



City of Appleton

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

Meeting Agenda - Final City Plan Commission

Wednesday, June 14, 2023

3:30 PM

Council Chambers, 6th Floor

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

[23-0627](#) City Plan Minutes from 5-24-23

Attachments: [City Plan Minutes 5-24-23.pdf](#)

5. Public Hearing/Apearances

[23-0628](#) Special Use Permit #6-23 to expand the existing microbrewery/brewpub operations by occupying the 3rd floor of the building for event space with alcohol sales and consumption located at 1004 S. Olde Oneida Street (Tax Id #31-4-0323-01), as shown on the attached maps and per attached operational plans, to run with the land subject to the conditions in the attached staff report and approve attached Resolution (Associated with Action Item #23-0629)

Attachments: [ClassIIPublicHearingNoticeNewspaper_1004SOldeOneidaSt_SUP#6-23.pdf](#)
[PublicHearingNoticeNeighborhood_1004SOldeOneidaSt_SUP#6-23.pdf](#)

[23-0630](#) Special Use Permit #7-23 to expand the existing tavern with a proposed outdoor patio with alcohol sales and consumption located at 336 W. Wisconsin Avenue (Tax Id #31-6-0599-00) and 1312 N. Division Street (Tax Id #31-6-0598-00), as shown on the attached maps and per attached plan of operation, to run with the land subject to the conditions in the attached staff report and approve attached Resolution (Associated with Action Item #23-0631)

Attachments: [ClassIIPublicHearingNoticeNewspaper_336WWisconsinAv_SUP#7-23.pdf](#)
[PublicHearingNoticeNeighborhood_336WWisconsinAv_SUP#7-23.pdf](#)

[23-0632](#) Comprehensive Plan 2010-2030 Future Land Use Map Amendment #1-23 for the subject parcels located at 313, 315, and 319 E. College Avenue (Tax Id #31-2-0005-00), 321 E. College Avenue (Tax Id #31-2-0007-00), and vacant lots (Tax Id #31-2-0008-00 and 31-2-0009-00) located along E. College Avenue on the southwest corner of E. College Avenue and Drew Street from future Public/Institutional land use designation to future Central Business District land use designation as shown on the attached map and approve the attached Resolution (Associated with Action Item #23-0633)

Attachments: [ClassIIPublicHearingNoticeNewspaper_LawrenceUniversity_CompPlanAmend#InformalPublicHearingNotice_Lawrence_University_CompPlan+Rezoning.pdf](#)

[23-0634](#) Rezoning #3-23 for the subject parcels located at 313, 315, and 319 E. College Avenue (Tax Id #31-2-0005-00) and vacant lots (Tax Id #31-2-0008-00 and 31-2-0009-00) located along E. College Avenue on the southwest corner of E. College Avenue and Drew Street, including to the centerline of the adjacent street and alley right-of-way, as shown on the attached maps, from P-I Public Institutional District to CBD Central Business District (Associated with Action Item #23-0635)

Attachments: [InformalPublicHearingNotice_Lawrence_University_CompPlan+Rezoning.pdf](#)

6. Action Items

[23-0629](#) Request to approve Special Use Permit #6-23 to expand the existing microbrewery/brewpub operations by occupying the 3rd floor of the building for event space with alcohol sales and consumption located at 1004 S. Olde Oneida Street (Tax Id #31-4-0323-01), as shown on the attached maps and per attached operational plans, 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_1004SOldeOneidaSt_SUP_For6-14-23.pdf](#)

[23-0631](#) Request to approve Special Use Permit #7-23 to expand the existing tavern with a proposed outdoor patio with alcohol sales and consumption located at 336 W. Wisconsin Avenue (Tax Id #31-6-0599-00) and 1312 N. Division Street (Tax Id #31-6-0598-00), as shown on the attached maps and per attached plan of operation, to run with the land subject to the conditions in the attached staff report and approve attached Resolution (2/3 vote of Common Council required for approval)

Attachments: [StaffReport_336WWisconsinAv_SUP_For6-14-23.pdf](#)

[23-0633](#)

Request to approve Comprehensive Plan 2010-2030 Future Land Use Map Amendment #1-23 for the subject parcels located at 313, 315, and 319 E. College Avenue (Tax Id #31-2-0005-00), 321 E. College Avenue (Tax Id #31-2-0007-00), and vacant lots (Tax Id #31-2-0008-00 and 31-2-0009-00) located along E. College Avenue on the southwest corner of E. College Avenue and Drew Street from future Public/Institutional land use designation to future Central Business District land use designation as shown on the attached map and approve the attached Resolution

Attachments: [StaffReport LawrenceUniversity CompPlan+Rezoning For6-14-23.pdf](#)

[23-0635](#)

Request to approve Rezoning #3-23 for the subject parcels located at 313, 315, and 319 E. College Avenue (Tax Id #31-2-0005-00) and vacant lots (Tax Id #31-2-0008-00 and 31-2-0009-00) located along E. College Avenue on the southwest corner of E. College Avenue and Drew Street, including to the centerline of the adjacent street and alley right-of-way, as shown on the attached maps, from P-I Public Institutional District to CBD Central Business District

Attachments: [StaffReport LawrenceUniversity CompPlan+Rezoning For6-14-23.pdf](#)

7. Information Items

8. 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.

Any questions about items on this meeting are to be directed to Kara Homan, Director, Community and Economic Development Department at 920-832-6468.

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

**We are currently experiencing intermittent issues/outages with our audio/video equipment. Meeting live streams and recordings are operational but unreliable at times. This is due to delays in receiving necessary system hardware components. We continue to look for solutions in the interim and we hope to have these issues resolved soon.*



City of Appleton

100 North Appleton Street
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Meeting Minutes - Final City Plan Commission

Wednesday, May 24, 2023

3:30 PM

Council Chambers, 6th Floor

1. Call meeting to order

Meeting called to order by Chair Mayor Woodford at 3:35 p.m.

2. Pledge of Allegiance

3. Roll call of membership

Present: 4 - Palm, Mayor Woodford, Dane and Neuberger

Excused: 3 - Robins, Uitenbroek and Fenton

Others present:

Joseph Vanevenhoven, Northgate Five LLC

Necole Oshefsky, Lumberjack Johnny's

Erick C., Lumberjack Johnny's

Tom Pankow, 2512 E. Baldeagle Drive

Shawn Curran, 2504 E. Baldeagle Drive

Olivia Gerczek, Xavier High School student

Daye Kim, Xavier High School student

4. Approval of minutes from previous meeting

[23-0550](#)

City Plan Minutes from 5-10-23

Attachments: [City Plan Minutes 5-10-23.pdf](#)

Neuberger moved, seconded by Palm, that the Minutes be approved. Roll Call.

Motion carried by the following vote:

Aye: 4 - Palm, Mayor Woodford, Dane and Neuberger

Excused: 3 - Robins, Uitenbroek and Fenton

5. Public Hearing/Appearances

[23-0551](#)

Special Use Permit #4-23 for an indoor commercial entertainment use (axe throwing) with alcohol sales and consumption located at 2701 North Oneida Street (Tax Id #31-6-7651-00), as shown on the attached maps and per attached plan of operation, to run with the land subject to the conditions in the attached staff report and approve attached Resolution (Associated with Action Item #23-0552)

Attachments: [ClassIIPublicHearingNoticeNewspaper_2701NOneidaSt_SUP#4-23.pdf](#)
[PublicHearingNoticeNeighborhood_2701NOneidaSt_SUP#4-23.pdf](#)

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

[23-0553](#)

Special Use Permit #5-23 for a bar and grill with alcohol sales and consumption use located at 2811 East Newberry Street (Tax Id #31-4-5747-00), as shown on the attached maps and per attached plan of operation, to run with the land subject to the conditions in the attached staff report and approve attached Resolution (Associated with Action Item #23-0554)

Attachments: [ClassIIPublicHearingNoticeNewspaper_2811ENewberrySt_SUP#5-23.pdf](#)
[PublicHearingNoticeNeighborhood_2811ENewberrySt_SUP#5-23.pdf](#)

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

[23-0555](#)

Rezoning #2-23 to rezone the Future Providence Avenue and Baldeagle Drive (Right-of-Way) Annexation, formerly in the Town of Grand Chute, consisting of approximately 1.63 acres north of East Edgewood Drive, as shown on the attached maps, from Temporary AG Agricultural District to P-I Public Institutional District (Associated with Action Item #23-0556)

Attachments: [InformalPublicHearingNotice_ProvidenceAve-BaldeagleDrAnnexation_Rezoning#2-23.pdf](#)

This public hearing was held, and Tom Pankow spoke on the item.

6. Action Items

[23-0552](#)

Request to approve Special Use Permit #4-23 for an indoor commercial entertainment use (axe throwing) with alcohol sales and consumption located at 2701 North Oneida Street (Tax Id #31-6-7651-00), as shown on the attached maps and per attached plan of operation, to run with the land subject to the conditions in the attached staff report and approve attached Resolution (2/3 vote of Common Council required for approval)

Attachments: [StaffReport_2701NOneidaSt_SUP_For5-24-23.pdf](#)

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

Aye: 4 - Palm, Mayor Woodford, Dane and Neuberger

Excused: 3 - Robins, Uitenbroek and Fenton

[23-0554](#)

Request to approve Special Use Permit #5-23 for a bar and grill with alcohol sales and consumption use located at 2811 East Newberry Street (Tax Id #31-4-5747-00), as shown on the attached maps and per attached plan of operation, to run with the land subject to the conditions in the attached staff report and approve attached Resolution (2/3 vote of Common Council required for approval)

Attachments: [StaffReport_2811ENewberrySt_SUP_For5-24-23.pdf](#)

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

Aye: 4 - Palm, Mayor Woodford, Dane and Neuberger

Excused: 3 - Robins, Uitenbroek and Fenton

[23-0556](#)

Request to approve Rezoning #2-23 to rezone the Future Providence Avenue and Baldeagle Drive (Right-of-Way) Annexation, formerly in the Town of Grand Chute, consisting of approximately 1.63 acres north of East Edgewood Drive, as shown on the attached maps, from Temporary AG Agricultural District to P-I Public Institutional District

Attachments: [StaffReport_FutureProvidenceandBaldeagleAnnex_Rezoning_For5-24-23.pdf](#)

Proceeds to Council on June 21, 2023.

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

Aye: 4 - Palm, Mayor Woodford, Dane and Neuberger

Excused: 3 - Robins, Uitenbroek and Fenton

[23-0557](#)

Request to approve The Villas at Meade Pond Final Plat as shown on the attached maps and subject to the conditions in the attached staff report

Attachments: [StaffReport_VillasatMeadePond_FinalPlat_For5-24-23.pdf](#)

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

Aye: 4 - Palm, Mayor Woodford, Dane and Neuberger

Excused: 3 - Robins, Uitenbroek and Fenton

7. Information Items

[23-0558](#)

Proposed Tax Increment Financing District #13 in Southpoint Commerce Park

Attachments: [TIF District 13 Overview.pdf](#)

This item was presented and discussed.

8. Adjournment

Palm moved, seconded by Dane, that the meeting be adjourned at 4:05 p.m.

Roll Call. Motion carried by the following vote:

Aye: 4 - Palm, Mayor Woodford, Dane and Neuberger

Excused: 3 - Robins, Uitenbroek and Fenton

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, June 14, 2023, 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 Special Use Permit #1-12 and Sections 23-66 and 23-113 of the Appleton Municipal Code, to consider a request by Thomas Lonsway, applicant, to obtain a Special Use Permit to expand an existing microbrewery/ brewpub (Stone Arch Brewpub) located at 1004 South Olde Oneida Street (Tax Id #31-4-0323-01). The applicant proposes to expand business operations on the 3rd floor of the building for event space (meetings, weddings, birthday parties, occasional live music) with alcohol sales and consumption. Any expansions relating to serving and/or consumption of alcohol beyond the 1st floor of the existing brewery requires a new Special Use Permit, per Special Use Permit #1-12. Also, in the C-2 General Commercial District, a Special Use Permit is required for a microbrewery/ brewpub.

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 Don Harp, Principal Planner, in the Community and Economic Development Department at (920) 832-6466 or by email at don.harp@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: May 30, 2023
June 6, 2023

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, June 14, 2023, 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 Special Use Permit #1-12 and Sections 23-66 and 23-113 of the Appleton Municipal Code, to consider a request by Thomas Lonsway, applicant, to obtain a Special Use Permit to expand an existing microbrewery/brewpub (Stone Arch Brewpub) located at 1004 South Olde Oneida Street (Tax Id #31-4-0323-01).
- The applicant proposes to expand business operations on the 3rd floor of the building for event space (meetings, weddings, birthday parties, occasional live music) with alcohol sales and consumption. Any expansions relating to serving and/or consumption of alcohol beyond the 1st floor of the existing brewery requires a new Special Use Permit, per Special Use Permit #1-12. Also, in the C-2 General Commercial District, a Special Use Permit is required for a microbrewery/ brewpub.

ALDERMANIC DISTRICT: 11 – Alderperson Kristin Alfheim

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.

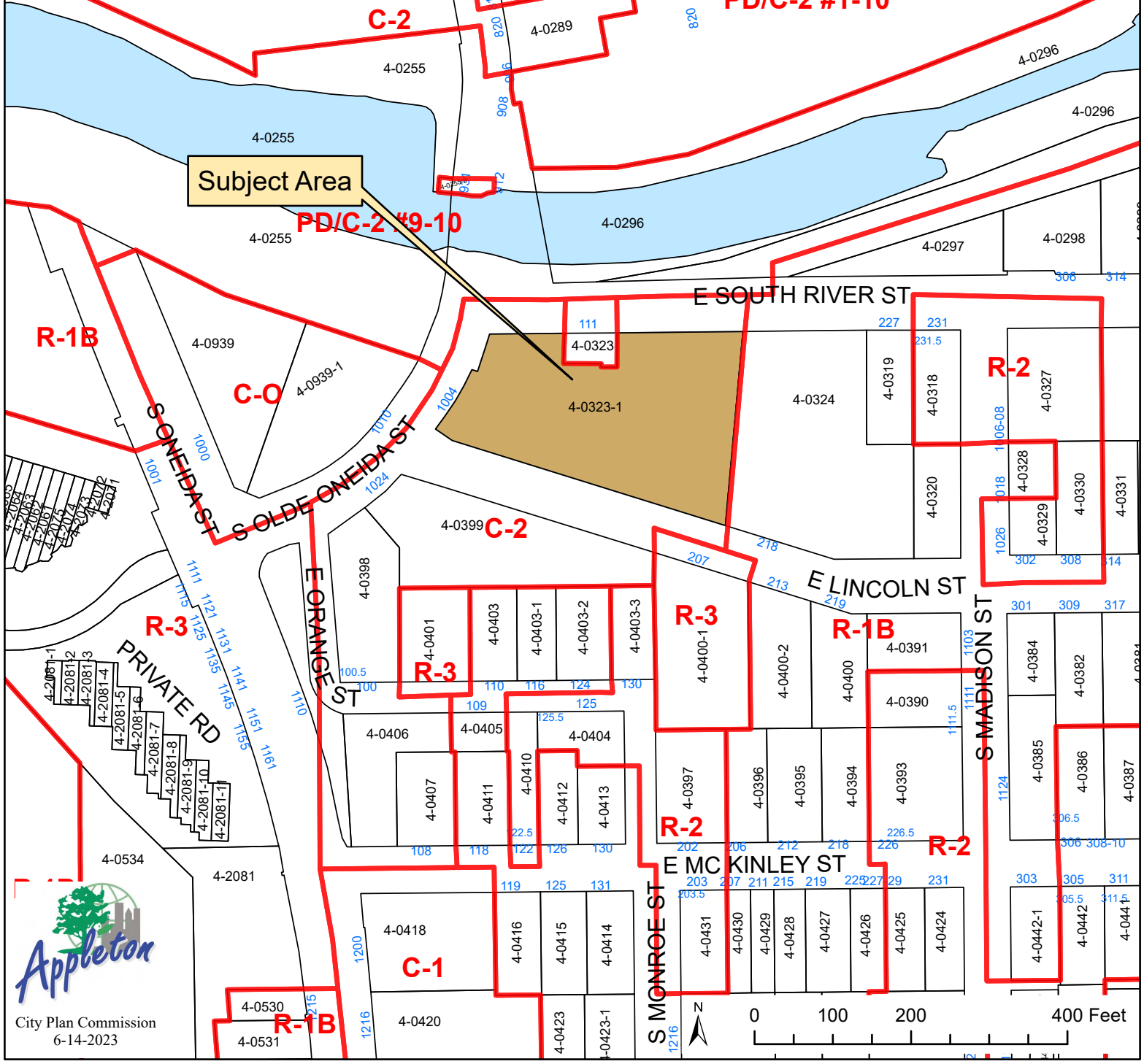
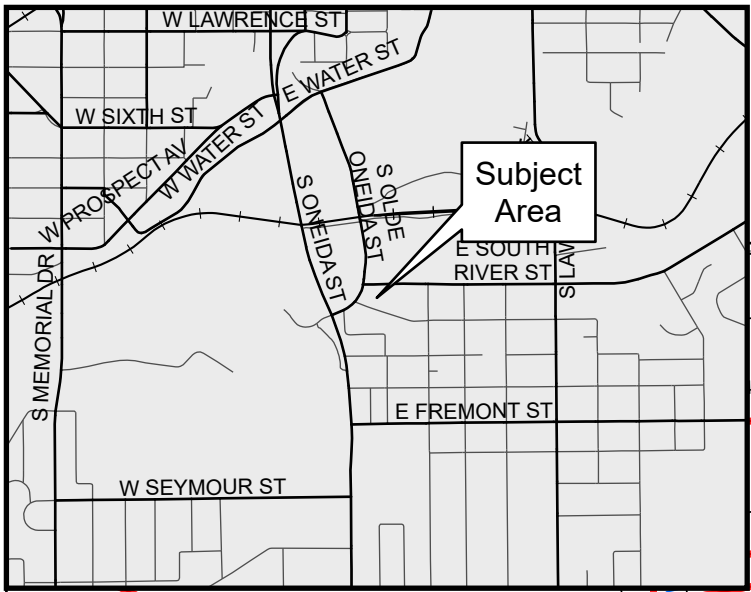
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CITY PLAN COMMISSION

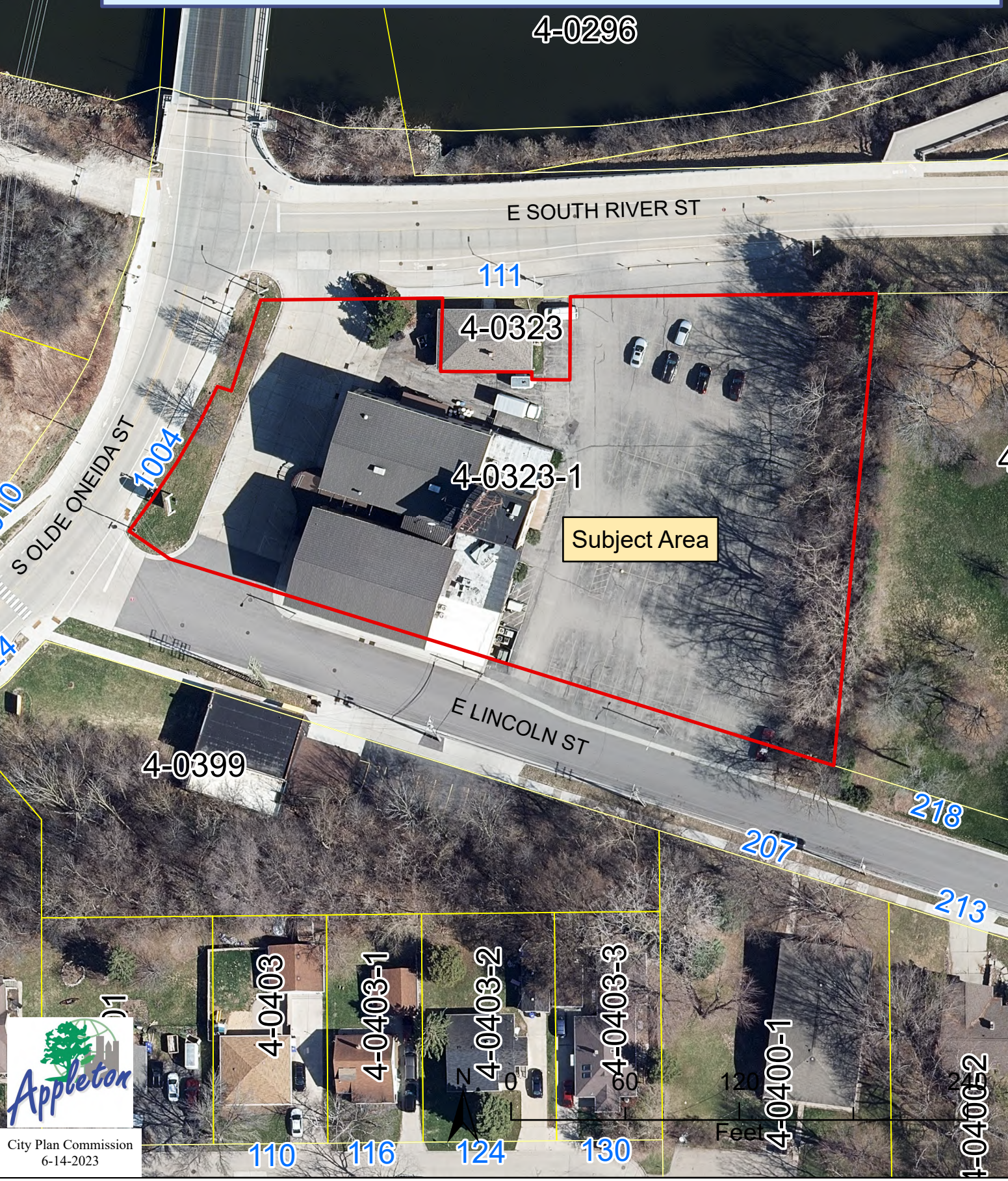
COMMUNITY & ECONOMIC DEVELOPMENT
CITY HALL - 100 NORTH APPLETON STREET
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1004 S. Olde Oneida Street
 Stone Arch Brewpub
 (Microbrewery and Tasting Room)
 Special Use Permit
 Expand operations to 3rd floor for
 Events with Alcohol Sales and Consumption
 Vicinity Map

