



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.*

Wednesday, May 12, 2021

3:30 PM

Council Chambers, 6th Floor

1. Call meeting to order
2. Roll call of membership
3. Approval of minutes from previous meeting
[21-0588](#) City Plan Minutes from 4-13-21

Attachments: [City Plan Minutes 4-13-21.pdf](#)

4. Public Hearings/Apearances

- [21-0589](#) Rezoning #4-21 to rezone 15 parcels in the area generally located south of Lawrence Street, west of Durkee Street, north of Water Street, and east of Morrison Street (Tax Id #31-2-0159-00, #31-2-0160-00, #31-2-0161-00, #31-2-0163-00, #31-2-0164-00, #31-2-0165-00, #31-2-0166-00, #31-2-0167-00, #31-2-0168-00, #31-2-0169-00, #31-2-0170-00, #31-2-0171-00, #31-2-0172-00, #31-2-0173-00, and #31-2-0174-00), including to the centerline of the adjacent South Morrison Street, East Lawrence Street, South Durkee Street, East Water Street, East Kimball Street, and South Oak Street right-of-way, as shown on the attached maps, from R-1B Single-Family District, R-3 Multi-Family District, and P-I Public Institutional District to CBD Central Business District (Associated with Action Item #21-0590)

Attachments: [InformalPublicHearingNotice USVenture Rezoning#4-21.pdf](#)

- [21-0591](#) The street discontinuance to vacate portions of South Oak Street and East Kimball Street public right-of-way, generally located south of East Lawrence Street and east of South Morrison Street, subject to the condition in the attached staff report, and adopt the Initial Resolution and exhibit map (Associated with Action Item #21-0592)

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

5. Action Items

[21-0590](#) Request to approve Rezoning #4-21 to rezone 15 parcels in the area generally located south of Lawrence Street, west of Durkee Street, north of Water Street, and east of Morrison Street (Tax Id #31-2-0159-00, #31-2-0160-00, #31-2-0161-00, #31-2-0163-00, #31-2-0164-00, #31-2-0165-00, #31-2-0166-00, #31-2-0167-00, #31-2-0168-00, #31-2-0169-00, #31-2-0170-00, #31-2-0171-00, #31-2-0172-00, #31-2-0173-00, and #31-2-0174-00), including to the centerline of the adjacent South Morrison Street, East Lawrence Street, South Durkee Street, East Water Street, East Kimball Street, and South Oak Street right-of-way, as shown on the attached maps, from R-1B Single-Family District, R-3 Multi-Family District, and P-I Public Institutional District to CBD Central Business District

Attachments: [StaffReport USVenture Rezoning For05-12-21.pdf](#)

[21-0592](#) Request to approve the street discontinuance to vacate portions of South Oak Street and East Kimball Street public right-of-way, generally located south of East Lawrence Street and east of South Morrison Street, subject to the condition in the attached staff report, and adopt the Initial Resolution and exhibit map

Attachments: [StaffReport OakStKimballSt StreetVacation For05-12-21.pdf](#)

[21-0593](#) Request to approve the dedication of land for public right-of-way for East Lawrence Street, generally located south and east of the intersection of Morrison Street and Lawrence Street (part of Tax Id #31-2-0162-00, #31-2-0161-00, #31-2-0159-00, and #31-2-0160-00), as shown on the attached maps and subject to the conditions in the attached staff report

Attachments: [StaffReport LawrenceEastOfMorrison StreetDedication For05-12-21.pdf](#)

[21-0594](#) Elect Vice Chair

6. Information Items

[21-0595](#) Confirm Meeting Date & Time

[21-0596](#) Designate Contact Person

[21-0597](#) Virtual Neighborhood Program Spring Meeting on Thursday, May 20, 2021 from 6:00 - 7:30 p.m.

Attachments: <https://www.appleton.org/residents/neighborhood-program>

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, April 13, 2021

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: 7 - Palm, Robins, Mayor Woodford, Fenton, Buetow, Dane and Uitenbroek

3. Approval of minutes from previous meeting

[21-0421](#)

City Plan Minutes from 3-23-21

Attachments: [City Plan Minutes 3-23-21.pdf](#)

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

Aye: 7 - Palm, Robins, Mayor Woodford, Fenton, Buetow, Dane and Uitenbroek

4. **Public Hearings/Appearances**

[21-0422](#)

The street discontinuance to vacate portions of West Prospect Avenue and South Douglas Street public right-of-way, generally located near the intersection of these streets, and adopt the Initial Resolution and exhibit map (Associated with Action Item #21-0423)

Attachments: [InformalPublicHearingNotice_ProspectAvDouglasSt_StreetVacation.pdf](#)

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

5. **Action Items**

[21-0423](#)

Request to approve the street discontinuance to vacate portions of West Prospect Avenue and South Douglas Street public right-of-way, generally located near the intersection of these streets, and adopt the Initial Resolution and exhibit map

Attachments: [StaffReport_ProspectAvDouglasSt_StreetVacation_For04-13-21.pdf](#)

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

Aye: 7 - Palm, Robins, Mayor Woodford, Fenton, Buetow, Dane and Uitenbroek

[21-0424](#)

Request to approve detachment of territory from the City of Appleton to the Village of Harrison, per the Intergovernmental Cooperation Agreement, for a portion of Coop Road, generally located north of Midway Road, described in the attached petition and shown on the attached maps

Attachments: [StaffReport_CoopRd_Detachment_For04-13-21.pdf](#)

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

Aye: 7 - Palm, Robins, Mayor Woodford, Fenton, Buetow, Dane and Uitenbroek

[21-0425](#)

Request to approve the Apple Ridge 2 Final Plat as shown on the attached maps and subject to the conditions in the attached staff report

Attachments: [StaffReport_FinalPlat_AppleRidge2_For4-13-21.pdf](#)

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

Aye: 7 - Palm, Robins, Mayor Woodford, Fenton, Buetow, Dane and Uitenbroek

[21-0426](#)

Request to approve the Apple Fields Preliminary Plat as shown on the attached maps and subject to the conditions in the attached staff report

Attachments: [StaffReport_PreliminaryPlat_AppleFields_For4-13-21.pdf](#)

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

Aye: 7 - Palm, Robins, Mayor Woodford, Fenton, Buetow, Dane and Uitenbroek

6. Information Items

[21-0427](#)

Reminder of meeting date/time change to Wednesday of the week following Council at 3:30 p.m.

This item was presented.

[21-0428](#)

Virtual community input meeting on Proposed Downtown Streetscape Design Guide on April 15, 2021 from 6:00 - 8:00 p.m.

Attachments: [Downtown Streetscape Design Community Input Press Release.pdf](#)
[Downtown Streetscape Design Community Input Invite.pdf](#)

This item was presented.

7. Adjournment

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

Aye: 7 - Palm, Robins, Mayor Woodford, Fenton, Buetow, Dane and Uitenbroek

NOTICE OF INFORMAL PUBLIC HEARING

OF THE

APPLETON CITY PLAN COMMISSION

The City of Appleton Plan Commission will conduct an Informal Public Hearing on Wednesday, May 12, 2021, at 3:30 P.M., or as soon thereafter as can be heard, in Common Council Chambers, 6th Floor, City Hall, 100 North Appleton Street, for the following proposed rezoning request:

COMMON DESCRIPTION:

Generally located south of Lawrence Street, west of Durkee Street, north of Water Street, and east of Morrison Street consisting of 15 parcels (Tax Id #31-2-0159-00, #31-2-0160-00, #31-2-0161-00, #31-2-0163-00, #31-2-0164-00, #31-2-0165-00, #31-2-0166-00, #31-2-0167-00, #31-2-0168-00, #31-2-0169-00, #31-2-0170-00, #31-2-0171-00, #31-2-0172-00, #31-2-0173-00, and #31-2-0174-00).

Rezoning Request: A rezoning request has been initiated by the owner, U.S. Venture Inc., in the matter of amending Chapter Twenty-three (Zoning Ordinance) of the Municipal Code of the City of Appleton for the above-described real estate, which is currently zoned R-1B Single-Family District, R-3 Multi-Family District, and P-I Public Institutional District. The owner proposes to rezone the property to CBD Central Business District (see attached map). The CBD District is intended to provide a centrally located and readily accessible area that offers a wide variety of retail, service, financial, entertainment, governmental, and residential uses. A broad range of uses is permitted to reflect downtown's role as a commercial, cultural and government center. Development is intended to be intense with maximum lot coverage, increased building scale and height density and buildings placed close together. Development is intended to be pedestrian-oriented with a strong emphasis on a safe and attractive streetscape.

Purpose of the Request: The owner proposes to establish zoning that is uniform for all 15 subject lots and allows for future development.

ALDERMANIC DISTRICT: 4 – Alderperson Joe Martin

You are being notified as a policy of the City of Appleton Community and Economic Development Department. This notification invites you to express your views or concerns regarding the above-described request. The Plan Commission meeting is open to the public; however, considering the COVID-19 Health Emergency, you are strongly encouraged to consider sharing any feedback with Plan Commission members via written letter, email or phone call instead of appearing in person. Please contact David Kress, Principal Planner, in the Community and Economic Development Department at 920-832-6428 or by email at david.kress@appleton.org.

