



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, August 10, 2022

3:30 PM

Council Chambers, 6th Floor

1. Call meeting to order
2. Roll call of membership
3. Approval of minutes from previous meeting
[22-0998](#) City Plan Minutes from 7-27-22

Attachments: [City Plan Minutes 7-27-22.pdf](#)

4. Public Hearings/Apearances

- [22-0999](#) Special Use Permit #8-22 for a car wash use located at 1000 W. Northland Avenue (Tax Id #31-5-9494-06), as shown on the attached materials 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 #22-1000)

Attachments: [ClassIIPublicHearingNoticeNewspaper_1000WNorthlandAv_SUP#8-22.pdf](#)
[PublicHearingNoticeNeighborhood_1000WNorthlandAv_SUP#8-22.pdf](#)

5. Action Items

- [22-1000](#) Request to approve Special Use Permit #8-22 for a car wash use located at 1000 W. Northland Avenue (Tax Id #31-5-9494-06), as shown on the attached materials 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 of Common Council required for approval)

Attachments: [StaffReport_Zips Car Wash_SUP_For08-10-22.pdf](#)

[22-1001](#)

Request to approve Certified Survey Map #23-22, which crosses a plat boundary, to eliminate a parcel located on E. John Street (Tax Id #31-4-5269-00) and attach its land area to 2 parcels, 1730 S. Matthias Street (Tax Id #31-4-4699-00) and 2616 E. John Street (Tax Id #31-4-5268-00) as shown on the attached map and subject to the conditions in the attached staff report

Attachments: [StaffReport JohnStMatthiasSt CrossingPlatBoundary For08-10-22.pdf](#)

[22-1002](#)

Request to approve Resolution #2022-06 to update the land use applications fee schedule for the Community and Economic Development Department as described in the attached documents

Attachments: [Land Use Application Fees Memo to PC 8-10-22.pdf](#)

[Land Use Apps Fee Study Proposed Fees For 2023.pdf](#)

[Resolution #2022-06 Land Use Application Fees 2023.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

100 North Appleton Street
Appleton, WI 54911-4799
www.appleton.org

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.*

Wednesday, July 27, 2022

3:30 PM

Council Chambers, 6th Floor

1. Call meeting to order

Meeting called to order by Chair Mayor Woodford at 3:30 p.m.

2. Roll call of membership

DPW Director Danielle Block acted in place of Commissioner Ross Buetow.

Present: 6 - Palm, Robins, Mayor Woodford, Fenton, Buetow and Uitenbroek

Excused: 1 - Dane

Others present:

Grant E. Vollrath, 103 S. Fidelis Street

Cory Scott, RDG Planning & Design (participated virtually via Zoom)

3. Approval of minutes from previous meeting

[22-0935](#)

City Plan Minutes from 7-13-22

Attachments: [City Plan Minutes 7-13-22.pdf](#)

Fenton moved, seconded by Robins, that the Minutes be approved. Roll Call.

Motion carried by the following vote:

Aye: 6 - Palm, Robins, Mayor Woodford, Fenton, Buetow and Uitenbroek

Excused: 1 - Dane

4. Public Hearings/Appearances

5. Action Items

6. Information Items

[22-0936](#)

College North Neighborhood Plan prepared by RDG Planning & Design

Attachments: [College North Neighborhood Plan Memo to CEDC + Plan 7-27-22.pdf](#)
[ExecSummary_CollegeNorthNeighborhoodPlan_July2022.pdf](#)
[CollegeNorthNeighborhoodPlan_July2022.pdf](#)

This item was presented and discussed.

7. Adjournment

Fenton moved, seconded by Palm, that the meeting be adjourned at 4:05 p.m.
Roll Call. Motion carried by the following vote:

Aye: 6 - Palm, Robins, Mayor Woodford, Fenton, Buetow and Uitenbroek

Excused: 1 - Dane

CITY OF APPLETON
NOTICE OF PUBLIC HEARING
PROPOSED SPECIAL USE PERMIT

NOTICE IS HEREBY GIVEN of a Public Hearing to be held before the City Plan Commission on Wednesday, August 10, 2022, at 3:30 P.M., in Council Chambers, 6th Floor, City Hall, 100 North Appleton Street, or as soon thereafter as can be heard, for the purpose of considering a Special Use Permit.

Pursuant to Sections 23-66 and 23-113 of the Appleton Municipal Code, to consider a request by WFBT 2 LLC, owner, and Mays and Company on behalf of Zips Car Wash, applicant, for the property located at 1000 W. Northland Avenue (Tax Id #31-5-9494-06) to obtain a Special Use Permit for a car wash. In the C-2 General Commercial District, a Special Use Permit is required for a car wash.

All persons interested are invited to attend this meeting and will be given an opportunity to be heard. Feedback can also be shared with Plan Commission members via written letter, email, or phone call. Any questions regarding this matter should be directed to Jessica Titel, Principal Planner, in the Community and Economic Development Department at (920) 832-6476 or by email at jessica.titel@appleton.org.

CITY PLAN COMMISSION
APPLETON, WISCONSIN

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.

RUN: July 26, 2022
August 2, 2022

NOTICE OF PUBLIC HEARING
OF THE
APPLETON CITY PLAN COMMISSION

Dear property owner(s):

The City of Appleton Plan Commission will conduct a Public Hearing on Wednesday, August 10, 2022, 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 purpose of considering the following proposed Special Use Permit:

- Pursuant to Sections 23-66 and 23-113 of the Appleton Municipal Code, to consider a request by WFBT 2 LLC, owner, and Mays and Company on behalf of Zips Car Wash, applicant, for the property located at 1000 W. Northland Avenue (Tax Id #31-5-9494-06) to obtain a Special Use Permit for a car wash. In the C-2 General Commercial District, a Special Use Permit is required for a car wash.

- ALDERMANIC DISTRICT: 6 – Alderperson Denise Fenton

You are being notified as a policy of the City of Appleton Community and Economic Development Department. All persons interested are invited to attend this meeting and will be given an opportunity to be heard. Feedback can also be shared with Plan Commission members via written letter, email, or phone call. The Plan Commission makes a recommendation to the Common Council who makes the final decision on the matter.

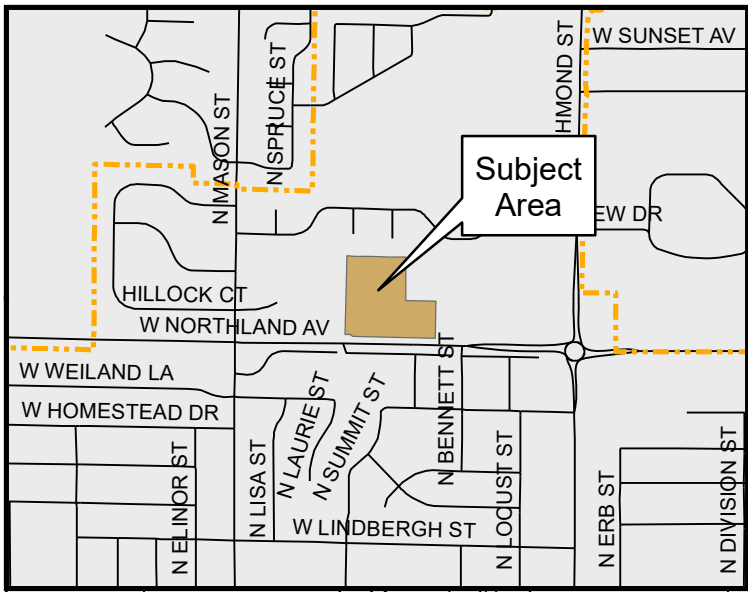
Any questions regarding this matter should be directed to Jessica Titel, Principal Planner, in the Community and Economic Development Department at 920-832-6476 or by email at jessica.titel@appleton.org.