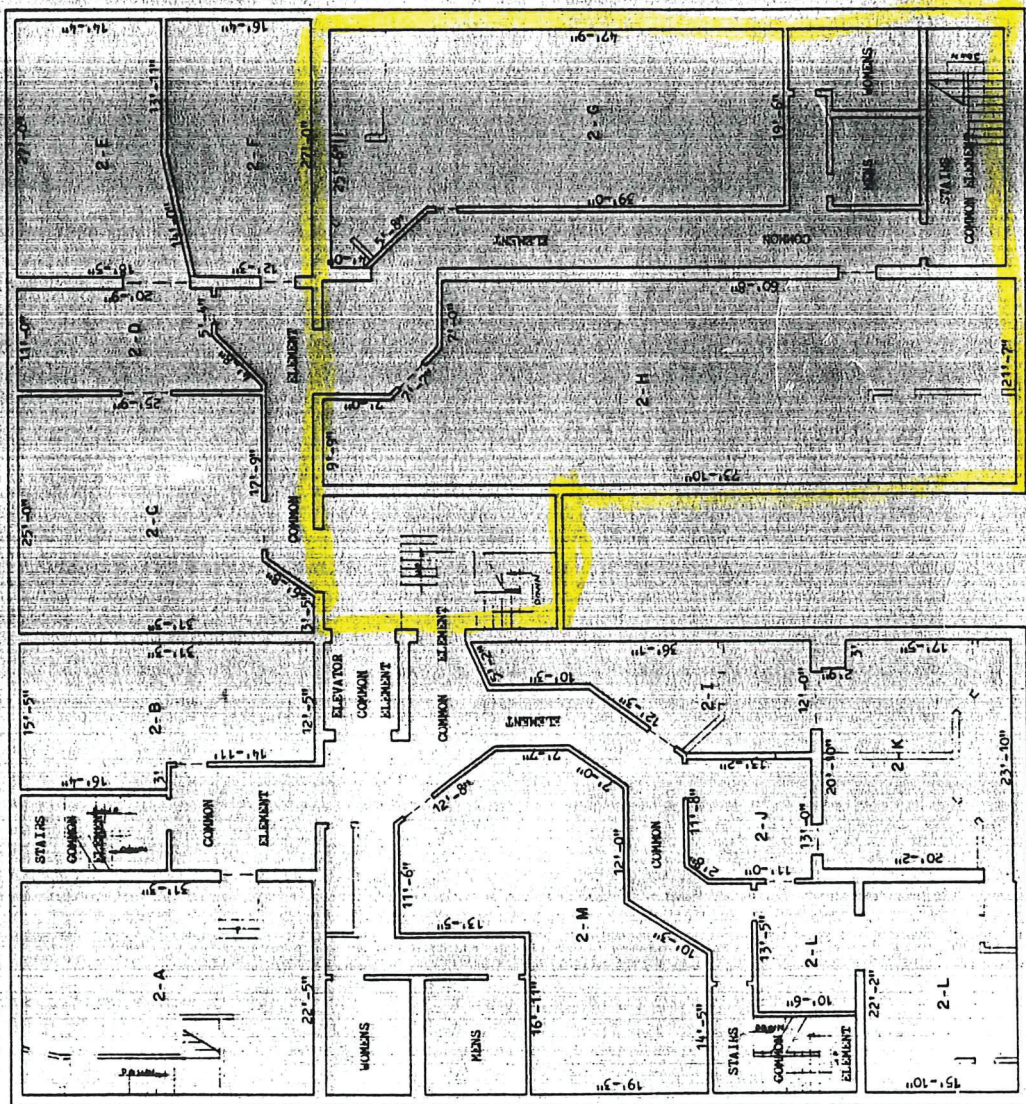


1004 S. Olde Oneida Street
Stone Arch Brewpub (Microbrewery and Tasting Room) Special Use Permit
Expand operations to 3rd floor for Events with Alcohol Sales and Consumption
Aerial Map



BETWEEN THE LOCKS CONDOMINIUM

CITY OF APPLING, OUTAGATE CADDY, MISSOURI



SECOND FLOOR

11'-20"

UNIT AREA	SQUARE FEET
2-A	627
2-B	669
2-C	669
2-D	669
2-E	669
2-F	669
2-G	669
2-H	669
2-I	669
2-J	669
2-K	669
2-L	669
2-M	669

NOTES: 1. ALL UNITS MUST HAVE ACCESS THROUGH THE BALCONY TO THE UNIT 2-F.
2. ALL UNITS MUST HAVE ACCESS THROUGH THE BALCONY TO THE UNIT 2-G.

Yellow Highlight: 3rd Floor Event Space with Alcohol Sales and Consumption (3,000 s.f)

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Pursuant to Sections 23-66 and 23-112 of the Appleton Municipal Code, to consider a request by Dan Burton, applicant, for Maritime Tavern, on the property located at 336 W. Wisconsin Avenue (Tax Id #31-6-0599-00) and 1312 N. Division Street (Tax Id #31-6-0598-00) to obtain a Special Use Permit for an outdoor patio with alcohol sales and service. In the C-1 Neighborhood Commercial District, a Special Use Permit is required for an outdoor patio with alcohol sales and service.

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

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June 6, 2023

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- Pursuant to Sections 23-66 and 23-112 of the Appleton Municipal Code, to consider a request by Dan Burton, applicant, for Maritime Tavern, on the property located at 336 W. Wisconsin Avenue (Tax Id #31-6-0599-00) and 1312 N. Division Street (Tax Id #31-6-0598-00) to obtain a Special Use Permit for an outdoor patio with alcohol sales and service. In the C-1 Neighborhood Commercial District, a Special Use Permit is required for an outdoor patio with alcohol sales and service.

- ALDERMANIC DISTRICT: 1 – Alderperson William Siebers

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.

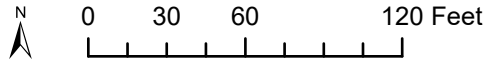
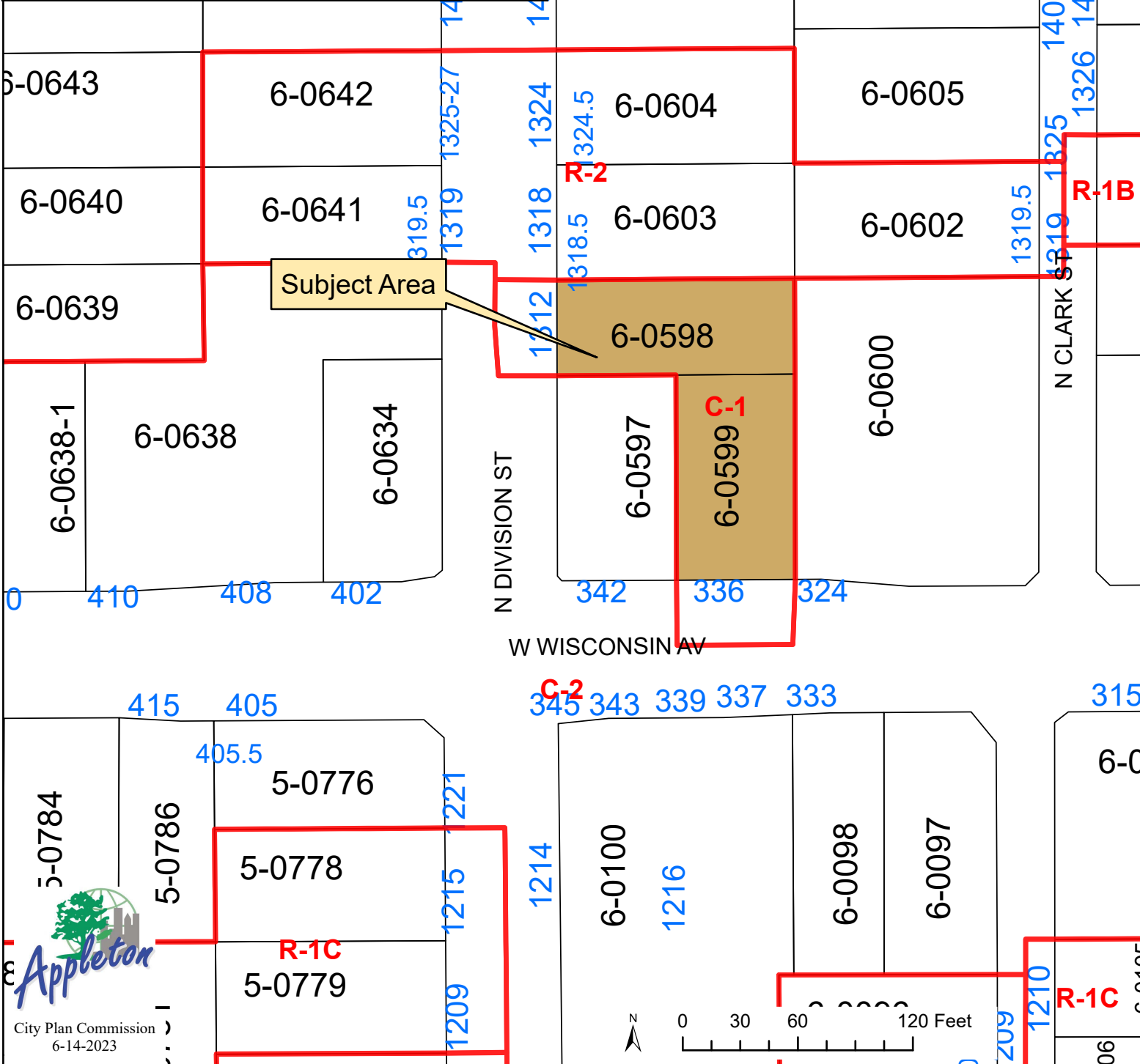
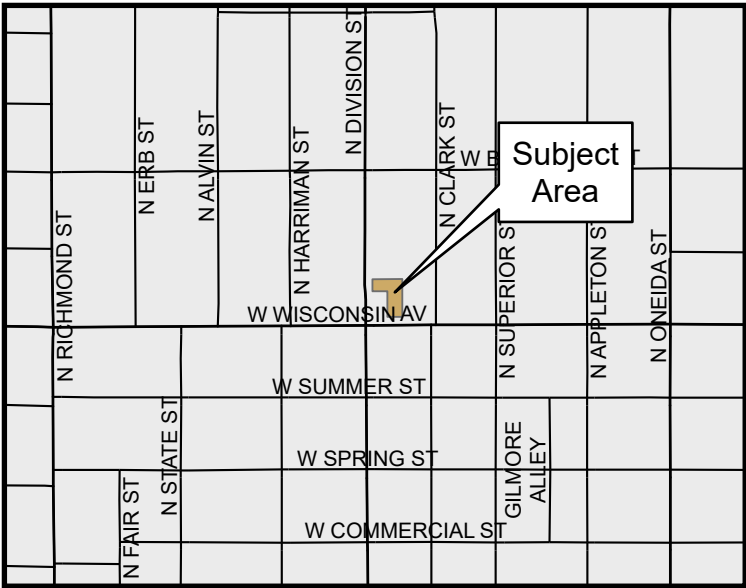
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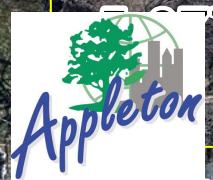
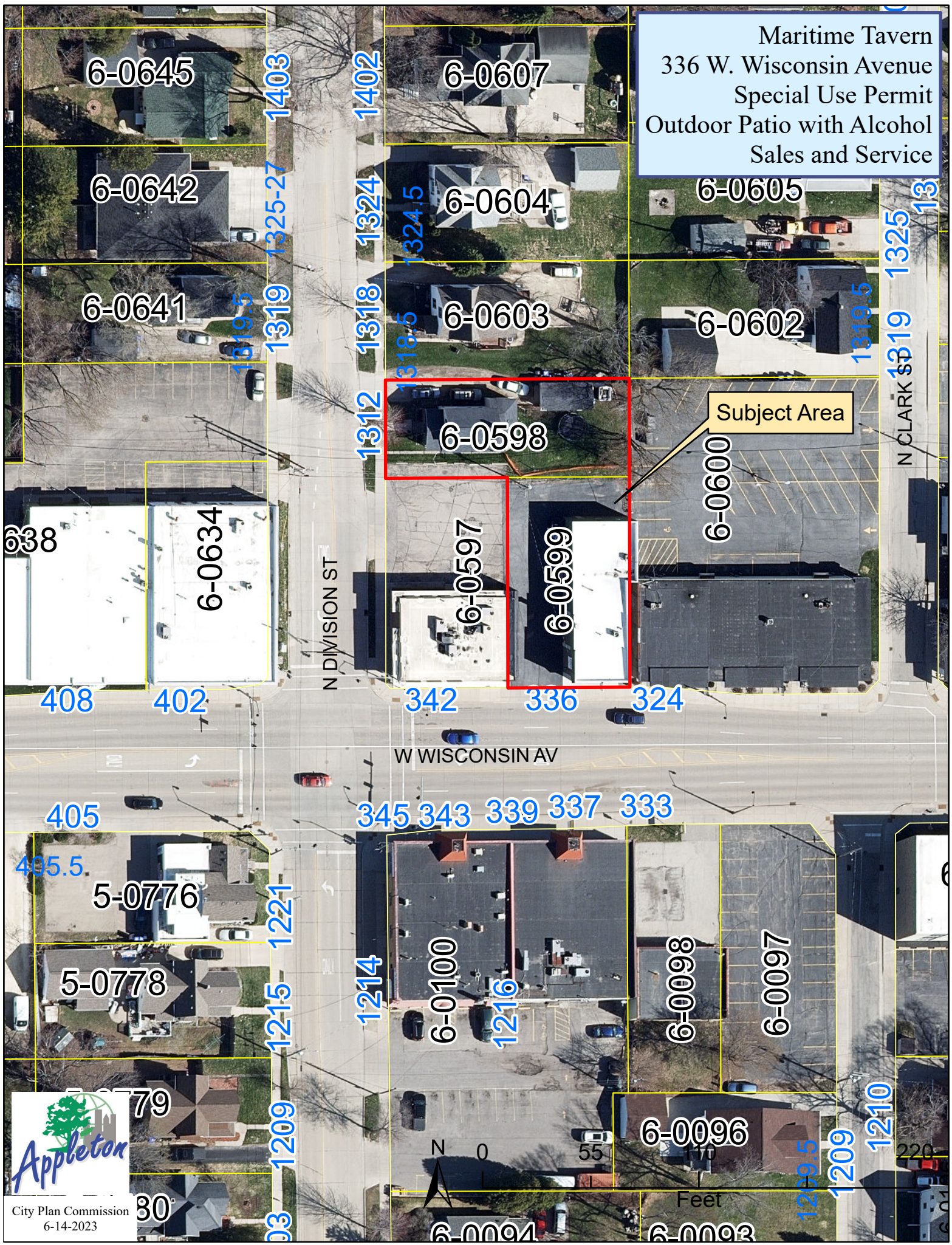
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Maritime Tavern
 336 W. Wisconsin Avenue
 Special Use Permit
 Outdoor Patio with Alcohol
 Sales and Service



Maritime Tavern
336 W. Wisconsin Avenue
Special Use Permit
Outdoor Patio with Alcohol
Sales and Service

Subject Area



City Plan Commission
6-14-2023

SITE PLAN

OWNERS

2X6 HOLDINGS LLC
503 HOMESTEAD TRAIL
KIMBERLY, WI 54136

TWO BUCKS ONLY II LLC
512 CORTLAND COURT
KIMBERLY, WI 54136

GENERAL CONTRACTOR

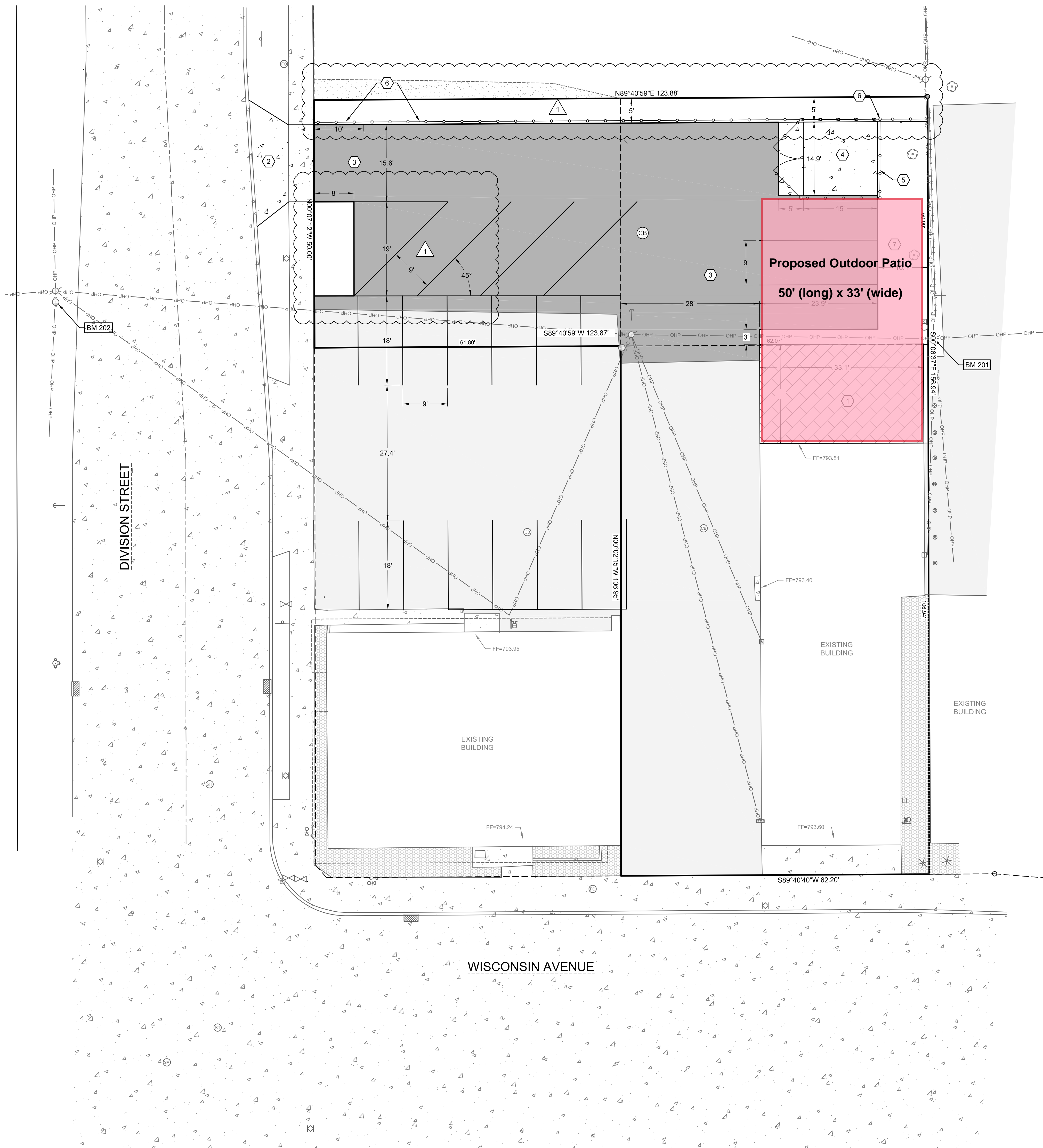
CR STRUCTURES GROUP, INC.
327 RANDOLPH DRIVE - SUITE A
APPLETON, WI 54913

SHEET KEY NOTES:

- ① EXTERIOR PATIO
- ② RELOCATED DRIVEWAY APRON; SEE DETAIL D SHEET C6
- ③ ASPHALT PAVEMENT; SEE DETAIL E SHEET C6
- ④ DUMPSTER PAD; SEE DETAIL F SHEET C6
- ⑤ DUMPSTER ENCLOSURE, TO BE 5' HIGH CHAIN LINK FENCE WITH VINYL PRIVACY SLATS
- ⑥ 6' BOARD ON BOARD FENCE, FENCE TO BE NO HIGHER THAN 3' WITHIN 10' OF THE RIGHT-OF-WAY
- ⑦ SNOW STORAGE

SITE STATISTICS

① ADDRESS	336 W. WISCONSIN AVENUE
PARCEL NO.	31-6-0599-00
PARCEL SIZE	12,629 SF
ZONING	C-1 - NEIGHBORHOOD MIXED USE DISTRICT
EXISTING SITE	31-6-0599-00
GREEN SPACE	6501 SF
IMPERVIOUS AREA	
BUILDING	2444 SF
PAVEMENT	3684 SF
TOTAL IMPERVIOUS	6128 SF
PROPOSED SITE	
TOTAL DISTURBED AREA	6948 SF
GREEN SPACE REQUIRED (10%)	1263 SF
GREEN SPACE PROVIDED	1630 SF
IMPERVIOUS AREA	
BUILDING	2444 SF
PAVEMENT	8558 SF
TOTAL	11002 SF
PARKING SPACES REQUIRED	50% OF 1 SPACE/3 PERSONS MAXIMUM CAPACITY MAXIMUM CAPACITY = 99 50% X 99 / 3 = 17 STALLS
PARKING SPACES PROVIDED	20 PROVIDED, INCLUDES PROPERTY NEXT DOOR
RECYCLING CALCULATIONS	
7 CF / 1000 SF	
2444 SF / 1000 SF X 7 CF = 17.1 CF	
MINIMUM DUMPSTER 2 CY (54 CF)	

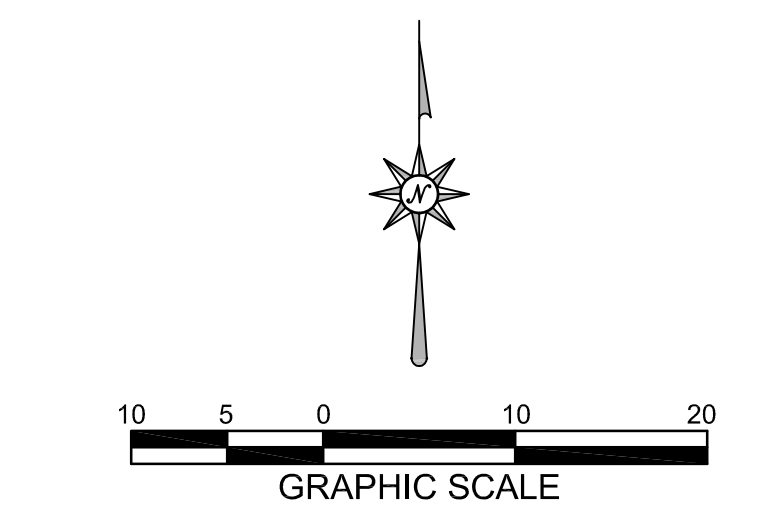


PROPOSED PARKING LOT EXPANSION FOR,
MARITIME TAVERN
 APPLETON, WISCONSIN

CR STRUCTURES
 Group, Inc.
 Shifting Construction Industry Paradigms
 327 RANDOLPH DRIVE - SUITE A
 APPLETON, WI 54913
 TELE: 920-753-7505

DATE: 01/08/2022
 ARCH: J. EHRFURTH
 D. BY: RPH
 JOB: 20-180
 REV: 1 3/23/2022 CITY COMMENTS

C3



MACH IV
 ENGINEERING • SURVEYING • ENVIRONMENTAL

2260 Salscheider Court Green Bay, WI 54313
 PH: 920-569-5765; Fax: 920-569-5767
 www.mach-iv.com
 Project Number: 1892-01-21

CITY OF APPLETON

NOTICE OF PUBLIC HEARING

PROPOSED COMPREHENSIVE PLAN FUTURE LAND USE MAP AMENDMENT

NOTICE IS HEREBY GIVEN of a Public Hearing to be held before the City Plan Commission on Wednesday, June 14, 2023, 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 Comprehensive Plan Future Land Use Map Amendment request.

