order

Meeting called to order at 4:01 p.m.

2. Roll call of membership

Present: 4 - Mayor Hanna, Buetow, Uslabar and Lobner

Excused: 1 - Rabec

Absent: 1 - Palm

Others present:

Kurt Konietzki, Konietzki Holdings, LLC

Joel Ehrfurth, Mach IV Engineering & Surveying LLC

Jane Oliver, Mondo Wine Bar & Retail

David Oliver, Mondo Wine Bar & Retail

3. Approval of minutes from previous meeting

[18-1010](#)

City Plan Minutes from 6-26-18

Attachments: [City Plan Minutes 6-26-18.pdf](#)

Lobner moved, seconded by Uslabar, that the Minutes be approved. Roll Call.

Motion carried by the following vote:

Aye: 4 - Mayor Hanna, Buetow, Uslabar and Lobner

Excused: 1 - Rabec

Absent: 1 - Palm

4. Public Hearings/Appearances

[18-1011](#)

Special Use Permit #5-18 for an outdoor seating area with alcohol sales and consumption located at 218-220 W. College Avenue (Tax Id #31-2-0257-00), 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 #18-1012)

Attachments: [ClassIIPublicHearingNoticeNewspaper_Mondo_SUP.pdf](#)
[PublicHearingNoticeNeighborhood_Mondo_SUP.pdf](#)

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

[18-1013](#)

Rezoning #8-18 to rezone 3226 N. Ballard Road (Tax Id #31-1-6718-00), including to the midpoint of the adjacent road right-of-way, as shown on the attached maps, from R-1A Single-Family District to C-2 General Commercial District (Associated with Action Item #18-1014)

Attachments: [InformalPublicHearingNotice_3226NBallardRd_Rezoning.pdf](#)

This public hearing was held, and one person spoke on the item.

5. Action Items

[18-1012](#)

Request to approve Special Use Permit #5-18 for an outdoor seating area with alcohol sales and consumption located at 218-220 W. College Avenue (Tax Id #31-2-0257-00), 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 required)

Attachments: [StaffReport_220College_SUP_For07-10-18.pdf](#)

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

Aye: 4 - Mayor Hanna, Buetow, Uslabar and Lobner

Excused: 1 - Rabec

Absent: 1 - Palm

6. Information Items

[18-1014](#)

Request to approve Rezoning #8-18 to rezone 3226 N. Ballard Road (Tax Id #31-1-6718-00), including to the midpoint of the adjacent road right-of-way, as shown on the attached maps, from R-1A Single-Family District to C-2 General Commercial District

Attachments: [StaffReport_3226NBallard_Rezoning_For07-10-18.pdf](#)

Proceeds to Council on August 1, 2018.

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

Aye: 4 - Mayor Hanna, Buetow, Uslabar and Lobner

Excused: 1 - Rabec

Absent: 1 - Palm

[18-1015](#)

Request to approve Minor Amendment to Special Use Permit #33-05 to allow alcohol sales and service within an expanded outdoor patio south of the existing restaurant at 2639 S. Oneida Street (Tax Id #31-8-1513-00) 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 (No Council action required)

Attachments: [StaffReport_WildersBistro_SUPMinorAmendment_For07-10-18.pdf](#)

No Council action required.

Uslabar moved, seconded by Buetow, that the Report Action Item be approved. Roll Call. Motion carried by the following vote:

Aye: 4 - Mayor Hanna, Buetow, Uslabar and Lobner

Excused: 1 - Rabec

Absent: 1 - Palm

7. Adjournment

Lobner moved, seconded by Uslabar, that the meeting be adjourned at 4:12 p.m. Roll Call. Motion carried by the following vote:

Aye: 4 - Mayor Hanna, Buetow, Uslabar and Lobner

Excused: 1 - Rabec

Absent: 1 - Palm



REPORT TO CITY PLAN COMMISSION

Plan Commission Meeting Date: August 7, 2018

Common Council Meeting Date: August 15, 2018

Anticipated Date Annexation Effective: August 21, 2018 at 12:01 a.m.

