

Return to: Department of Public Works
Inspection Division
100 North Appleton Street
Appleton, Wisconsin 54911
(920) 832-6411

City of Appleton Application for Variance

Application Deadline Meeting Date

Please write legibly and also submit a complete reproducible site plan (maximum size 11" x 17"). A complete site plan includes, but is not limited to, all structures, lot lines and streets with distances to each. There is a non-refundable \$125.00 fee for each variance application. The non-refundable fee is payable to the City of Appleton and due at the time the application is submitted.

Property Information	
Address of Property (Variance Requested) 719 W Packard St, 0 N Richmond, 0 W Harris St	Parcel Number 315123200, 315123400, 315123600, 315123800
Zoning District C-1 neighborhood mixed use district	Use of Property <input type="checkbox"/> Residential <input checked="" type="checkbox"/> Commercial

Applicant Information	
Owner Name Core, LLC	Owner Address PO Box 515 Sturgeon Bay, WI 54235
Owner Phone Number 920-585-4814	Owner E Mail address (optional)
Agent Name Michael Loy	Agent Address 1450 Dons Way Kronenwetter WI, 54455
Agent Phone Number 715-551-7170	Agent E Mail address (optional) michael@geardequity.com

Variance Information
Municipal Code Section(s) Project Does not Comply Sec. 23-112. C-1 neighborhood mixed use district (h) Development standards (7) Maximum building height
Brief Description of Proposed Project 112 Unit, 6-story multi-family development

Owner's Signature (Required): _____ Date: 02/01/2022

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Questionnaire

In order to be granted a variance each applicant must be able to prove that an unnecessary hardship would be created if the variance were not granted. The burden of proving an unnecessary hardship rests upon the applicant. The attached sheet provides information on what constitutes a hardship. (Attach additional sheets, if necessary, to provide the information requested. Additional information may be requested as needed.

1. Explain your proposed plans and why you are requesting a variance:

The proposed development is a 6-story, 112-unit multi-family development. Per Appleton Zoning Code, the maximum building height allowed for this property is 60', which is measured by a distance from the finished grade plane to the highest point of the roof structure, as illustrated on page 1508 in the definitions section of the zoning code.

Our proposed design shows a distance from the finished grade plane to the highest point of the roof structure of 83'-9 $\frac{3}{4}$ ", a difference of 23'-9 $\frac{3}{4}$ ".

2. Describe how the variance would not have an adverse affect on the surrounding properties:

The property across the street is 64 ft tall. The owners of the middle units of the uppermost floor of Richmond Terrace (3 units of the 5th floor) would lose some view of westerly sky because they would not look overlook the top of an equivalent height building. The two end units would still have the majority of their view being north or south rather than west. The other units along Richmond Street (10 units) would not be affected any differently than they would be with a building 60 feet in height. The same is true for the surrounding residential properties.

3. Describe the special conditions that apply to your lot or structure that do not apply to surrounding lots or structures:

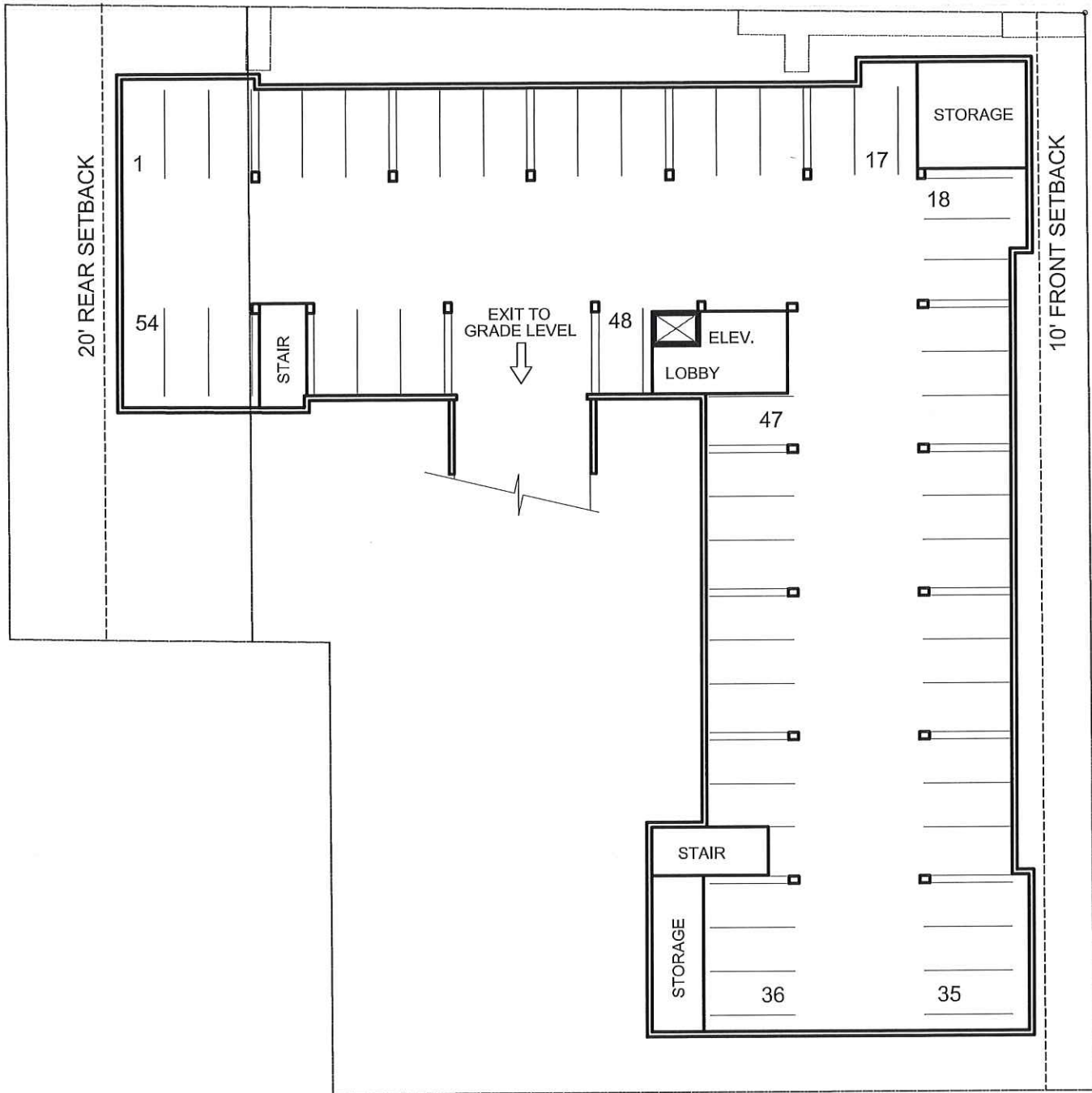
One of the stated goals of the City is to create an environment for the future growth of the Richmond corridor as the major gateway to the downtown. The City has invested substantial time in extending TID 12 and rezoning the parcels to C-1 which accommodates a market rate apartment development.

Vacant lots of this size are not immediately available in the surrounding target area for this development. The soil conditions of the site require additional foundational shoring to support development of scale. The ability to go deeper with the development would preclude street level interaction with the public along Richmond Street and would locate units directly level with the street scape. The former VFW site is just under an acre. In order to accommodate the required parking and number of units the project has to be built taller.

4. Describe the hardship that would result if your variance were not granted:

The Richmond Street corridor has no available land or buildings that can be re-developed. This is different than all recent apartment projects that have been completed or proposed in Appleton's downtown. Additionally, several of the other recent projects are in CBD zoning which allows for taller buildings. If the variance is not granted and there is no viable path to add parcels (land) to the development, the re-development of the site will not happend with apartments. The site could continue to remain vacant for the foreseeable future