CITY PLAN COMMISSION

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

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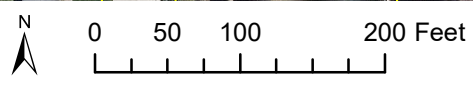
Special Use Permit
Car Wash
1000 W. Northland Avenue
Zoning Map

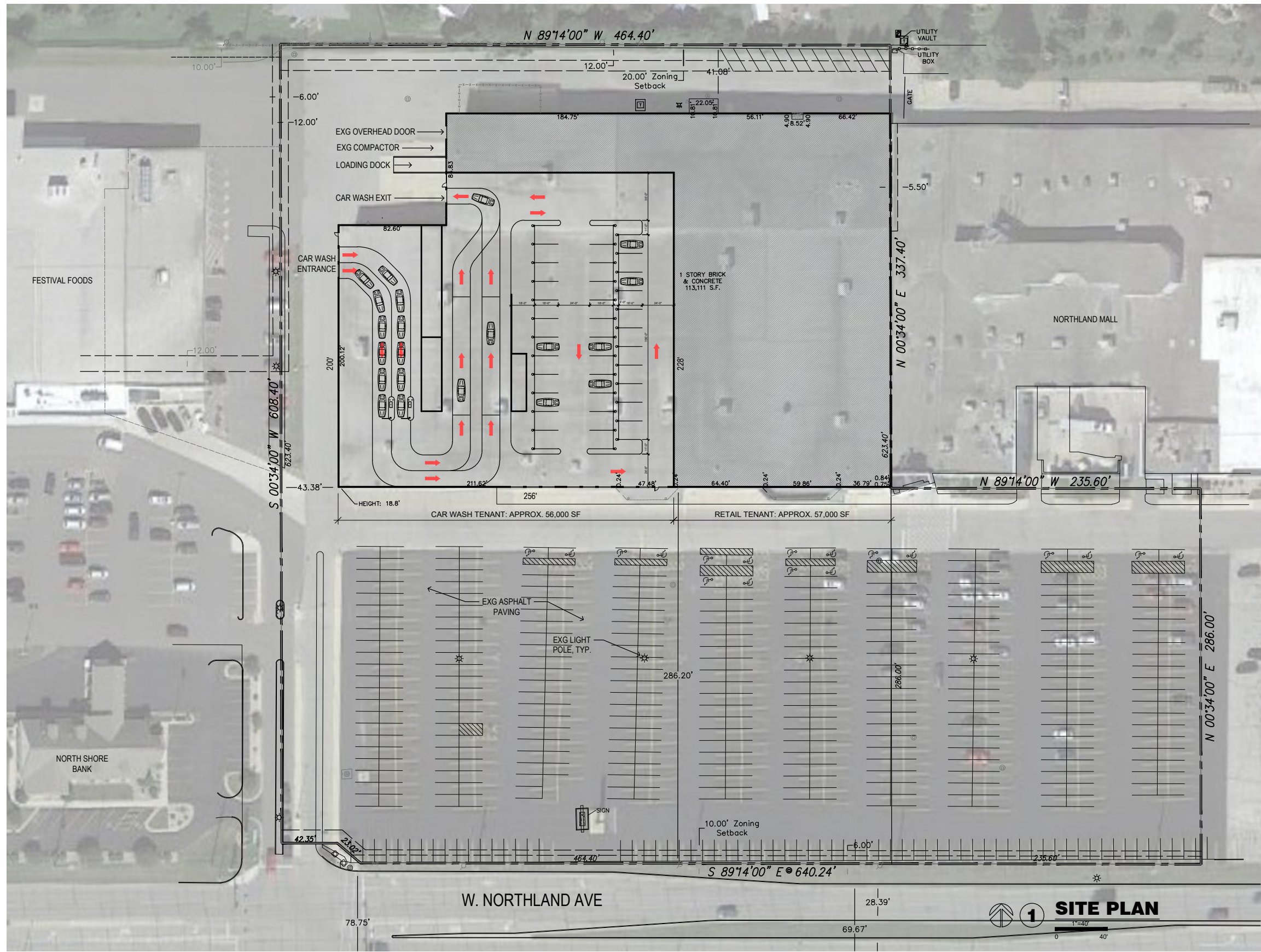


Special Use Permit
Car Wash
1000 W. Northland Avenue
Aerial Map



Subject Area







REPORT TO CITY PLAN COMMISSION

Plan Commission Public Hearing Date: August 10, 2022

Common Council Meeting Date: August 17, 2022

Item: Special Use Permit #8-22 for a car wash

Case Manager: Jessica Titel, Principal Planner

GENERAL INFORMATION

Owner: WFBT 2, LLC

Applicant: Bill Arsenault – Mays and Company on behalf of Zips Car Wash

Address/Parcel #: 1000 W. Northland Avenue (Tax Id #31-5-9494-06)

Petitioner's Request: The applicant is requesting a Special Use Permit for a car wash.

BACKGROUND

The subject parcel currently contains an approximately 113,111 square foot vacant retail building (former ShopKo) and associated large off-street parking lot. The subject property is part of the larger Northland Mall development.

STAFF ANALYSIS

Project Summary: The applicant proposes interior building modifications to add a car wash inside a portion of the vacant retail building as shown on the attached development plans. The proposed development includes the following:

- The car wash will be fully contained in the interior of the existing building and will contain two wash tunnels. The car wash will occupy approximately 56,000 square feet of the existing building.
- Vehicles will enter and exit on the west side of the building.
- Car wash stacking spaces will be located inside the building.
- Approximately 35 vacuum stations are proposed and will also be located inside the existing building.
- Proposed hours of operation are from 8:00 AM to 8:00 PM each day.

Operational Information: A plan of operation is attached to the staff report.

Existing Site Conditions: The subject site is approximately 8.18 acres in size and contains an approximately 113,111 square foot vacant retail building (former ShopKo) and associated large off-street parking lot. The subject property is part of the larger Northland Mall development. Access to the property will utilize existing driveways and entrance roads off W. Northland Avenue.

Special Use Permit #8-22

August 10, 2022

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Surrounding Zoning and Land Uses: The surrounding area is under the jurisdiction of the City of Appleton (north, south, east, and west). The site is surrounded by existing commercial and residential development.

North: R-2 Two-Family District. The adjacent land use to the north is two-family residential.

South: C-2 General Commercial District. The adjacent land uses to the south are currently a mix of commercial uses.

East: C-2 General Commercial District. The adjacent land uses to the east are currently a mix of commercial uses (Kohls and Northland Mall).

West: C-2 General Commercial District. The adjacent land uses to the west are currently a mix of commercial uses (Festival Foods and North Shore Bank).

Appleton Comprehensive Plan 2010-2030: Community and Economic Development staff has reviewed this proposal and determined it is compatible with the Mixed Use designation shown on the City's *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 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 10.5 Land Use:

Support the continued redevelopment and revitalization of land uses adjacent to Appleton's key transportation corridors and downtown.

Current Zoning and Procedural Findings: The subject property has a zoning designation of C-2 General Commercial District. Per Section 23-113(e) of the Municipal Code, a car wash requires a Special Use Permit in the C-2 District. The Plan Commission makes a recommendation to the Common Council who will make the final decision on the Special Use Permit. A two-thirds vote of the Common Council is required for approval.

Zoning Ordinance Requirements and Substantial Evidence: When reviewing an application for a Special Use Permit, the City must determine if the applicant's proposal satisfies Municipal Code requirements and conditions. Pursuant to Section 23-66(c)(5) of the Municipal Code, the Plan Commission and Common Council must provide substantial evidence supporting their decision to approve, approve with

Special Use Permit #8-22

August 10, 2022

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conditions, or deny the Special Use Permit. Substantial evidence means “facts and information, other than merely personal preferences or speculation, directly pertaining to the requirements and conditions an applicant must meet to obtain a Special Use Permit and that reasonable persons would accept in support of a conclusion.” Any requirements and conditions listed for approval must be reasonable, and to the extent practicable, measurable.