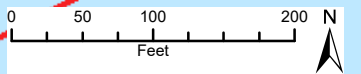
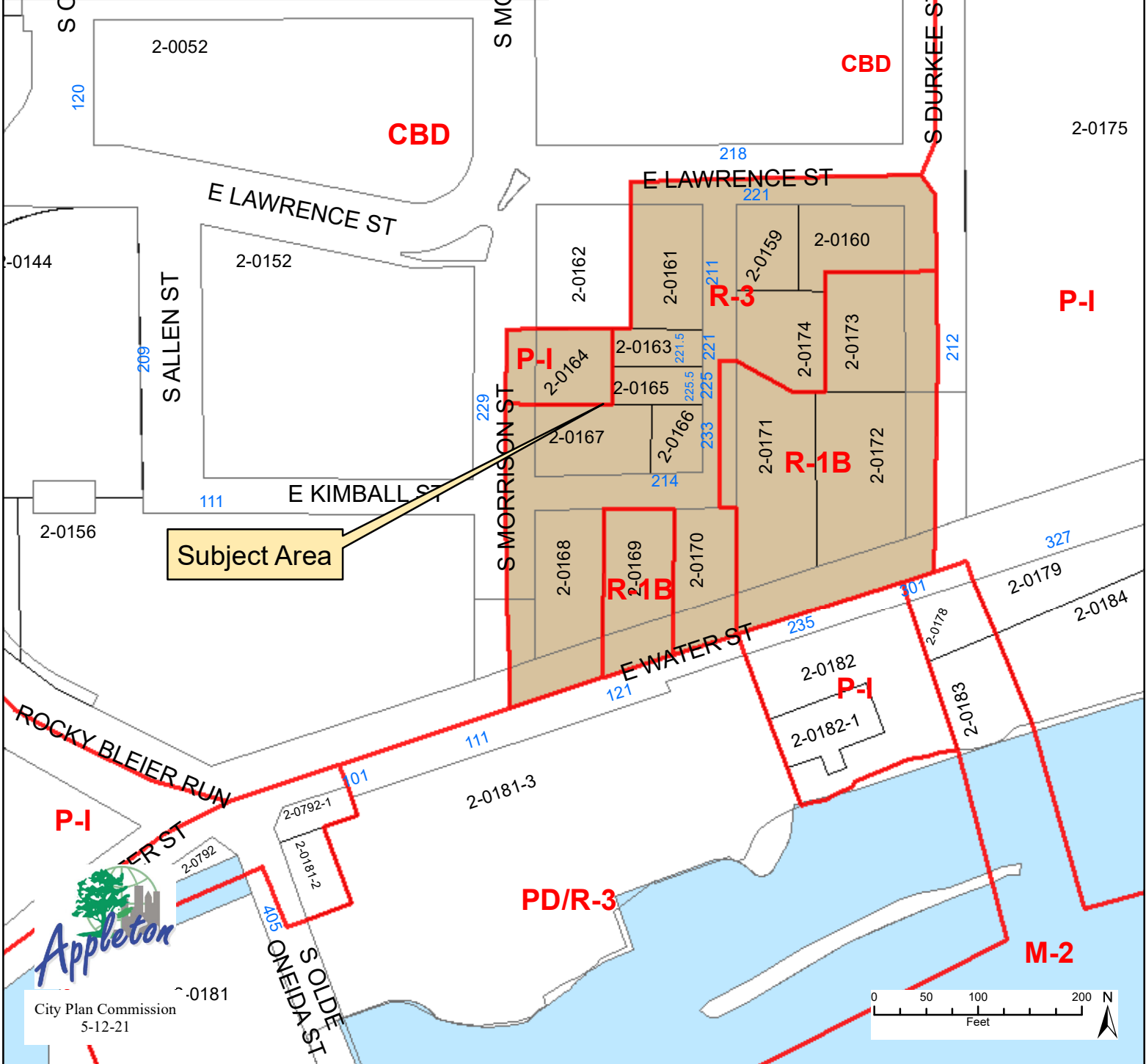
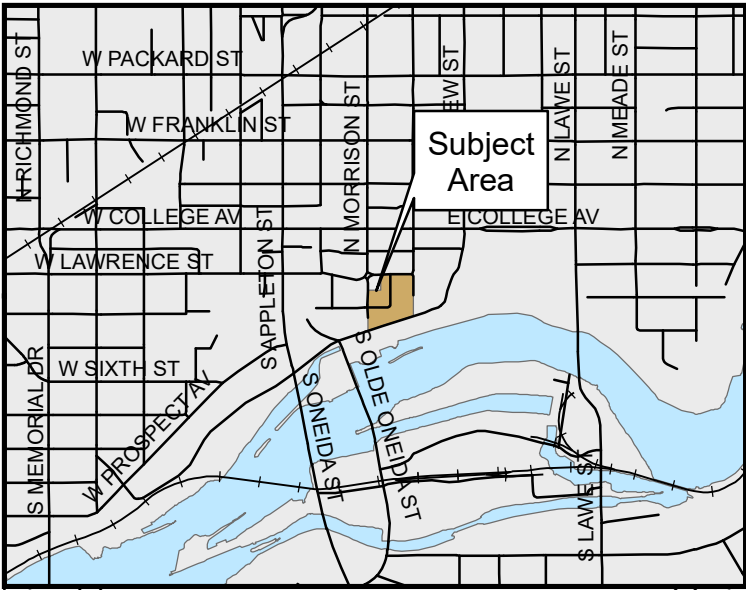
Alternatively, you can also contact the Mayor's Office at mayor@appleton.org and your comments will be forwarded to the Plan Commission. The City Plan Commission makes a recommendation to the Common Council who makes the final decision on the matter.

CITY PLAN COMMISSION

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

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

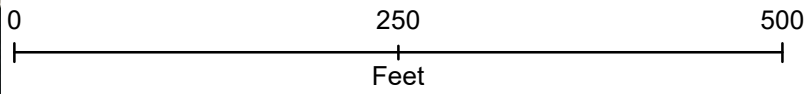
South Oak Street & East Kimball Street
Rezoning
R-1B Single-Family District,
R-3 Multi-Family District, and
P-I Public Institutional District to
CBD Central Business District
Zoning Map



South Oak Street & East Kimball Street
Rezoning
R-1B Single-Family District,
R-3 Multi-Family District, and
P-I Public Institutional District to
CBD Central Business District
Aerial Map



City Plan Commission
5-12-2021



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 Wednesday, May 12, 2021, at 3:30 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 of Kimball Street lying East of the East line of Morrison Street and abutting Block Twelve (12) of the APPLETON PLAT (aka Second Ward Plat), all according to the recorded Assessor's Map of the City of Appleton, being located in Government Lot Two (2) of Section 26, Township 21 North, Range 17 East, City of Appleton, Outagamie County, Wisconsin, containing 5,700 square feet of land more or less.

And

All that part of Oak Street lying South of a line 20 feet South of and parallel to the South line of Lawrence Street and abutting Block Twelve (12) of the APPLETON PLAT (aka Second Ward Plat), all according to the recorded Assessor's Map of the City of Appleton, being located in Government Lot Two (2) of Section 26, Township 21 North, Range 17 East, City of Appleton, Outagamie County, Wisconsin, containing 8,080 square feet of land more or less.

COMMON DESCRIPTION: A portion of South Oak Street generally located south of East Lawrence Street and a portion of East Kimball Street generally located east of South Morrison Street

ALDERMANIC DISTRICT: 4 – Alderperson Joe Martin

PARTIAL STREET VACATION REQUEST:

A Street Vacation request has been initiated by the applicant, City of Appleton. The applicant requests to vacate and discontinue portions of Oak Street and Kimball 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 portions of Oak Street and Kimball 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 express your views or concerns regarding the above-described request. The Plan Commission meeting is open to the public; however, considering the COVID-19 Health Emergency, you are strongly encouraged to share any feedback with Plan Commission members via written letter, email or phone call instead of appearing in person. Please contact David Kress, Principal Planner, in the Community and Economic Development Department at 920-832-6428 or by email at david.kress@appleton.org.

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

CITY PLAN COMMISSION

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

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

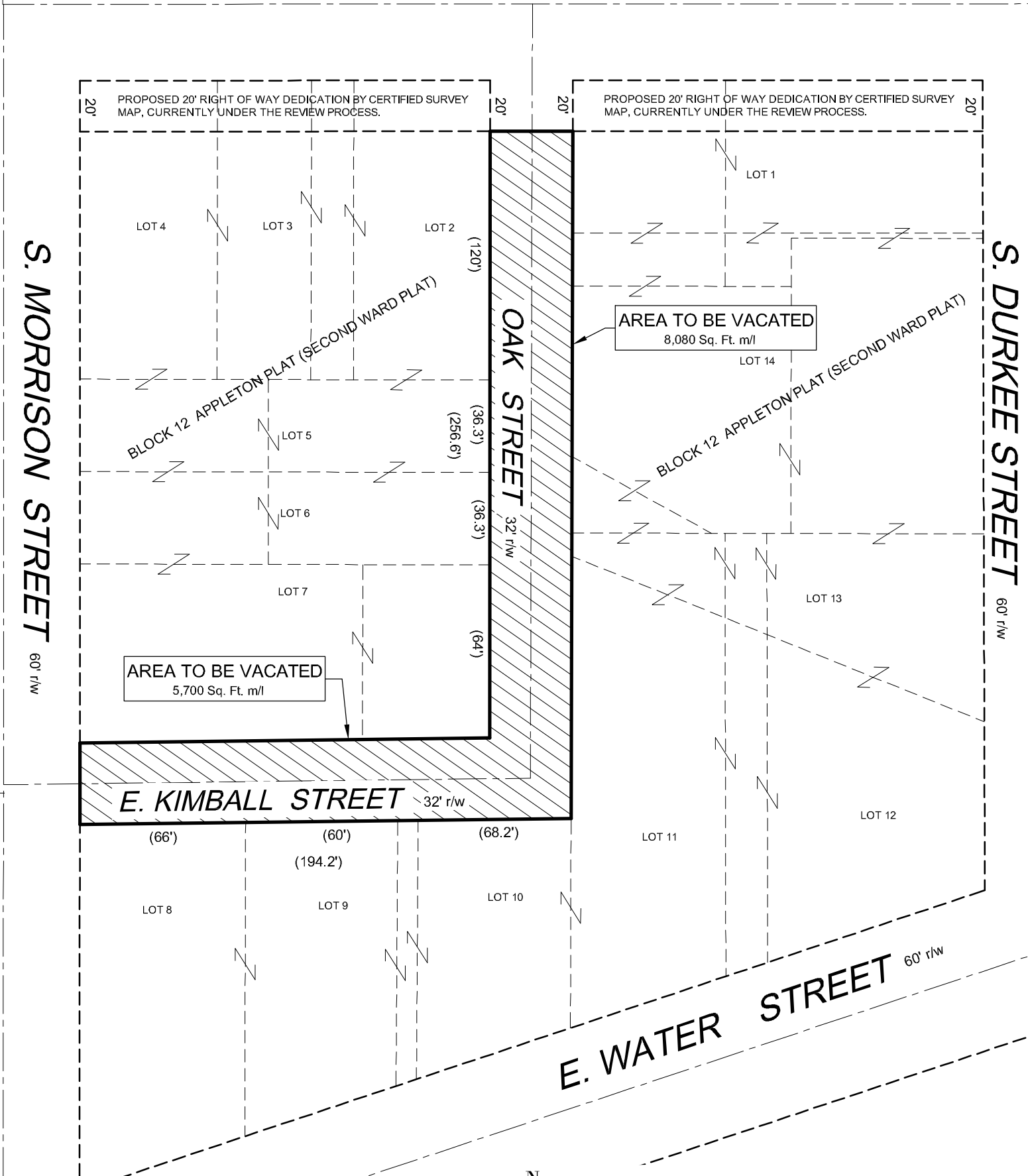
EXHIBIT "A"

All that part of Kimball Street lying East of the East line of Morrison Street and abutting Block Twelve (12) of the **APPLETON PLAT** (aka Second Ward Plat), all according to the recorded Assessor's Map of the City of Appleton, being located in Government Lot Two (2) of Section 26, Township 21 North, Range 17 East, City of Appleton, Outagamie County, Wisconsin, containing 5,700 square feet of land more or less.