PACKARD STREET

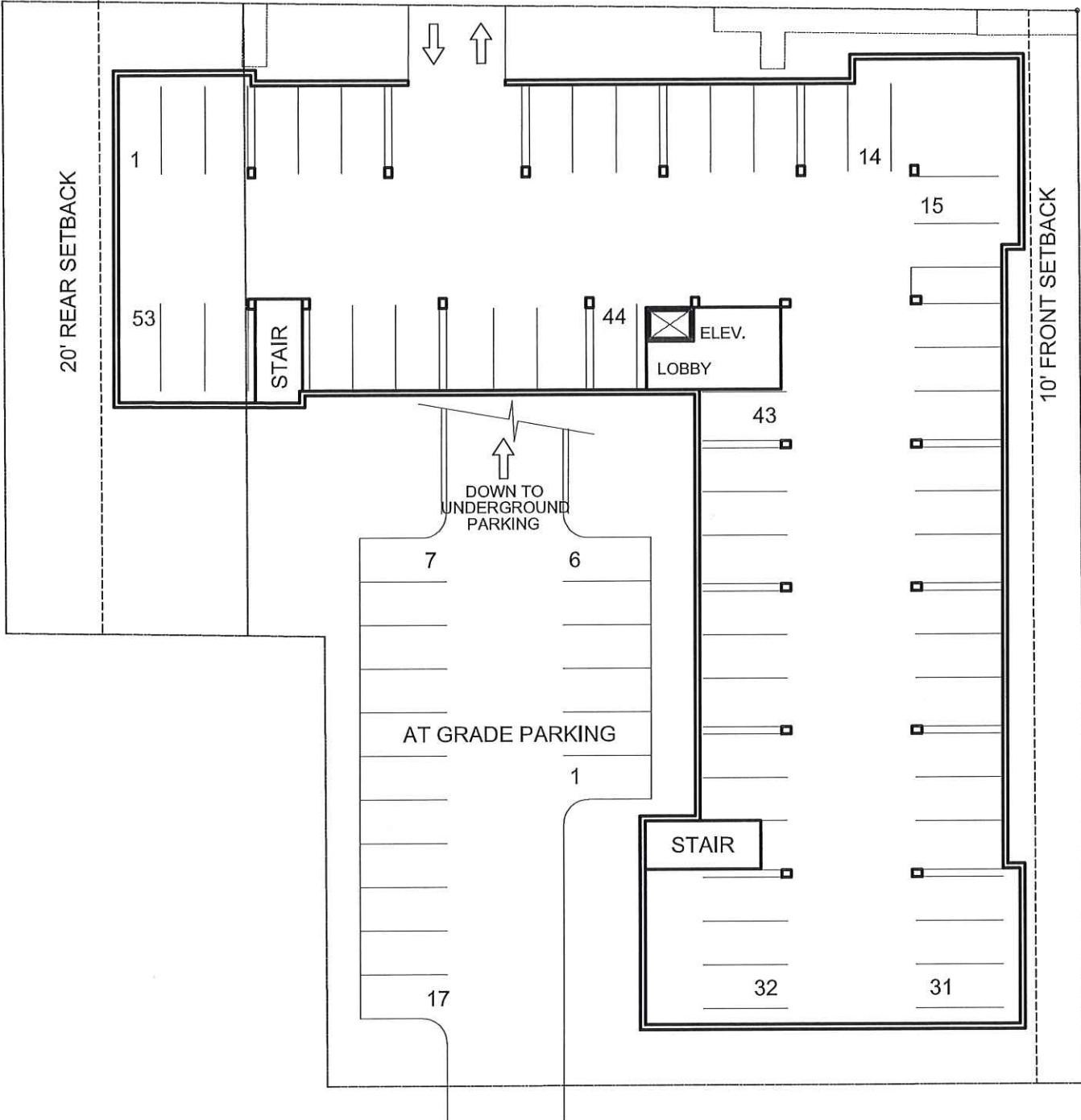


HARRIS STREET

CORNERSTONE APARTMENTS
UNDERGROUND PARKING

GH GRUNWALDT & HALVERSON
Architects | Engineers

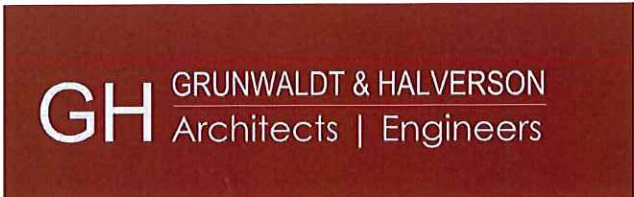
PACKARD STREET



RICHMOND STREET

HARRIS STREET

CORNERSTONE APARTMENTS
GROUND LEVEL PARKING



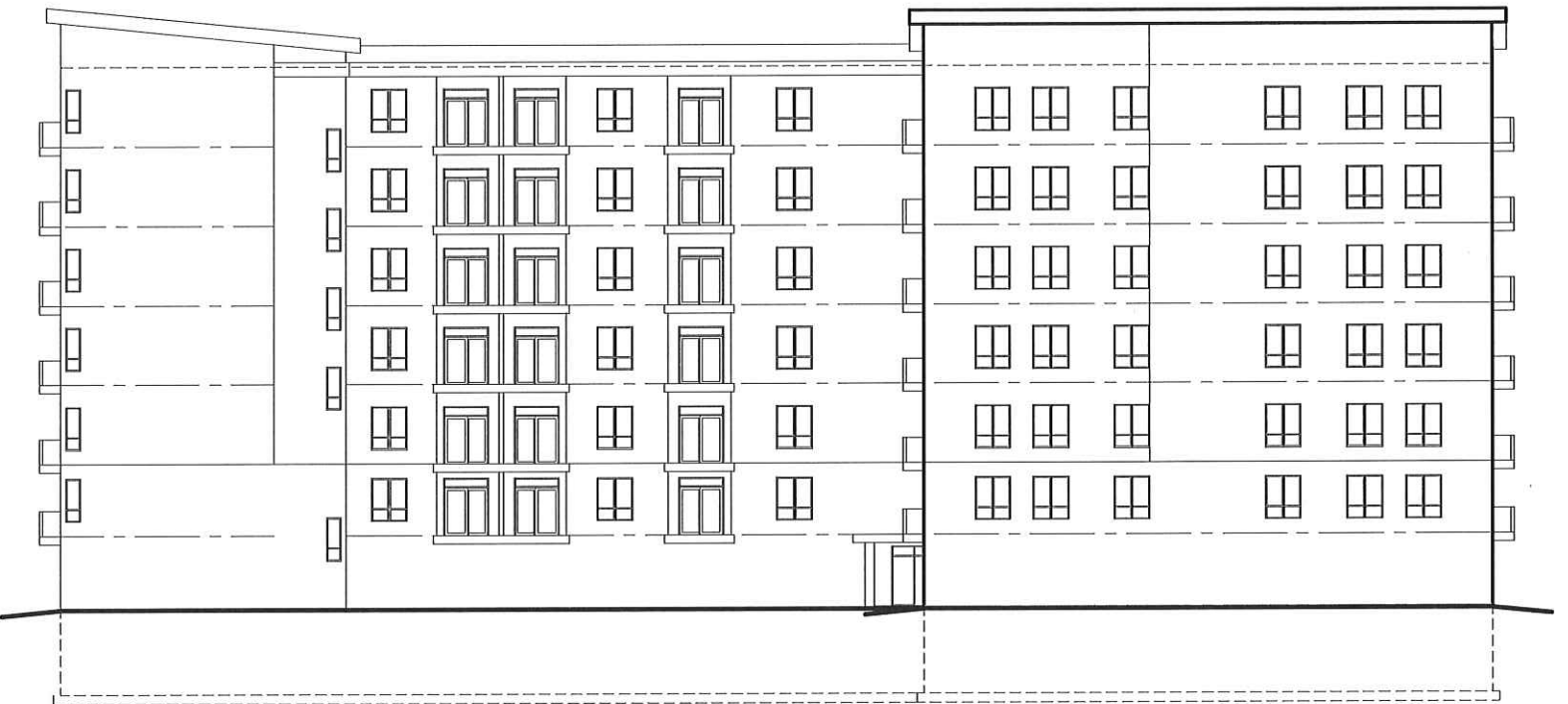


CORNERSTONE APARTMENTS
EAST ELEVATION - AT RICHMOND ST.





CORNERSTONE APARTMENTS
NORTH ELEVATION - AT PACKARD ST.



CORNERSTONE APARTMENTS
SOUTH ELEVATION - AT HARRIS ST.



CORNERSTONE APARTMENTS
WEST ELEVATION



CITY OF APPLETON MEMO

To: Board of Zoning Appeals

From: Kurt W. Craanen, Inspections Supervisor



Date: February 3, 2022

RE: Variance Application for 719 W. Packard St. (31-5-1232-00, 31-5-1234-00,
31-5-1238-00, 31-5-1236-00)

Description of Proposal

The applicant proposes to build a building that is 83' 9 3/4" in height. Section 23-112(h)(7) of the Zoning Ordinance limits building height to sixty (60) feet.

Impact on the Neighborhood

In the application, the applicant states that the property across the street is sixty-four (64) feet tall and the middle units of the uppermost floor would lose some view of westerly sky. The two end units would still have the majority of their view. Other units would not be impacted by the new building.

Unique Condition

In the application, the applicant states that the soil conditions (high water table) of the site do not allow for development to go deeper. The applicant also states that the site is under an acre and in order to accommodate the required parking and number of units the project has to be taller.