Finding of Fact: This request was reviewed in accordance with the standards for granting a Special Use Permit under Section 23-66(e)(1-8) of the Municipal Code: 1. proper zoning district: *C-2 zoning allows car washes as a special use permit*, 2. zoning district regulations: *car wash will be located within an existing building*, 3. special regulations: *not applicable to carwashes*, 4. consistent with comprehensive plan and other plans: *yes, see above analysis*, 5. traffic: *applicant will share existing access points currently serving the Northland Mall, no concerns submitted by traffic engineer*, 6. landscaping and screening: *no exterior site changes are being proposed*, 7. neighborhood compatibility: *the proposed use is located adjacent to existing commercial uses and will be located completely within an enclosed building*, and 8. impact on services: *the City has existing utilities, services and equipment in place to serve this proposed use*. These standards were found in the affirmative, as long as all stipulations are satisfied.

Technical Review Group (TRG) Report: This item appeared on the July 19, 2022 TRG agenda. No negative comments were received from participating departments.

RECOMMENDATION

Staff recommends, based on the above, that Special Use Permit #8-22 for a car wash located at 1000 W. Northland Avenue (Tax Id #31-5-9494-06), as shown on the attached materials and per attached plan of operation, along with the attached resolution, **BE APPROVED** to run with the land, subject to the following conditions:

1. The owner shall have twelve (12) months from the issuance of the Special Use Permit to obtain a building permit and/or occupancy permit for the proposed carwash or Special Use Permit #6-22 will expire pursuant to Sections 23-66 (f)(1) b. and c. of the Zoning Ordinance.

Substantial Evidence: Standardized condition to ensure the use is established in a timely manner. This condition will not be applicable when the building permit and/or occupancy permit is issued.

2. All Zoning, Building, Fire, Engineering, Utility, Noise and other Municipal Codes, and all applicable State and Federal laws shall be complied with.

Substantial Evidence: This condition assures the applicant understands they must follow the City's Municipal Code and all applicable State and Federal laws which they are required to follow while conducting business in the City; failure to follow City, State and Federal regulations may result in enforcement action pursuant to Sections 1-16, 1-17, 23-66(f)(5) and 23-69 of the Municipal Ordinance.

Special Use Permit #8-22

August 10, 2022

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3. Any future expansions of the carwash, changes to the development plans, plan of operation or any conditions of approval may require a major or minor amendment request to this Special Use Permit pursuant to Section 23-66(g) of the Zoning Ordinance. Contact the Community and Economic Development Department to discuss any proposed changes.

Substantial Evidence: Standardized condition that establishes parameters for the current application and identifies the process for review of any future changes to the special use.

**CITY OF APPLETON
RESOLUTION FOR SPECIAL USE PERMIT #8-22
CAR WASH
1000 W. NORTHLAND AVENUE**

WHEREAS, Bill Arsenault (Mays and Company) on behalf of Zips Car Wash has applied for a Special Use Permit for a car wash located at 1000 W. Northland Avenue (also identified as Parcel Number 31-5-9494-06); and

WHEREAS, the location for the proposed car wash is located in the C-2 General Commercial District, and the proposed use may be permitted by Special Use Permit within this zoning district pursuant to Chapter 23 of the Municipal Code; and

WHEREAS, the City of Appleton Plan Commission held a public hearing on August 10, 2022 on Special Use Permit #8-22, at which all those wishing to be heard were allowed to speak or present written comments and other materials at the public hearing; and

WHEREAS, the City of Appleton Plan Commission has reviewed and considered the Community and Economic Development Department's staff report and recommendation, as well as other spoken and written evidence and testimony presented at the public hearing; and

WHEREAS, the City of Appleton Plan Commission reviewed the standards for granting a Special Use Permit under Sections 23-66(e)(1-8) of the Municipal Code; and

WHEREAS, the City of Appleton Plan Commission reviewed the standards for imposing conditions on the Special Use Permit under Section 23-66(c)(5) of the Municipal Code, and forwarded Special Use Permit #8-22 to the City of Appleton Common Council with a favorable conditional or not favorable (CIRCLE ONE) recommendation; and

WHEREAS, the City of Appleton Common Council has reviewed the report and recommendation of the City of Appleton Plan Commission at their meeting on August 17, 2022.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the Common Council, based on Community and Economic Development Department's staff report and recommendation, as well as other spoken and written evidence and testimony presented at the public hearing and Common Council meeting, and having considered the recommendation of the City Plan Commission, that the Common Council:

1. Determines all standards listed under Sections 23-66(e)(1-8) of the Municipal Code are found in the affirmative YES or NO (CIRCLE ONE)
2. If NO, the City of Appleton Common Council hereby denies Special Use Permit #8-22 for a car wash located at 1000 W. Northland Avenue, also identified as Parcel Number 31-5-9494-06, based upon the following standards and determinations: (List reason(s) why the Special Use Permit was denied)
3. If YES, the City of Appleton Common Council hereby approves Special Use Permit #8-22 for a car wash located at 1000 W. Northland Avenue, also identified as Parcel Number 31-5-9494-06, subject to the

following conditions as they are related to the purpose of the City of Appleton Municipal Code and based on substantial evidence:

CONDITIONS OF APPROVAL FOR SPECIAL USE PERMIT #8-22

- A. The owner shall have twelve (12) months from the issuance of the Special Use Permit to obtain a building permit and/or occupancy permit for the proposed carwash or Special Use Permit #8-22 will expire pursuant to Sections 23-66 (f)(1) b. and c. of the Zoning Ordinance.
 - B. All Zoning, Building, Fire, Engineering, Utility, Noise and other Municipal Codes, and all applicable State and Federal laws shall be complied with.
 - C. Any future expansions of the carwash, changes to the development plans, plan of operation or any conditions of approval may require a major or minor amendment request to this Special Use Permit pursuant to Section 23-66(g) of the Zoning Ordinance. Contact the Community and Economic Development Department to discuss any proposed changes.
4. The City Clerk’s Office is hereby directed to give a copy of this resolution to the owner/applicant, Community and Economic Development Department, Inspections Division, and any other interested party.

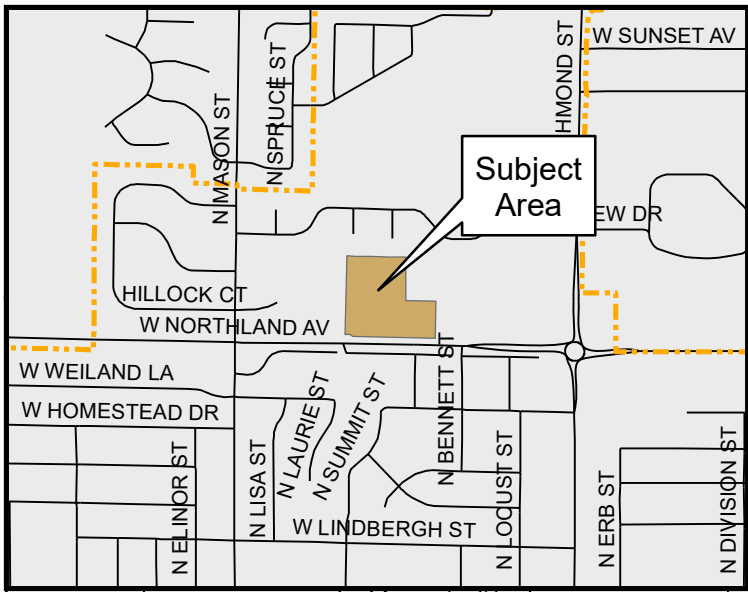
Adopted this _____ day of _____, 2022.

Jacob A. Woodford, Mayor

ATTEST:

Kami Lynch, City Clerk

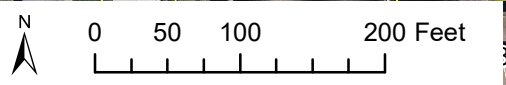
Special Use Permit
Car Wash
1000 W. Northland Avenue
Zoning Map



Special Use Permit
Car Wash
1000 W. Northland Avenue
Aerial Map



Subject Area



PLAN OF OPERATION AND LOCATIONAL INFORMATION

Business Information:

Name of business: Zips Car Wash

Years in operation: 18 years

Type of proposed establishment (detailed explanation of business): ZIPS Car Wash is the largest privately held car wash operator nationwide. ZIPS is among the fastest growing express car wash chains in the country, operating more than 240 locations across 24 states. With over 17 years of car washing experience, ZIPS has invested in industry leading technology, creative hiring and training methods, local partnerships, and a laser-focus on customer care as driving forces behind ZIPS growing business model. ZIPS Car Wash is about much more than getting cars clean. Our #1 purpose is to make people happy, from our community outreach efforts and fundraising programs to our focus on employees. ZIPS strives for a great, clean, and fun customer experience.