Item: Apple Ridge Annexation

Staff Contact: Karen Harkness

Prepared By: Don Harp

GENERAL INFORMATION

Owners: Goodness Grace, LLC c/o Jerome R. Koleske, Manager; Otto and Mary Ann Reetz; and M & J Weyenberg Properties, LLC c/o Gerald and Mary Ann Weyenberg, Members

Contact: Apple Tree Real Estate, LLC c/o Jason Mroz

Town Where Property is Located: Town of Grand Chute

Parcel Numbers: 101156701, 101156700, part of 101156900, part of 101156100, 101157108 and part of 101157000

Petitioner's Request: Owners are requesting direct annexation by unanimous approval pursuant to Section 66.0217(2), Wisconsin State Statutes of land currently located in the Town of Grand Chute, Outagamie County.

Purpose for Annexation: To allow for the future development of a subdivision, with approximately 171 single-family lots anticipated and a private recreational facility with a swimming pool.

Population of Such Territory: 0

Annexation Area: 99.1155 acres m/l

BACKGROUND

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

STAFF ANALYSIS

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

- The area proposed for annexation is contiguous to the existing City boundary. The annexation area connects to the City of Appleton at East Apple Creek Road (C.T.H. "E") and North Ballard Road (C.T.H. "E") and an adjacent property located at 5630 North Ballard Road (C.T.H. "E").
- Annexation of the site in question is consistent with the Intermunicipal Boundary Agreement with the Town of Grand Chute.
- City sanitary sewer and water infrastructure is already installed along North Ballard Road (C.T.H. "E"). Annexation to the City of Appleton is required before the subject property could connect to the City sewer and water.
- Currently, the subject property consists of vacant, undeveloped land.
- The owners are requesting that the City Plan Commission initiate a rezoning for the subject property from temporary AG Agricultural District to a permanent zoning classification of R-1B Single-Family District. The temporary zoning classification must be made permanent in accordance with Section 23-65(d), Zoning Map Amendments, within 90 days, or the zoning will revert to AG Agricultural District.

Surrounding Zoning Classification and Land Uses:

North: City of Appleton. R-1B Single-Family District. The adjacent land uses to the north are currently single-family residential.

South: Town of Grand Chute. The adjacent land uses to the south are currently a mix of single-family residential and agricultural uses.

East: Town of Grand Chute. The adjacent land uses to the east are currently agricultural.

West: City of Appleton. R-1B Single-Family District and Town of Grand Chute. The adjacent land uses to the west are currently a mix of single-family residential and agricultural uses.

STAFF ANALYSIS (continued)

Appleton Comprehensive Plan 2010-2030: The City of Appleton *Comprehensive Plan 2010-2030* identifies this area for future One and Two-Family Residential uses. The proposed R-1B Single-Family District zoning classification is consistent with the *Comprehensive Plan 2010-2030* Future Land Use Map. Listed below are related excerpts from the City's *Comprehensive Plan 2010-2030*.

Goal 1 – Community Growth

Appleton will continue to provide opportunities for residential, commercial, and industrial growth, including appropriate redevelopment sites within the downtown and existing neighborhoods, and greenfield development sites at the City's edge.

Goal 3 – Housing Quality, Variety, and Affordability

Appleton will provide a variety of rental and ownership housing choices in a range of prices affordable to community residents, and ensure that existing housing is adequately maintained in terms of physical quality and market viability.

OBJECTIVE 5.3 Housing and Neighborhoods:

Provide a range of housing options that meet the needs and appeal to all segments of the community and allows residents to age in place.

Policy 5.3.3 Plan for a supply of developable land suitable for residential development.

OBJECTIVE 10.1 Land Use:

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

OBJECTIVE 10.4 Land Use:

Plan for compact, efficient, and fiscally responsible growth of residential, commercial, and industrial development in new neighborhoods in order to implement the principles of smart growth.

Policy 10.4.1 Continue to guide residential growth to locations either contiguous to or within presently urbanized areas. As peripheral development occurs, it should be at a compact, urban density to ensure new neighborhoods can be efficiently served by public infrastructure.

Technical Review Group (TRG) Report: This item was discussed at the July 17, 2018 Technical Review Group meeting. No negative comments were received from participating departments.