Hardship

In the application, the applicant states that since this property is zoned C1, as apposed to CBD which allows for taller buildings, there is no viable path for development and the land cannot be used for it's intended use and the site will remain vacant for the foreseeable future.

Staff Analysis

The requested variance is for a future parcel that will be created by joining four existing parcels (31-5-1232-00, 31-5-1234-00, 31-5-1238-00, 31-5-1236-00). Any variances approved for this property should be contingent on the Certified Survey Map (CSM) being approved and recorded.

The size of the proposed new parcel would be 43,418 sq ft. The minimum size parcel permitted in the C1 zoning district is 6,000 sq ft.

In the application, applicant states that development could not happen on this lot unless a variance is approved. However, the dimensions of the parcel do not limit development. The proposed lot is nearly an acre and could accommodate a development within the realm of permitted uses in the C1 zoning district. The factors that the applicant states require the building to be taller than the height limits in the Zoning Ordinance appear to be based on personal preferences, rather than the review criteria specified in Section 23-67(f) of the Zoning Ordinance. For example, the applicant has not indicated a unique physical limitation of the property. Also, by

proposing an eight three (83) foot building, rather than a sixty (60) foot building, is a self-created hardship. A sixty (60) foot building is an alternative.

It appears the applicant has not met the review criteria outlined in the Zoning Ordinance.