Pursuant to Chapter 12: Implementation of the City of Appleton Comprehensive Plan 2010-2030, to consider a request by Lawrence University of Wisconsin and Jimmy and Inthava Phimmasene, owners, and Michael Lokensgard of Godfrey & Kahn, S.C., applicant, for the parcels located at 313, 315, 319, and 321 East College Avenue and along East College Avenue located on the southwest corner of East College Avenue and South Drew Street (Tax Id #'s 31-2-0005-00, 31-2-0007-00, 31-2-0008-00 and 31-2-0009-00) to amend the Comprehensive Plan Future Land Use Map from future Public/Institutional land use to future Central Business District land use.

A copy of the proposed amendment to the Comprehensive Plan Future Land Use Map is available in the Appleton Community and Economic Development Department or the Office of the City Clerk from 8:00 a.m. until 4:30 p.m., Monday through Friday.

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 Don Harp, Principal Planner, in the Community and Economic Development Department at 920-832-6466 or by email at don.harp@appleton.org.

CITY PLAN COMMISSION
APPLETON, WISCONSIN

COMMUNITY & ECONOMIC DEVELOPMENT
CITY HALL - 100 NORTH APPLETON STREET
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(920) 832-6468

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

RUN: May 30, 2023
June 6, 2023

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Dear property owner(s):

The City of Appleton Plan Commission will conduct a Public Hearing on Wednesday, June 14, 2023, 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 Comprehensive Plan Future Land Use Map Amendment and Rezoning requests.

COMMON DESCRIPTION:

313, 315, and 319 East College Avenue (Tax Id #31-2-0005-00), 321 East College Avenue (Tax Id #31-2-0007-00), and vacant lots (Tax Id #31-2-0008-00 and Tax Id #31-2-0009-00) located along East College Avenue on the southwest corner of East College Avenue and Drew Street.

ALDERMANIC DISTRICT: 11 – Alderperson Kristin Alfheim

Comprehensive Plan Future Land Use Map Amendment Request:

A Comprehensive Plan Future Land Use Map amendment request has been initiated by Lawrence University of Wisconsin and Jimmy and Inthava Phimmasene, owners, and Michael Lokensgard of Godfrey & Kahn, S.C., applicant, pursuant to Wisconsin State Statute 66.1001 and the City of Appleton Comprehensive Plan 2010-2030. The owners/applicant request to amend the Comprehensive Plan Future Land Use Map from future Public/Institutional land use to future Central Business District land use for the following parcels:

Tax Id: 31-2-0005-00 (10,614 s.f.)

The East 46.7 feet of Lot 2 and West 41 feet of Lot 3 Block 2, Appleton Plat,

Tax Id: 31-2-0007-00 (4,880 s.f.)

The East 40 feet of Lot 3, Block 2, Appleton Plat,

Tax Id: 31-2-0008-00 (9,894.2 s.f.)

All of Lot 4, Block 2, Appleton Plat, Second Ward, and

Tax Id: 31-2-0009-00 (9,586.88 s.f.)

All of Lot 5, Block 2, Appleton Plat, Second Ward.

Rezoning Request:

A rezoning request has been initiated by Lawrence University of Wisconsin, owner, and Michael Lokensgard of Godfrey & Kahn, S.C., applicant, in the matter of amending Chapter Twenty-three (Zoning Ordinance) of the Municipal Code of the City of Appleton for the following described real estate parcels. The owner/applicant request to rezone from P-I Public Institutional District to CBD Central Business District for the following parcels, including to the center line of the adjacent right-of-way:

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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.

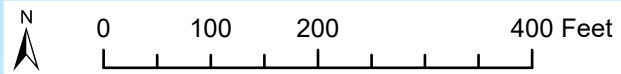
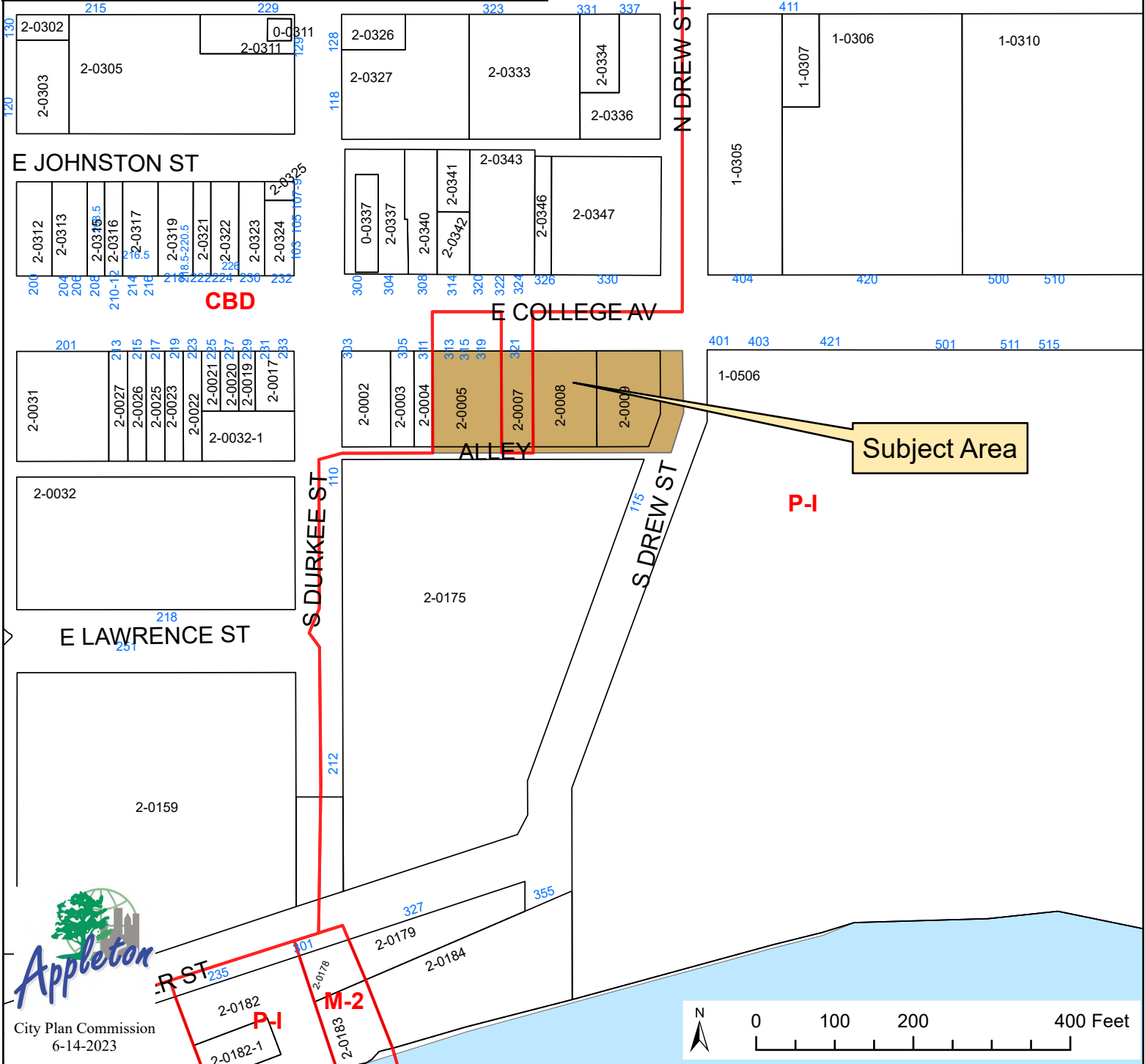
Any questions regarding this matter should be directed to Don Harp, Principal Planner, in the Community and Economic Development Department at 920-832-6466 or by email at don.harp@appleton.org

CITY PLAN COMMISSION
APPLETON, WISCONSIN

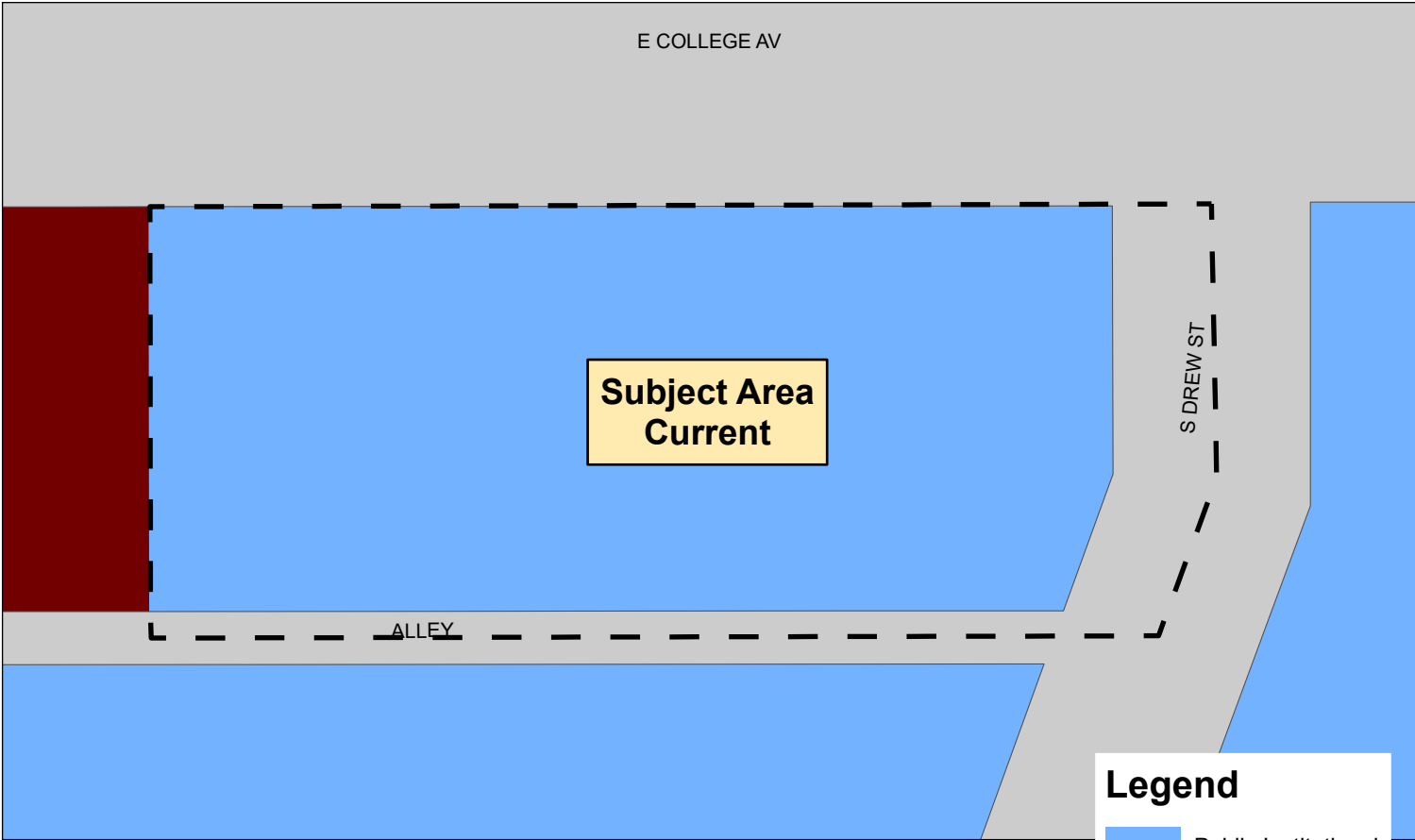
COMMUNITY & ECONOMIC DEVELOPMENT
CITY HALL – 100 NORTH APPLETON STREET
APPLETON, WISCONSIN 54911-4799
(920) 832-6468

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

Future Land Use Map Amendment
 Future Public/Institutional to
 Central Business District
 Vicinity Map

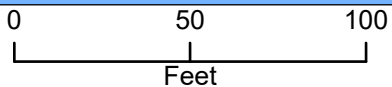
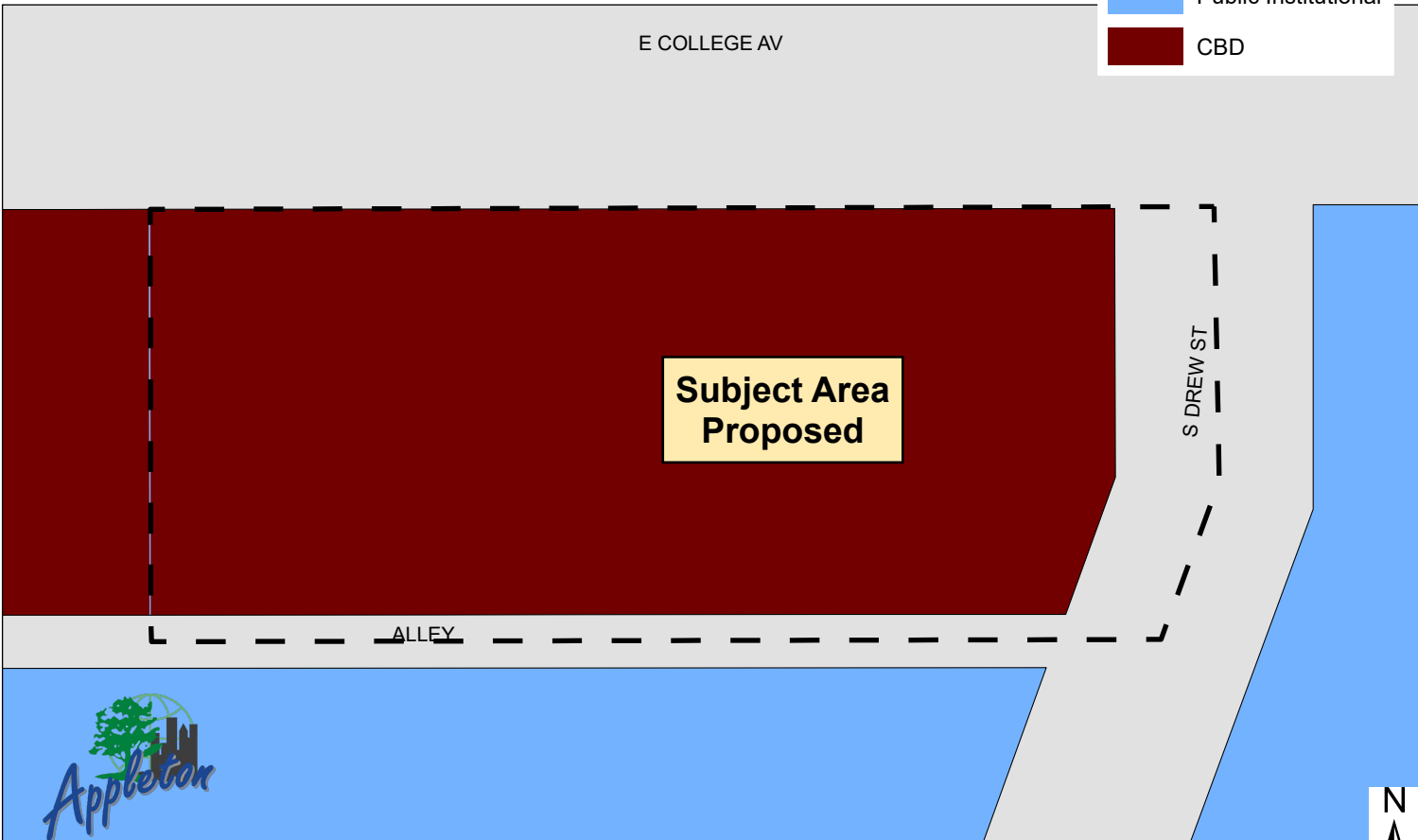


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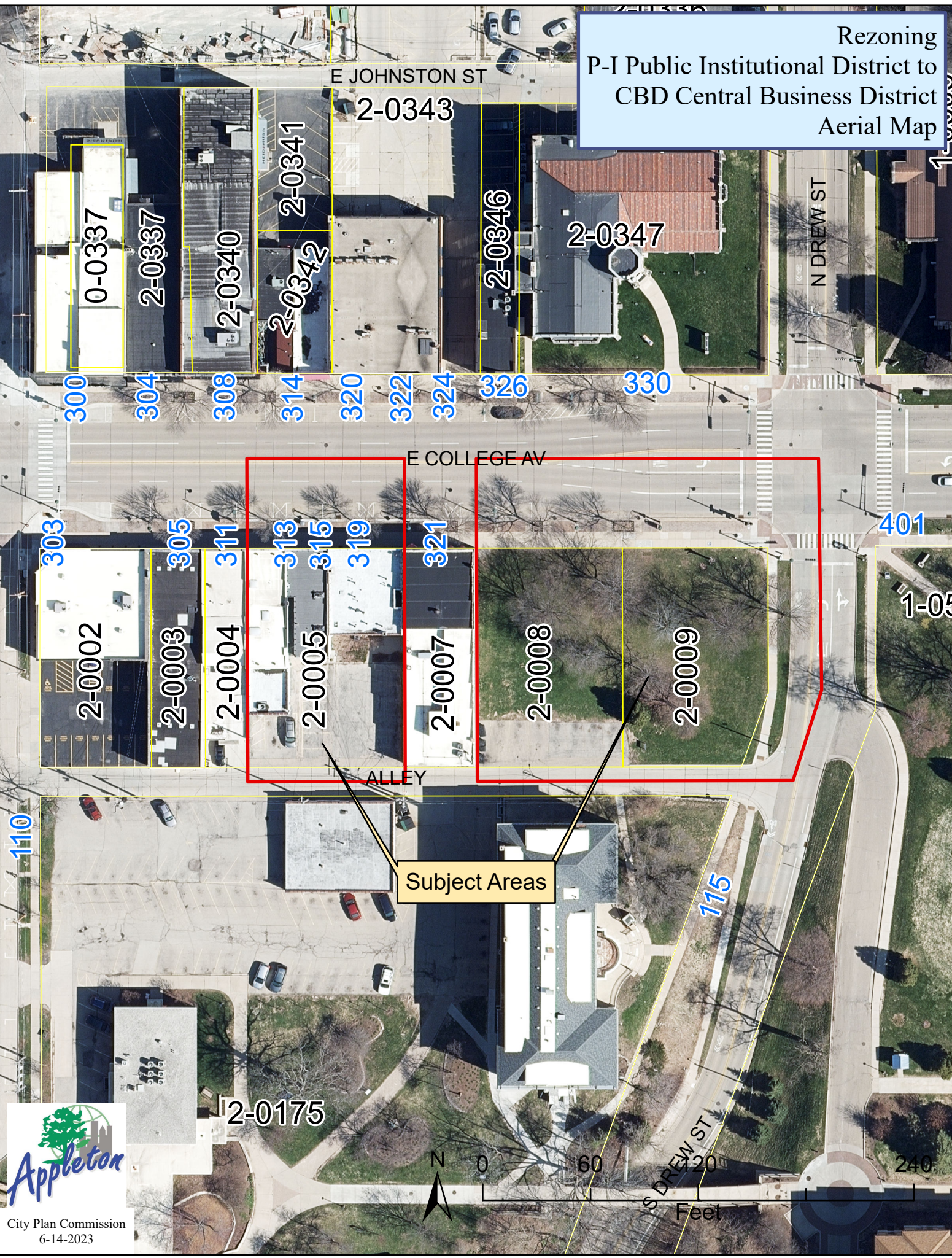


Legend

- Public Institutional
- CBD



Rezoning
P-I Public Institutional District to
CBD Central Business District
Aerial Map



E JOHNSTON ST

2-0343

0-0337

2-0337

2-0340

2-0341

2-0342

2-0346

2-0347

N DREW ST

300

304

308

314

320

322

324

326

330

E COLLEGE AV

401

1-05

303

305

311

313

315

319

321

2-0002

2-0003

2-0004

2-0005

2-0007

2-0008

2-0009

ALLEY

Subject Areas

110

115

2-0175



0

60

120

240

Feet



NOTICE OF PUBLIC HEARING
OF THE
APPLETON CITY PLAN COMMISSION

Dear property owner(s):

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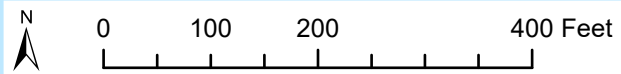
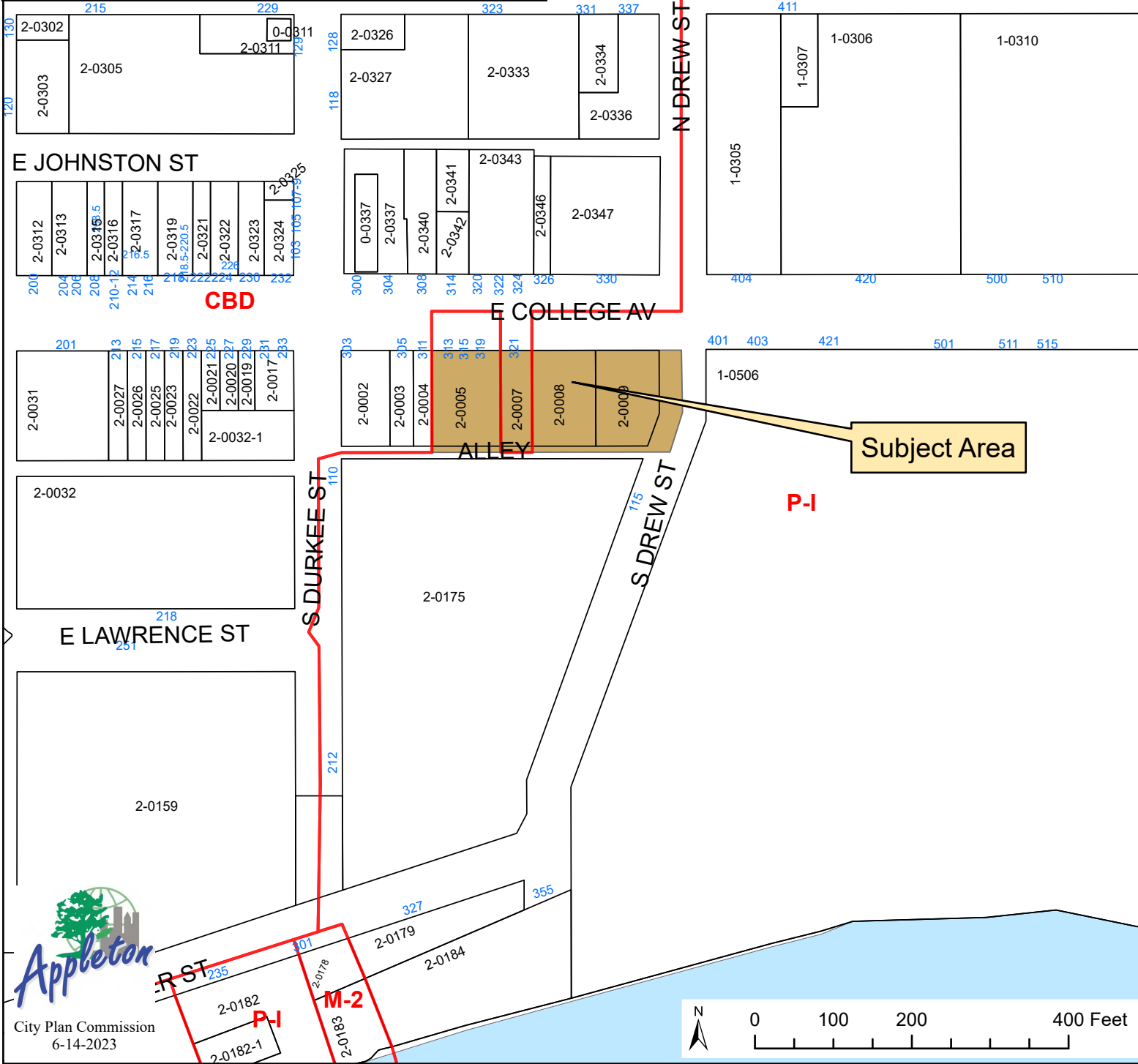
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APPLETON, WISCONSIN