FUTURE ACTIONS

- Per Section 23-65(e) of the Municipal Code, a temporary zoning classification of AG Agricultural District is assigned to newly annexed territory, with the permanent rezoning process taking place after the subject site has been annexed to the City. All territory annexed to the City is assigned a zoning classification as recommended by Plan Commission.
- The Plan Commission shall consider the following criteria in selection of an appropriate zoning district for the annexed land:
 - The existing land uses within the territory to be annexed;
 - The surrounding land uses that exist on adjacent properties regardless of municipal boundary lines;
 - The comprehensive plan of the City.
- The owners are requesting that Plan Commission initiate a rezoning for the subject property from temporary AG Agricultural District to a permanent zoning classification of R-1B Single-Family District. A rezoning initiated directly by Plan Commission will be processed in accordance with Section 23-65(d), Zoning Map Amendments, which includes review and action by the Common Council.
- Review and approval of a Preliminary Plat and Final Plat will be needed to subdivide the subject site. Each of these items requires action by Plan Commission and Common Council.
- Review and approval of a Special Use Permit will be needed for the proposed private recreational facility and swimming pool associated with development. The Special Use Permit requires action by Plan Commission and Common Council.

RECOMMENDATION

Staff recommends that the Apple Ridge Annexation and establishing a Temporary Zoning classification of AG Agricultural District, as shown on the attached maps, **BE APPROVED** with the following stipulation:

1. The Plan Commission initiate the rezoning for the subject property, from temporary AG Agricultural District to a permanent zoning classification of R-1B Single-Family District, pursuant to Section 23-65(d)(1) of the Municipal Code.

[illegible]

AG

P-I

0 1/4 1/2 1 1 1/2 Miles



Apple Ridge
Annexation
Aerial Map

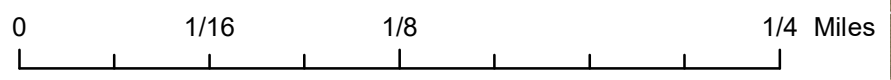
Subject Area:
All of 101156701; 101156700; 101157108
Part of 101156100; 101156900; 101157000

N BALLARD RD

E APPLE CREEK RD

CTY TKE

RIDGE HAVEN LA



City Plan Commission
8-7-18

COPY



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

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

Part of the Southwest 1/4 of the Fractional Northwest 1/4; part of the Southeast 1/4 of the Fractional Northwest 1/4; part of Lot 1 CSM 3850 being part of the Northwest 1/4 of the Fractional Northwest 1/4 and all of Lot 2 CSM 3863, located in part of the Northwest 1/4 of the Fractional Southwest 1/4, all located in Section 06, Township 21 North, Range 18 East, Town of Grand Chute, Outagamie County, Wisconsin, containing 4,314,471 Square Feet (99.1155Acres) of land described as follows:

Commencing at the West 1/4 corner of Section 06; thence along the North line of the Fractional Southwest 1/4 of said Section 06, S89°27'19"E, 50.00 feet to the point of beginning, thence N00°06'49"W, 577.93 feet; thence N53°43'00"E, 64.40 feet; thence N89°43'17"E, 208.13 feet; thence N00°16'43"W, 152.42 feet to the Southeast right of way of E. Apple Creek Road/CTH E; thence, along said Southeast right of way, N53°55'14"E, 296.03 feet; thence, continuing along said Southeast right of way, N81°23'24"E, 37.00 feet; thence, continuing along said Southeast right of way, N53°15'39"E, 139.50 feet; thence, S27°06'22"W, 10.06 feet; thence S26°03'45"E, 100.16 feet to the South line of Lot 1 CSM 3850; thence, along said South line and the extension thereof, S89°39'43"E, 1507.81 feet; thence S00°20'17"W, 456.72 feet; thence S28°25'33"E, 55.45 feet; thence S55°27'06"E, 135.41 feet; thence S05°33'54"E, 247.09 feet; thence S01°36'33"W, 362.73 feet; thence S07°45'07"E, 225.93 feet; thence S17°26'50"E, 171.00 feet; thence N71°17'21"E, 12.59 feet; thence S18°42'39"E, 128.23 feet; thence S05°31'46"E, 70.52 feet; thence S03°30'35"E, 188.39 feet; thence S13°52'54"W, 307.18 feet to the East/West 1/4 line of said Fractional Southwest 1/4; thence, along said 1/4 line, N89°51'14"W, 1676.30 feet to the Southeast corner of Lot 1 CSM 3359; thence, along the East line of said Lot 1 N00°08'27"W, 168.72 feet to a point on the South line Lot 4 CSM 492; thence, along said South line and the extension thereof; N42°16'25"E, 380.84 feet to a point on the South line of Lot 1 CSM 3863; thence along said South line N61°41'30"E, 121.06 feet to the Southeast corner of Said Lot 1; thence 65.78 feet along the arc of a curve to the left with a radius of 677.00 feet and a chord of 65.75 feet which bears N49°54'04"W; thence 151.14 feet along the arc of a curve to the right with a radius of 433.00 feet and a chord of 150.37 feet which bears N42°41'07"W to the East right of way line of Ridge Haven Lane; thence, along said East right of way line, N32°41'14"W, 66.19 feet to the Southeast corner of Lot 1 of said CSM 492; thence, along the East line of said Lot 1, 216.38 feet along the arc of a curve to the left with a radius of 800.00 feet and a chord of 215.72 feet which bears N50°09'58"W to the Northeast corner of said Lot 1; thence, along the North line of said CSM 492, S61°34'24"W, 219.84 feet to the Northwest corner of said Lot 1 CSM 492; thence, continuing along said North line, S82°55'15"W, 207.57 feet to the Southwest corner of Lot 2 of said CSM 492; thence N00°09'08"W, 594.57 feet to said North line of the Fractional Southwest 1/4; thence along said North line, N89°27'19"W, 352.98 feet to the point of beginning.


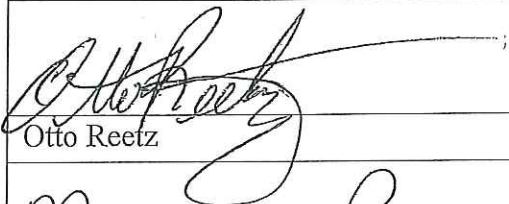

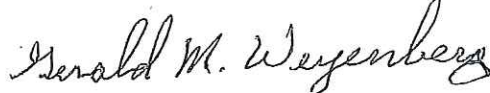
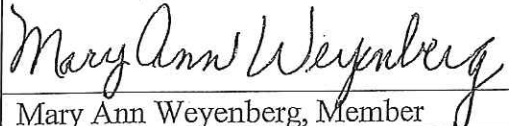
I/We, the undersigned, elect that this annexation shall take effect to the full extent consistent with outstanding priorities of other annexation, incorporation, or consolidation proceedings, if any.

I/We further respectfully request that the City Plan Commission initiate a rezoning for the subject property, from temporary AG Agricultural District to a permanent zoning classification of R-1B Single-family district.