Proposed Hours of Operation of Car Wash:

Day	From	To
Monday thru Thursday	8:00 AM	8:00 PM
Friday	8:00 AM	8:00 PM
Saturday	8:00 AM	8:00 PM
Sunday	8:00 AM	8:00 PM

Building Capacity, Operations, and Storage Areas:

Maximum number of persons permitted to occupy the building or tenant space as determined by the International Building Code (IBC) or the International Fire Code (IFC), whichever is more restrictive: 373 persons

Gross floor area of the existing building(s): 113,111.

Gross floor area of the proposed building(s): 113,111.

(Check applicable response)

Water reclamation system: YES NO

Anticipated water use: 16,000,000 average gallons per year.

Anticipated noise readings at the car wash entrance: <60 dBA.

Air Drying System: YES NO

If yes, describe the location of the air drying system: Dyers are located at the end of the car wash conveyors. 93' from the west wall & centered in the building from north to south.

If yes, identify the anticipated noise levels at the car wash tunnel exit: <60 dBA.

How will the noise be controlled?

Interior walls of tunnel which is located inside of the building

Identify location, number, capacity and type of flammable and non-flammable liquid materials stored in storage tanks or containers:

Approximately five (5) 30 gallon barrels stored in the back room

Odor:

Describe any odors emanating from the proposed use and plans to control them:

Soap and wax odors will be controlled by ventilation and make up air

Outdoor Lighting:

New decorative LED exterior lights to be installed on the west and south elevations. Parking lot lighting is existing and will remain.

Location: **1000 W. Northland Ave**

Off-Street Parking/Stacking Spaces:

Number of spaces existing on-site: **373**

Number of spaces proposed on-site: **373**

Number of existing stacking spaces on-site: **none**

Number of proposed stacking spaces on-site: **6 per car wash lane, located inside the building**

Bicycle Parking Spaces: Type and Location: **N/A**

*Bicycle Parking Spaces are required per Municipal Code Section 23-172(l)(1)a., b. and c.

Street Access:

Is street access to the subject property adequate or are any street improvements, such as a new turning lane, necessary to minimize impacts on traffic flow?

Existing street improvements are adequate

Indoor

Outdoor Uses:

(Check applicable response)

Vacuum Stations: YES NO

If yes, identify the number of vacuum stations proposed: 35

If yes, identify the anticipated noise levels at the vacuum stations: 75-80 dBA.

Proposed Hours of Operation of the Vacuum Stations:

Day	From	To
Monday thru Thursday	8:00 AM	8:00 PM
Friday	8:00 AM	8:00 PM
Saturday	8:00 AM	8:00 PM
Sunday	8:00 AM	8:00 PM

If applicable, describe other outdoor services provided: N/A

Landscaping:

Type and height of screening of plantings/fencing/gating for outdoor storage area(s):

N/A

Outdoor Display:

Type, location, size of outdoor display area(s) of merchandise for sale or other business property:

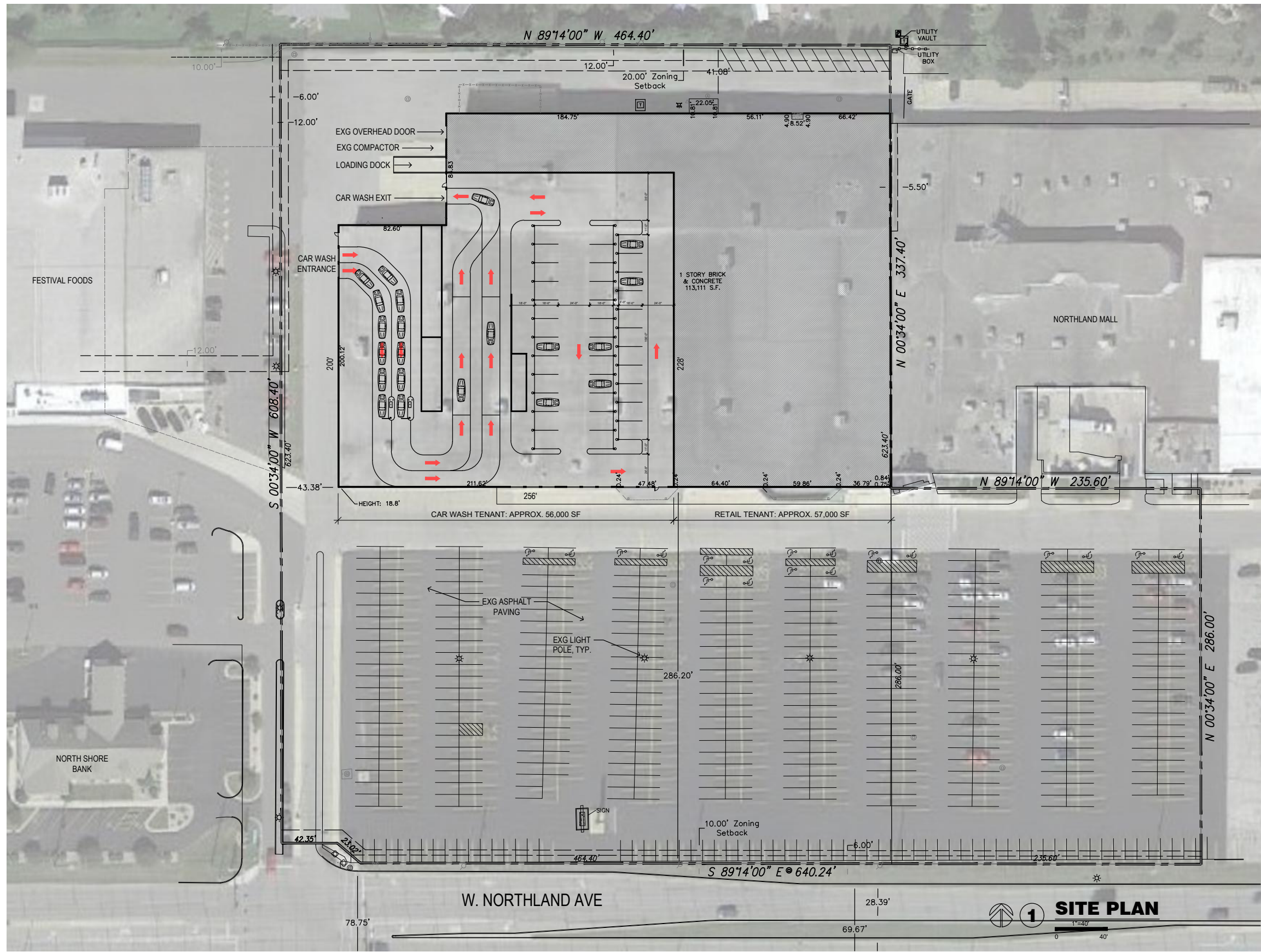
TBD - Building Signage

Number of Employees:

Number of existing employees: 0.

Number of proposed employees: 15.

Number of employees scheduled to work on the largest shift: 6.





REPORT TO CITY PLAN COMMISSION

Plan Commission Meeting Date: August 10, 2022

Common Council Meeting Date: August 17, 2022

Item: Certified Survey Map #23-22

Case Manager: David Kress, Principal Planner

GENERAL INFORMATION

Owners: Benjamin & Laura Paton, Steven Parker, and Carrie Mader

Applicant: Schuler & Associates c/o Michael Frank

Address/Parcel: 1730 South Matthias Street and 2616 East John Street (Tax Id #31-4-4699-00, #31-4-5269-00, and #31-4-5268-00)

Petitioner's Request: The applicant is requesting approval of a Certified Survey Map (CSM) that crosses a plat boundary. The CSM would eliminate parcel #31-4-5269-00 and attach its land area to parcels #31-4-4699-00 and #31-4-5268-00.