And

All that part of Oak Street lying South of a line 20 feet South of and parallel to the South line of Lawrence Street and abutting Block Twelve (12) of the **APPLETON PLAT** (aka Second Ward Plat), all according to the recorded Assessor's Map of the City of Appleton, being located in Government Lot Two (2) of Section 26, Township 21 North, Range 17 East, City of Appleton, Outagamie County, Wisconsin, containing 8,080 square feet of land more or less.

E. LAWRENCE STREET 60' r/w



PROPOSED 20' RIGHT OF WAY DEDICATION BY CERTIFIED SURVEY MAP, CURRENTLY UNDER THE REVIEW PROCESS.

PROPOSED 20' RIGHT OF WAY DEDICATION BY CERTIFIED SURVEY MAP, CURRENTLY UNDER THE REVIEW PROCESS.

LOT 4
LOT 3
LOT 2
BLOCK 12 APPLETON PLAT (SECOND WARD PLAT)

AREA TO BE VACATED
8,080 Sq. Ft. m/l

AREA TO BE VACATED
5,700 Sq. Ft. m/l

E. KIMBALL STREET 32' r/w

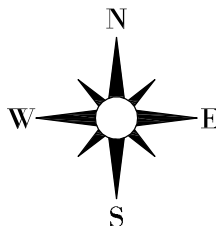
LOT 1
LOT 14
BLOCK 12 APPLETON PLAT (SECOND WARD PLAT)

(66') (60') (68.2')
(194.2')

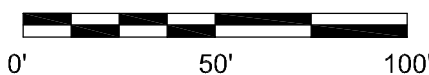
LOT 8 LOT 9 LOT 10

LOT 11 LOT 12

E. WATER STREET 60' r/w



SCALE IN FEET



CITY OF APPLETON

DEPT. OF PUBLIC WORKS

ENGINEERING DIVISION

100 NORTH APPLETON STREET

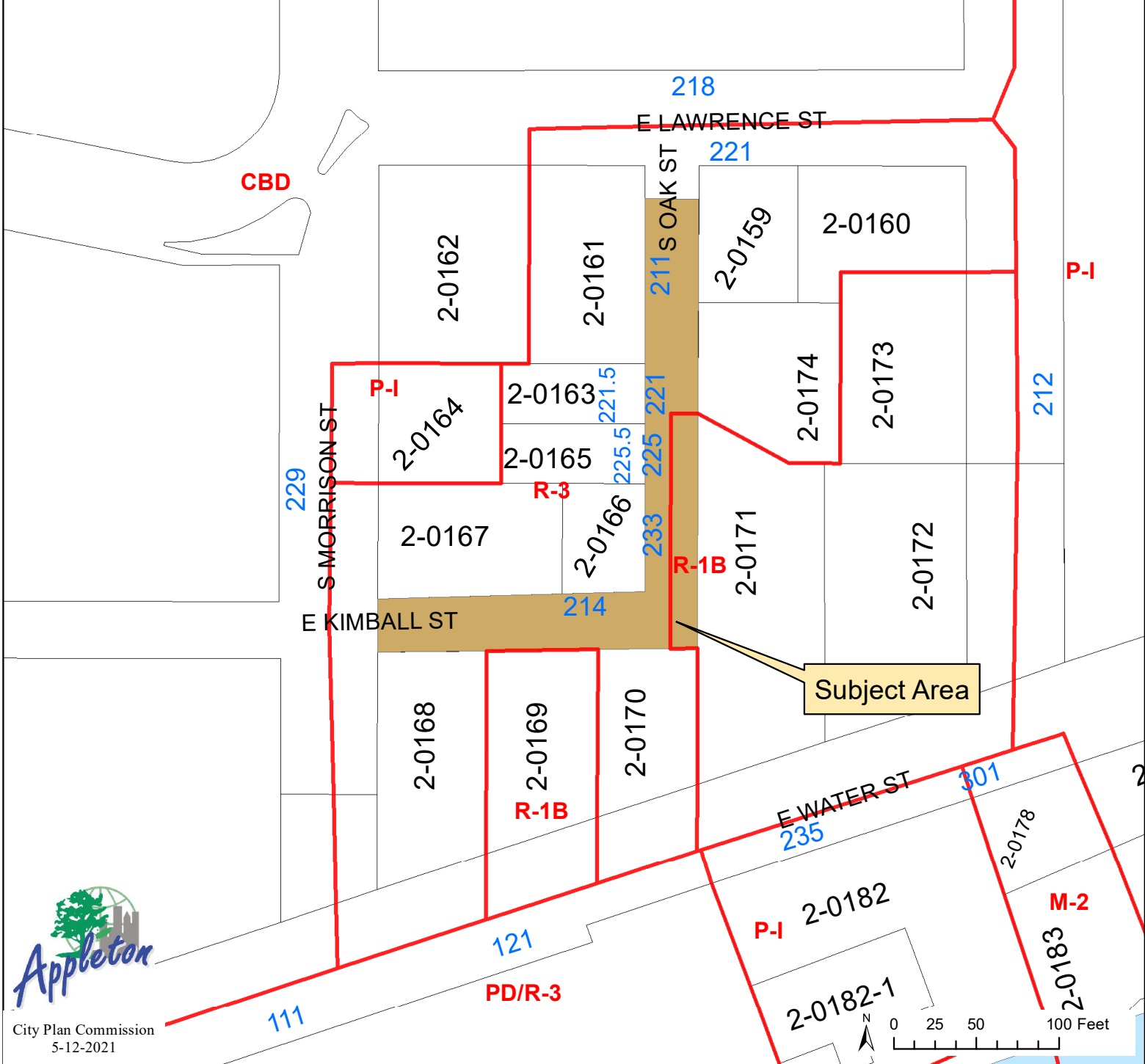
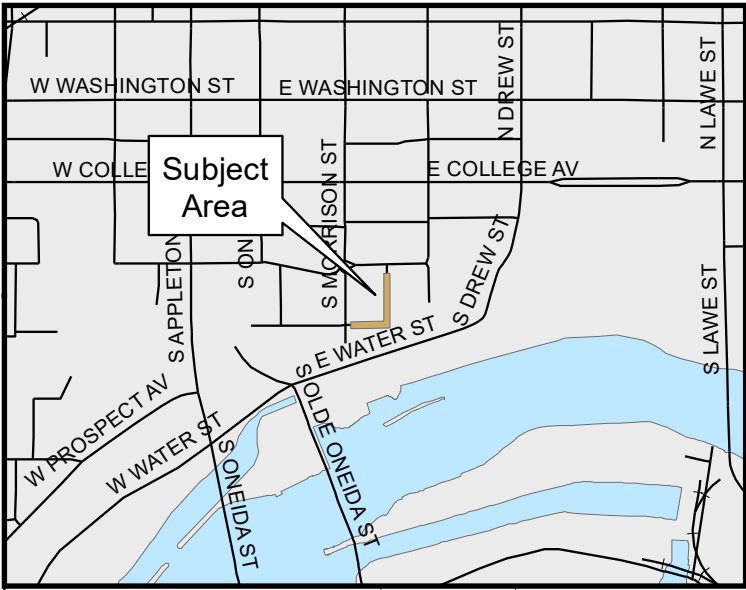
APPLETON, WI 54911

920-832-6474

DRAFTED BY: T. KROMM

H:\Acad\Vac.and Dedications\2021\Oak_Kimball_St_0419_2021

South Oak Street and East Kimball Street Street Vacation Zoning Map



South Oak Street and East Kimball Street
Street Vacation
Aerial Map





REPORT TO CITY PLAN COMMISSION

Plan Commission Informal Hearing Meeting Date: May 12, 2021

Common Council Public Hearing Meeting Date: June 2, 2021 (Public Hearing on Rezoning)

Item: Rezoning #4-21 – South Oak Street and East Kimball Street

Case Manager: David Kress, Principal Planner

GENERAL INFORMATION

Owner/Applicant: U.S. Venture, Inc. c/o Bob Huss

Address/Parcel: Generally located south of Lawrence Street, west of Durkee Street, north of Water Street, and east of Morrison Street consisting of 15 parcels (Tax Id #31-2-0159-00, #31-2-0160-00, #31-2-0161-00, #31-2-0163-00, #31-2-0164-00, #31-2-0165-00, #31-2-0166-00, #31-2-0167-00, #31-2-0168-00, #31-2-0169-00, #31-2-0170-00, #31-2-0171-00, #31-2-0172-00, #31-2-0173-00, and #31-2-0174-00).

Petitioner's Request: The applicant proposes to rezone the subject parcels from R-1B Single-Family District, R-3 Multi-Family District, and P-I Public Institutional District to CBD Central Business District. The request is being made to establish zoning that is uniform for all 15 subject lots and allows for future development.

BACKGROUND

The owner/applicant has acquired 16 parcels in the area south of Lawrence Street and east of Morrison Street. Some buildings have already been demolished in the subject area, and additional demolition permits have been issued recently. In April 2021, the owner/applicant submitted a Certified Survey Map (CSM) to combine the 16 parcels into one lot. One of those parcels (#31-2-0162-00) is already zoned CBD Central Business District, so it is not included in this rezoning request. Per Section 23-40(b) of the Municipal Code, there shall not be more than one zoning district on any parcel of land. Therefore, uniform zoning is needed before the commonly-owned parcels can be combined.

Two related items are also being presented at this May 12, 2021 Plan Commission meeting. One is a request to vacate and discontinue portions of Oak Street and Kimball Street right-of-way. The other is a proposed dedication of public right-of-way to widen Lawrence Street by 20 feet. Both items are incorporated in the CSM referenced above. CSMs are reviewed and administratively approved by City staff; however, CSM approval could only occur after Common Council approval of the items noted above.

