



REPORT TO CITY PLAN COMMISSION

Plan Commission Informal Hearing Meeting Date: November 10, 2021

Common Council Public Hearing Meeting Date: December 1, 2021

Item: Rezoning #13-21 – Spartan Drive (Right-of-Way) Annexation

Case Manager: Jessica Titel, Principal Planner

GENERAL INFORMATION

Owner: City of Appleton

Applicant/Petitioner: City of Appleton Plan Commission

Parcel Numbers/Location: Tax Id #31-6-6100-62. The subject property is located west of North Meade Street, connecting existing East Spartan Drive right-of-way to the west and east.

Petitioner's Request: To assign a zoning classification to newly annexed property, pursuant to Section 23-65(e) of the Municipal Code, from temporary AG Agricultural District to P-I Public Institutional District. The request is being made to facilitate future construction of a street officially mapped as Spartan Drive with associated utilities and a stormwater pond.

BACKGROUND

On October 27, 2021, the Plan Commission recommended approval of the Spartan Drive (Right-of-Way) Annexation. During review of the annexation, the Plan Commission initiated the rezoning for the subject property from temporary AG Agricultural District to the zoning classification of P-I Public Institutional District.

On March 5, 2008, Common Council adopted Ordinance 51-08, which amended the City's Official Map to officially map the location of an east-west roadway to be known as Spartan Drive.

On November 3, 2021, the Common Council will take action on Spartan Drive (Right-of-Way) Annexation Ordinance. It is anticipated the property will be officially annexed to the City on November 9, 2021 at 12:01 a.m.

STAFF ANALYSIS

Existing Site Conditions: The subject parcel is approximately 3.9468 acres in size. Future construction of a street officially mapped as Spartan Drive and an associated stormwater pond is anticipated.

Street Classification: Spartan Drive is classified as a collector street on the City's Arterial/Collector Plan.

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Surrounding Zoning Classification and Land Uses:

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

South: R-3 Multi-Family District & Town of Grand Chute. The adjacent land uses to the south are currently a mix of multi-family residential uses, including a community-based residential facility, and agriculture.

East: P-I Public Institutional District. The adjacent land use to the east is currently undeveloped and planned for a future City-owned stormwater management facility.

West: R-1B Single-Family District. The adjacent land use to the west is currently single-family residential (Clearwater Creek Subdivision).

Proposed Zoning Classification: The purpose of the P-I Public Institutional District is to provide for public and institutional uses (roads/utilities) and buildings utilized by the community and to provide open space standards where necessary for the protection of adjacent residential properties. Per Section 23-100(h) of the Municipal Code, the development standards for the P-I District are listed below:

- 1) **Minimum lot area:** None.
- 2) **Maximum lot coverage:** 70%.
- 3) **Minimum lot width:** None.
- 4) **Minimum front yard:** 20 feet plus an additional one foot for each two feet that the building or structure exceeds 35 feet in height.
- 5) **Minimum rear yard:** 20 feet plus an additional one foot for each two feet that the building or structure exceeds 35 feet in height.
- 6) **Minimum side yard:** 20 feet plus an additional one foot for each two feet that the building or structure exceeds 35 feet in height.
- 7) **Maximum building height:** 60 feet.

Zoning Ordinance Review Criteria: Per Section 23-65(e) of the Municipal Code, a temporary zoning classification is assigned to newly annexed territory, with rezoning taking place following the annexation process. 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.

In this case, the Plan Commission initiated a rezoning for the subject property from temporary AG Agricultural District to the zoning classification of P-I Public Institutional District. A rezoning initiated directly by Plan Commission is processed in accordance with Section 23-65(d), Zoning Map Amendments, which includes review and action by the Common Council. If approved, any future

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development would need to conform to the P-I District zoning regulations listed above and other sections of the Zoning Ordinance.

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 future construction of a street is consistent with the Future Land Use Map, which identifies the location of officially mapped Spartan Drive. 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 4 – Transportation

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

OBJECTIVE 6.1 Transportation:

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

OBJECTIVE 6.8 Transportation:

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

OBJECTIVE 7.5 Utilities and Community Facilities:

Implement effective stormwater management practices.

Standards for Zoning Map Amendments: Per Section 23-65(d)(3) of the Municipal Code, all recommendations for Official Zoning Map amendments shall be consistent with the adopted plans, goals, and policies of the City and with the intent of the Zoning Ordinance. Related excerpts are listed below.

- a. Prior to making a recommendation on a proposed rezoning, the Plan Commission shall make a finding to determine if the following conditions exist. No rezoning of land shall be approved prior to finding at least one of the following:
 1. The request for a zone change is in conformance with the Comprehensive Plan for the City of Appleton. *The rezoning request is in conformance with the Comprehensive Plan 2010-2030 goals and objectives stated above and the Future Land Use Map, which identifies this area for officially mapped Spartan Drive.*
 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.

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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. *City infrastructure is already installed along the initial segment of Spartan Drive to the west. Stormwater pond, sewer, and water infrastructure will be included with the future construction of Spartan Drive.*
 2. The effect of the proposed rezoning on surrounding uses. *The location of an east-west roadway to be known as Spartan Drive was officially mapped in 2008. The recent annexation and subsequent rezoning will allow for future construction of a street and associated stormwater pond. Therefore, the proposed rezoning request is unlikely to create adverse impacts in the surrounding neighborhood.*