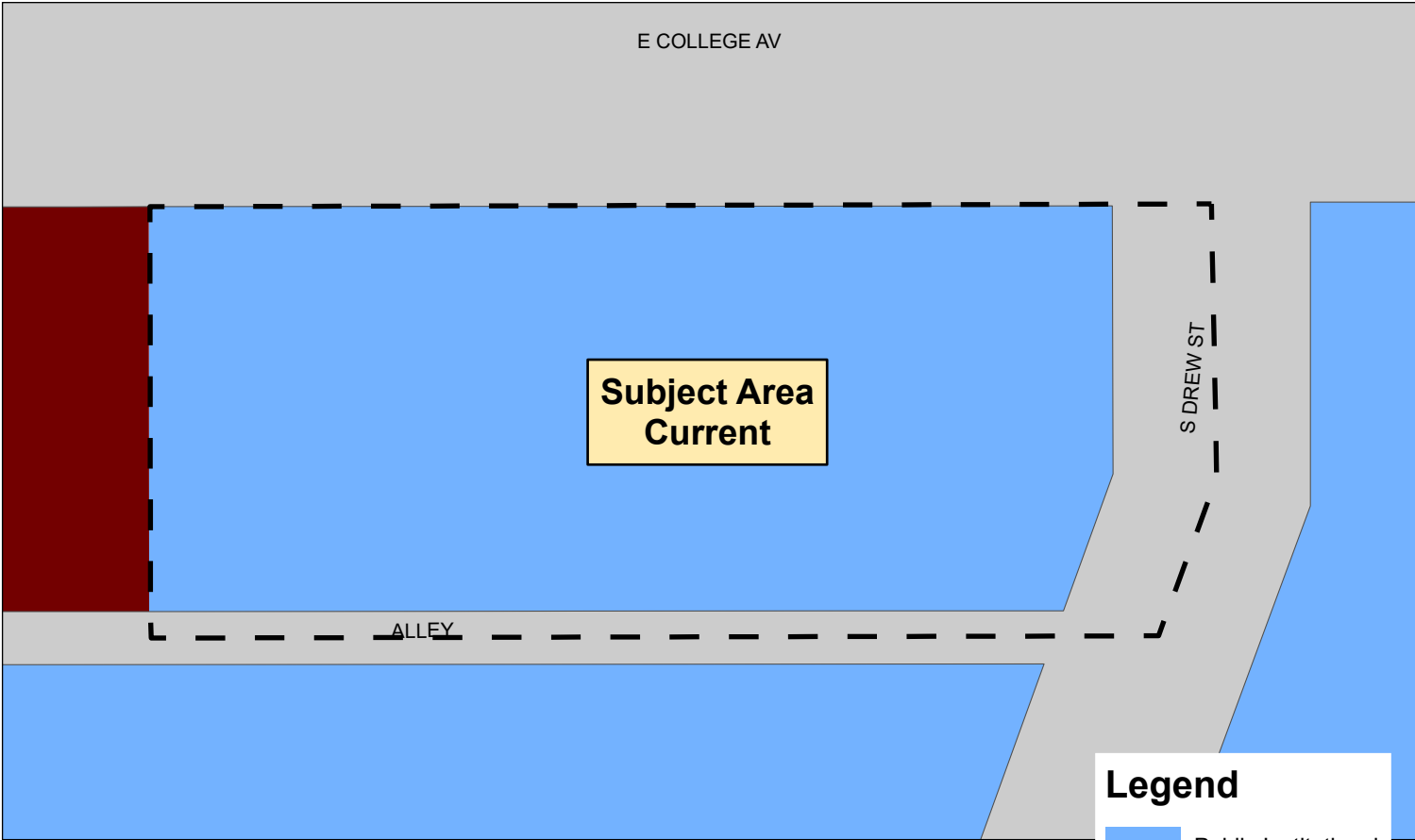
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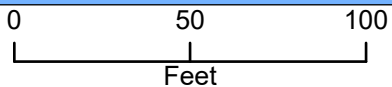
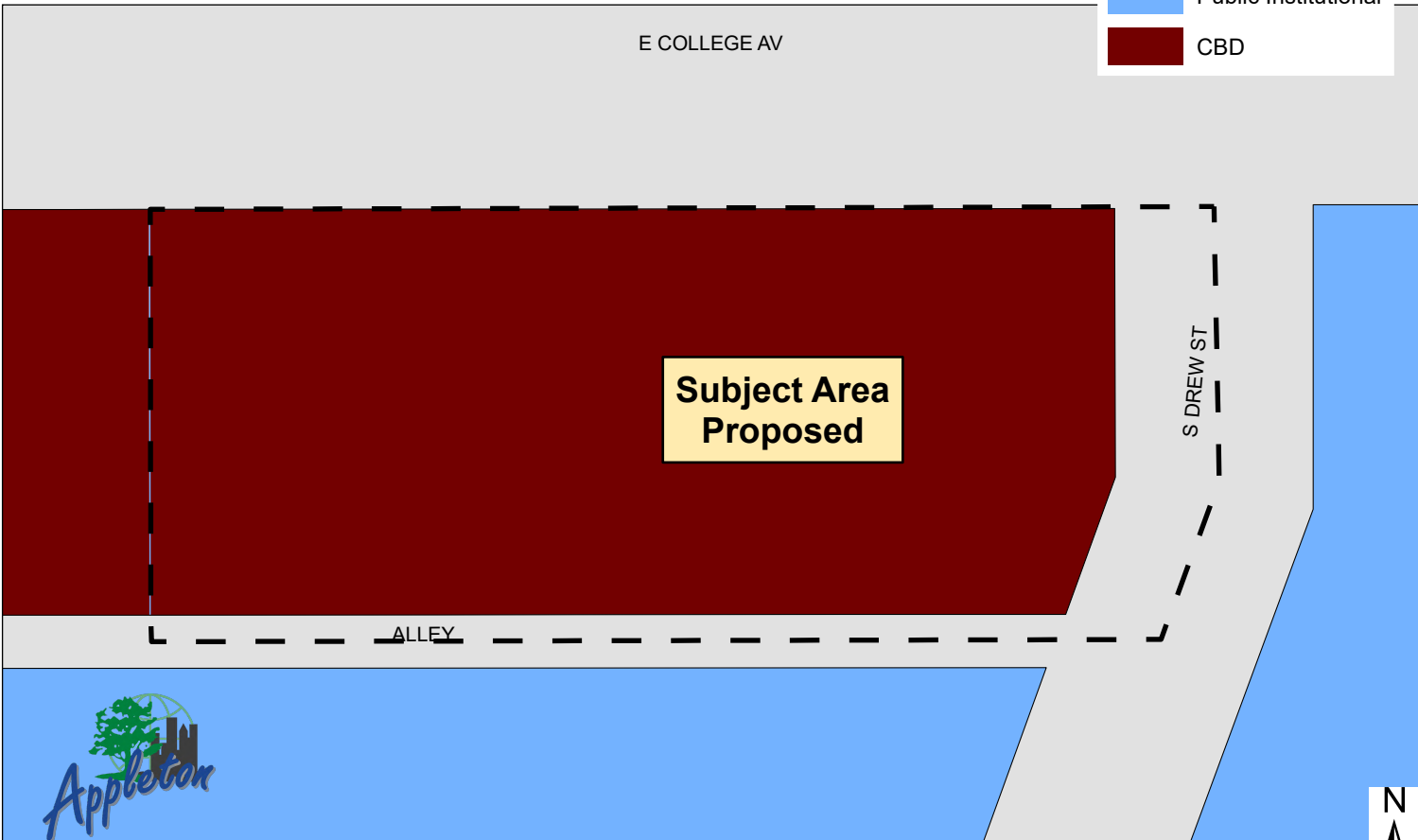


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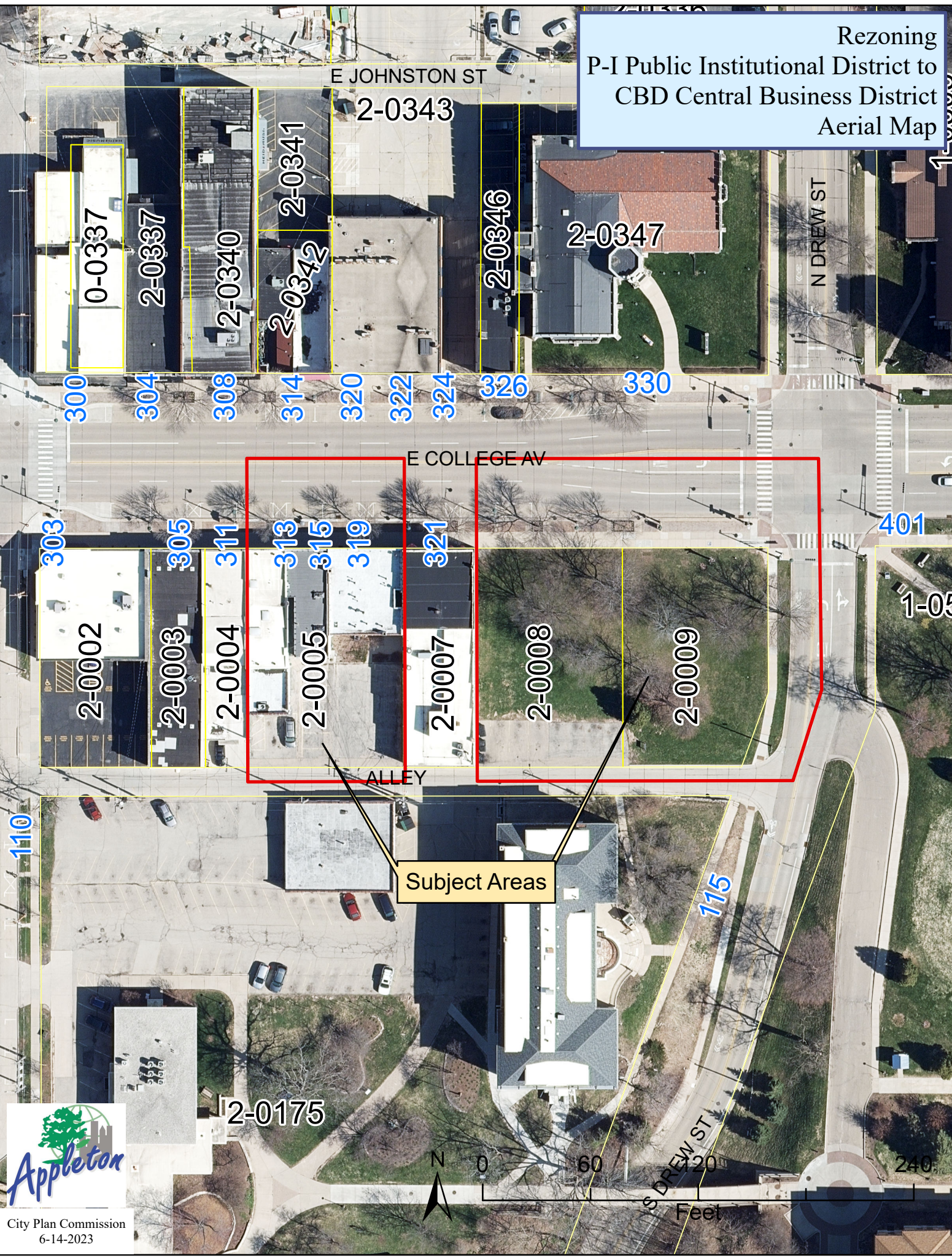


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P-I Public Institutional District to
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Aerial Map



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ALLEY

Subject Areas

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2-0175



0

60

120

240

Feet





REPORT TO CITY PLAN COMMISSION

Plan Commission Public Hearing Date: June 14, 2023

Common Council Meeting Date: June 21, 2023

Item: Special Use Permit #6-23 – Stone Arch Brewpub, Inc. Expand the existing microbrewery/brewpub operations by occupying the 3rd floor of the building for event space (meetings, weddings, birthday parties, occasional live music) with alcohol sales and consumption

Case Manager: Don Harp, Principal Planner

GENERAL INFORMATION

Owner/Applicant: Robert Moses - owner; Thomas Lonsway, Stone Arch Brewpub, Inc.- applicant

Address/Parcel #: 1004 South Olde Oneida Street/31-4-0323-01

Petitioner's Request: The applicant is requesting a Special Use Permit to expand the existing microbrewery/brewpub operations by occupying the 3rd floor of the building for event space (meetings, weddings, birthday parties, occasional live music) with alcohol sales and consumption.

BACKGROUND

The “Between the Locks” building was the home of the first brewery in Appleton, built by Anton Fischer in 1858. The existing building was converted for commercial uses in 1977 and is currently an existing multi-tenant commercial property. Stone Arch Brewpub, Inc. has been brewing beer for 18 years at this location.

Rezoning #8-11 was approved by Plan Commission on September 26, 2011, and by the Common Council on November 2, 2011, which rezoned the subject site from M-2 General Industrial District to C-2 General Commercial District.

Special Use Permit #1-12 was approved by the Plan Commission on February 20, 2012, and by the Common Council on March 7, 2012, to expand the existing microbrewery/brewpub and establish a tasting room with alcohol sales and service on the first floor of the building.

STAFF ANALYSIS

Project Summary: Expand existing microbrewery/brewpub operations by occupying approximately 3,000 square feet of the 3rd floor of the building for event space (meetings, weddings, birthday parties, occasional live music) with alcohol sales and consumption.

Existing Site Conditions: The existing microbrewery/brewpub/tasting room occupies approximately 5,076 square feet of the first floor of the building per Special Use Permit #1-12.

Off-Street Parking Requirements: Section 23-172(m) of the Municipal Code requires a minimum number of off-street parking spaces based on the use of a property. In this case, the property has historically functioned as a shopping center building, per Assessor's Office records. The proposal will not increase the gross floor area of the existing multi-tenant building. Therefore, additional off-street parking spaces are not required for the applicant's request.

Zoning District Classification and Requirements: The subject property has a zoning designation of C-2 General Commercial 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 (2/3) vote of the Common Council is required for approval.

Special Use Permit #1-12 Requirement: Special Use Permit #1-12 states, "the serving and consumption of alcohol is limited to the 1st floor of the existing brewery as shown on the Development Plan. Any future expansions for the serving and/or consumption of alcohol will require a new Special Use Permit application to be applied for and approved."

Special Use Permit Consolidation: If approved, Special Use Permit #6-23 will replace Special Use Permit #1-12. The following conditions were approved pursuant to Special Use Permit #1-12.

1. The serving and consumption of alcohol is limited to the 1st floor of the existing brewery as shown on the Development Plan. Any future expansions for the serving and/or consumption of alcohol will require a new Special Use Permit application to be applied for and approved.
2. The applicant shall apply for and receive approval of an amended Liquor License from the City Clerk.
3. The use shall conform to the standards established on Chapter 9, Article III, Alcoholic beverages, of the Appleton Municipal Code.
4. All applicable City of Appleton Fire Codes must be met, and a fire inspection must be conducted prior to issuance of an Occupancy Permit.
5. All applicable City of Appleton Building and State of Wisconsin Building Codes must be met, and a final inspection must be conducted prior to issuance of an Occupancy Permit.
6. All applicable City of Appleton Health and State of Wisconsin Health Codes must be met, and a final inspection must be conducted prior to issuance of an Occupancy Permit.

Operational Information: See attached plan of operation for the 1st floor microbrewery and tasting room and 3rd floor event space.

Special Use Permit #6-23
June 14, 2023
Page 3

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 commercial and public/institutional in nature.

North: M-2 General Industrial District. The adjacent land use to the north is currently professional office.

South: C-2 General Commercial District. The adjacent land use to the south is currently commercial.

East: R-1B Single-family District. The adjacent land use to the east is currently single-family residential.

West: C-O Commercial Office District. The adjacent land use to the west is currently professional office.

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 9.5 Economic Development:

Encourage new development and redevelopment activities that create vital and attractive neighborhoods and business 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.

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 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 microbrewery/brewpub as a special use permit; 2. *zoning district regulations:* the district regulations were reviewed pursuant to the attached development plan; 3. *special regulations:* stipulations 3 and 4 (below) address the special regulations for this proposed use; 4. *consistent with comprehensive plan and other plans:* yes, see above analysis; 5. *traffic:* the proposed use is not expected to create undue traffic congestion; it is anticipated customers will utilize existing on-site parking spaces to park their cars; 6. *landscaping and screening:* not applicable to this use, changes to the existing parking are not being proposed with this request; 7. *neighborhood compatibility with predominant land uses in this area:* the proposed use is located near other existing commercial uses in this area of the City; 8. *impact on services:* the City has existing utilities and services in place to serve this use. These standards were found in the affirmative, as long as all stipulations are satisfied.

Technical Review Group Report (TRG): This item was discussed at the May 23, 2023 Technical Review Group meeting. No negative comments were received from participating departments.

RECOMMENDATION

Staff recommends, based on the above, that Special Use Permit #6-23 to expand the existing microbrewery/brewpub operations by occupying the 3rd floor of the building for event space with alcohol sales and service located at 1004 S. Olde Oneida Street (Tax Id #31-4-0323-01) as shown on the attached maps and per the attached operational plans, along with the attached resolution, **BE APPROVED** subject to the following conditions:

1. The applicant shall receive approval of an Alcohol License Premise Amendment from the City Clerk prior to serving alcohol on the premise.

Substantial Evidence: This condition provides notice to the applicant that a Liquor License is also needed prior to serving alcohol.

2. The use shall conform to the standards established in Chapter 9, Article III, Alcoholic Beverages, of the Appleton Municipal Code.

Substantial Evidence: This condition is an on-going condition from Special Use Permit #1-12.

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

Substantial Evidence: This condition is one of the special regulations included in Section 23-66(h)(19) of the Zoning Ordinance for this particular use and Special Use Permit #1-12.

4. All solid waste generated on the premises shall be stored and disposed of in a manner that does not cause a public nuisance affecting public health pursuant to Chapter 12 of the Municipal Code.

Substantial Evidence: This condition is one of the special regulations included in Section 23-66(h)(19) of the Zoning Ordinance for this particular use.

Special Use Permit #6-23

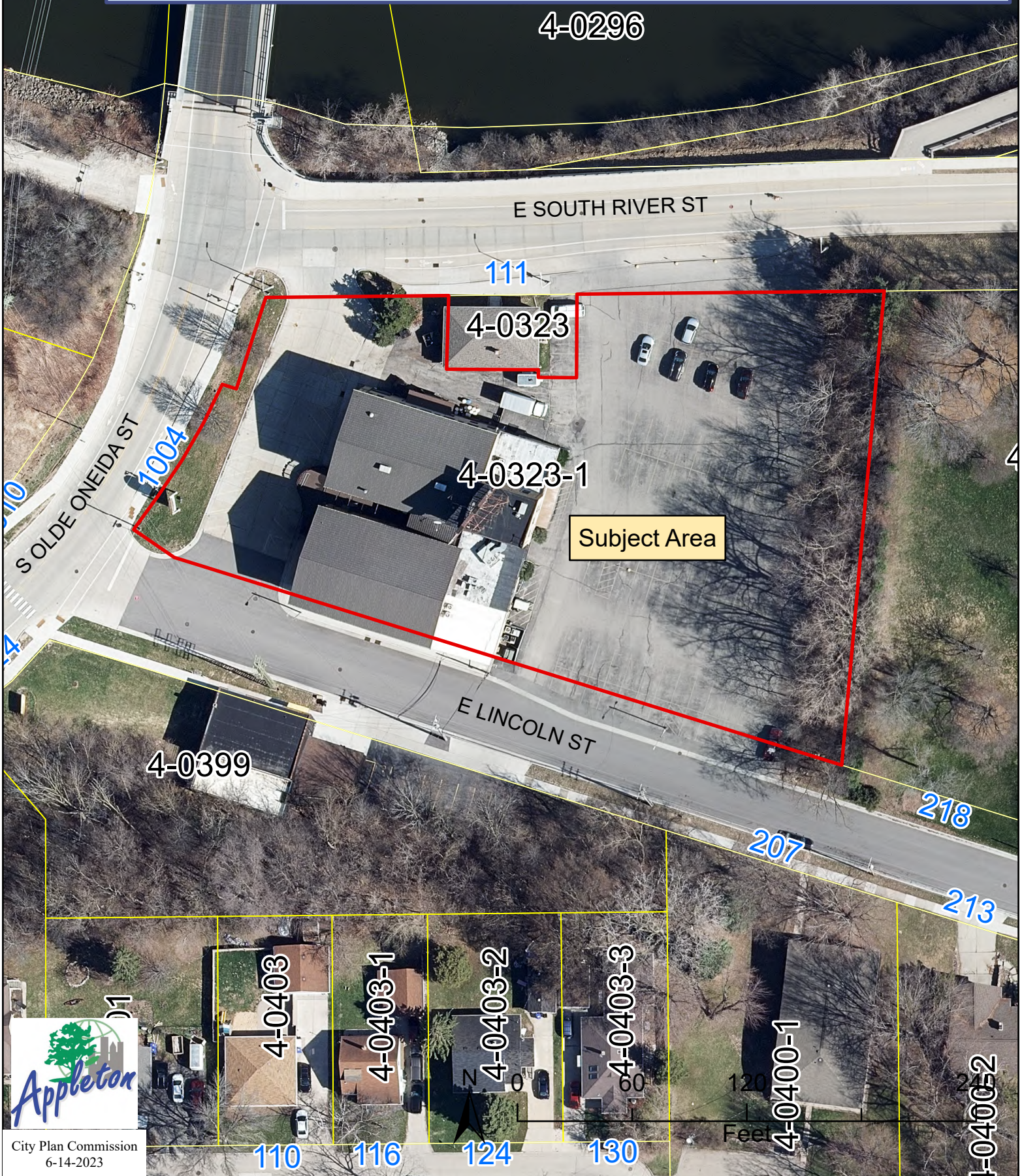
June 14, 2023

Page 5

5. Any expansions of the special use, changes to the development plan(s), 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.