STAFF ANALYSIS

Existing Site Conditions: The subject parcels total approximately 2.501 acres in size and are located in between Lawrence Street, Durkee Street, Water Street, and Morrison Street. Water Street is classified as a collector street on the City's Arterial/Collector Plan, and the other surrounding streets are classified as local streets. Currently, the site includes several vacant parcels, as some former residences have already

been demolished. Additional demolition permits have been issued, and it is anticipated that all existing buildings will be demolished.

Surrounding Zoning Classification and Land Uses:

North: CBD Central Business District. The YMCA of the Fox Cities facility is located north of the subject property.

South: PD/R-3 Planned Development Multi-Family District and P-I Public Institutional District. The adjacent land uses to the south are currently a mix of multi-family residential and institutional uses.

East: P-I Public Institutional District. The Lawrence University campus is located east of the subject property.

West: CBD Central Business District. The adjacent land uses to the west are currently institutional (Mosaic Family Health) and vacant land.

Proposed Zoning Classification: The purpose of the CBD Central Business District is to provide a centrally located and readily accessible area that offers a wide variety of retail, service, financial, entertainment, governmental and residential uses. A broad range of uses is permitted to reflect downtown's role as a commercial, cultural and government center. Development is intended to be intense with maximum lot coverage, increased building scale and height density and buildings placed close together. Development is intended to be pedestrian-oriented with a strong emphasis on a safe and attractive streetscape. Per Section 23-114(i) of the Municipal Code, the development standards for the CBD District are listed below:

- 1) **Minimum lot area:** 2,400 square feet.
- 2) **Maximum lot coverage:** 100%.
- 3) **Minimum lot width:** 20 feet.
- 4) **Minimum front yard:** None.
- 5) **Minimum rear yard:**
 - a. None.
 - b. 10 feet when abutting a residentially-zoned district.
- 6) **Minimum side yard:**
 - a. None.
 - b. 10 feet when abutting a residentially-zoned district.
- 7) **Maximum building height:** 200 feet.

Zoning Ordinance Review Criteria: A rezoning is often triggered by development proposals or changing circumstances in the City. In this case, the request is being made to establish uniform zoning, allow for combining of lots via CSM, and accommodate future development. The existing parcels appear to satisfy the development standards for the CBD Central Business District listed above. Based on initial CSM review, the proposed lot combination would also meet applicable lot area and lot width development standards for the CBD District. If the rezoning request is approved, any future development

would need to conform to the CBD District zoning regulations and other applicable sections of the Zoning Ordinance. Ultimately, any new building would require Site Plan review and approval, pursuant to Section 23-570 of the Municipal Code, prior to the issuance of a building permit by the Inspections Division.

Appleton Comprehensive Plan 2010-2030: The City of Appleton *Comprehensive Plan 2010-2030* identifies this area with a future Mixed Use designation. The proposed CBD Central Business 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

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

Goal 8 – Economic Development

Appleton will pursue economic development that retains and attracts talented people, brings good jobs to the area, and supports the vitality of its industrial areas, downtown, and neighborhood business districts.

OBJECTIVE 9.4 Economic Development:

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

OBJECTIVE 9.6 Economic Development:

Create a vibrant environment that is conducive to attracting and retaining talented people.

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 10.2 Land Use:

Encourage redevelopment to meet the demand for a significant share of future growth, and to enhance the quality of existing neighborhoods.

Chapter 14 Downtown Plan, Initiative 4 Downtown Development and Business Retention:

Strategy 4.7 – Maintain an environment favorable to larger employers in the downtown.

Chapter 14 Downtown Plan, Initiative 4 Downtown Development and Business Retention:

Strategy 4.8 – Support private sector efforts to redevelop and invest in downtown.

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 future mixed uses.*
 2. A study submitted by the applicant that indicates that there has been an increase in the demand for land in the requested zoning district, and as a result, the supply of land within the City mapped as such on the Official Zoning Map, is inadequate to meet the demands for such development.
 3. Proposed amendments cannot be accommodated by sites already zoned in the City due to lack of transportation, utilities or other development constraints, or the market to be served by the proposed use cannot be effectively served by the location of the existing zoning district(s).
 4. There is an error in the code text or zoning map as enacted.
- b. In addition to the findings required to be made by subsection (a), findings shall be made by the Plan Commission on each of the following matters based on the evidence presented:
1. The adequacy of public facilities such as transportation, utilities and other required public services to serve the proposed site. *The subject area is served by existing infrastructure, and the transportation network should be able to accommodate the proposed rezoning. Some recommended transportation-related improvements near the subject property are identified in the Downtown Mobility Study, which was approved by Common Council on August 17, 2016.*
 2. The effect of the proposed rezoning on surrounding uses. *All properties located north and west of the subject area are already zoned CBD Central Business District. Properties to the east and south of the subject area primarily consist of Lawrence University's campus. 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 April 20, 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 #4-21 to rezone the subject parcels generally located south of Lawrence Street and east of Morrison Street (Tax Id #31-2-0159-00, #31-2-0160-00, #31-2-0161-00, #31-2-0163-00, #31-2-0164-00, #31-2-0165-00, #31-2-0166-00, #31-2-0167-00, #31-2-0168-00, #31-2-0169-00, #31-2-0170-00, #31-2-0171-00, #31-2-0172-00, #31-2-0173-00, and #31-2-0174-00) from R-1B Single-Family District, R-3 Multi-Family District, and P-I Public Institutional District to CBD Central Business District, including to the centerline of the adjacent South Morrison

Rezoning #4-21

May 12, 2021

Page 5

Street, East Lawrence Street, South Durkee Street, East Water Street, East Kimball Street, and South Oak Street right-of-way, as shown on the attached map, **BE APPROVED.**

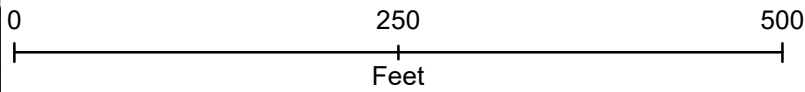
South Oak Street & East Kimball Street
Rezoning
R-1B Single-Family District,
R-3 Multi-Family District, and
P-I Public Institutional District to
CBD Central Business District
Aerial Map



Subject Area



City Plan Commission
5-12-2021



LEGAL DESCRIPTION

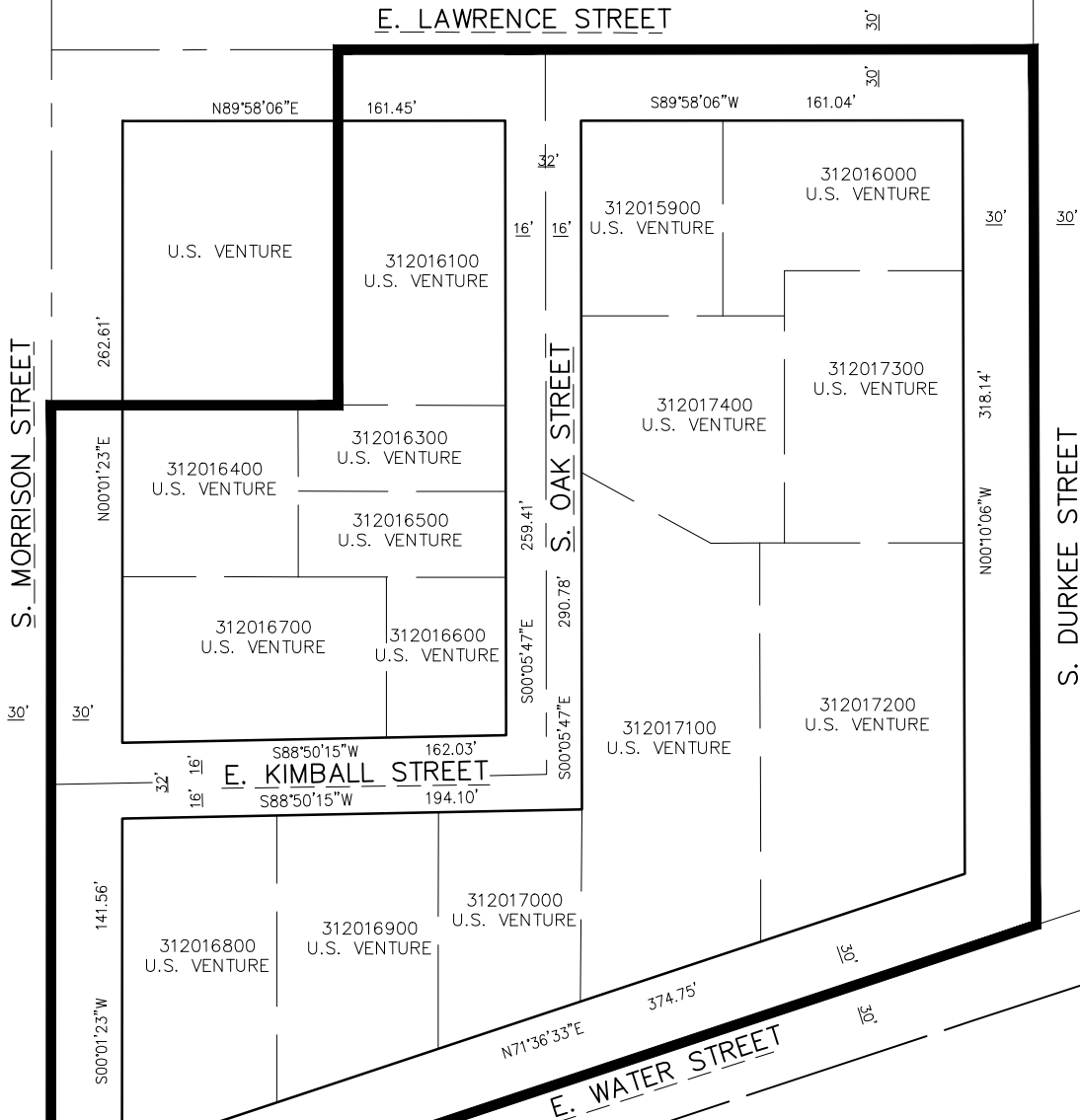
Tax Id #31-2-0159-00, #31-2-0160-00, #31-2-0161-00, #31-2-0163-00, #31-2-0164-00, #31-2-0165-00, #31-2-0166-00, #31-2-0167-00, #31-2-0168-00, #31-2-0169-00, #31-2-0170-00, #31-2-0171-00, #31-2-0172-00, #31-2-0173-00, and #31-2-0174-00.

Property description for rezoning the U.S. Venture, Inc. properties, City of Appleton, Outagamie County, Wisconsin, being described as follows.