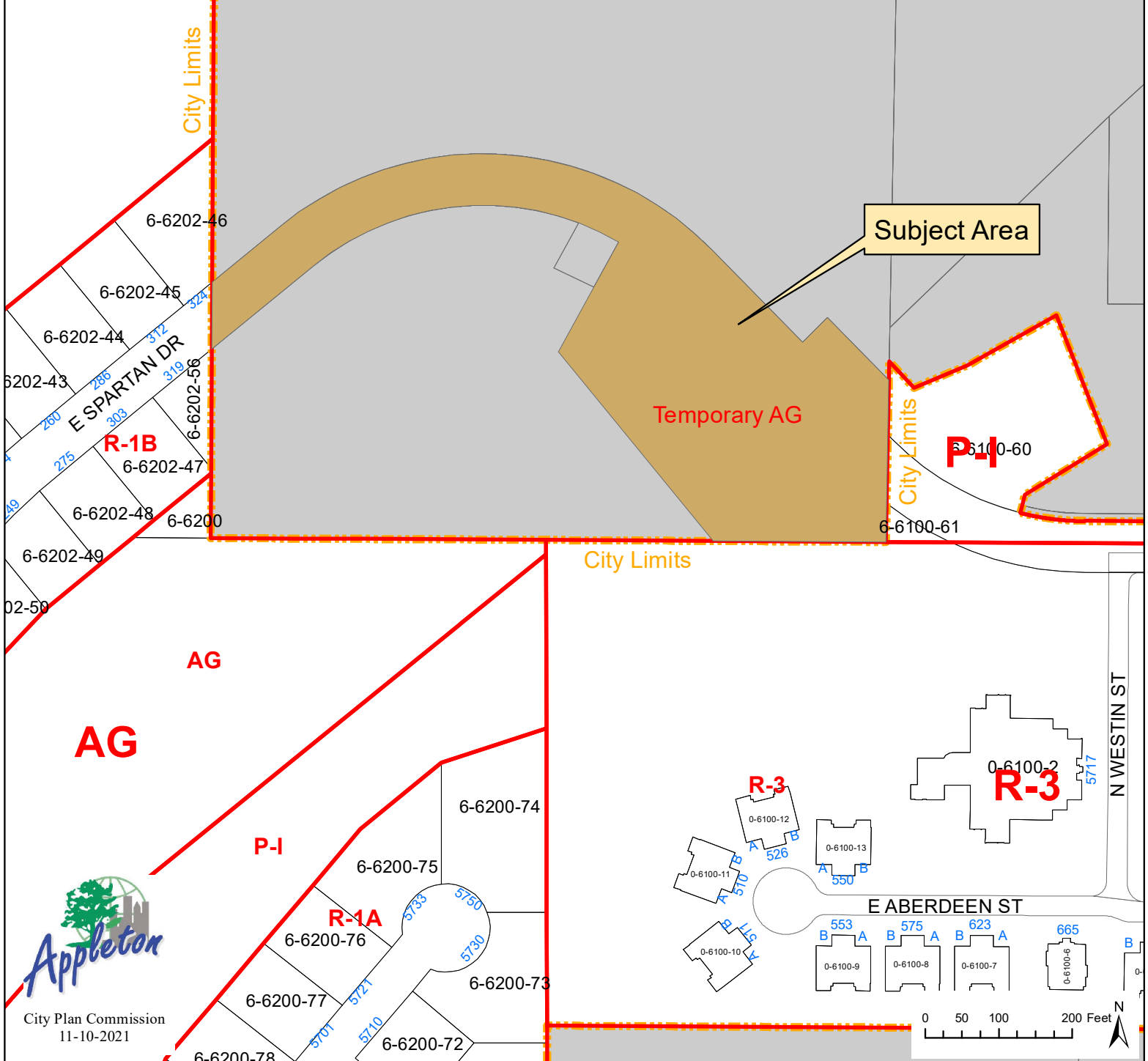
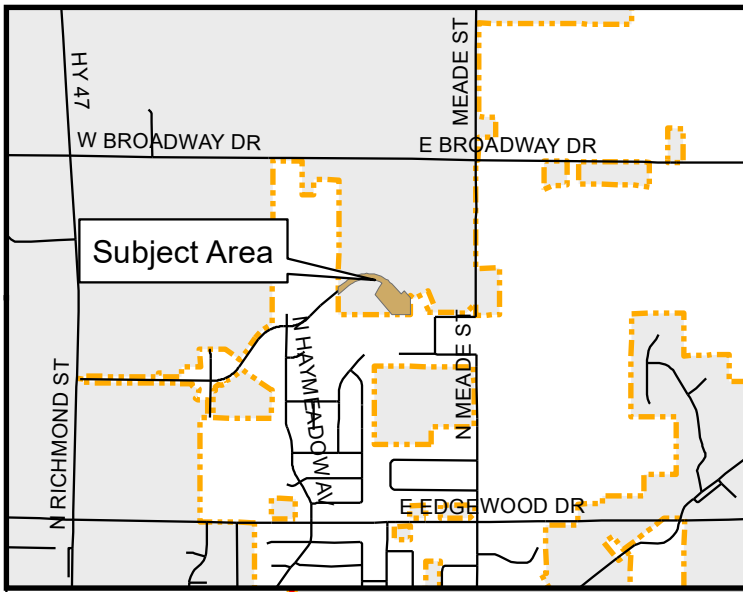
Review Criteria: Based upon the above analysis, it would appear the criteria established by Section 23-65(d)(3) Zoning Amendments has been satisfied.

Technical Review Group (TRG) Report: This item appeared on the October 5, 2021 TRG Agenda. No negative comments were received from participating departments.

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 #13-21 to rezone the Spartan Drive Annexation area from temporary AG Agricultural District to P-I Public Institutional District as shown on the attached maps, **BE APPROVED**.

Spartan Drive (Right-of-Way) Annexation
Rezoning
Temporary AG Agricultural District to
P-I Public Institutional District
Buffer Map



Spartan Drive (Right-of-Way) Annexation
Rezoning
Temporary AG Agricultural District to
P-I Public Institutional District
Aerial Map



City Plan Commission
11-10-2021