1004 S. Olde Oneida Street
Stone Arch Brewpub (Microbrewery and Tasting Room) Special Use Permit
Expand operations to 3rd floor for Events with Alcohol Sales and Consumption
Aerial Map



**CITY OF APPLETON
RESOLUTION FOR SPECIAL USE PERMIT #6-23
MICROBREWERY/BREW PUB/TASTING ROOM
1ST AND 3RD FLOORS OF THE BUILDING
1004 SOUTH OLDE ONEIDA STREET**

WHEREAS, Thomas Lonsway, Stone Arch Brewpub, Inc., has applied for a Special Use Permit to expand alcohol sales and service by proposing to occupy ± 3,000 s.f. of the building's 3rd floor for events associated with microbrewery/brewpub located at 1004 South Olde Oneida Street, also identified as Parcel Number 31-4-0323-01; and

WHEREAS, the proposed 3rd floor event space with alcohol sales and service requires a new Special Use Permit required pursuant to Chapter 23 of the Municipal Code and Special Use Permit #1-12. If approved, Special Use Permit #6-23 will replace Special Use Permit #1-12; and

WHEREAS, the City of Appleton Plan Commission held a public hearing on June 14, 2023 on Special Use Permit #6-23, 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 #6-23 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 June 21, 2023.

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 #6-23 to expand the existing microbrewery/brewpub operations to the 3rd floor of the building with alcohol sales and service located at 1004 South Olde Oneida Street, also identified as Parcel Number 31-4-0323-01, 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 #6-23 to expand the existing microbrewery/brewpub operations to the 3rd floor of the building with alcohol sales and service located at 1004 South Olde Oneida Street, also identified as Parcel Number 31-4-0323-01, 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 #6-23:

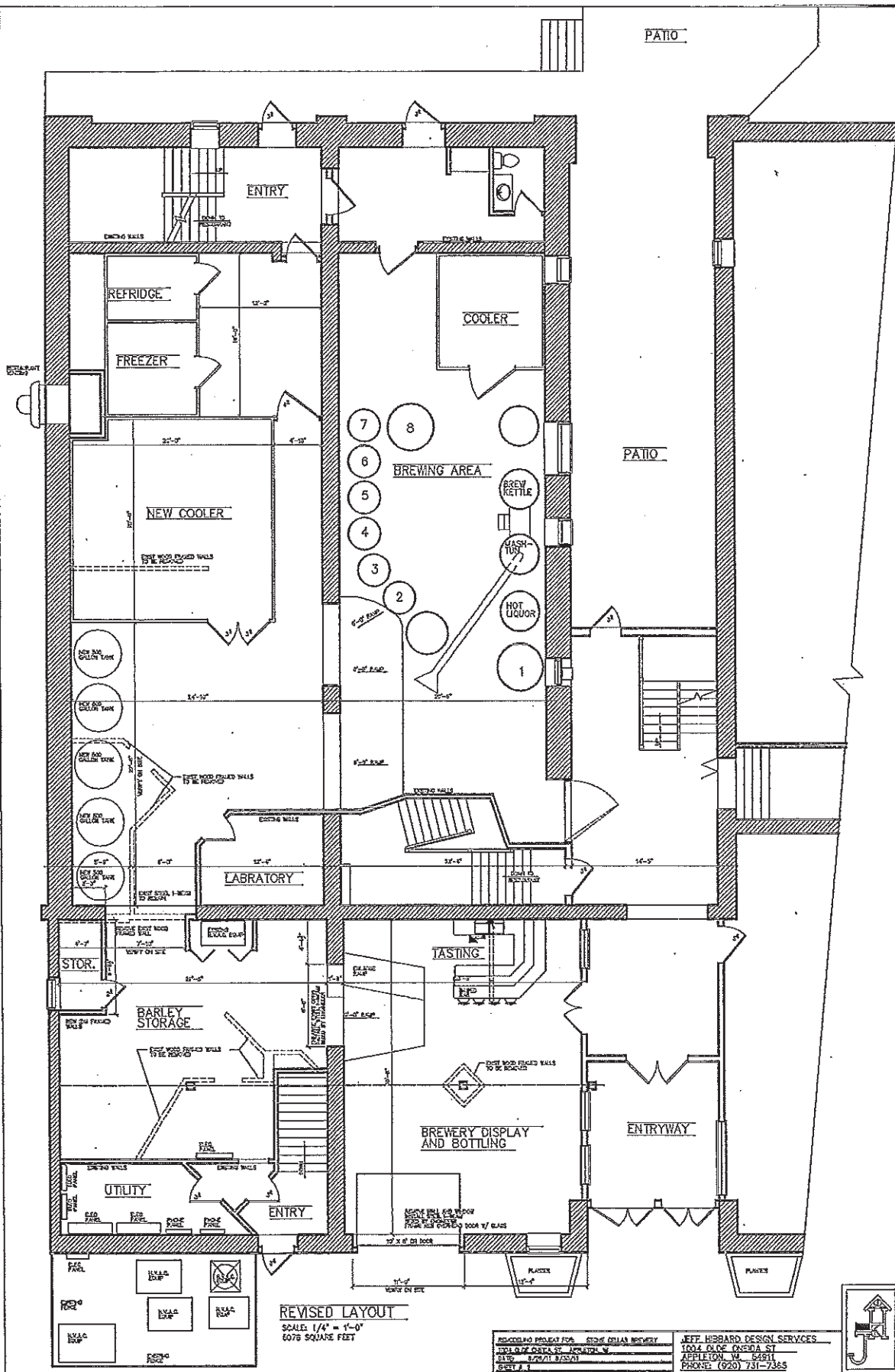
- A. The applicant shall receive approval of an Alcohol License Premise Amendment from the City Clerk prior to serving alcohol on the premise.
 - B. The use shall conform to the standards established in Chapter 9, Article III, Alcoholic Beverages, of the Appleton Municipal Code.
 - C. All Zoning, Building, Fire, Engineering, Utility and other Municipal Codes, and all applicable State and Federal laws shall be complied with.
 - D. All solid waste generated on the premises shall be stored and disposed of in a manner that does not cause a public nuisance affecting public health pursuant to Chapter 12 of the Municipal Code.
 - E. Any expansions of the special use, changes to the development plan(s), 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 _____, 2023.

Jacob A. Woodford, Mayor

ATTEST:

Kami Lynch, City Clerk



REVISED LAYOUT
 SCALE: 1/4" = 1'-0"
 6076 SQUARE FEET

ARCHITECT PROJECT FOR	STEVE GILMAN BREWERY	JEFF HIBBARD DESIGN SERVICES
1004 OLDE ONEIDA ST	APPLETON, WI	1004 OLDE ONEIDA ST
APPLETON, WI 54911	APPLETON, WI 54911	APPLETON, WI 54911
PHONE: (920) 835-7101	PHONE: (920) 751-7365	



Appleton
 City Plan Commission
 2-20-12

1004 Olde Oneida Street
 Special Use Permit - Light Manufacturing for Brewery Operation and Bar
 Floor Plan

PLAN OF OPERATION AND LOCATIONAL INFORMATION
1st Floor MICROBREWERY and Tasting Room

Business information:

Name of Business: STONE CELLAR BREWPUB, INC

Years in operation: 7

Type of the proposed establishment (detailed explanation of business): _____

BREWERY, PACKAGING + BAR AREA

Are there plans for a tasting/tap room? Yes No _____

If applicable, percentage of business derived from the sale of alcohol for on-site consumption in the tasting/tap room: 100%

Hours of Operation: 5 PM - TO 10 PM Days of Operation: 7 DAYS OF WEEK

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: 50 persons.

Current production of fermented malt beverages: 37,200 gallons per year.

Proposed production of fermented malt beverages: 186,000 gallons per year.

Identify location of grain storage and type of storage container(s) used: INSIDE - STORAGE ROOM AND A GRAIN SILO ADJACENT TO BLDG.

Identify location of spent or used grain storage and type of storage container(s) used: BACK ROOM AREA IN LARGE PLASTIC BINS

Outdoor uses:

Location, type, size and design of outdoor facilities: NONE PROPOSED

Type and height of screening: plantings/fencing/gating _____

Is there any alcohol service incorporated in this outdoor facility proposal? Yes ___ No ___

Hours of Operation: _____ Days of Operation: _____

Are there plans for outdoor music/entertainment? Yes ___ No ___

~~If yes, describe soundproofing measures: _____~~

~~Is there any food service incorporated in this outdoor facility proposal? Yes ___ No ___~~

Outdoor lighting:

~~Type: _____~~ *NONE PROPOSED*

~~Location: _____~~

Off-street parking:

Number of parking spaces provided 105.

Off-street loading:

Number of loading spaces or loading docks provided ON WEST & EAST SIDE OF BLDG.

Other Licensed Premises:

The number of licensed premises within the immediate geographic area of the proposed location will be considered in order to avoid an undue concentration that may have the potential of creating public safety problems or deterring neighborhood development.

List nearby taverns, restaurants or microbrewers _____

PULLMAN'S & UNION JACK'S

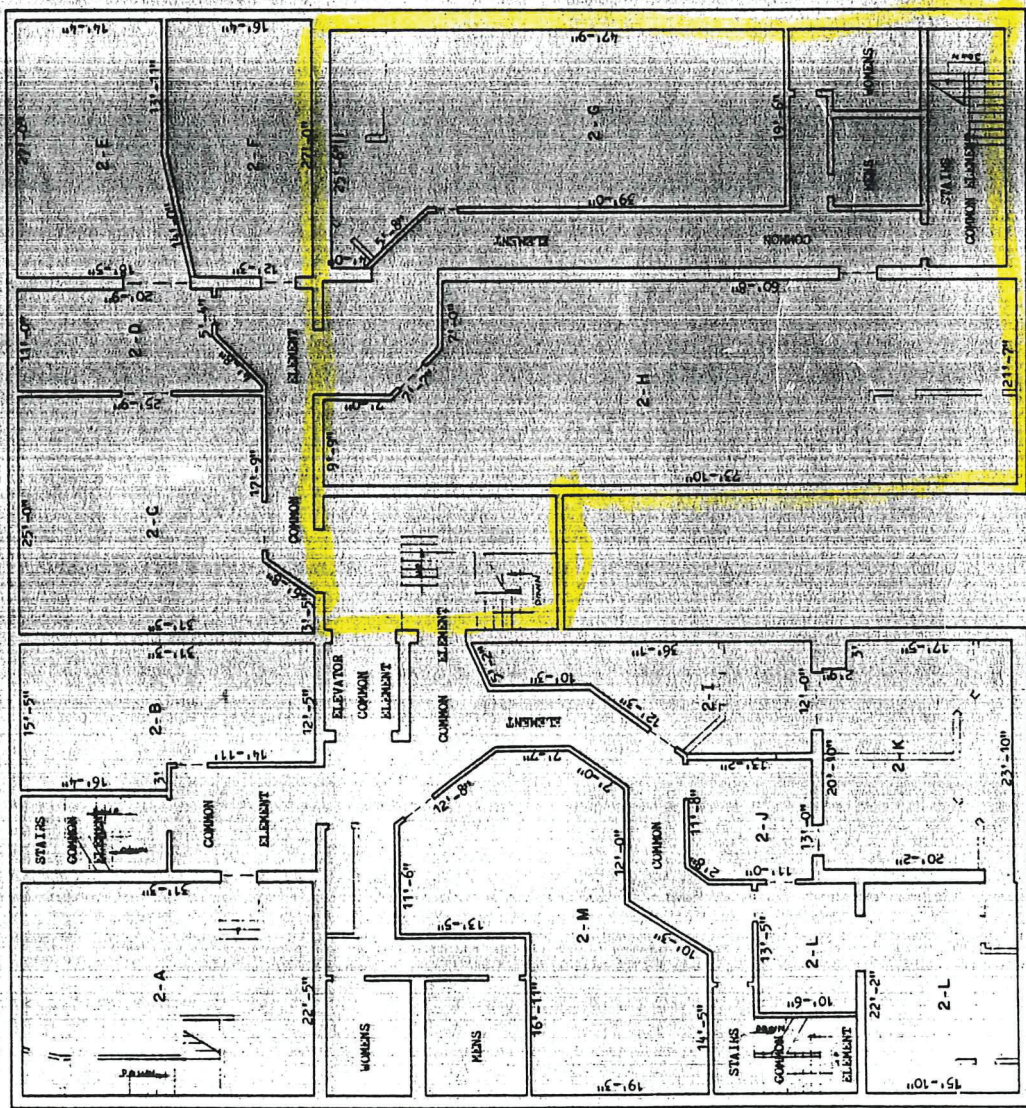
Amusement Devices:

~~Number of video games: _____ Pool Tables: _____~~

~~Other amusement devices: _____~~ *NONE PROPOSED*

BETWEEN THE LOCKS CONDOMINIUM

CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN



SECOND FLOOR

11'-20"

UNIT AREA	SQUARE FEET
2-A	627
2-B	669
2-C	669
2-D	669
2-E	669
2-F	669
2-G	669
2-H	669
2-I	669
2-J	669
2-K	669
2-L	669
2-M	669

NOTES: 1. ALL UNITS MUST HAVE ACCESS THROUGHOUT TO ALL OTHER UNITS.
2. ALL UNITS MUST HAVE ACCESS THROUGHOUT TO ALL COMMON AREAS.
3. ALL UNITS MUST HAVE ACCESS THROUGHOUT TO ALL STAIRS AND ELEVATORS.

Yellow Highlight: 3rd Floor Event Space with Alcohol Sales and Consumption (3,000 s.f)

PLAN OF OPERATION AND LOCATIONAL INFORMATION
3rd floor Event Space

Business Information:

Name of business: Stone Arch Brewpub, Inc

Years in operation: 18

(Check applicable proposed business activity(s) proposed for the premises)

- Restaurant
- Tavern/Night Club/Wine Bar
- Painting/Craft Studio
- Microbrewery/Brewpub (manufacturing a total of not more than 310,000 U.S. gallons of fermented malt beverages per calendar year)
- Brewery (manufacturing a total of more than 310,000 U.S. gallons of fermented malt beverages per calendar year)
- Winery (manufacturing of wine)
- Craft-Distillery (manufacturing a total of not more than 100,000 proof gallons of intoxicating liquor per calendar year)
- Distillery (manufacturing a total of more than 100,000 proof gallons of intoxicating liquor per calendar year)
- Tasting room offering fermented malt beverages, wine or intoxicating liquor for consumption and/or retail sales on the premises where the fermented malt beverages, wine or intoxicating liquor is manufactured and/or at an off-premises location associated with premises. Tasting rooms may include food sales.
- Other _____

Detailed explanation of proposed business activities:

Existing Microbrewery/packing operation with tasting room per SUP # 1-12. Proposed to expand operation on the 3rd floor of the existing building for meetings, parties, events with food and beverages and occasionally live music.

Existing gross floor area of building/tenant space, including outdoor spaces:
(square feet) 13,000 s.f. tenant space

Proposed gross floor area of building/tenant space, including outdoor spaces:
(square feet) 3,000 s.f. 3rd floor area

Occupancy Limits:

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: TBD persons.

Proposed Hours of Operation for Indoor Uses:

Day	From	To
Monday thru Thursday	11 am	10 am
Friday	11 am	10 am
Saturday	11 am	10 am
Sunday	11 am	10 am

Production/Storage Information:

(Check applicable proposed business activity(s) proposed for the premises)

- Current production of fermented malt beverages: _____ U.S. gallons per year
- Proposed production of fermented malt beverages: _____ U.S. gallons per year
- Current production of wine: _____ U.S. gallons per year
- Proposed production of wine: _____ U.S. gallons per year
- Current production of intoxicating liquor: _____ proof gallons per year
- Proposed production of intoxicating liquor: _____ proof gallons per year

X None. If none, leave the following two storage questions blank.

Identify location of grains and/or juice, grapes, other fruits or other agricultural product storage and type of storage container(s) used:

Identify the storage location of spent grains and/or grapes, other fruits or other agricultural products and type of storage container(s) used:

Outdoor Space Uses:

(Check applicable outdoor space uses)

- Patio
- Deck
- Sidewalk Café
- Other _____.

X None. If none, leave the following questions in this section blank.

Size: _____ square feet

Type of materials used and height of material to enclose the perimeter of the outdoor space:

- Fencing
- Landscaping
- Other _____ Height _____ feet

Is there any alcohol consumption incorporated within the outdoor facility? Yes ___ No ___

If yes, please describe:

Are there plans for outdoor music/entertainment? Yes ___ No ___

If yes, describe how the noise will be controlled:

Is there any food service incorporated in this outdoor facility proposal? Yes ___ No ___

Proposed Hours of Operation for Outdoor Space:

Day	From	To
Monday thru Thursday		
Friday		
Saturday		
Sunday		

NOTE: Hours of Operation for Outdoor Uses (Sidewalk Café with Alcohol):

*******Municipal Code Section 9-262(b)(4): The permit holder can begin serving alcoholic beverages in the sidewalk café at 4:00 p.m. Monday through Friday and 11:00 a.m. on Saturday and Sunday. All alcoholic beverages must be removed from the sidewalk café by 9:30 p.m.**

Describe Any Potential Noise Emanating From the Proposed Use:

Describe the noise levels anticipated from all equipment or other mechanical sources:

Live Bands.

Describe how the crowd noise will be controlled inside and outside the building:

Sound panels and Staff.

Off-Street Parking:

Number of spaces existing on-site: 105

Number of spaces proposed on-site: 0

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?

Access is adequate.

Other Licensed Premises:

The number of licensed premises within the immediate geographic area of the proposed location will be considered in order to avoid an undue concentration that may have the potential of creating public safety problems or deterring neighborhood development.

List nearby licensed premises:

None.

Number of Employees:

Number of existing employees: 53

Number of proposed employees: 56

Number of employees scheduled to work on the largest shift: 28



REPORT TO CITY PLAN COMMISSION

Plan Commission Public Hearing Date: June 14, 2023

Common Council Meeting Date: June 21, 2023

Item: Special Use Permit #7-23 for tavern with alcohol sales and service and proposed outdoor patio

Case Manager: Jessica Titel, Principal Planner

GENERAL INFORMATION

Owner/Applicant: 2x6 Holdings, LLC c /o Dan Burton – Maritime Bar

Address/Parcel #: 336 W. Wisconsin Avenue and 1312 N. Division Street (Tax Id #31-6-0599-00 & #31-6-0598-00)

Petitioner's Request: The applicant is requesting a Special Use Permit to conform and expand an existing tavern with an outdoor patio area with alcohol sales and consumption.

BACKGROUND

The property at 336 W. Wisconsin Avenue is currently being used as a tavern (Maritime Tavern) and off-street parking lot. The property at 1312 N. Division Street previously contained a single-family home that was recently razed.

On March 16, 2022 the Common Council approved an amendment the City's *Comprehensive Plan 2010-2030* Future Land Use Map from the One and Two-Family Residential designation to the Mixed Use designation for the property located at 1312 N. Division Street (Parcel #31-6-0598-00). In conjunction with that request, the Common Council also approved a rezoning of the subject parcels from C-2 General Commercial District and R-1C Central City Residential District to C-1 Neighborhood Mixed Use District. The requests were made to establish a uniform Future Land Use Map designation and zoning classification for the subject property to allow for a shared parking lot expansion and a patio addition for the existing tavern (Maritime Bar).

An application for a Certified Survey Map to combine both parcels is currently under review. A Site Plan application is currently under review to construct an expansion to the existing parking lot serving Maritime Tavern at 336 W. Wisconsin and constructing an outdoor patio behind the tavern.

STAFF ANALYSIS

Project Summary: The applicant proposes to add an outdoor patio to the existing tavern. The patio is proposed to be approximately 1,650 square feet in area (33 feet x 50 feet). The Special Use Permit will bring the existing tavern into conformance with Section 23-112(e) of the Zoning Code and allow for the addition of an outdoor patio area with alcohol sales and consumption.

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

Special Use Permit #7-23

June 14, 2023

Page 2

Outdoor Seating Area: The applicant is proposing to add an outdoor patio that will be approximately 1,650 Square feet in area (33 feet x 50 feet).

Existing Site Conditions: The existing tavern building totals approximately 2,423 square feet in size. The subject parcel at 1312 N. Division is currently vacant. Upon approval and recording of the proposed one-lot Certified Survey Map, the lot size will total 12,839 square feet in area. The subject property also includes an off-street parking lot, with access from West Wisconsin Avenue and future access from North Division Street (upon completion of the proposed parking lot expansion and lot combination).

Current Zoning and Procedural Findings: The subject property has a zoning designation of C-1 Neighborhood Mixed Use District. Per Section 23-112(e) of the Municipal Code, a tavern requires a Special Use Permit in the C-1 District. The existing tavern does not have a Special Use Permit as it has been in operation prior to the need to obtain a Special Use Permit. Since the proposed patio area expands the alcohol sales and consumption area by more than 10% of the existing area, a Special Use Permit is required. The Special Use Permit will bring the existing tavern into conformance with Section 23-112(e) and allow for the addition an outdoor patio area with alcohol sales and consumption. 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.

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 commercial and residential in nature.

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

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

East: C-2 General Commercial District. The adjacent land use to the east is currently a mix of commercial uses in a multi-tenant building.

West: C-2 General Commercial District. The adjacent land uses to the west are currently commercial.

Appleton Comprehensive Plan 2010-2030: Community and Economic Development staff has reviewed this proposal and determined it is compatible with goals and objectives found in the City's *Comprehensive Plan 2010-2030*. 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.

Special Use Permit #7-23

June 14, 2023

Page 3

OBJECTIVE 9.5 Economic Development:

Encourage new development and redevelopment activities that create vital and attractive neighborhoods and business districts.

OBJECTIVE 10.5 Land Use:

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

Chapter 15 - Wisconsin Avenue Corridor Plan – General Plan Primary Objective 3:

Encourage private renovation and redevelopment that addresses existing limitations of platting and land assembly, site planning issues such as parking and access, and aesthetics.

Technical Review Group (TRG) Report: This item appeared on the May 23, 2023 TRG agenda. No negative comments were received from participating departments.

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 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 (proper zoning district, district regulations, special regulations, comprehensive plan and other plans, traffic, landscaping and screening, neighborhood compatibility, and impact on services) for granting a Special Use Permit under Section 23-66(e)(1-8) of the Municipal Code, which were found in the affirmative, as long as all stipulations are satisfied.

RECOMMENDATION

Staff recommends, based on the above analysis, that Special Use Permit #7-23 for an existing tavern and proposed outdoor patio located at 336 W. Wisconsin Avenue and 1312 N. Division Street (Tax Id #31-6-0599-00 & #31-6-0598-00), as shown on the attached maps 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 applicant shall receive approval of a Liquor License premise amendment from the City Clerk prior to serving alcohol on the outdoor patio.

Substantial Evidence: This condition provides notice to the applicant that a Liquor License is also needed prior to serving alcohol.

2. The use shall conform to the standards established in Chapter 9, Article III, Alcoholic Beverages, of the Appleton Municipal Code.

Substantial Evidence: This condition is one of the special regulations included in Section 23-66(h)(6) of the Zoning Ordinance for this particular use.

Special Use Permit #7-23

June 14, 2023

Page 4

3. The site shall be kept free of litter and debris.

Substantial Evidence: This condition is one of the special regulations included in Section 23-66(h)(6) of the Zoning Ordinance for this particular use.

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

Substantial Evidence: This condition is one of the special regulations included in Section 23-66(h)(6) of the Zoning Ordinance for this particular use.