All of Lots 1, 2, the east 16.2 feet of Lot 3 and all of Lots 5 thru 14 inclusive in block 12 of the Appleton Plat, all in Government Lot 2, Section 26, Town 21 North, Range 17 East, City of Appleton, Outagamie County, Wisconsin. Including the adjacent one-half (1/2) right-of-way of South Morrison Street, East Lawrence Street, South Durkee Street, East Water Street, East Kimball Street, and South Oak Street.

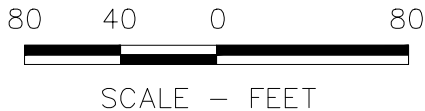
EXHIBIT A

YMCA



PROPERTY DESCRIPTION FOR REZONING THE U.S. VENTURE, INC. PROPERTIES, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN, BEING DESCRIBED AS FOLLOWS.

ALL OF LOTS 1, 2, THE EAST 16.2 FEET OF LOT 3 AND ALL OF LOTS 5 THRU 14 INCLUSIVE IN BLOCK 12 OF THE APPLETON PLAT INCLUDING THE ADJACENT ONE-HALF (1/2) RIGHT-OF-WAY OF S. MORRISON STREET, E. LAWRENCE STREET, S. DURKEE STREET, E. WATER STREET, E. KIMBALL STREET, AND S. OAK STREET, ALL IN GOVERNMENT LOT 2, SECTION 26 TOWN 21 NORTH, RANGE 16 EAST CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN. CONTAINING MORE OR LESS 163,977 SQUARE FEET (3.76 ACRES).



BEARINGS ARE REFERENCED TO THE PUBLISHED OUTAGAMIE COUNTY, COORDINATE SYSTEM.



REPORT TO CITY PLAN COMMISSION

Municipal Services Committee Meeting Date: May 10, 2021

Plan Commission Informal Public Hearing Date: May 12, 2021

Common Council Meeting Date – Initial Resolution: May 19, 2021

Common Council Meeting Date – Public Hearing (40-day waiting period): July 7, 2021

Item: Street discontinuance to vacate portions of South Oak Street and East Kimball Street

Case Manager: David Kress, Principal Planner

GENERAL INFORMATION

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

Location: Part of Oak Street and part of Kimball Street, generally located south of Lawrence Street and east of Morrison Street

Owner/Applicant's Request: The applicant is requesting a street discontinuance to vacate portions of Oak Street and Kimball Street right-of-way.

BACKGROUND

U.S. Venture, Inc. has acquired 16 parcels in the area south of Lawrence Street and east of Morrison Street, and they own all of the parcels adjacent to the areas proposed for vacation. Some buildings have already been demolished on the adjacent parcels, and additional demolition permits have been issued. Rezoning #4-21, to rezone the surrounding parcels from R-1B Single-Family District, R-3 Multi-Family District, and P-I Public Institutional District to CBD Central Business District, is also being presented at this May 12, 2021 Plan Commission meeting. Future redevelopment is anticipated for the entire block, and as a result, the areas proposed for vacation are no longer needed for public right-of-way.

In April 2021, U.S. Venture, Inc. submitted a Certified Survey Map (CSM) to combine surrounding parcels and the proposed vacated right-of-way into one lot. The CSM also proposes to dedicate land for a widened Lawrence Street right-of-way. The dedication of public right-of-way is also being presented at this May 12, 2021 Plan Commission meeting. CSMs are reviewed and administratively approved by City staff; however, CSM approval could only occur after Common Council approval of the items noted above. The CSM, currently under review, is attached for reference.

STAFF ANALYSIS

Title to Vacated Street: When vacated, the land reverts to its original source, which in this case includes the parcels located adjacent to the proposed vacation areas. Consequently, title to the street segments being vacated would belong to the adjoining property owner. All adjacent parcels are commonly owned by U.S. Venture, Inc. As shown on the attached map, the adjoining property owner would acquire the vacated Oak Street right-of-way of approximately 8,080 square feet and the vacated Kimball Street right-

Street Vacation – South Oak Street and East Kimball Street

May 12, 2021

Page 2

of-way of approximately 5,700 square feet. Combined, the proposed street vacation area totals approximately 13,780 square feet. It is anticipated that the vacated areas would be combined with the surrounding parcels, as described above and illustrated in the attached CSM.

Existing Public Utilities: The City will not retain an easement for any existing utilities within the entire length and width of the vacated right-of-way. The easement release is captured in the attached Initial Resolution.

Street Right-of-Way Width: These portions of Oak Street and Kimball Street are approximately 32 feet wide.

Street Classification: The City's Arterial/Collector Plan Map identifies these portions of Oak Street and Kimball Street as local streets.

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 residential and institutional in nature. If Rezoning #4-21 is approved, the surrounding zoning would be completely CBD Central Business District.

North: R-3 Multi-Family District and CBD Central Business District. Vacant land and existing Lawrence Street right-of-way are north of the subject area.

South: R-3 Multi-Family District and R-1B Single-Family District. The adjacent land to the south is currently vacant.

East: R-3 Multi-Family District and R-1B Single-Family District. The adjacent land to the east is currently vacant.

West: R-3 Multi-Family District and CBD Central Business District. Building demolition is ongoing on land west of the subject area. Existing Morrison Street right-of-way is also west of the subject area.

Subdivision Ordinance Regulations: Per Section 17-26(c)(1) of the Municipal Code, all lots shall abut on a public street or an approved access. If the street vacation is approved, four existing parcels (#31-2-0163-00, #31-2-0165-00, #31-2-0166-00, and #31-2-0174-00) would no longer abut a public street. However, the land-locked condition would be temporary, as the attached CSM would combine all surrounding parcels into one lot with frontage on Lawrence Street, Durkee Street, Water Street, and Morrison Street.

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 6.8 Transportation:

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

Street Vacation – South Oak Street and East Kimball Street
May 12, 2021
Page 3

OBJECTIVE 10.2 Land Use:

Encourage redevelopment to meet the demand for a significant share of future growth, and to enhance the quality of existing neighborhoods.

*Chapter 14 Downtown Plan, Initiative 4 Downtown Development and Business Retention:
Strategy 4.8 – Support private sector efforts to redevelop and invest in downtown.*

Technical Review Group (TRG) Report: This item appeared on the April 20, 2021 TRG agenda. No negative comments were received from participating departments.

RECOMMENDATION

Staff recommends the discontinuance of portions of South Oak Street and East Kimball 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** subject to the following condition:

1. After completion of the street vacation, a Certified Survey Map or other acceptable document must be recorded with the Outagamie County Register of Deeds in order to eliminate the land-locked lots created by the vacation of Oak Street and Kimball Street (#31-2-0163-00, #31-2-0165-00, #31-2-0166-00, and #31-2-0174-00).

South Oak Street and East Kimball Street
Street Vacation
Aerial Map



INITIAL RESOLUTION

WHEREAS, the public interest requires that a part of South Oak Street and a part of East Kimball Street, that have 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 part of South Oak Street and a part of East Kimball 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 of Kimball Street lying East of the East line of Morrison Street and abutting Block Twelve (12) of the **APPLETON PLAT** (aka Second Ward Plat), all according to the recorded Assessor's Map of the City of Appleton, being located in Government Lot Two (2) of Section 26, Township 21 North, Range 17 East, City of Appleton, Outagamie County, Wisconsin, containing 5,700 square feet of land more or less.

And

All that part of Oak Street lying South of a line 20 feet South of and parallel to the South line of Lawrence Street and abutting Block Twelve (12) of the **APPLETON PLAT** (aka Second Ward Plat), all according to the recorded Assessor's Map of the City of Appleton, being located in Government Lot Two (2) of Section 26, Township 21 North, Range 17 East, City of Appleton, Outagamie County, Wisconsin, containing 8,080 square feet of land more or less.

See also attached Exhibit "A" for illustration.

EASEMENT RELEASE

The City of Appleton hereby releases any and all rights to any existing utilities within the above described vacated right of way, including but not limited to, storm sewer, drainage, sanitary sewer and watermain within the entire length and width of the above described right of ways.

COMMON DESCRIPTION:

A part of South Oak Street and a part of East Kimball Street, generally located south of Lawrence Street and east of Morrison

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 part of South Oak Street and said part of East Kimball Street, title to the above-described streets 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 A21-0300
5/3/2021

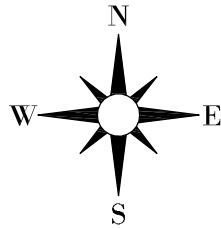
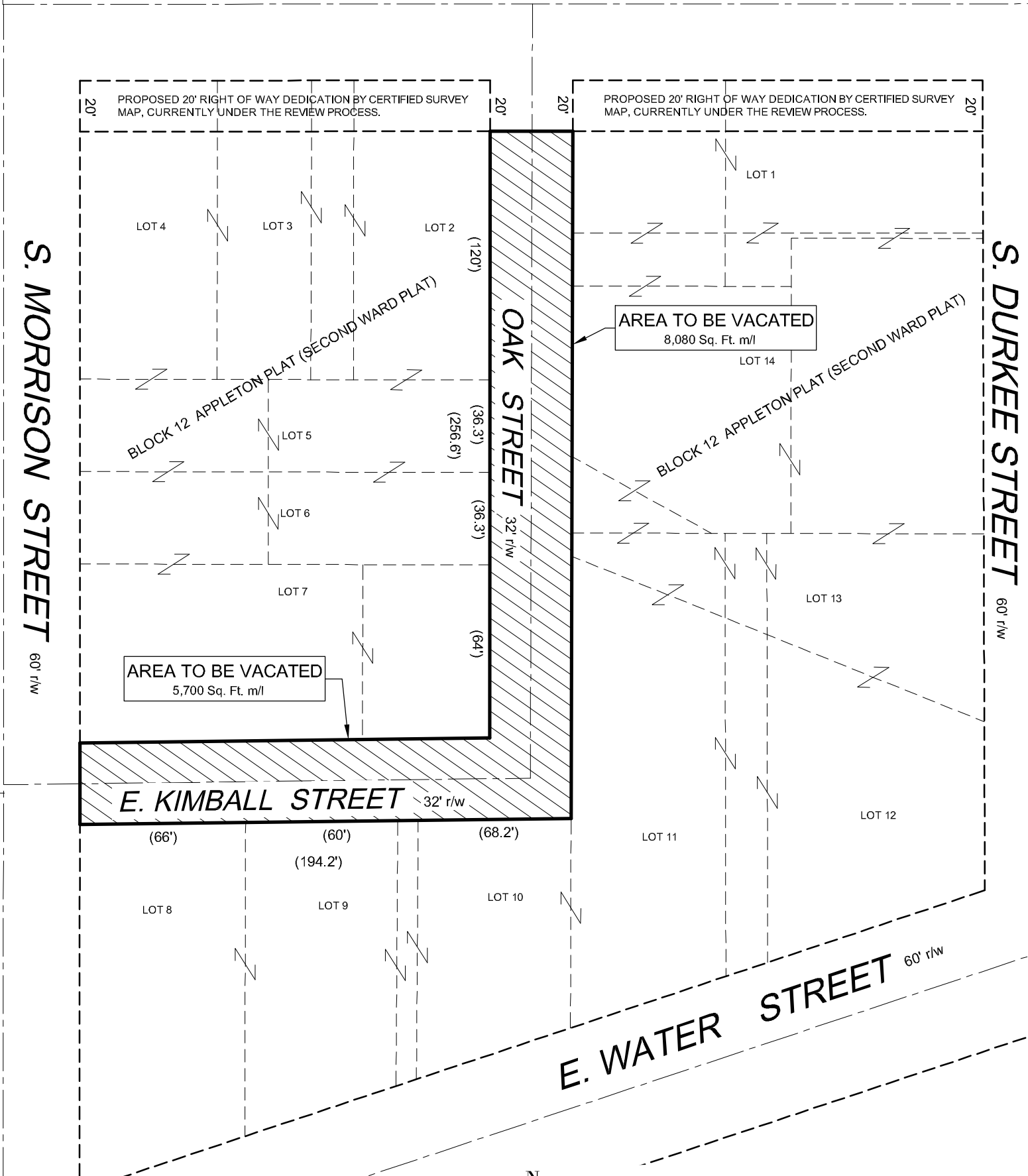
EXHIBIT "A"