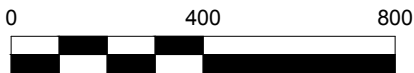
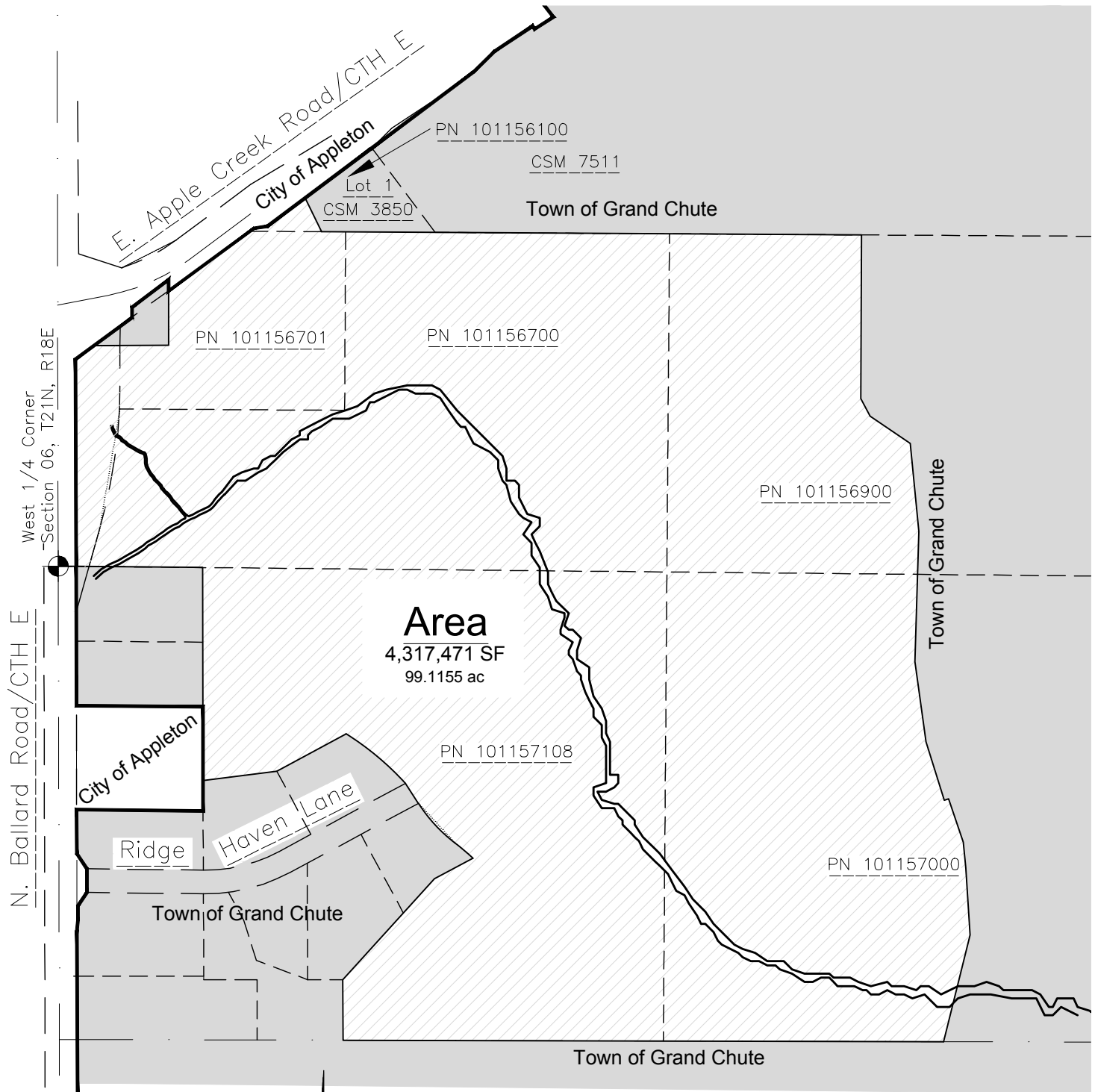
Area of lands to be annexed contains 99.1155 acres m/l.




Tax Parcel numbers of lands to be annexed: 101156701, 101156700, 101157108, part of 101156100, part of 101156900, and part of 101157000.

The current population of such territory is 0.

Signature of Petitioner	Owner	Date of Signing	Address of Petitioner (Include Zip Code)
 Jerome R. Koleske, Manager	Goodness Grace, LLC	7/3/2018	2611 North Summit Street Appleton, WI 54914
 Otto Reetz	Otto Reetz	7/2/18	2223 E. Apple Creek Road Appleton, WI 54913
 Mary Ann Reetz	Mary Ann Reetz	7/2/18	2223 E. Apple Creek Road Appleton, WI 54913
 Gerald M. Weyenberg, Member	M & J Weyenberg Properties, LLC	6/29/18	2113 E. Ridge Haven Lane Appleton WI, 54913
 Mary Ann Weyenberg, Member	M & J Weyenberg Properties, LLC	6/29/18	2113 E. Ridge Haven Lane Appleton WI, 54913

Apple Ridge Annexation



-  Appleton Corporate Limits
-  Annexation Area
-  Lands to remain T. Grand Chute



Davel Engineering & Environmental, Inc.
 Civil Engineers and
 Land Surveyors
 1811 Racine Street
 Menasha, Wisconsin
 Ph. 920-991-1866, Fax 920-830-9595