BACKGROUND

Typically, CSMs are administratively reviewed and approved by City staff. However, the subject properties were originally platted in different plats. Parcel #31-4-4699-00 was included in the Lang Plat (recorded in 1962), and parcels #31-4-5269-00 and #31-4-5268-00 were included in the Apple Orchard Plat (recorded in 1975). In order to satisfy the requirements of Chapter 236 of the Wisconsin State Statutes, the proposed CSM must be approved in the same manner as a Final Plat, which includes Plan Commission and Common Council approval.

Currently, parcel #31-4-5269-00 is approximately 10,200 square feet in size. If the CSM is approved, parcels #31-4-4699-00 and #31-4-5268-00 would split this land area and each increase by approximately 5,100 square feet.

STAFF ANALYSIS

Existing Conditions: Currently, parcel #31-4-4699-00 is developed with a single-family dwelling. Parcel #31-4-5269-00 features a paved driveway that previously served a detached garage that was associated with neighboring parcel #31-4-5264-00 (garage demolished in 1982). Parcel #31-4-5268-00 is developed with a single-family dwelling and detached garage. All parcels have a zoning designation of R-1B Single-Family District. The total land area included in the CSM is approximately 0.97 acres.

Subdivision Ordinance Requirements: Per Section 17-26(b)(1) of the Municipal Code, widths and areas of lots shall not be less than that provided in the City's Zoning Ordinance. For the R-1B Single-Family District, the minimum lot width is 50 feet and the minimum lot area is 6,000 square feet, per Section 23-93(g) of the Municipal Code. Proposed Lots 1 and 2 satisfy these lot development standards.

Certified Survey Map #23-22

August 10, 2022

Page 2

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 public/institutional in nature.

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

South: P-I Public Institutional District. The adjacent land use to the south is currently a public park (Lions Park).

East: R-1B Single-Family District and R-2 Two-Family District. The adjacent land uses to the east are currently a mix of single-family residential and duplexes.

West: R-1B Single-Family District and P-I Public Institutional District. The adjacent land uses to the west are currently a governmental facility (Fire Station 2) and a public park (Lions Park).

Appleton Comprehensive Plan 2010-2030: Community & Economic Development staff has reviewed this proposal and determined it is compatible with the One and Two-Family Residential designation shown on the City's *Comprehensive Plan 2010-2030* Future Land Use Map.

Technical Review Group (TRG) Report: This item appeared on the July 19, 2022 TRG agenda. Comments were received from participating departments and captured in the stipulations found below.

RECOMMENDATION

Based on the above, staff recommends that Certified Survey Map #23-22, as shown on the attached map, **BE APPROVED** subject to the following conditions:

1. On sheet 2, a property owner last name is spelled incorrectly. "Payton" should be Paton. Revise as necessary.
2. On sheet 1, some existing zoning labels are incorrect. All properties labeled as R-1A are actually zoned R-1B. Revise as necessary.
3. At the top of sheets 2 and 3 and under the Surveyor's Certificate, there is a typo in "... and governmnt lot 1 ...". Revise to spell 'government' correctly.
4. Under the Surveyor's Certificate, there is a typo in "... line of Mathias St.; thence ...". Revise to spell 'Matthias' correctly.
5. Under the Surveyor's Certificate, a parenthesis is missing in "... 96.55 feet (recorded as south 57 degrees 38 minutes east 96.63 feet, along the ...". Revise to clarify the recorded as information.
6. Under the Owner's Certificate, a property owner first name is spelled incorrectly. "Bejamin" should be Benjamin. Revise as necessary.

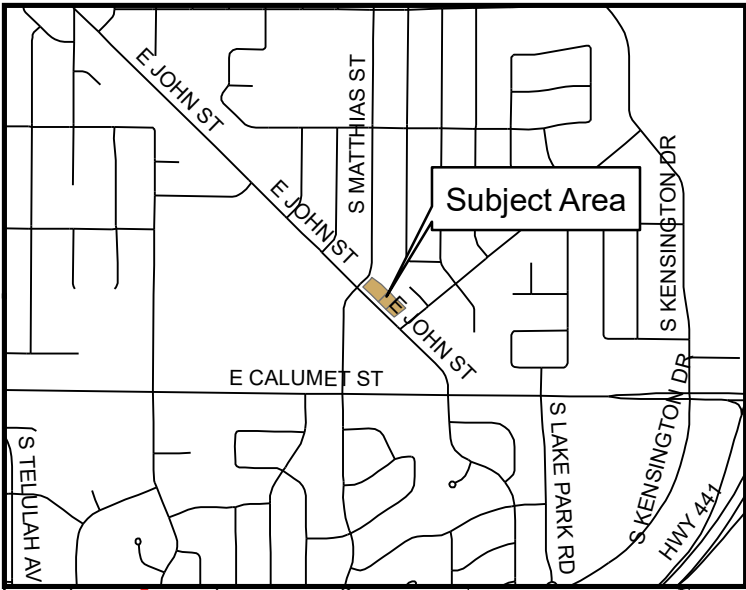
Certified Survey Map #23-22

August 10, 2022

Page 3

7. Outstanding water account for 1730 S. Matthias Street will need to be paid in full for Finance Department approval.
8. Provide offset distances to the exterior boundary for the existing structures shown on the CSM.
9. This CSM crosses the exterior boundary of a Plat, revise the CSM to meet the minimum requirements of §236.34(1)(dm) of the Wisconsin Statutes.
10. Provide the diameter of found 2" iron pipe monuments (i.d. or o.d.).
11. The Drainage Plan requirement for this CSM is waived.
12. Each of the parcels is under different ownership, so that will need to be addressed before the Assessor's Office can delete parcel #31-4-5269-00. Deed documents will need to be recorded in the Outagamie County Register of Deeds Office for the transfer of property from parcel #31-4-5269-00 (Steven Parker) to parcels #31-4-4699-00 (Benjamin & Laura Paton) and #31-4-5268-00 (Carrie Mader).