All that part of Kimball Street lying East of the East line of Morrison Street and abutting Block Twelve (12) of the **APPLETON PLAT** (aka Second Ward Plat), all according to the recorded Assessor's Map of the City of Appleton, being located in Government Lot Two (2) of Section 26, Township 21 North, Range 17 East, City of Appleton, Outagamie County, Wisconsin, containing 5,700 square feet of land more or less.

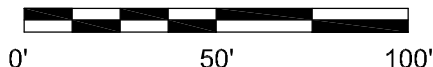
And

All that part of Oak Street lying South of a line 20 feet South of and parallel to the South line of Lawrence Street and abutting Block Twelve (12) of the **APPLETON PLAT** (aka Second Ward Plat), all according to the recorded Assessor's Map of the City of Appleton, being located in Government Lot Two (2) of Section 26, Township 21 North, Range 17 East, City of Appleton, Outagamie County, Wisconsin, containing 8,080 square feet of land more or less.

E. LAWRENCE STREET 60' r/w



SCALE IN FEET



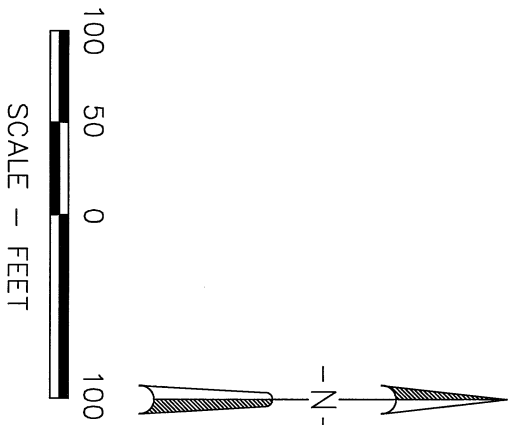
CITY OF APPLETON
 DEPT. OF PUBLIC WORKS
 ENGINEERING DIVISION
 100 NORTH APPLETON STREET
 APPLETON, WI 54911
 920-832-6474

DRAFTED BY: T. KROMM

CERTIFIED SURVEY MAP NO. _____

SHEET 1 OF 4

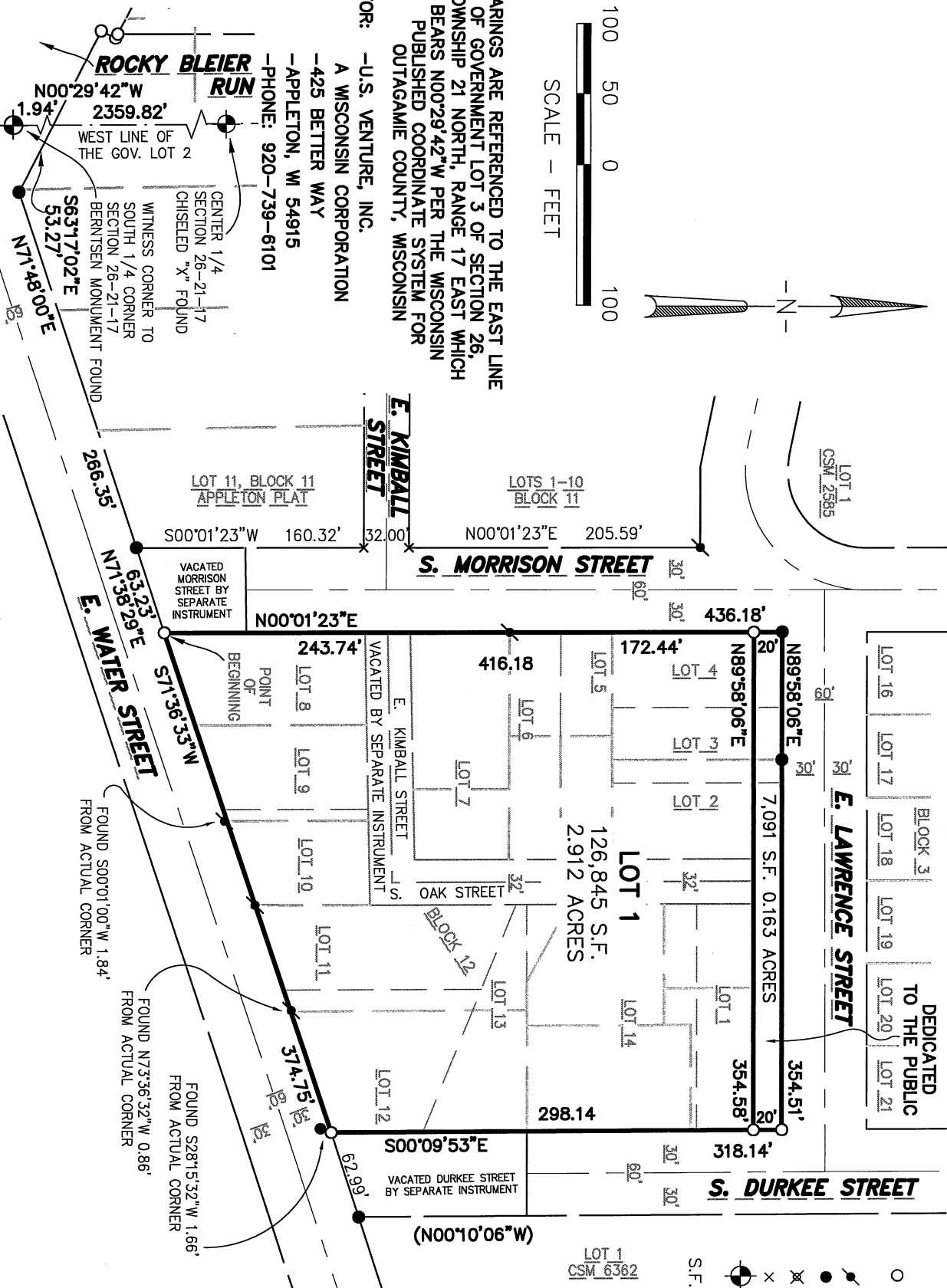
ALL OF LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, ALL OF S. OAK STREET, AND PART OF E. KIMBALL STREET, ALL IN BLOCK 12, BEING PART OF THE APPLETON PLAT (SECOND WARD PLAT), ACCORDING TO THE RECORDED ASSESSORS PLAT, LOCATED IN GOVERNMENT LOT 2 OF SECTION 26, TOWNSHIP 21 NORTH, RANGE 17 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN



BEARINGS ARE REFERENCED TO THE EAST LINE OF GOVERNMENT LOT 3 OF SECTION 26, TOWNSHIP 21 NORTH, RANGE 17 EAST WHICH BEARS N00°29'42"W PER THE WISCONSIN PUBLISHED COORDINATE SYSTEM FOR OUTAGAMIE COUNTY, WISCONSIN

FOR: -U.S. VENTURE, INC.
 A WISCONSIN CORPORATION

-425 BETTER WAY
 -APPLETON, WI 54915
 -PHONE: 920-739-6101



ktesky, W:\PROJECTS\No Number\Money\092100256\CADD\Civil3D\Survey Documents\CSM_East_CSM_2021.dwg, sheet1_legal.csm-landscape, Plot Date: 4/8/2021 4:21 PM.