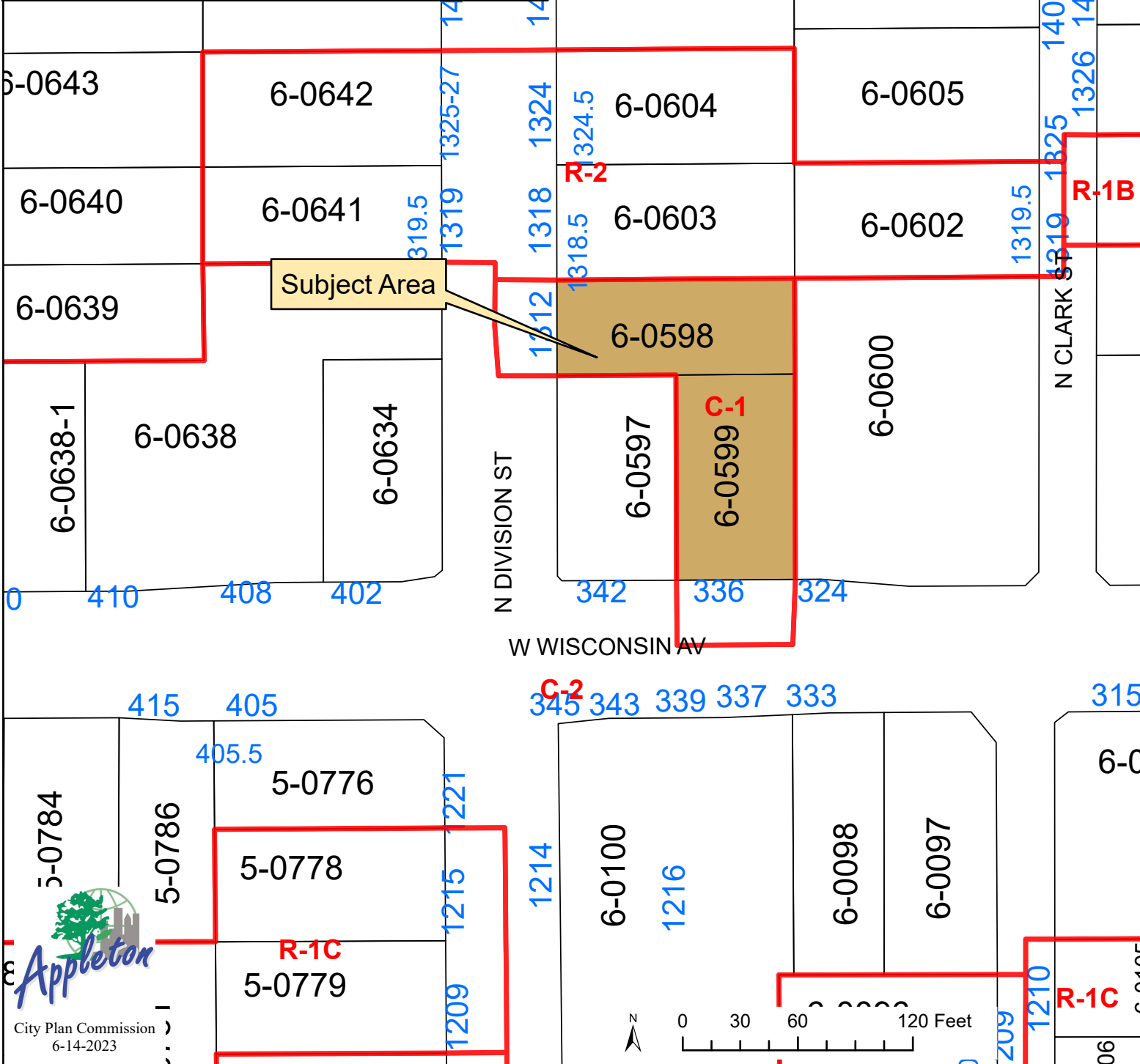
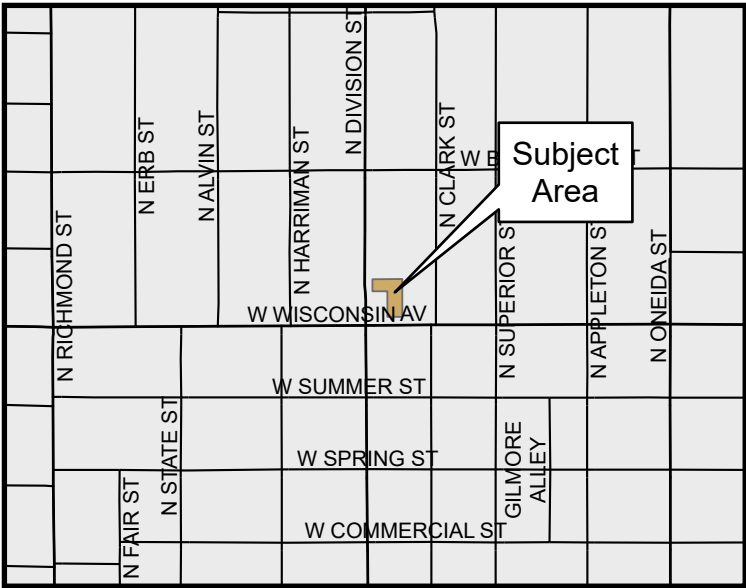
5. Any expansions of the special use, changes to the development plan(s), plan of operation or any conditions of approval may require a major or minor amendment request to this Special Use Permit pursuant to Section 23-66(g) of the Zoning Ordinance. Contact the Community and Economic Development Department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

6. The proposed outdoor patio will cross an existing property line. Prior to construction of the outdoor patio, Certified Survey Map (CSM #4-22) shall be approved and recorded.

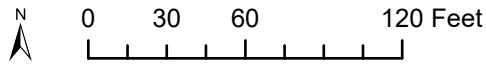
Substantial Evidence: This condition provides notice to the owner and applicant that accessory structures are not permitted to cross property lines. The Certified Survey Map is required to comply with Zoning Code standards.

Maritime Tavern
 336 W. Wisconsin Avenue
 Special Use Permit
 Outdoor Patio with Alcohol
 Sales and Service



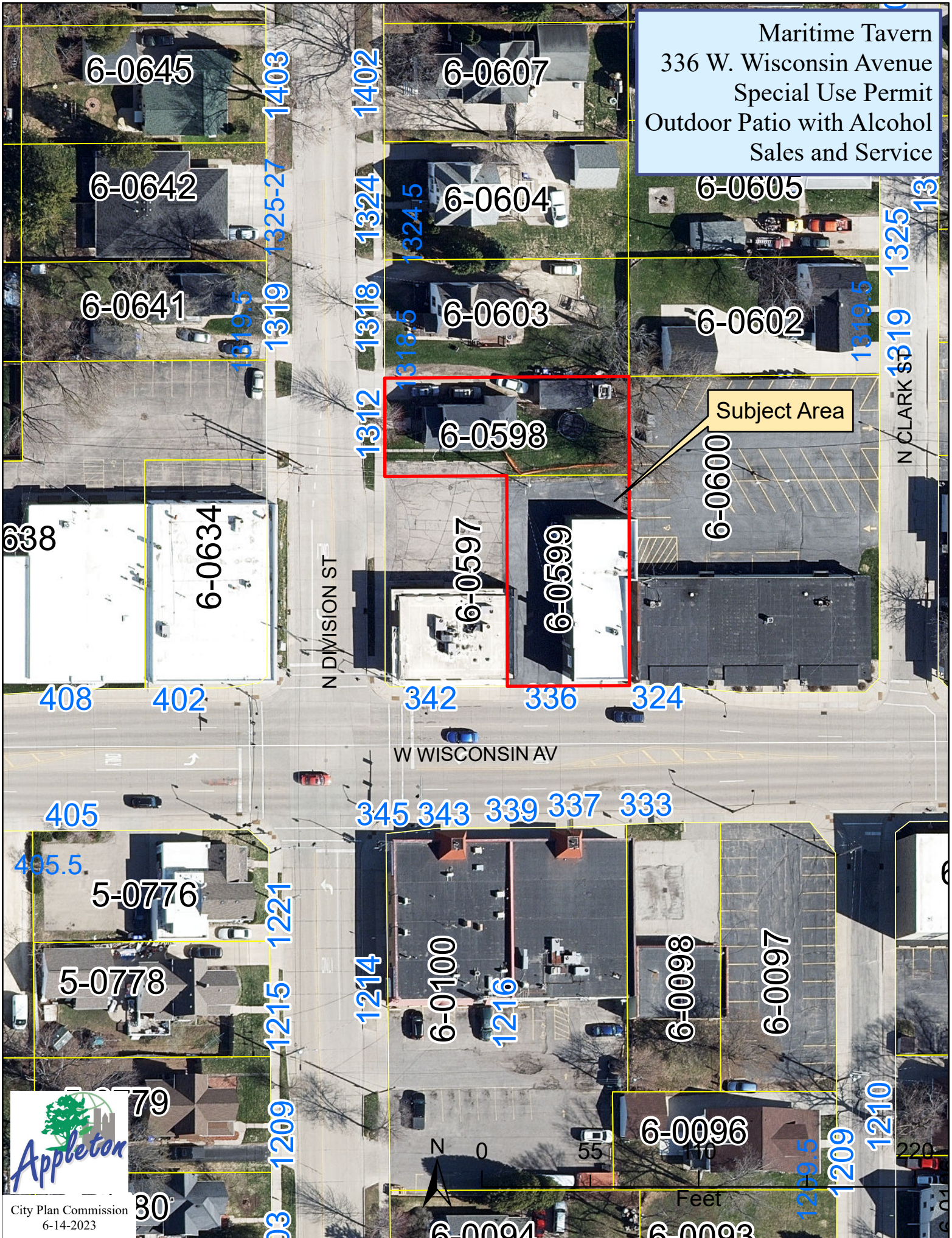
Subject Area

Subject Area



Maritime Tavern
336 W. Wisconsin Avenue
Special Use Permit
Outdoor Patio with Alcohol
Sales and Service

Subject Area



**CITY OF APPLETON
RESOLUTION FOR SPECIAL USE PERMIT #7-23
TAVERN WITH OUTDOOR PATIO WITH ALCOHOL
336 W. WISCONSIN AVENUE & 1312 N. DIVISION STREET**

WHEREAS, Dan Burton, of Maritime Bar, has applied for a Special Use Permit to add an outdoor patio with alcohol sales and service associated with an existing tavern located at 336 W. Wisconsin Avenue and 1312 N. Division Street, also identified as Parcel Numbers 31-6-0599-00 & 31-6-0598-00; and

WHEREAS, the existing tavern is located in the C-1 Neighborhood Mixed Use District, and the proposed outdoor patio 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 June 14, 2023 on Special Use Permit #7-23, 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 #7-23 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 June 21, 2023.

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 #7-23 to add an outdoor patio with alcohol sales and service associated with an existing tavern located at 336 W. Wisconsin Avenue and 1312 N. Division Street, also identified as Parcel Numbers 31-6-0599-00 & 31-6-0598-00, 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 #7-23 for an outdoor patio with alcohol sales and service associated with an existing tavern located at 336 W. Wisconsin Avenue and 1312 N. Division Street, also identified as Parcel Numbers 31-6-0599-00 & 31-6-0598-00, 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 #7-23:

- A. The applicant shall receive approval of a Liquor License premise amendment from the City Clerk prior to serving alcohol on the outdoor patio.
 - B. The use shall conform to the standards established in Chapter 9, Article III, Alcoholic Beverages, of the Appleton Municipal Code.
 - C. The site shall be kept free of litter and debris.
 - D. All Zoning, Building, Fire, Engineering, Utility and other Municipal Codes, and all applicable State and Federal laws shall be complied with.
 - E. Any expansions of the special use, changes to the development plan(s), 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.
 - F. The proposed outdoor patio will cross an existing property line. Prior to construction of the outdoor patio, Certified Survey Map (CSM #4-22) shall be approved and recorded.
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 _____, 2023.

Jacob A. Woodford, Mayor

ATTEST:

Kami Lynch, City Clerk

PLAN OF OPERATION AND LOCATIONAL INFORMATION

Business Information:

Name of business: Maritime Bar/2x6 Holdings LLC

Years in operation: 8 plus

(Check applicable proposed business activity(s) proposed for the premises)

- Restaurant
- Tavern/Night Club/Wine Bar
- Painting/Craft Studio
- Microbrewery/Brewpub (manufacturing a total of not more than 310,000 U.S. gallons of fermented malt beverages per calendar year)
- Brewery (manufacturing a total of more than 310,000 U.S. gallons of fermented malt beverages per calendar year)
- Winery (manufacturing of wine)
- Craft-Distillery (manufacturing a total of not more than 100,000 proof gallons of intoxicating liquor per calendar year)
- Distillery (manufacturing a total of more than 100,000 proof gallons of intoxicating liquor per calendar year)
- Tasting room offering fermented malt beverages, wine or intoxicating liquor for consumption and/or retail sales on the premises where the fermented malt beverages, wine or intoxicating liquor is manufactured and/or at an off-premises location associated with premises. Tasting rooms may include food sales.
- Other Add outdoor patio area

Detailed explanation of proposed business activities:

Addition of an outdoor patio with alcohol sales and consumption.

Existing gross floor area of building/tenant space, including outdoor spaces:

(square feet) 2,423 SF

Proposed gross floor area of building/tenant space, including outdoor spaces:

(square feet) 4,073 SF

Occupancy Limits:

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: 99 persons.

Proposed Hours of Operation for Indoor Uses:

Day	From	To
Monday thru Thursday	3P	Close
Friday	1P	Close
Saturday	1P	Close
Sunday	1P	Close

Production/Storage Information:

(Check applicable proposed business activity(s) proposed for the premises)

- Current production of fermented malt beverages: _____ U.S. gallons per year
- Proposed production of fermented malt beverages: _____ U.S. gallons per year
- Current production of wine: _____ U.S. gallons per year
- Proposed production of wine: _____ U.S. gallons per year
- Current production of intoxicating liquor: _____ proof gallons per year
- Proposed production of intoxicating liquor: _____ proof gallons per year
- None. If none, leave the following two storage questions blank.

Identify location of grains and/or juice, grapes, other fruits or other agricultural product storage and type of storage container(s) used:

Identify the storage location of spent grains and/or grapes, other fruits or other agricultural products and type of storage container(s) used:

Outdoor Space Uses:

(Check applicable outdoor space uses)

- Patio
- Deck
- Sidewalk Café
- Other _____.
- None. If none, leave the following questions in this section blank.

Size: 1650 (33x50) square feet

Type of materials used and height of material to enclose the perimeter of the outdoor space:

Fencing Landscaping Other _____ Height 3' to 6' feet

Is there any alcohol consumption incorporated within the outdoor facility? Yes No

If yes, please describe:

Addition of an outdoor patio with alcohol sales and consumption.

Are there plans for outdoor music/entertainment? Yes No

If yes, describe how the noise will be controlled:

Is there any food service incorporated in this outdoor facility proposal? Yes No

Proposed Hours of Operation for Outdoor Space:

Day	From	To
Monday thru Thursday	3P	Close
Friday	3P	Close
Saturday	1P	Close
Sunday	1P	Close

NOTE: Hours of Operation for Outdoor Uses (Sidewalk Café with Alcohol):

*******Municipal Code Section 9-262(b)(4): The permit holder can begin serving alcoholic beverages in the sidewalk café at 4:00 p.m. Monday through Friday and 11:00 a.m. on Saturday and Sunday. All alcoholic beverages must be removed from the sidewalk café by 9:30 p.m.**

Describe Any Potential Noise Emanating From the Proposed Use:

Describe the noise levels anticipated from all equipment or other mechanical sources:
TVs

Describe how the crowd noise will be controlled inside and outside the building:

Perimeter fencing.

Off-Street Parking:

Number of spaces existing on-site: 17

Number of spaces proposed on-site: 17

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?

No

Other Licensed Premises:

The number of licensed premises within the immediate geographic area of the proposed location will be considered in order to avoid an undue concentration that may have the potential of creating public safety problems or deterring neighborhood development.

List nearby licensed premises:

10 Frame

Number of Employees:

Number of existing employees: 6

Number of proposed employees: 6

Number of employees scheduled to work on the largest shift: 2

SITE PLAN

OWNERS

2X6 HOLDINGS LLC
503 HOMESTEAD TRAIL
KIMBERLY, WI 54136

TWO BUCKS ONLY II LLC
512 CORTLAND COURT
KIMBERLY, WI 54136

GENERAL CONTRACTOR

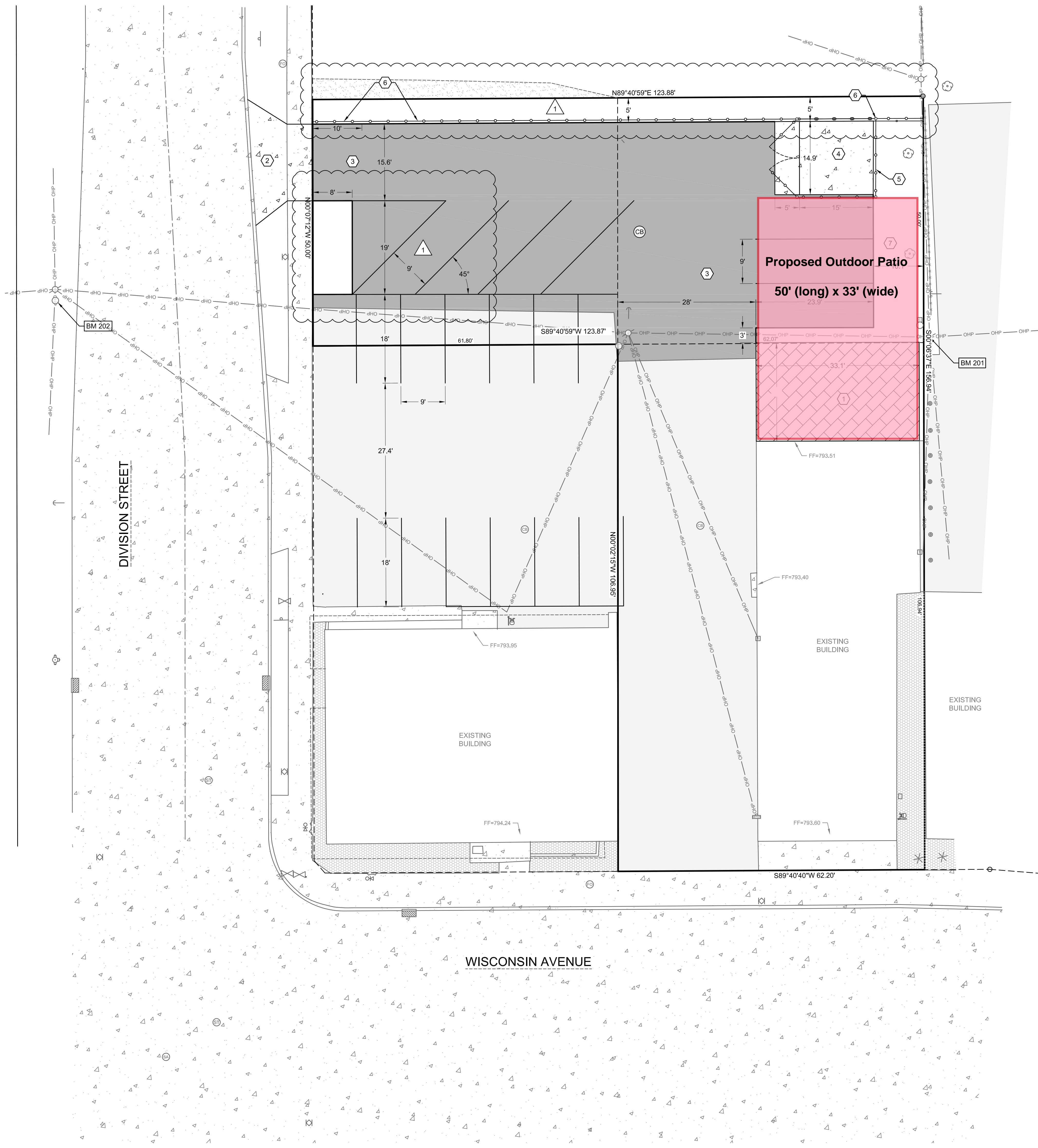
CR STRUCTURES GROUP, INC.
327 RANDOLPH DRIVE - SUITE A
APPLETON, WI 54913

SHEET KEY NOTES:

- ① EXTERIOR PATIO
- ② RELOCATED DRIVEWAY APRON; SEE DETAIL D SHEET C6
- ③ ASPHALT PAVEMENT; SEE DETAIL E SHEET C6
- ④ DUMPSTER PAD; SEE DETAIL F SHEET C6
- ⑤ DUMPSTER ENCLOSURE, TO BE 5' HIGH CHAIN LINK FENCE WITH VINYL PRIVACY SLATS
- ⑥ 6' BOARD ON BOARD FENCE, FENCE TO BE NO HIGHER THAN 3' WITHIN 10' OF THE RIGHT-OF-WAY
- ⑦ SNOW STORAGE

SITE STATISTICS

①	ADDRESS	336 W. WISCONSIN AVENUE
	PARCEL NO.	31-6-0599-00
	PARCEL SIZE	12,629 SF
	ZONING	C-1 - NEIGHBORHOOD MIXED USE DISTRICT
	EXISTING SITE	31-6-0599-00
	GREEN SPACE	6501 SF
	IMPERVIOUS AREA	
	BUILDING	2444 SF
	PAVEMENT	3684 SF
	TOTAL IMPERVIOUS	6128 SF
	PROPOSED SITE	
	TOTAL DISTURBED AREA	6948 SF
	GREEN SPACE REQUIRED (10%)	1263 SF
	GREEN SPACE PROVIDED	1630 SF
	IMPERVIOUS AREA	
	BUILDING	2444 SF
	PAVEMENT	8558 SF
	TOTAL	11002 SF
	PARKING SPACES REQUIRED	50% OF 1 SPACE/3 PERSONS MAXIMUM CAPACITY MAXIMUM CAPACITY = 99 50% X 99 / 3 = 17 STALLS
	PARKING SPACES PROVIDED	20 PROVIDED, INCLUDES PROPERTY NEXT DOOR
	RECYCLING CALCULATIONS	
	7 CF / 1000 SF	
	2444 SF / 1000 SF X 7 CF = 17.1 CF	
	MINIMUM DUMPSTER 2 CY (54 CF)	

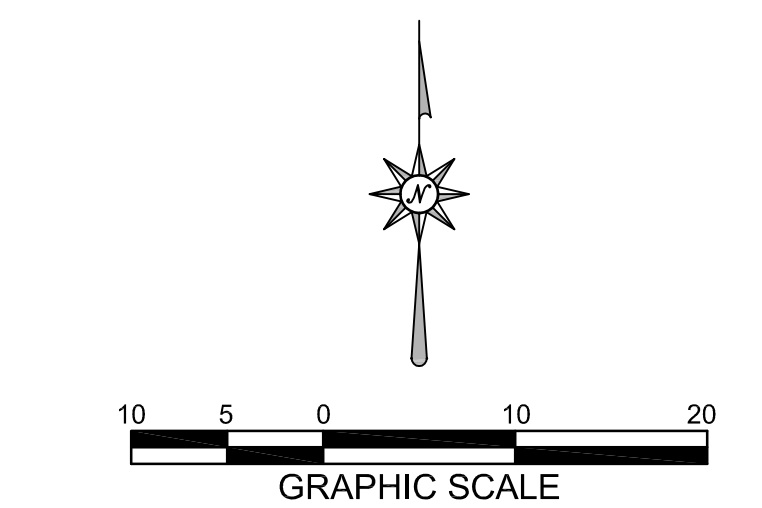


PROPOSED PARKING LOT EXPANSION FOR,
MARITIME TAVERN
APPLETON, WISCONSIN

CR STRUCTURES
Group, Inc.
 Shifting Construction Industry Paradigms
 327 RANDOLPH DRIVE - SUITE A
 APPLETON, WI 54913
 TELE: 920-753-7505

DATE: 01/08/2022
 ARCH: J. EHRFURTH
 D. BY: RPH
 JOB: 20-180
 REV: 1 3/23/2022 CITY COMMENTS

C3



MACH IV
 ENGINEERING • SURVEYING • ENVIRONMENTAL

2260 Salscheider Court Green Bay, WI 54313
 PH: 920-569-5765; Fax: 920-569-5767
 www.mach-iv.com
 Project Number: 1892-01-21



REPORT TO CITY PLAN COMMISSION

Plan Commission Public Hearing Meeting Date: June 14, 2023

Common Council Public Hearing Meeting Date: July 19, 2023
(Public Hearing on Comprehensive Plan Amendment and Rezoning)

Items: City of Appleton *Comprehensive Plan 2010-2030* Future Land Use Map Amendment #1-23 and Rezoning #3-23

Case Manager: Don Harp, Principal Planner

GENERAL INFORMATION

Owner(s)/Applicant: Lawrence University of Wisconsin and Jimmy and Inthava Phimmasene c/o Michael Lokensgard, Godfrey & Kahn, S.C.