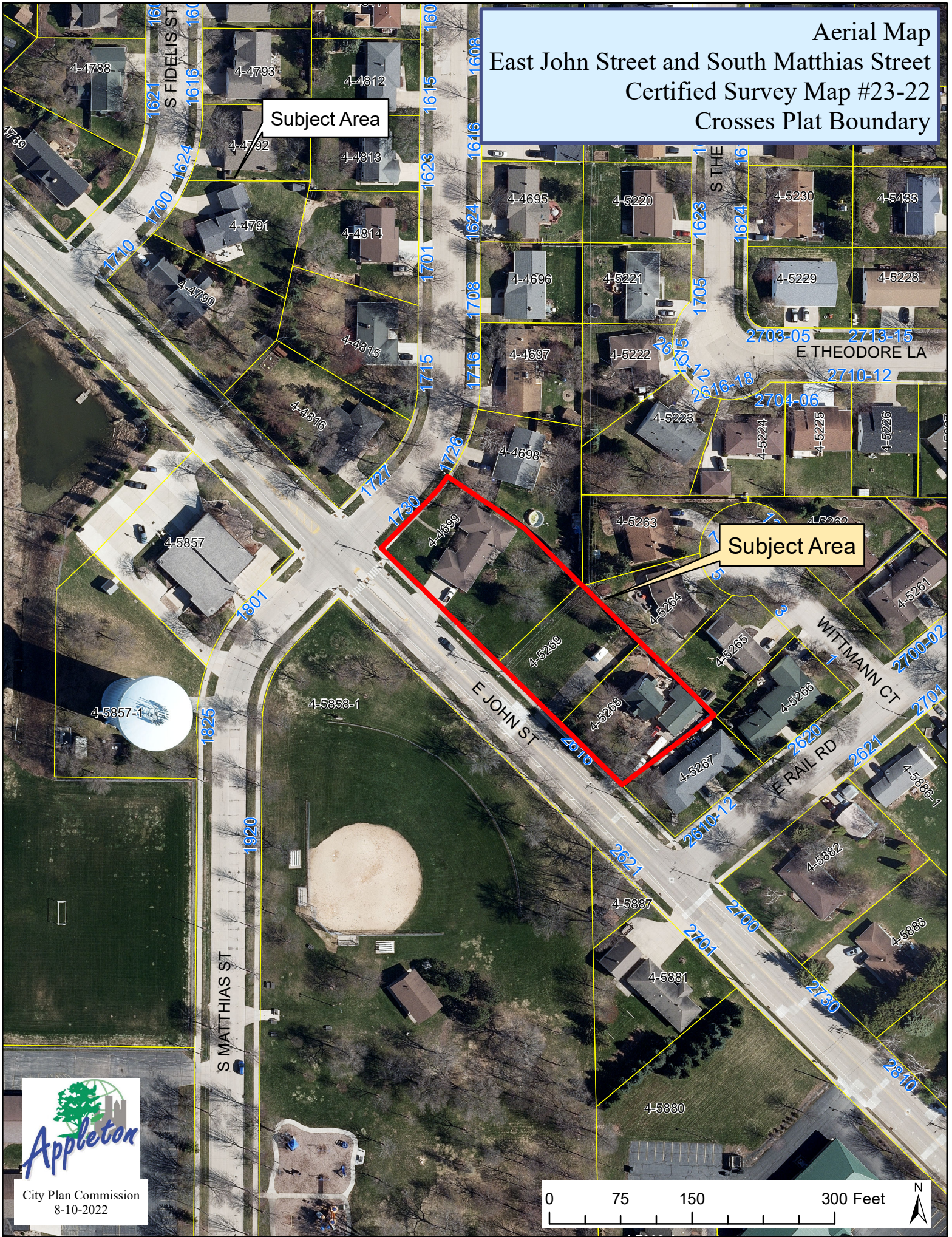
Zoning Map
East John Street and South Matthias Street
Certified Survey Map #23-22
Crosses Plat Boundary



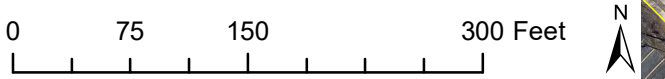
Aerial Map
East John Street and South Matthias Street
Certified Survey Map #23-22
Crosses Plat Boundary

Subject Area

Subject Area



City Plan Commission
8-10-2022



CERTIFIED SURVEY MAP NO. _____

ALL OF LOTS 15 AND 16, BLOCK 2, LANG PLAT
 AND ALL OF LOTS 9 AND 10 AND PART OF LOT 8
 OF APPLE ORCHARD PLAT, BEING LOCATED IN
 GOVERNMENT LOT 8 IN SECTION 29 AND
 GOVERNMENT LOT 1, SECTION 30, TOWNSHIP 21
 NORTH, RANGE 18 EAST, CITY OF APPLETON,
 OUTAGAMIE COUNTY, WISCONSIN.

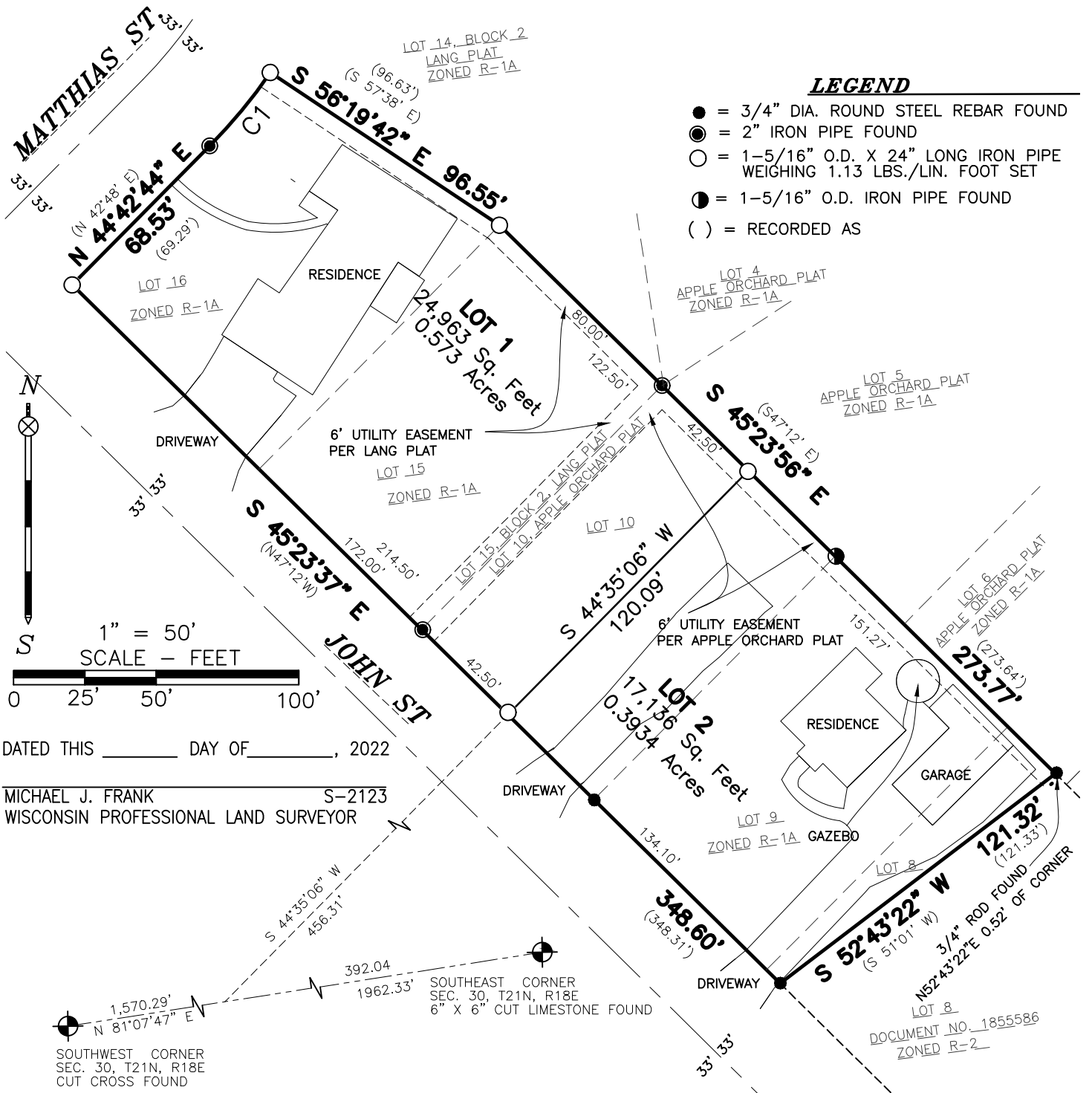
BEARINGS ARE REFERENCED TO THE WISCONSIN COUNTY
 COORDINATE SYSTEM FOR OUTAGAMIE COUNTY SOUTH LINE
 SECTION 30, T21N, R18E, BEARS N81°07'47"E

CURVE DATA TABLE

CURVE	DELTA ANGLE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	TANGENT BEARING-IN	TANGENT BEARING-OUT
C1	10°25'59"	183.48'	33.41'	33.36'	N 39°29'45" E (N 37°35" E)	N 44°42'44" E	N 34°16'45" E

LEGEND

- = 3/4" DIA. ROUND STEEL REBAR FOUND
- ⊙ = 2" IRON PIPE FOUND
- = 1-5/16" O.D. X 24" LONG IRON PIPE WEIGHING 1.13 LBS./LIN. FOOT SET
- ⦿ = 1-5/16" O.D. IRON PIPE FOUND
- () = RECORDED AS