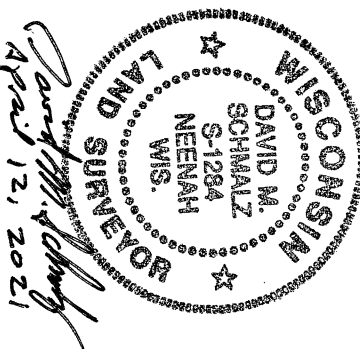
LEGEND

- - 3/4" x 24" ROUND IRON REBAR WEIGHING 1.5 lbs./lineal ft. SET
- 3/4" ROUND STEEL REBAR FOUND
- - 1" IRON PIN FOUND
- ⊗ - CHISELED "X" SET
- ⊙ - CHISELED "X" FOUND
- - CERTIFIED LAND CORNER OUTAGAMIE COUNTY
- - SQUARE FEET

NOTES

- E. KIMBALL STREET & S. OAK STREETS TO BE VACATED BY SEPARATE INSTRUMENT.
- EXISTING BUILDINGS ARE TO BE DEMOLISHED AND ARE NOT SHOWN ON THIS CSM

DRAFTED BY: **Kyle J. Tesky, P.L.S.**



McMAHON
 ENGINEERS ARCHITECTS

McMAHON ASSOCIATES, INC.
 1445 McMAHON DRIVE NEENAH, WI 54956
 Mailing: P.O. BOX 1025 NEENAH, WI 54957-1025
 PH 920.751.4200 FX 920.751.4284 MCMGRP.COM

ALL OF LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, ALL OF S. OAK STREET, AND PART OF E. KIMBALL STREET, ALL IN BLOCK 12, BEING PART OF THE APPLETON PLAT (SECOND WARD PLAT), ACCORDING TO THE RECORDED ASSESSORS PLAT, LOCATED IN GOVERNMENT LOT 2 OF SECTION 26, TOWNSHIP 21 NORTH, RANGE 17 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN

SURVEYOR'S CERTIFICATE

I, David M. Schmalz, Wisconsin Professional Land Surveyor S-1284, certify that I have surveyed, divided, mapped all of Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, all of S. Oak Street, and part of E. Kimball Street, all in Block 12, being part of the Appleton Plat (Second Ward Plat), according to the recorded assessors plat, located in Government Lot 2 of Section 26, Township 21 North, Range 17 East, City of Appleton, Outagamie County, Wisconsin containing 133,936 square feet (3.075 acres) of land and described as follows:

Commencing at the Northerly Witness Corner to the South 1/4 Corner of said Section 26; thence N00°29'42"W, 1.94 feet along the West line of Government Lot 2 to the Northerly Right of Way (ROW) of Rocky Bleier Run; thence S63°17'02"E, 53.27 feet along said ROW; thence N71°48'00"E, 266.35 feet along the Northerly ROW of E. Water Street; thence N71°38'29"E, 63.23 feet along said ROW to the Southwest Corner of said Lot 8 and the Point of Beginning; thence N00°01'23"E 436.18 feet along the East ROW of S. Morrison Street; thence N89°58'06"E, 354.51 feet along the South ROW of E. Lawrence Street; thence S00°09'53"E, 318.14 feet along the West ROW of S. Durkee Street; thence S71°36'33"W, 374.75 feet along the Northerly ROW of E. Water Street to the Point of Beginning.

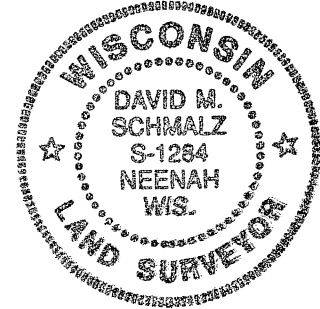
That I have made this survey by the direction of the Owners of said Land.

I further certify that this map is a correct representation of the exterior boundary lines of the land surveyed and the division of that land, and that I have complied with section 236.34 of the Wisconsin Statutes and the City of Appleton Subdivision Ordinance in surveying, dividing and mapping the same.

Given under my hand and seal this 12th day of April, 2021.

David M. Schmalz

David M. Schmalz, Professional WI land Surveyor S-1284



| TAX PARCEL No. | OWNER | DOCUMENT No. |
|----------------|-------------------|--------------|
| 31-2-0159-00 | U.S. VENTURE, INC | 2228710 |
| 31-2-0160-00 | U.S. VENTURE, INC | 2214439 |
| 31-2-0161-00 | U.S. VENTURE, INC | 2228709 |
| 31-2-0162-00 | U.S. VENTURE, INC | 2228708 |
| 31-2-0163-00 | U.S. VENTURE, INC | 2228712 |
| 31-2-0164-00 | U.S. VENTURE, INC | 2214456 |
| 31-2-0165-00 | U.S. VENTURE, INC | 2228713 |
| 31-2-0166-00 | U.S. VENTURE, INC | 2228711 |
| 31-2-0167-00 | U.S. VENTURE, INC | 2214440 |
| 31-2-0168-00 | U.S. VENTURE, INC | 2214441 |
| 31-2-0169-00 | U.S. VENTURE, INC | 2214442 |
| 31-2-0170-00 | U.S. VENTURE, INC | 2214457 |
| 31-2-0171-00 | U.S. VENTURE, INC | 2214458 |
| 31-2-0172-00 | U.S. VENTURE, INC | 2214400 |
| 31-2-0173-00 | U.S. VENTURE, INC | 2214443 |
| 31-2-0174-00 | U.S. VENTURE, INC | 2228714 |

NOTES:

THE PROPERTY OWNER OF RECORD IS: U.S. VENTURE, INC., A WISCONSIN CORPORATION

THIS PROPERTY IS CONTAINED WHOLLY WITHIN LANDS DESCRIBED IN: DOCUMENT NUMBERS AND TAX PARCEL NUMBERS LISTED IN TABLE.

McMAHON
ENGINEERS ARCHITECTS

McMAHON ASSOCIATES, INC.
1445 McMAHON DRIVE NEENAH, WI 54956
Mailing: P.O. BOX 1025 NEENAH, WI 54957-1025
PH 920.751.4200 FX 920.751.4284 MCMGRP.COM

CERTIFIED SURVEY MAP NO. _____

SHEET 4 OF 4

ALL OF LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, ALL OF S. OAK STREET, AND PART OF E. KIMBALL STREET, ALL IN BLOCK, 12 BEING PART OF THE APPLETON PLAT (SECOND WARD PLAT), ACCORDING TO THE RECORDED ASSESSORS PLAT, LOCATED IN GOVERNMENT LOT 2 OF SECTION 26, TOWNSHIP 21 NORTH, RANGE 17 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN

OWNER'S CERTIFICATE

U.S. VENTURE, INC., A WISCONSIN CORPORATION, As Owners, We hereby certify that we caused the land described on this Certified Survey Map to be surveyed, divided, mapped, and dedicated as represented on this Certified Survey Map. We also certify that this Certified Survey Map is required by s. 236.10 or 236.12 of the Wisconsin Statutes to be submitted to the following for approval.

City of Appleton

Dated this _____ day of _____, 20____.

U.S. VENTURE INC., A WISCONSIN CORPORATION

Authorized Signature, Title

Authorized Signature, Title

Printed Name

Printed Name

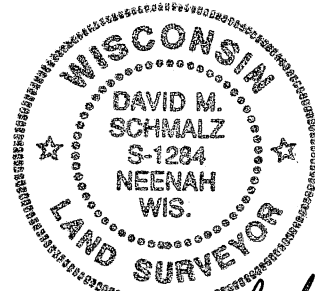
State of Wisconsin)
_____)ss
_____ County)

Personally appeared before me on the _____ day of _____, 20____, the above named person(s) to me known to be the person(s) who executed the foregoing instrument, and acknowledged the same.

Notary Public

_____ County, _____

My commission expires _____



David M. Schmalz
April 12, 2021



REPORT TO CITY PLAN COMMISSION

Plan Commission Meeting Date: May 12, 2021

Common Council Meeting Date: May 19, 2021

Item: Dedication of Public Right-of-Way for Lawrence Street

Case Manager: David Kress, Principal Planner

GENERAL INFORMATION

Owner/Applicant: U.S. Venture, Inc. c/o Elyse Mollner Stackhouse

Location: Generally located south and east of the intersection of Morrison Street and Lawrence Street (part of parcels #31-2-0162-00, #31-2-0161-00, #31-2-0159-00, and #31-2-0160-00)

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

BACKGROUND

The owner/applicant has acquired 16 parcels in the area south of Lawrence Street and east of Morrison Street. Some buildings have already been demolished in the subject area, and additional demolition permits have been issued recently. In April 2021, the owner/applicant submitted a Certified Survey Map (CSM) to combine the 16 parcels and proposed vacated right-of-way into one lot. The CSM also proposes to dedicate the subject area for public roadway purposes. The Downtown Appleton Mobility Plan includes recommendations for future reconstruction of Lawrence Street and identifies a need for additional right-of-way near the subject area. The proposed right-of-way dedication would provide for a widened Lawrence Street cross section.

Two related items are also being presented at this May 12, 2021 Plan Commission meeting. One is a request to vacate and discontinue portions of Oak Street and Kimball Street right-of-way. The other is Rezoning #4-21, which is a request to rezone the surrounding parcels from R-1B Single-Family District, R-3 Multi-Family District, and P-I Public Institutional District to CBD Central Business District. These items are incorporated in the CSM referenced above. CSMs are reviewed and administratively approved by City staff; however, CSM approval could only occur after Common Council approval of the items noted above. The CSM, currently under review, is attached for reference.

STAFF ANALYSIS

Public Right-of-Way Dedication: Approximately 6,451 square feet of land is included in the proposed right-of-way dedication. This includes part of parcels #31-2-0162-00, #31-2-0161-00, #31-2-0159-00, and #31-2-0160-00. As shown on the attached exhibit map, the right-of-way for Lawrence Street would be widened by 20 feet in this area.

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

Street Dedication – Lawrence Street

May 12, 2021

Page 2

Surrounding Zoning Classification and Land Uses: The surrounding area is under the jurisdiction of the City of Appleton (north, south, east, and west). The uses are generally residential and institutional in nature. If Rezoning #4-21 is approved, the surrounding zoning would be completely CBD Central Business District.

North: R-3 Multi-Family District and CBD Central Business District. Existing Lawrence Street right-of-way is immediately north of the subject area, and the adjacent land use is institutional (YMCA of the Fox Cities facility).

South: R-3 Multi-Family District and CBD Central Business District. The adjacent land use to the south is currently vacant land, with building demolition ongoing on some parcels.

East: R-3 Multi-Family District and P-I Public Institutional District. Existing Durkee Street right-of-way is immediately east of the subject area, and the adjacent land use is institutional (Lawrence University).

West: CBD Central Business District. Existing Morrison Street right-of-way is immediately west of the subject area.

Comprehensive Plan 2010-2030: The City of Appleton *Comprehensive Plan 2010-2030* identifies this area as future Mixed Use designation. The proposed public right-of-way dedication 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.

OBJECTIVE 6.9 Transportation:

Implement the transportation-related recommendations contained within related plans.

Policy 6.9.2 Implement the recommendations of the 2016 Downtown Mobility Study.