Addresses/Tax Id #'s: 313, 315, and 319 East College Avenue (Tax Id: 31-2-0005-00), 321 East College Avenue (Tax Id: 31-2-0007-00), and vacant lots (Tax Id: 31-2-0008-00 and Tax Id: 31-2-0009-00) located along East College Avenue on the southwest corner of East College Avenue and South Drew Street.

Petitioner's Request: "Lawrence University of Wisconsin ("Lawrence") is seeking to rezone Parcels 31-2-0005, -0008 and -0009 from P-I Public Institutional District to CBD Central Business District. This request for a corresponding amendment to the City of Appleton's Comprehensive Plan Future Land Use Map is being made in conjunction with that request.

The City's Comprehensive Plan Future Land Use Map (the "Map") identifies the future use of these parcels, along with Parcel 31-2-0007 (the Taste of Thai restaurant), as Public/Institutional. This is the only area anywhere on College Avenue between Drew and Richmond Streets that the Comprehensive Plan Future Land Use Map identifies for future Public/Institutional use.

With the exception of these three parcels, all of the properties on both sides of College Avenue between Drew Street and Richmond Street are zoned CBD. Upon information and belief, the Lawrence parcels were zoned P-I when that classification was first created solely due to their being owned by Lawrence. Rezoning them to CBD would result in a uniform zoning classification being applicable to the entire south side of College Avenue between Drew and Durkee Streets.

Parcel 31-2-0005 (Lawrence's "Conservatory West" offices) is a legal, non-conforming use in a P-I district, as it does not meet applicable setback or off-street parking requirements. However, the building does meet all of the requirements of the CBD District. Were the Conservatory West building to ever be removed, it would be extremely difficult to repurpose the parcel if P-I District requirements were applied.

Parcels 31-2-0008 and 31-2-0009 are vacant, but their potential use is significantly limited by the requirements of the P-I district.

Comprehensive Plan 2010-2030 Future Land Use Map Amendment #1-23 & Rezoning #3-23

June 14, 2023

Page 2

Lawrence is developing a long-term strategic plan for its real estate holdings and wishes to preserve maximum flexibility with respect to these parcels. Lawrence has determined that having these parcels designated as future CBD would permit their development (or redevelopment, as the case may be) in line with the balance of the block (and downtown) and would permit a greater variety of mixed – use, revenue generating options, including potential residential use on floors above street level. Moreover, anything Lawrence would do with the parcels would be consistent with a CBD designation, since higher educational institutions are specifically permitted in the CBD District.

This rezoning would be consistent with the City’s Comprehensive Plan, which notes that College Avenue is “a perfect example of an urban core street.” Rezoning will permit Lawrence to develop uses and an accompanying streetscape consistent with that characterization.

We note that Parcel 31-2-2007 is already zoned CBD, and the proposed amendment to the Map simply brings the Map into conformance with the actual use of that parcel. The owner of Parcel 31-2-2007 has consented to this request.

BACKGROUND

The Memorial Presbyterian Church previously occupied Tax Id: 31-2-0009-00. The permit to raze the building was issued on November 11, 1966. This parcel is currently undeveloped.

The Armory Building previously occupied Tax Id: 31-2-0008-00. The permit to raze the building was issued on May 20, 1969. A 7-stall off-street parking lot currently occupies this parcel.

The Taste of Thai restaurant building currently occupies Tax Id: 31-2-0007-00. Special Use Permit #5-19 was issued to the Taste of Thai for restaurant and sidewalk café with alcohol sales and service.

Lawrence University of Wisconsin’s “Conservatory West” offices currently occupies Tax Id: 31-2-0005-00. The building is mixed use with offices and residential apartments and a 14- stall off-street parking lot.

On March 15, 2017, the Common Council approved/adopted the 5-year update to the Comprehensive Plan 2010-2030 and Future Land Use Map. This plan establishes a vision for future land use, physical development, and quality of life in the City and provides a comprehensive set of goals, policies, and initiatives to achieve that vision. The Comprehensive Plan document and the accompanying Future Land Use Map also serve as a guide for future growth and development in the City. Periodically, development proposals or changing circumstances within the City may trigger consideration of an amendment to the Comprehensive Plan 2010-2030. That is the case for this request.

STAFF ANALYSIS

Procedural Findings: When *Comprehensive Plan 2010-2030* Future Land Use Map Amendment and Rezoning applications are required for the same development project, the respective staff reports are consolidated together as one.

Existing Site Conditions: Combined, the subject land area totals approximately 35,059.88 square feet (0.804 acres). The subject land area has frontage along East College Avenue, South Drew Street and an Alley.

Street Classification: On the City's Arterial/Collector Plan, East College Avenue is classified as an arterial street, South Drew Street is classified as a collector street, and the Alley is classified as a local street.

Surrounding Zoning Classification, Future Land Use Designation, and Current Land Uses:

North: Zoning – CBD Central Business District.

Future Land Use Designation – Central Business District.

Current Land Use – Various commercial uses, including residential apartments and the Outagamie County History Museum.

South: Zoning – P-I Public Institutional District.

Future Land Use Designation – Public/Institutional.

Current Land Use – Lawrence University Campus, including Brokaw Hall, Colman Hall and faculty/student off-street parking.

East: Zoning – P-I Public Institutional District.

Future Land Use Designation – Public/Institutional.

Current Land Use – Lawrence University Campus, including Main Hall, and other academic administration buildings and residence halls.

West: Zoning – CBD Central Business District.

Future Land Use Designation – Central Business District.

Current Land Use – Mix of commercial uses, including residential apartments.

Proposed Future Land Use Designation: The owner(s)/applicant propose to amend the City's Comprehensive Plan 2010-2030 to change the Future Land Use Map designation for the subject site (Tax Id #'s 31-2-0005-00, 31-2-0007-00, 31-2-0008-00 and 31-2-0009-00) from:

- Future Public/Institutional land use to future Central Business District land use.

Amendments to the Comprehensive Plan are sometimes triggered by technical corrections to omissions or errors, specific development proposals, or changing circumstances in the City. In this case, a mixed-use development proposal for the subject site is necessitating the change to Central Business District designation.

Comprehensive Plan 2010-2030 Goals and Objectives: The *Comprehensive Plan 2010-2030* and Future Land Use Map are intended to guide City growth and development in an organized, efficient manner. The Plan addresses a range of topics related to land use, housing and neighborhoods, economic development, transportation, utilities and community facilities, and more. Evaluating the proposed amendment for consistency with relevant goals, objectives, and policies is necessary in determining if changes to the Future Land Use Map are appropriate. The proposed amendment appears to be consistent with the following 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.

OBJECTIVE 7.10 Utilities and Community Facilities:

Continue to coordinate, partner, and collaborate with educational institutions to support access for all to education.

OBJECTIVE 9.4 Economic Development:

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

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.

OBJECTIVE 10.1 Land Use:

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

Policy 10.1.1 Adopt, and as necessary, amend the Future Land Use Map in the Comprehensive Plan.

OBJECTIVE 10.5 Land Use:

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

Chapter 14 Downtown Plan, Initiative 3 Neighborhood and Residential Development:

3.1 Encourage mixed-use and mid-density residential redevelopment on under-utilized or marginal sites on the edge of downtown.

Proposed Zoning Classification: CBD Central Business District. This 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. 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 abutting residentially-zoned district.
- 6) **Minimum side yard:**
 - a. None.
 - b. 10 feet if 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 and accommodate future mixed-use development. If the rezoning request is approved, any future development would need to conform to the CBD Central Business District zoning regulations listed above and other applicable sections of the Zoning Ordinance. Ultimately, Site Plan review and approval would be required, pursuant to Section 23-570 of the Municipal Code, prior to the issuance of a building permit by the Inspections Division.

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. *If Future Land Use Map Amendment #1-23 is approved, the rezoning request for Tax Id #'s 31-2-0005-00, 31-2-0008-00 and 31-2-0009-00 will be in conformance with the Comprehensive Plan 2010-2030.*
 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.

Comprehensive Plan 2010-2030 Future Land Use Map Amendment #1-23 & Rezoning #3-23

June 14, 2023

Page 6

- 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 site is served by existing infrastructure, and the transportation network should be able to accommodate the proposed rezoning and future land uses.*
 2. The effect of the proposed rezoning on surrounding uses. *Central Business District zoning already exists on one of the subject parcels (Tax Id #31-2-0007-00). A mix of commercial, public institutional and residential apartment uses are already located north, south, east and west of the subject site. 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, provided Comprehensive Plan Future Land Use Map Amendment #1-23 is approved.

Technical Review Group (TRG) Report: These items appeared on the May 23, 2023 TRG agenda. No negative comments were received from participating departments.

RECOMMENDATION

Based upon the above analysis, staff recommends the proposed City of Appleton *Comprehensive Plan 2010-2030* Future Land Use Map Amendment #1-23 for the subject parcels located at 313, 315, and 319 East College Avenue (Tax Id: 31-2-0005-00), 321 East College Avenue (Tax Id: 31-2-0007-00), and vacant lots (Tax Id: 31-2-0008-00 and Tax Id: 31-2-0009-00) located along East College Avenue on the southwest corner of East College Avenue and South Drew Street from future Public/Institutional land use to future Central Business District land use designation and resolution, **BE APPROVED**; and

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 #3-23 to rezone the subject parcels located at 313, 315, and 319 East College Avenue (Tax Id: 31-2-0005-00) and vacant lots (Tax Id: 31-2-0008-00 and Tax Id: 31-2-0009-00) located along East College Avenue on the southwest corner of East College Avenue and Drew Street from P-I Public Institutional District to CBD Central Business District, including to the centerline of the adjacent street and alley right-of-way, as shown on the attached map, **BE APPROVED**.

NOTE: If approved, Rezoning #3-23 will be reported out at the same Common Council meeting as the proposed Comprehensive Plan Amendment #1-23 to accurately reflect the change in future land use from future Public/Institutional land use to future Central Business District land use designation.

**RESOLUTION
CITY OF APPLETON**

**ADOPTION OF THE RECOMMENDED AMENDMENT TO THE COMPREHENSIVE
PLAN AS PREPARED BY THE CITY OF APPLETON PLAN COMMISSION**

WHEREAS, the Common Council of the City of Appleton pursuant to Section 62.23 of the Wisconsin Statutes, has established a City Plan Commission; and

WHEREAS, on March 3, 2010, the Common Council adopted the City of Appleton Comprehensive Plan to promote public health, safety and welfare of the City by effectively guiding long-range growth and development within the city and its statutory extraterritorial planning jurisdiction; and

WHEREAS, Chapter 12: Implementation, Comprehensive Plan Update Procedures, of the Comprehensive Plan was created in the City of Appleton Code of Ordinances to provide procedures and criteria for amending and updating the City of Appleton Comprehensive Plan; and

WHEREAS, members of the public were invited to make comments at a meeting held on June 14, 2023, by the City Plan Commission, wherein the following Comprehensive Plan amendment (Amendment #1-23) herein adopted were reviewed and commented upon by members of the public; and

WHEREAS, the City of Appleton Plan Commission has reviewed the recommended amendment to the Comprehensive Plan Future Land Use Map at a meeting held on June 14, 2023, and

WHEREAS, the City of Appleton Plan Commission reviewed the following Comprehensive Plan Amendments, found these amendments to meet the criteria outlined in Chapter 12: Implementation, Comprehensive Plan Update Procedures, warranting inclusion in this resolution

1. Having been filed with the City Clerk by the City of Appleton Community and Economic Development Department requesting a Comprehensive Plan Future Land Use Map Amendment to change future land use designations for specified property Tax Id #'s 31-2-0005-00, 31-2-0007-00, 31-2-0008-00 and 31-2-0009-00 on the Future Land Use Map from (Public/Institutional Use) to (Central Business District).

WHEREAS, members of the public, adjacent and nearby local governmental units will be given a 30-day review and comment period prior to the public hearing, which will be conducted by the Common Council for the Comprehensive Plan proposed amendment; and

WHEREAS, after said public hearing, the Common Council will decide whether to adopt by ordinance the proposed amendments to the Comprehensive Plan; and

WHEREAS, the Comprehensive Plan may be used as the basis for, among other things, updating the zoning ordinance, accomplishing extra-territorial zoning and as a guide for approving or disapproving actions affecting growth and development within the jurisdiction of the City of Appleton; and

WHEREAS, this Comprehensive Plan may from time to time be amended, extended, or added to in greater detail; and

NOW, THEREFORE, BE IT RESOLVED, by the City of Appleton Plan Commission that the recommended Comprehensive Plan amendments are hereby adopted as a part of the City of Appleton Comprehensive Plan 2010-2030 pursuant to §66.1001(4), Wis. Stats. and that the Plan Commission recommends said Comprehensive Plan amendments to the City of Appleton Common Council for adoption by ordinance, after a 30-day public review and comment period and public hearing.

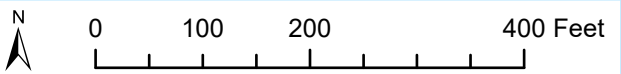
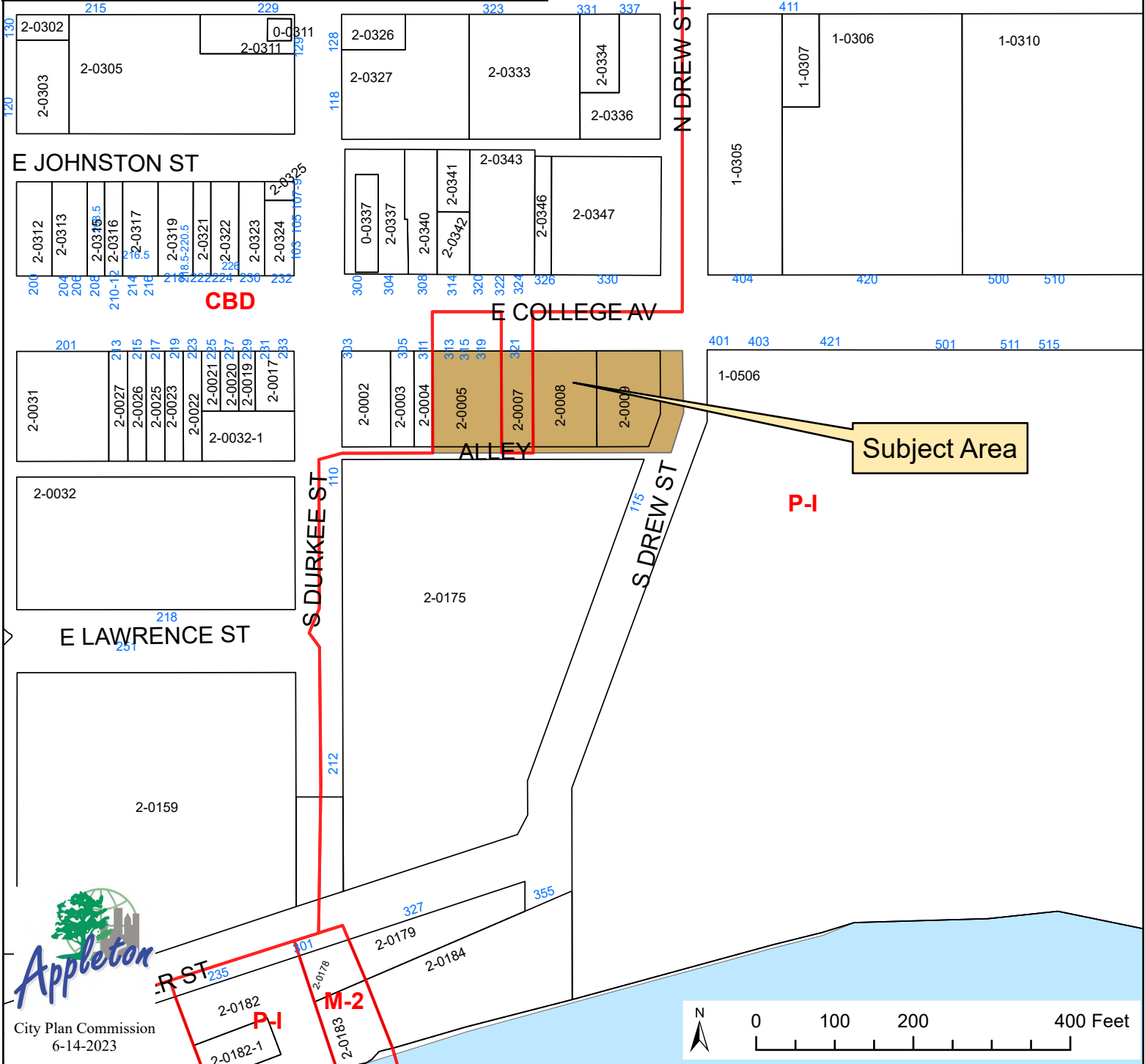
Adopted this _____ day of _____, 2023.

Jacob A. Woodford, Mayor

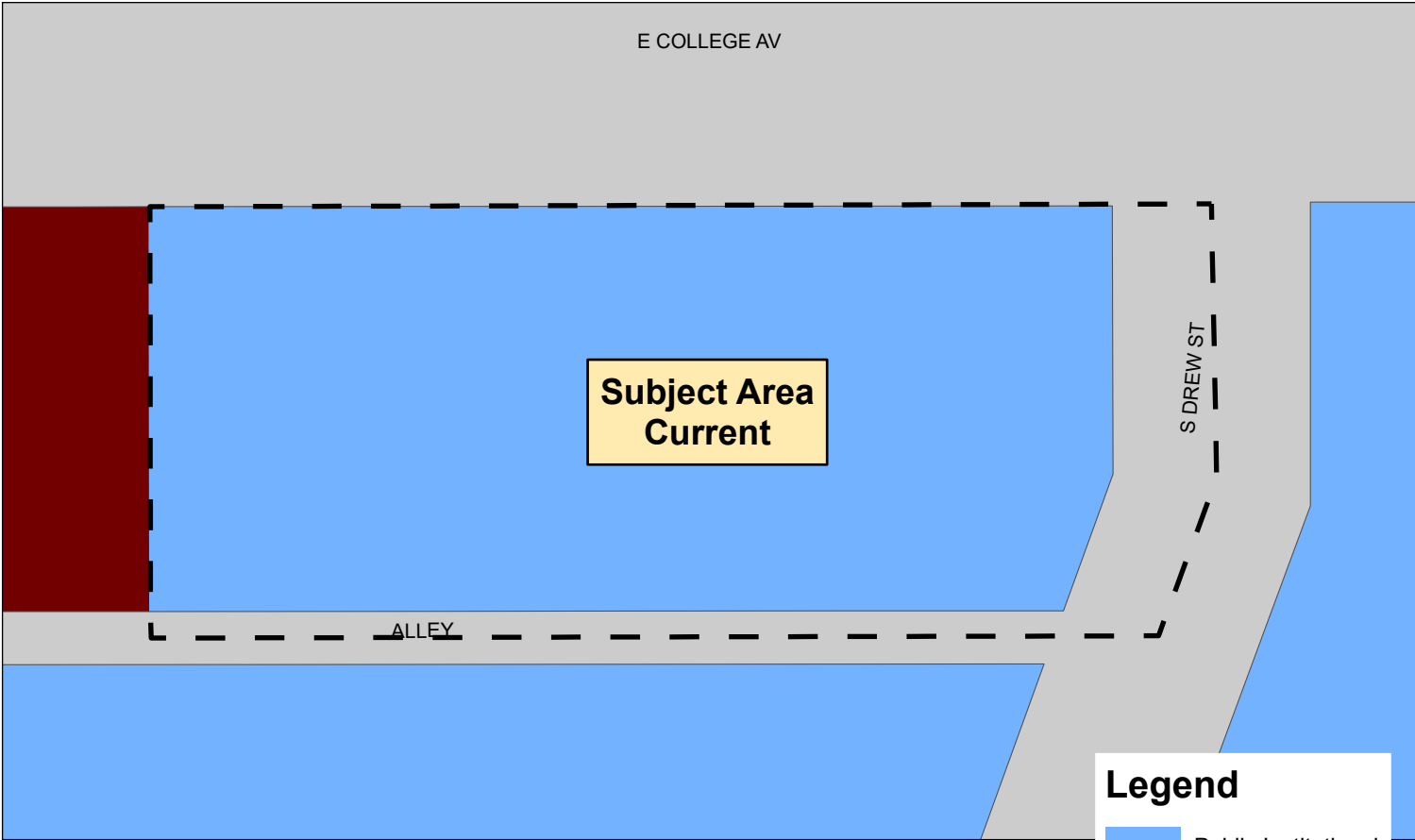
ATTEST:

Kami Lynch, City Clerk

Future Land Use Map Amendment
 Future Public/Institutional to
 Central Business District
 Vicinity Map