DATED THIS _____ DAY OF _____, 2022

MICHAEL J. FRANK S-2123
 WISCONSIN PROFESSIONAL LAND SURVEYOR

SOUTHWEST CORNER
 SEC. 30, T21N, R18E
 CUT CROSS FOUND

SOUTHEAST CORNER
 SEC. 30, T21N, R18E
 6" X 6" CUT LIMESTONE FOUND

PREPARED BY:
SCHULER & ASSOCIATES
 LAND SURVEYORS & ENGINEERS
 2711 N. MASON ST., SUITE F, APPLETON, WI 54914

PREPARED FOR:
STEVEN PARKER
 2616 E JOHN ST
 APPLETON, WI 54915

L-22-4764
 SHEET 1 OF 3

CERTIFIED SURVEY MAP NO. _____

ALL OF LOTS 15 AND 16, BLOCK 2, LANG PLAT AND ALL OF LOTS 9, 10, AND PART OF LOT 8, APPLE ORCHARD PLAT, BEING LOCATED IN GOVERNMENT LOT 8, SECTION 29 AND GOVERNMENT LOT 1 IN SECTION 30, TOWNSHIP 21 NORTH, RANGE 18 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE:

I, MICHAEL J. FRANK, PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY:
THAT I HAVE SURVEYED, DIVIDED AND, MAPPED, UNDER THE DIRECTION OF THE OWNERS OF SAID LAND, ALL OF LOTS 15 AND 16, BLOCK 2, LANG PLAT AND ALL OF LOTS 9, 10, AND PART OF LOT 8, APPLE ORCHARD PLAT, BEING LOCATED IN GOVERNMENT LOT 8, SECTION 29 AND GOVERNMENT LOT 1 IN SECTION 30, TOWNSHIP 21 NORTH, RANGE 18 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN AND BEING DESCRIBED AS FOLLOWS.

BEGINNING AT THE MOST WESTERLY CORNER OF LOT 16, BLOCK 2, LANG PLAT; THENCE NORTH 44 DEGREES 42 MINUTES 44 SECONDS EAST 68.53 FEET (RECORDED AS NORTH 42 DEGREES 48 MINUTES EAST 69.29 FEET), ALONG THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF MATHIAS ST.; THENCE NORTHEASTERLY, ALONG SAID RIGHT-OF-WAY LINE, 33.41 FEET, ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 183.48 FEET AND A CHORD THAT BEARS NORTH 39 DEGREES 29 MINUTES 45 SECONDS EAST (RECORDED AS NORTH 37 DEGREES 35 MINUTES EAST) 33.36 FEET; THENCE SOUTH 56 DEGREES 19 MINUTES 42 SECONDS EAST 96.55 FEET (RECORDED AS SOUTH 57 DEGREES 38 MINUTES EAST 96.63 FEET, ALONG THE NORTHEASTERLY LINE OF SAID LOT 16; THENCE SOUTH 45 DEGREES 23 MINUTES 56 SECONDS EAST 273.77 FEET (RECORDED AS SOUTH 47 DEGREES 12 MINUTES EAST 273.64 FEET), ALONG THE NORTHEASTERLY LINE OF SAID LOT 15, LANG PLAT AND ALONG THE NORTHEASTERLY LINE OF LOTS 10, 9 AND 8, APPLE ORCHARD PLAT; THENCE SOUTH 52 DEGREES 43 MINUTES 22 SECONDS WEST 121.32 FEET(RECORDED AS SOUTH 51 DEGREES 01 MINUTE WEST 121.33 FEET), ALONG THE NORTHWESTERLY LINE OF LANDS DESCRIBED IN DOCUMENT NUMBER 1855586; THENCE NORTH 45 DEGREES 23 MINUTES 37 SECONDS WEST 348.60 FEET (RECORDED AS NORTH 47 DEGREES 12 MINUTES WEST 348.31 FEET), ALONG THE NORTH EASTERLY RIGHT-OF-WAY LINE OF JOHN ST. TO THE POINT OF BEGINNING, CONTAINING 42,099 SQUARE FEET (0.966 ACRES) OF LAND, MORE OR LESS AND SUBJECT TO ALL EASEMENT AND RESTRICTIONS OF RECORD.

THAT THIS MAP IS A CORRECT REPRESENTATION OF THE EXTERIOR BOUNDARY LINES OF THE LAND SURVEYED AND THE DIVISION OF THAT LAND.

THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF CHAPTER 236.34 OF THE WISCONSIN STATUTES AND THE SUBDIVISION REGULATIONS OF CITY OF APPLETON IN SURVEYING, DIVIDING, AND MAPPING THE SAME.

DATED THIS _____ DAY OF _____, 2022

MICHAEL J. FRANK
WISCONSIN PROFESSIONAL LAND SURVEYOR S-2123

CITY OF APPLETON APPROVAL:
APPROVED BY THE CITY OF APPLETON, ON THIS _____ DAY OF _____, 2022

JACOB A. WOODFORD, MAYOR DATE _____ KAMI LYNCH, CITY CLERK DATE _____

TREASURER'S CERTIFICATE:

WE HEREBY CERTIFY THAT THERE ARE NO UNPAID TAXES OR SPECIAL ASSESSMENTS ON ANY OF THE LANDS INCLUDED IN THIS CERTIFIED SURVEY MAP.

COUNTY TREASURER DATE _____ CITY TREASURER DATE _____

THIS CERTIFIED SURVEY MAP IS CONTAINED WHOLLY WITHIN THE PROPERTY DESCRIBED IN THE FOLLOWING RECORDED DOCUMENT NUMBERS 2079307, 2103453, AND 2247013.

THIS CERTIFIED SURVEY MAP IS ALL OF TAX PARCEL NUMBER 31-4-4699-00, 31-4-5268-00, AND 31-4-5269-00, THE PROPERTY OWNER OF RECORD ARE BENJAMIN N. PAYTON, LAURA PATON, STEVEN T. PARKER, AND CARRIE MADER.

CERTIFIED SURVEY MAP NO. _____

ALL OF LOTS 15 AND 16, BLOCK 2, LANG PLAT AND ALL OF LOTS 9, 10, AND PART OF LOT 8, APPLE ORCHARD PLAT, BEING LOCATED IN GOVERNMENT LOT 8, SECTION 29 AND GOVERNMENT LOT 1 IN SECTION 30, TOWNSHIP 21 NORTH, RANGE 18 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN.

OWNER'S CERTIFICATE:

AS OWNERS, WE DO HEREBY CERTIFY THAT WE CAUSED THE LANDS ON THIS CERTIFIED SURVEY MAP TO BE SURVEYED, DIVIDED, AND MAPPED AS REPRESENTED ON THIS MAP. WE ALSO CERTIFY THAT THIS PLAT IS REQUIRED BY s.236.10 OR 236.12 TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL OR OBJECTION: CITY OF APPLETON.

BEJAMIN N. PATON

LAURA PATON

STATE OF WISCONSIN)

COUNTY) ss.

PERSONALLY CAME BEFORE ME THIS _____ DAY OF _____, 2022, THE ABOVE NAMED, BENJAMIN N. PATON AND LAURA PATON, TO ME KNOWN TO BE THE PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGE THE SAME.

NOTARY PUBLIC, _____ CO., WISCONSIN

MY COMMISSION EXPIRES

OWNER'S CERTIFICATE:

AS OWNERS, WE DO HEREBY CERTIFY THAT WE CAUSED THE LANDS ON THIS CERTIFIED SURVEY MAP TO BE SURVEYED, DIVIDED, AND MAPPED AS REPRESENTED ON THIS MAP. WE ALSO CERTIFY THAT THIS PLAT IS REQUIRED BY s.236.10 OR 236.12 TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL OR OBJECTION: CITY OF APPLETON.

STEVEN T. PARKER

CARRIE MADER

STATE OF WISCONSIN)

COUNTY) ss.

PERSONALLY CAME BEFORE ME THIS _____ DAY OF _____, 2022, THE ABOVE NAMED, STEVEN T. PARKER AND CARRIE MADER, TO ME KNOWN TO BE THE PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGE THE SAME.

NOTARY PUBLIC, _____ CO., WISCONSIN

MY COMMISSION EXPIRES



MEMORANDUM

“...meeting community needs...enhancing quality of life.”