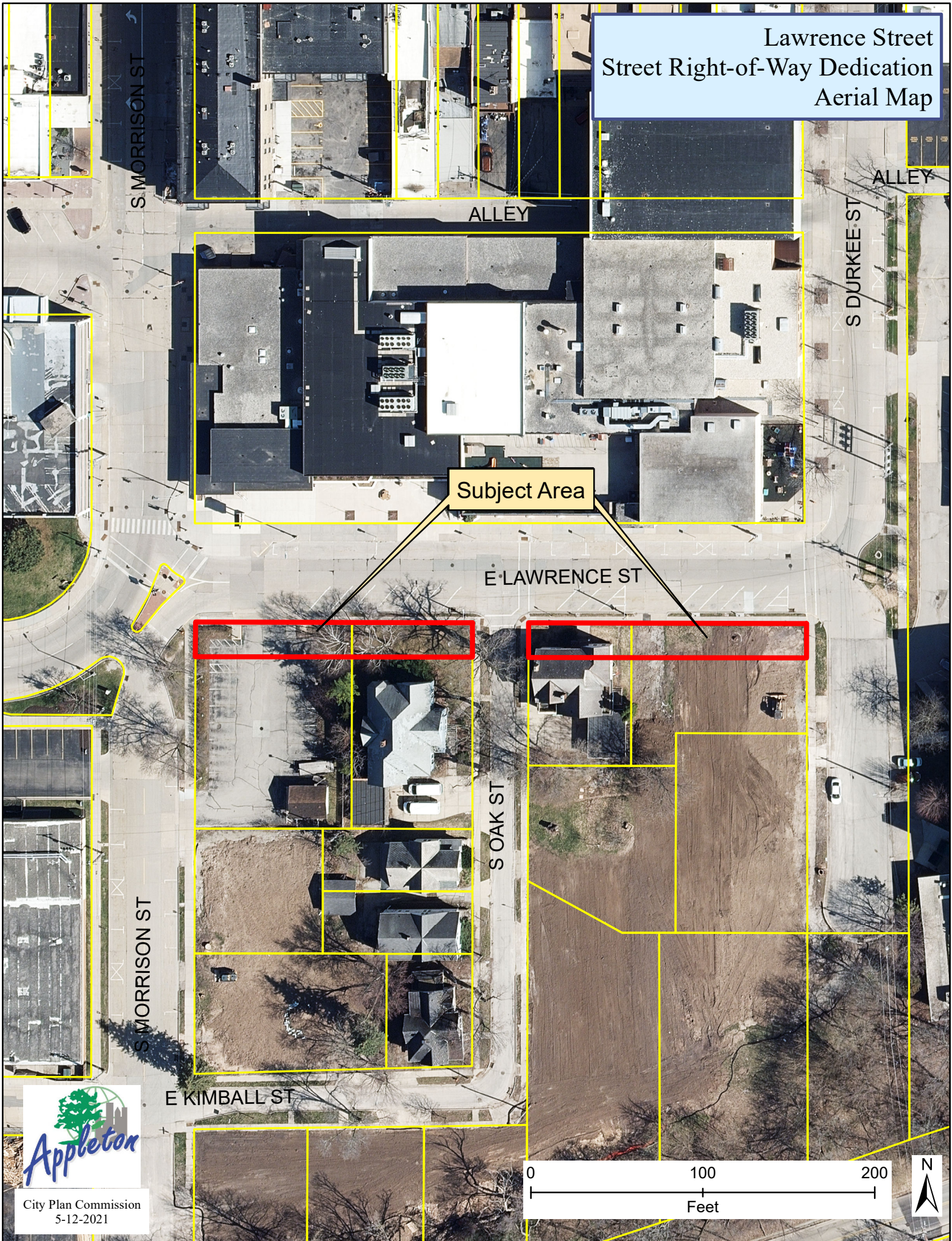
Technical Review Group (TRG) Report: This item appeared on the April 20, 2021 TRG agenda. No negative comments were received from participating departments.

RECOMMENDATION

Staff recommends the dedication of land for public right-of-way for Lawrence Street, as shown on the attached maps, **BE APPROVED** subject to the following conditions:

1. For the attached Certified Survey Map, revise the dedication area by removing a portion of existing right-of-way. The dedication areas shown on the CSM need to align with the exhibit map used for the vacation of Oak Street and Kimball Street.
2. In the area to be dedicated as public right-of-way, demolition of the existing buildings must be completed prior to City signatures being affixed to the Certified Survey Map.

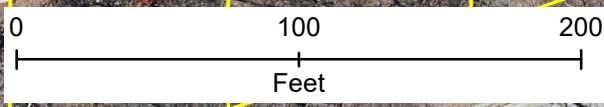
Lawrence Street
Street Right-of-Way Dedication
Aerial Map



Subject Area



City Plan Commission
5-12-2021



ALL OF LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, ALL OF S. OAK STREET, AND PART OF E. KIMBALL STREET, ALL IN BLOCK 12, BEING PART OF THE APPLETON PLAT (SECOND WARD PLAT), ACCORDING TO THE RECORDED ASSESSORS PLAT, LOCATED IN GOVERNMENT LOT 2 OF SECTION 26, TOWNSHIP 21 NORTH, RANGE 17 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN

SURVEYOR'S CERTIFICATE

I, David M. Schmalz, Wisconsin Professional Land Surveyor S-1284, certify that I have surveyed, divided, mapped all of Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, all of S. Oak Street, and part of E. Kimball Street, all in Block 12, being part of the Appleton Plat (Second Ward Plat), according to the recorded assessors plat, located in Government Lot 2 of Section 26, Township 21 North, Range 17 East, City of Appleton, Outagamie County, Wisconsin containing 133,936 square feet (3.075 acres) of land and described as follows:

Commencing at the Northerly Witness Corner to the South 1/4 Corner of said Section 26; thence N00°29'42"W, 1.94 feet along the West line of Government Lot 2 to the Northerly Right of Way (ROW) of Rocky Bleier Run; thence S63°17'02"E, 53.27 feet along said ROW; thence N71°48'00"E, 266.35 feet along the Northerly ROW of E. Water Street; thence N71°38'29"E, 63.23 feet along said ROW to the Southwest Corner of said Lot 8 and the Point of Beginning; thence N00°01'23"E 436.18 feet along the East ROW of S. Morrison Street; thence N89°58'06"E, 354.51 feet along the South ROW of E. Lawrence Street; thence S00°09'53"E, 318.14 feet along the West ROW of S. Durkee Street; thence S71°36'33"W, 374.75 feet along the Northerly ROW of E. Water Street to the Point of Beginning.

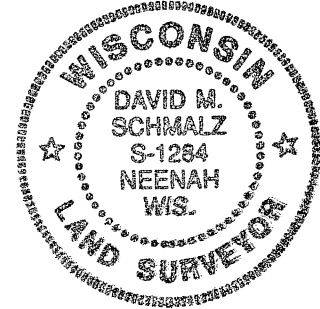
That I have made this survey by the direction of the Owners of said Land.

I further certify that this map is a correct representation of the exterior boundary lines of the land surveyed and the division of that land, and that I have complied with section 236.34 of the Wisconsin Statutes and the City of Appleton Subdivision Ordinance in surveying, dividing and mapping the same.

Given under my hand and seal this 12th day of April, 2021.

David M. Schmalz

David M. Schmalz, Professional WI land Surveyor S-1284



| TAX PARCEL No. | OWNER | DOCUMENT No. |
|----------------|-------------------|--------------|
| 31-2-0159-00 | U.S. VENTURE, INC | 2228710 |
| 31-2-0160-00 | U.S. VENTURE, INC | 2214439 |
| 31-2-0161-00 | U.S. VENTURE, INC | 2228709 |
| 31-2-0162-00 | U.S. VENTURE, INC | 2228708 |
| 31-2-0163-00 | U.S. VENTURE, INC | 2228712 |
| 31-2-0164-00 | U.S. VENTURE, INC | 2214456 |
| 31-2-0165-00 | U.S. VENTURE, INC | 2228713 |
| 31-2-0166-00 | U.S. VENTURE, INC | 2228711 |
| 31-2-0167-00 | U.S. VENTURE, INC | 2214440 |
| 31-2-0168-00 | U.S. VENTURE, INC | 2214441 |
| 31-2-0169-00 | U.S. VENTURE, INC | 2214442 |
| 31-2-0170-00 | U.S. VENTURE, INC | 2214457 |
| 31-2-0171-00 | U.S. VENTURE, INC | 2214458 |
| 31-2-0172-00 | U.S. VENTURE, INC | 2214400 |
| 31-2-0173-00 | U.S. VENTURE, INC | 2214443 |
| 31-2-0174-00 | U.S. VENTURE, INC | 2228714 |

NOTES:

THE PROPERTY OWNER OF RECORD IS: U.S. VENTURE, INC., A WISCONSIN CORPORATION

THIS PROPERTY IS CONTAINED WHOLLY WITHIN LANDS DESCRIBED IN: DOCUMENT NUMBERS AND TAX PARCEL NUMBERS LISTED IN TABLE.

McMAHON
ENGINEERS ARCHITECTS

McMAHON ASSOCIATES, INC.
1445 McMAHON DRIVE NEENAH, WI 54956
Mailing: P.O. BOX 1025 NEENAH, WI 54957-1025
PH 920.751.4200 FX 920.751.4284 MCMGRP.COM

CERTIFIED SURVEY MAP NO. _____

SHEET 4 OF 4

ALL OF LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, ALL OF S. OAK STREET, AND PART OF E. KIMBALL STREET, ALL IN BLOCK, 12 BEING PART OF THE APPLETON PLAT (SECOND WARD PLAT), ACCORDING TO THE RECORDED ASSESSORS PLAT, LOCATED IN GOVERNMENT LOT 2 OF SECTION 26, TOWNSHIP 21 NORTH, RANGE 17 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN

OWNER'S CERTIFICATE

U.S. VENTURE, INC., A WISCONSIN CORPORATION, As Owners, We hereby certify that we caused the land described on this Certified Survey Map to be surveyed, divided, mapped, and dedicated as represented on this Certified Survey Map. We also certify that this Certified Survey Map is required by s. 236.10 or 236.12 of the Wisconsin Statutes to be submitted to the following for approval.

City of Appleton

Dated this _____ day of _____, 20____.

U.S. VENTURE INC., A WISCONSIN CORPORATION

Authorized Signature, Title

Authorized Signature, Title

Printed Name

Printed Name

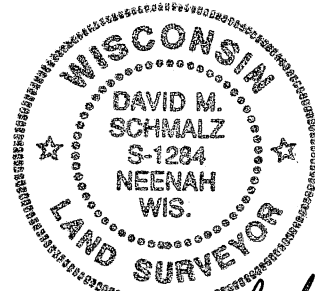
State of Wisconsin)
_____ County) ss

Personally appeared before me on the _____ day of _____, 20____, the above named person(s) to me known to be the person(s) who executed the foregoing instrument, and acknowledged the same.

Notary Public

_____ County, _____

My commission expires _____



David M. Schmalz
April 12, 2021