TO: City Plan Commission

FROM: Community and Economic Development Staff

DATE: August 10, 2022

RE: Community and Economic Development Department Land Use Application Fee Schedule

BACKGROUND

Municipalities charge planning services fees to applicants as a way of recouping some of the costs associated with reviewing and processing a variety of land use applications/permits. These fees generally cover only a portion of the actual cost of processing items. Staff time includes such things as researching, reviewing the proposal with City standards, correspondence, mailings, preparation of public hearing notices, preparation of reports, appearances at public meetings, etc.

The last review of the Community and Economic Development Department land use application fees was done in 2012, and the fees were revised on May 16, 2012 by the Common Council.

The Mayor reviewed and is supportive of the attached proposed land use application fees.

ANALYSIS

Staff analyzed the current land use application fee structure in several communities in the Fox Valley area and compared those fees with Appleton's land use application fees. The goal of this comparison was to see how Appleton's land use application fees correlate with other municipalities' fees and to determine if any adjustments should be made to recoup more of the processing costs the City incurs while keeping our rates in line with other municipalities. An overview of each municipality's fee structure is attached as Exhibit A.

RECOMMENDATION

Staff recommends the attached proposed land use application fees and resolution, **BE APPROVED** to become effective January 1, 2023.

Land Use Application Fee Comparison and Proposed Updates: EXHIBIT A

Type of Application	City of Menasha	Village of Fox Crossing	City of Neenah	City of Oshkosh	Village of Harrison	Town of Grand Chute	City of Appleton	Appleton Proposed 2023 Fees
Site Plan Review	Developed Area* Ratio Fee Schedule: < .21 \$5/10,000 sq. ft. of site area .21 - .40 \$10/10,000 sq. ft. of site area .41 - .60 \$15/10,000 sq. ft. of site area .61 - .80 \$20/10,000 sq. ft. of site area > .80 \$25/10,000 sq. ft. of site area \$150 min. - \$650 max.	\$150 + \$3/1,000 sf of disturbed area over 10,000 sf	\$150 (minor) \$300 (major) Cell Tower: \$3,000	<10,000 sf \$425 10,000 - 50,000 sf \$625 50,001-100,000 sf \$775 100,001> \$1,000 Cell Tower: \$3,000	\$300 Commercial and \$500 Industrial	\$500	\$200 10,000+ sf building or 20+ dwelling unit bldg \$150 Other	1. Developments subject to Site Plan Review: \$300 2. Developments subject to Minor Site Plan Review: \$150 3. New or Class 1 Cell Tower: \$300
Site Plan Resubmittal	No Charge	\$125	No Charge	No Charge	No Charge	No Charge	No Charge	No Charge
Site Plan Amendment	\$100	\$125 + \$3/1,000 sf over 10,000 sf building	No Charge	No Charge	No Charge	\$300	No Charge	No Charge
Minor Site Plan (Construction, reconstruction, rehabilitation & expansion of parking lots & loading areas, less than 20 spaces)	\$75	See Site Plan Review fee	See Site Plan Review fee	See Site Plan Review fee	See Site Plan Review fee	See Site Plan Review fee	\$100 for parking lot under 10,000 sf \$150 for parking lot greater than 10,000 sf	See Site Plan Review and Minor Site Plan Review
Zoning Letters	\$30 Residential and \$100 Commercial	N/A	\$25 zoning verification	\$30	\$15 or \$25 Rush (24 hours)	\$45	\$25	\$50
Special Use Permit	\$350	\$500	\$400	\$300 plus \$50 publication	\$150	\$400	\$450	\$450, except New or Class 1 Cell Tower: \$2,700
Special Use Permit Amendment	No Charge	No Charge	No Charge	No Charge	No Charge	\$300	No Charge	\$100
Temporary Use Permit	\$225	No Charge	N/A	\$75 (1-30 days) \$125 (31-60 days) \$150 (61-90 days)	\$100	N/A	\$75	Initial New Location: \$150 Renewal Same Location: \$75
Rezoning	\$350	\$500	\$400	\$300 plus \$50 publication	\$300	\$500	\$450	\$450
P.D.D. Review	See Rezoning fee	\$500	\$500	\$400 plus \$50 publication	\$400	\$500	See Rezoning fee	See Rezoning fee
Comp Plan Amendment	\$250	\$500	\$400	\$700 plus \$50 publication	No Charge	No Charge	No Charge	\$200
CSM	\$150 + \$25/lot	\$150 + \$10/lot	\$125 ETJ	1 lot \$150 2 lot \$250 3 Lot \$350 4 Lot \$450	\$75	\$100 + \$10/lot w/out ROW Dedication \$150 + \$10/lot w/ROW Dedication	\$100	\$150
Preliminary Plat	\$125	\$200 + \$35/lot	\$150 + \$35/lot	\$50 + \$1/lot	\$200 + \$5/lot	\$250 + \$20/lot	\$100 + \$25/lot	\$100 + \$25/lot
Reapplication Preliminary Plat	No Charge	No Charge	No Charge	No Charge	No Charge	No Charge	\$20	\$50
Final Plat	\$250 + \$10/lot	\$200	\$100 + \$10/lot	\$100 + \$25/lot	\$100 + \$5/lot	\$150 + \$10/lot	\$75	\$150
Home Occupation	No Charge	No Charge	\$50	\$25	\$150	\$25	No Charge	No Charge
Annexations	No Charge	No Charge	\$400	\$100 plus \$50 publication	No Charge	N/A	No Charge	No Charge
Historic Designations	No Charge	N/A	No Charge	No Charge	N/A	N/A	No Charge	No Charge
Historic C O A	No Charge	N/A	No Charge	No Charge	N/A	N/A	No Charge	No Charge
Zoning Amendment (Text)	No Charge	\$500	No Charge	\$200 plus \$50 publication	\$300	No Charge	No Charge	No Charge
Administrative Appeal	No Charge	\$500	No Charge	\$125	No Charge	\$500	No Charge	No Charge
Official Street Map Amend	No Charge	No Charge	\$400	No Charge	No Charge	\$500	No Charge	No Charge
Admin Waiver Letter	N/A	N/A	\$25	\$75	No Charge	No Charge	No Charge	No Charge
Street Vacations	No Charge	No Charge	No Charge	\$200 plus \$50 publication	No Charge	\$500	No Charge	\$200 (citizen request or initiated)
Variance to Subdivision Regulations	No Charge	No Charge	No Charge	\$100	No Charge	No Charge	No Charge	No Charge
Public Art	No Charge	No Charge	No Charge	No Charge	No Charge	No Charge	No Charge	No Charge

Resolution No. 2022-06

**CITY OF APPLETON
RESOLUTION TO UPDATE LAND USE APPLICATIONS FEE SCHEDULE
COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT**

WHEREAS, Fees for land use applications have not been reviewed or increased since 2012; and

WHEREAS, City staff has prepared the attached land use application fee comparison of other Fox Valley area communities and recommends changes to the land use application fee schedule to align with other Fox Valley area communities as shown in Exhibit A; and

WHEREAS, the Common Council has previously adopted the land use application fee schedule on May 16, 2012; and

WHEREAS, as part of the 2023 City of Appleton Executive Budget and Service Plan adoption, City staff recommends changes to the land use application fee schedule for the general and administrative services performed by the Community and Economic Development Department staff when processing land use applications; and

NOW, THEREFORE, BE IT RESOLVED by the Common Council to approve and adopt the updated land use application fees as shown in attached Exhibit A.

BE IT FURTHER RESOLVED by the City of Appleton Common Council that said fees shall become effective on January 1, 2023.

The above and foregoing resolution was duly adopted at a regular meeting of the Common Council of the City of Appleton on this ____ day of _____, 2022, by a vote of ____ in favor and ____ opposed.

Adopted this ____ day of _____, 2022.

Jacob A. Woodford, Mayor

ATTEST:

Kami Lynch, City Clerk

Land Use Application Fee Comparison and Proposed Updates: EXHIBIT A

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Public Art	No Charge	No Charge	No Charge	No Charge	No Charge	No Charge	No Charge	No Charge