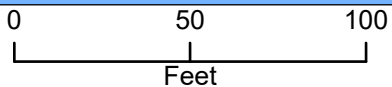
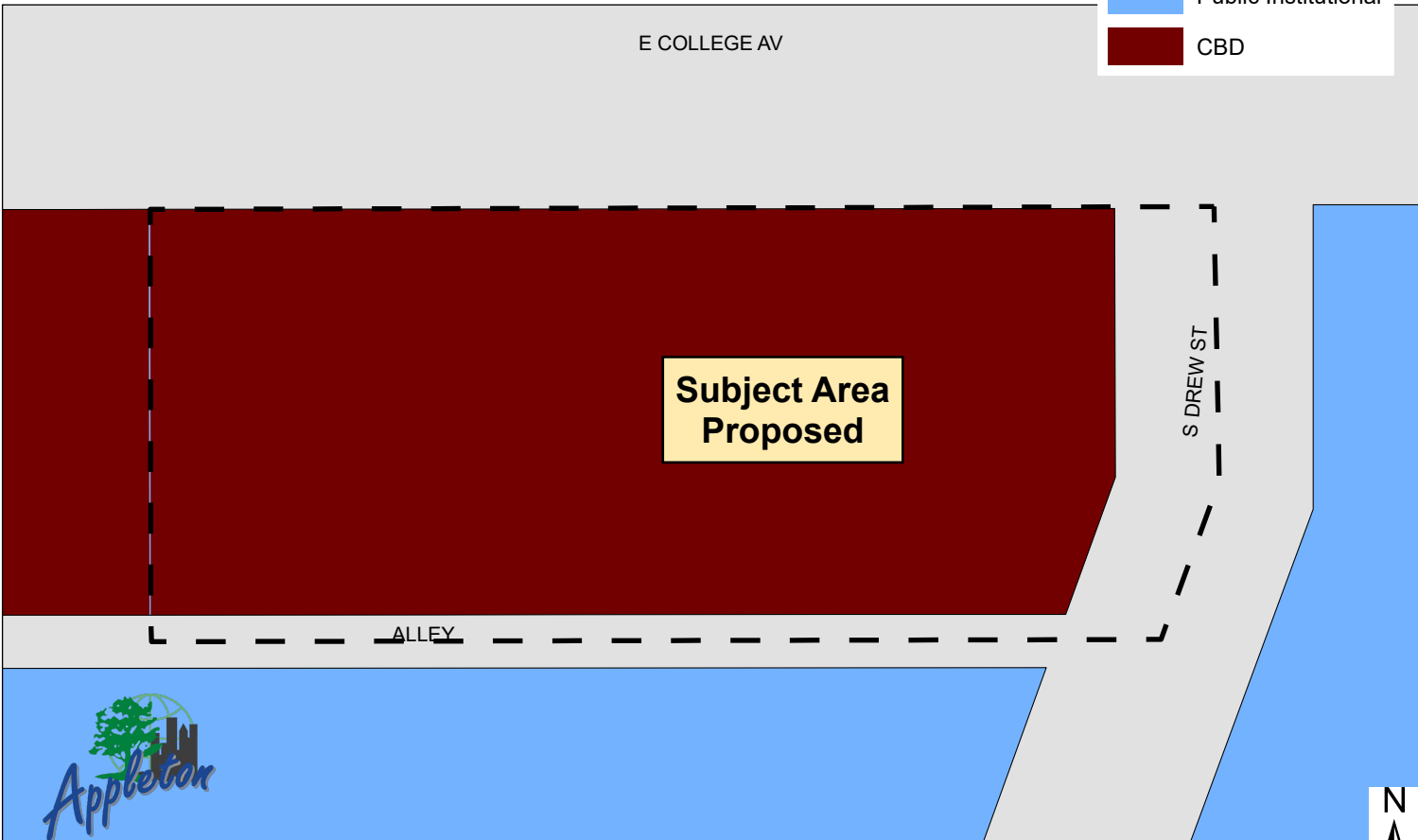


Future Land Use Map Amendment
Future Public/Institutional to Central Business District

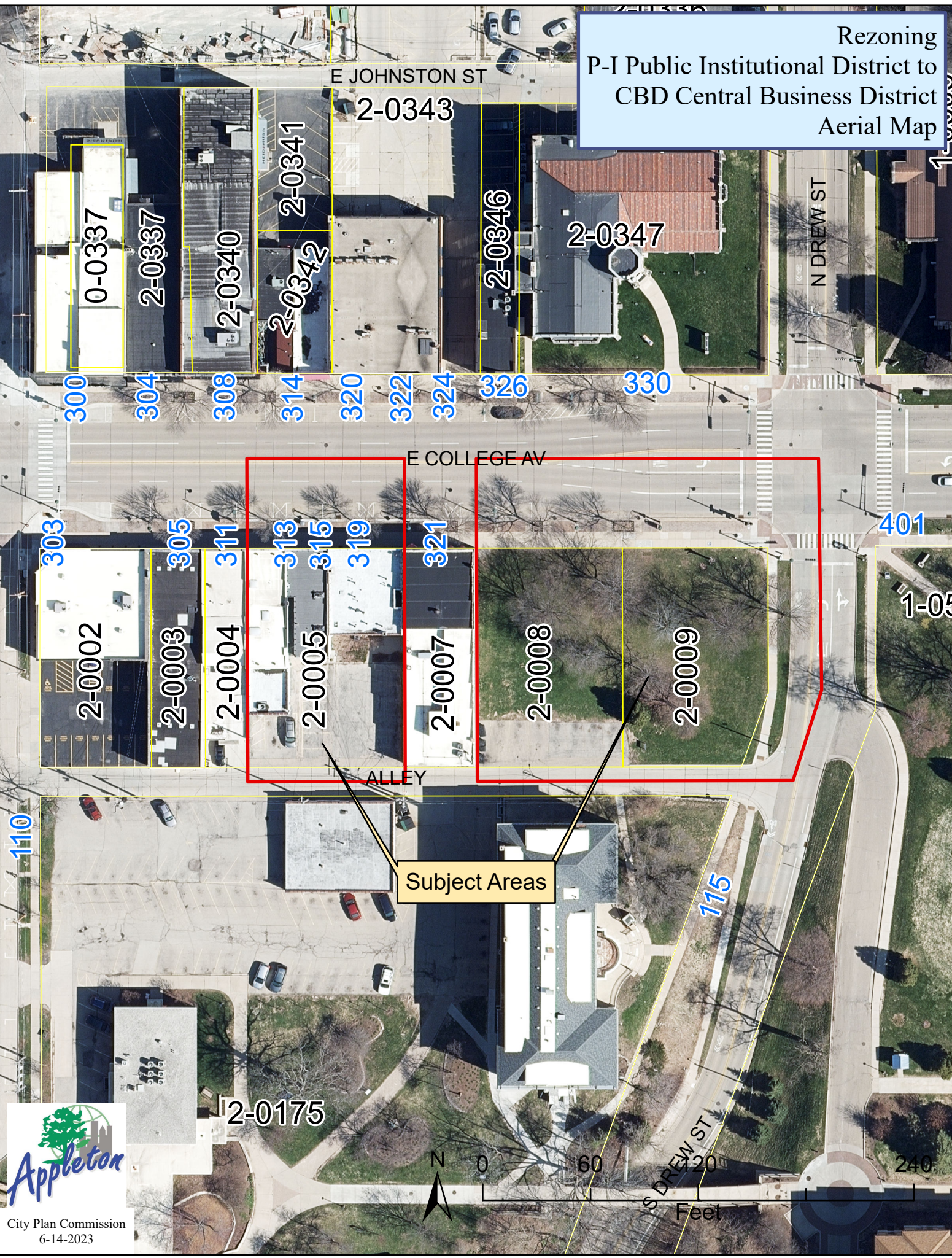


Legend

- Public Institutional
- CBD



Rezoning
P-I Public Institutional District to
CBD Central Business District
Aerial Map



Subject Areas





REPORT TO CITY PLAN COMMISSION

Plan Commission Public Hearing Meeting Date: June 14, 2023

Common Council Public Hearing Meeting Date: July 19, 2023
(Public Hearing on Comprehensive Plan Amendment and Rezoning)

Items: City of Appleton *Comprehensive Plan 2010-2030* Future Land Use Map Amendment #1-23 and Rezoning #3-23

Case Manager: Don Harp, Principal Planner

GENERAL INFORMATION

Owner(s)/Applicant: Lawrence University of Wisconsin and Jimmy and Inthava Phimmasene c/o Michael Lokensgard, Godfrey & Kahn, S.C.

Addresses/Tax Id #'s: 313, 315, and 319 East College Avenue (Tax Id: 31-2-0005-00), 321 East College Avenue (Tax Id: 31-2-0007-00), and vacant lots (Tax Id: 31-2-0008-00 and Tax Id: 31-2-0009-00) located along East College Avenue on the southwest corner of East College Avenue and South Drew Street.

Petitioner's Request: "Lawrence University of Wisconsin ("Lawrence") is seeking to rezone Parcels 31-2-0005, -0008 and -0009 from P-I Public Institutional District to CBD Central Business District. This request for a corresponding amendment to the City of Appleton's Comprehensive Plan Future Land Use Map is being made in conjunction with that request.

The City's Comprehensive Plan Future Land Use Map (the "Map") identifies the future use of these parcels, along with Parcel 31-2-0007 (the Taste of Thai restaurant), as Public/Institutional. This is the only area anywhere on College Avenue between Drew and Richmond Streets that the Comprehensive Plan Future Land Use Map identifies for future Public/Institutional use.

With the exception of these three parcels, all of the properties on both sides of College Avenue between Drew Street and Richmond Street are zoned CBD. Upon information and belief, the Lawrence parcels were zoned P-I when that classification was first created solely due to their being owned by Lawrence. Rezoning them to CBD would result in a uniform zoning classification being applicable to the entire south side of College Avenue between Drew and Durkee Streets.

Parcel 31-2-0005 (Lawrence's "Conservatory West" offices) is a legal, non-conforming use in a P-I district, as it does not meet applicable setback or off-street parking requirements. However, the building does meet all of the requirements of the CBD District. Were the Conservatory West building to ever be removed, it would be extremely difficult to repurpose the parcel if P-I District requirements were applied.

Parcels 31-2-0008 and 31-2-0009 are vacant, but their potential use is significantly limited by the requirements of the P-I district.

Comprehensive Plan 2010-2030 Future Land Use Map Amendment #1-23 & Rezoning #3-23

June 14, 2023

Page 2

Lawrence is developing a long-term strategic plan for its real estate holdings and wishes to preserve maximum flexibility with respect to these parcels. Lawrence has determined that having these parcels designated as future CBD would permit their development (or redevelopment, as the case may be) in line with the balance of the block (and downtown) and would permit a greater variety of mixed – use, revenue generating options, including potential residential use on floors above street level. Moreover, anything Lawrence would do with the parcels would be consistent with a CBD designation, since higher educational institutions are specifically permitted in the CBD District.

This rezoning would be consistent with the City’s Comprehensive Plan, which notes that College Avenue is “a perfect example of an urban core street.” Rezoning will permit Lawrence to develop uses and an accompanying streetscape consistent with that characterization.

We note that Parcel 31-2-2007 is already zoned CBD, and the proposed amendment to the Map simply brings the Map into conformance with the actual use of that parcel. The owner of Parcel 31-2-2007 has consented to this request.

BACKGROUND

The Memorial Presbyterian Church previously occupied Tax Id: 31-2-0009-00. The permit to raze the building was issued on November 11, 1966. This parcel is currently undeveloped.

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STAFF ANALYSIS

Procedural Findings: When *Comprehensive Plan 2010-2030 Future Land Use Map Amendment* and Rezoning applications are required for the same development project, the respective staff reports are consolidated together as one.

Existing Site Conditions: Combined, the subject land area totals approximately 35,059.88 square feet (0.804 acres). The subject land area has frontage along East College Avenue, South Drew Street and an Alley.

Street Classification: On the City's Arterial/Collector Plan, East College Avenue is classified as an arterial street, South Drew Street is classified as a collector street, and the Alley is classified as a local street.

Surrounding Zoning Classification, Future Land Use Designation, and Current Land Uses:

North: Zoning – CBD Central Business District.

Future Land Use Designation – Central Business District.

Current Land Use – Various commercial uses, including residential apartments and the Outagamie County History Museum.

South: Zoning – P-I Public Institutional District.

Future Land Use Designation – Public/Institutional.

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Future Land Use Designation – Public/Institutional.

Current Land Use – Lawrence University Campus, including Main Hall, and other academic administration buildings and residence halls.

West: Zoning – CBD Central Business District.

Future Land Use Designation – Central Business District.

Current Land Use – Mix of commercial uses, including residential apartments.

Proposed Future Land Use Designation: The owner(s)/applicant propose to amend the City's Comprehensive Plan 2010-2030 to change the Future Land Use Map designation for the subject site (Tax Id #'s 31-2-0005-00, 31-2-0007-00, 31-2-0008-00 and 31-2-0009-00) from:

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Amendments to the Comprehensive Plan are sometimes triggered by technical corrections to omissions or errors, specific development proposals, or changing circumstances in the City. In this case, a mixed-use development proposal for the subject site is necessitating the change to Central Business District designation.

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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.

OBJECTIVE 7.10 Utilities and Community Facilities:

Continue to coordinate, partner, and collaborate with educational institutions to support access for all to education.

OBJECTIVE 9.4 Economic Development:

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

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.

OBJECTIVE 10.1 Land Use:

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

Policy 10.1.1 Adopt, and as necessary, amend the Future Land Use Map in the Comprehensive Plan.

OBJECTIVE 10.5 Land Use:

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

Chapter 14 Downtown Plan, Initiative 3 Neighborhood and Residential Development:

3.1 Encourage mixed-use and mid-density residential redevelopment on under-utilized or marginal sites on the edge of downtown.

Proposed Zoning Classification: CBD Central Business District. This 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. Per Section 23-114(i) of the Municipal Code, the development standards for the CBD District are listed below:

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- 3) **Minimum lot width:** 20 feet.

- 4) **Minimum front yard:** None.
- 5) **Minimum rear yard:**
 - a. None.
 - b. 10 feet abutting residentially-zoned district.
- 6) **Minimum side yard:**
 - a. None.
 - b. 10 feet if 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 and accommodate future mixed-use development. If the rezoning request is approved, any future development would need to conform to the CBD Central Business District zoning regulations listed above and other applicable sections of the Zoning Ordinance. Ultimately, Site Plan review and approval would be required, pursuant to Section 23-570 of the Municipal Code, prior to the issuance of a building permit by the Inspections Division.

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. *If Future Land Use Map Amendment #1-23 is approved, the rezoning request for Tax Id #'s 31-2-0005-00, 31-2-0008-00 and 31-2-0009-00 will be in conformance with the Comprehensive Plan 2010-2030.*
 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.

Comprehensive Plan 2010-2030 Future Land Use Map Amendment #1-23 & Rezoning #3-23

June 14, 2023

Page 6

- 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 site is served by existing infrastructure, and the transportation network should be able to accommodate the proposed rezoning and future land uses.*
 2. The effect of the proposed rezoning on surrounding uses. *Central Business District zoning already exists on one of the subject parcels (Tax Id #31-2-0007-00). A mix of commercial, public institutional and residential apartment uses are already located north, south, east and west of the subject site. 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, provided Comprehensive Plan Future Land Use Map Amendment #1-23 is approved.

Technical Review Group (TRG) Report: These items appeared on the May 23, 2023 TRG agenda. No negative comments were received from participating departments.

RECOMMENDATION

Based upon the above analysis, staff recommends the proposed City of Appleton *Comprehensive Plan 2010-2030* Future Land Use Map Amendment #1-23 for the subject parcels located at 313, 315, and 319 East College Avenue (Tax Id: 31-2-0005-00), 321 East College Avenue (Tax Id: 31-2-0007-00), and vacant lots (Tax Id: 31-2-0008-00 and Tax Id: 31-2-0009-00) located along East College Avenue on the southwest corner of East College Avenue and South Drew Street from future Public/Institutional land use to future Central Business District land use designation and resolution, **BE APPROVED**; and

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 #3-23 to rezone the subject parcels located at 313, 315, and 319 East College Avenue (Tax Id: 31-2-0005-00) and vacant lots (Tax Id: 31-2-0008-00 and Tax Id: 31-2-0009-00) located along East College Avenue on the southwest corner of East College Avenue and Drew Street from P-I Public Institutional District to CBD Central Business District, including to the centerline of the adjacent street and alley right-of-way, as shown on the attached map, **BE APPROVED**.

NOTE: If approved, Rezoning #3-23 will be reported out at the same Common Council meeting as the proposed Comprehensive Plan Amendment #1-23 to accurately reflect the change in future land use from future Public/Institutional land use to future Central Business District land use designation.

**RESOLUTION
CITY OF APPLETON**

**ADOPTION OF THE RECOMMENDED AMENDMENT TO THE COMPREHENSIVE
PLAN AS PREPARED BY THE CITY OF APPLETON PLAN COMMISSION**

WHEREAS, the Common Council of the City of Appleton pursuant to Section 62.23 of the Wisconsin Statutes, has established a City Plan Commission; and

WHEREAS, on March 3, 2010, the Common Council adopted the City of Appleton Comprehensive Plan to promote public health, safety and welfare of the City by effectively guiding long-range growth and development within the city and its statutory extraterritorial planning jurisdiction; and

WHEREAS, Chapter 12: Implementation, Comprehensive Plan Update Procedures, of the Comprehensive Plan was created in the City of Appleton Code of Ordinances to provide procedures and criteria for amending and updating the City of Appleton Comprehensive Plan; and

WHEREAS, members of the public were invited to make comments at a meeting held on June 14, 2023, by the City Plan Commission, wherein the following Comprehensive Plan amendment (Amendment #1-23) herein adopted were reviewed and commented upon by members of the public; and

WHEREAS, the City of Appleton Plan Commission has reviewed the recommended amendment to the Comprehensive Plan Future Land Use Map at a meeting held on June 14, 2023, and

WHEREAS, the City of Appleton Plan Commission reviewed the following Comprehensive Plan Amendments, found these amendments to meet the criteria outlined in Chapter 12: Implementation, Comprehensive Plan Update Procedures, warranting inclusion in this resolution

1. Having been filed with the City Clerk by the City of Appleton Community and Economic Development Department requesting a Comprehensive Plan Future Land Use Map Amendment to change future land use designations for specified property Tax Id #'s 31-2-0005-00, 31-2-0007-00, 31-2-0008-00 and 31-2-0009-00 on the Future Land Use Map from (Public/Institutional Use) to (Central Business District).

WHEREAS, members of the public, adjacent and nearby local governmental units will be given a 30-day review and comment period prior to the public hearing, which will be conducted by the Common Council for the Comprehensive Plan proposed amendment; and

WHEREAS, after said public hearing, the Common Council will decide whether to adopt by ordinance the proposed amendments to the Comprehensive Plan; and

WHEREAS, the Comprehensive Plan may be used as the basis for, among other things, updating the zoning ordinance, accomplishing extra-territorial zoning and as a guide for approving or disapproving actions affecting growth and development within the jurisdiction of the City of Appleton; and

WHEREAS, this Comprehensive Plan may from time to time be amended, extended, or added to in greater detail; and

NOW, THEREFORE, BE IT RESOLVED, by the City of Appleton Plan Commission that the recommended Comprehensive Plan amendments are hereby adopted as a part of the City of Appleton Comprehensive Plan 2010-2030 pursuant to §66.1001(4), Wis. Stats. and that the Plan Commission recommends said Comprehensive Plan amendments to the City of Appleton Common Council for adoption by ordinance, after a 30-day public review and comment period and public hearing.

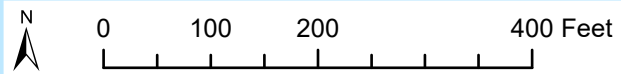
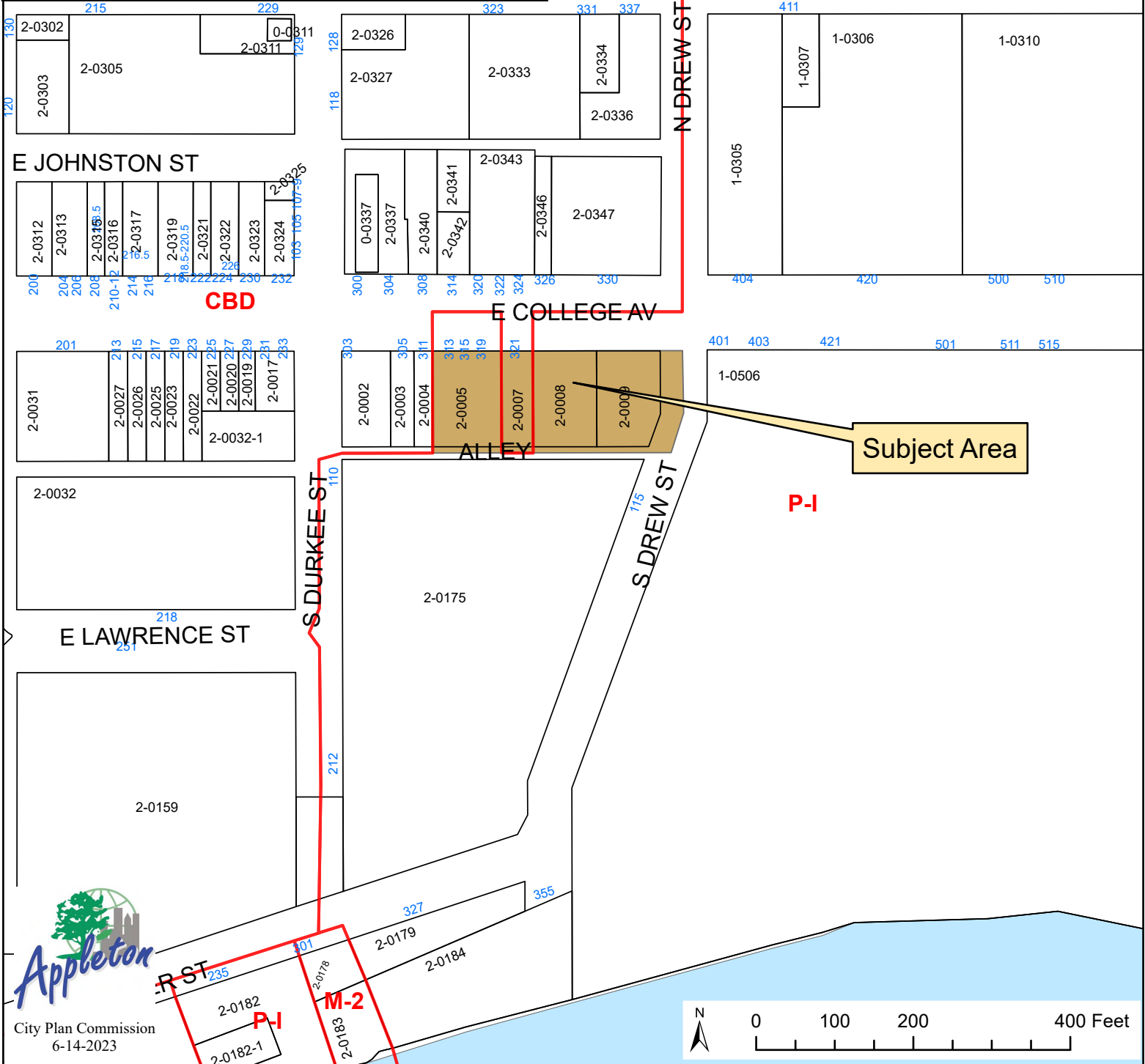
Adopted this _____ day of _____, 2023.

Jacob A. Woodford, Mayor

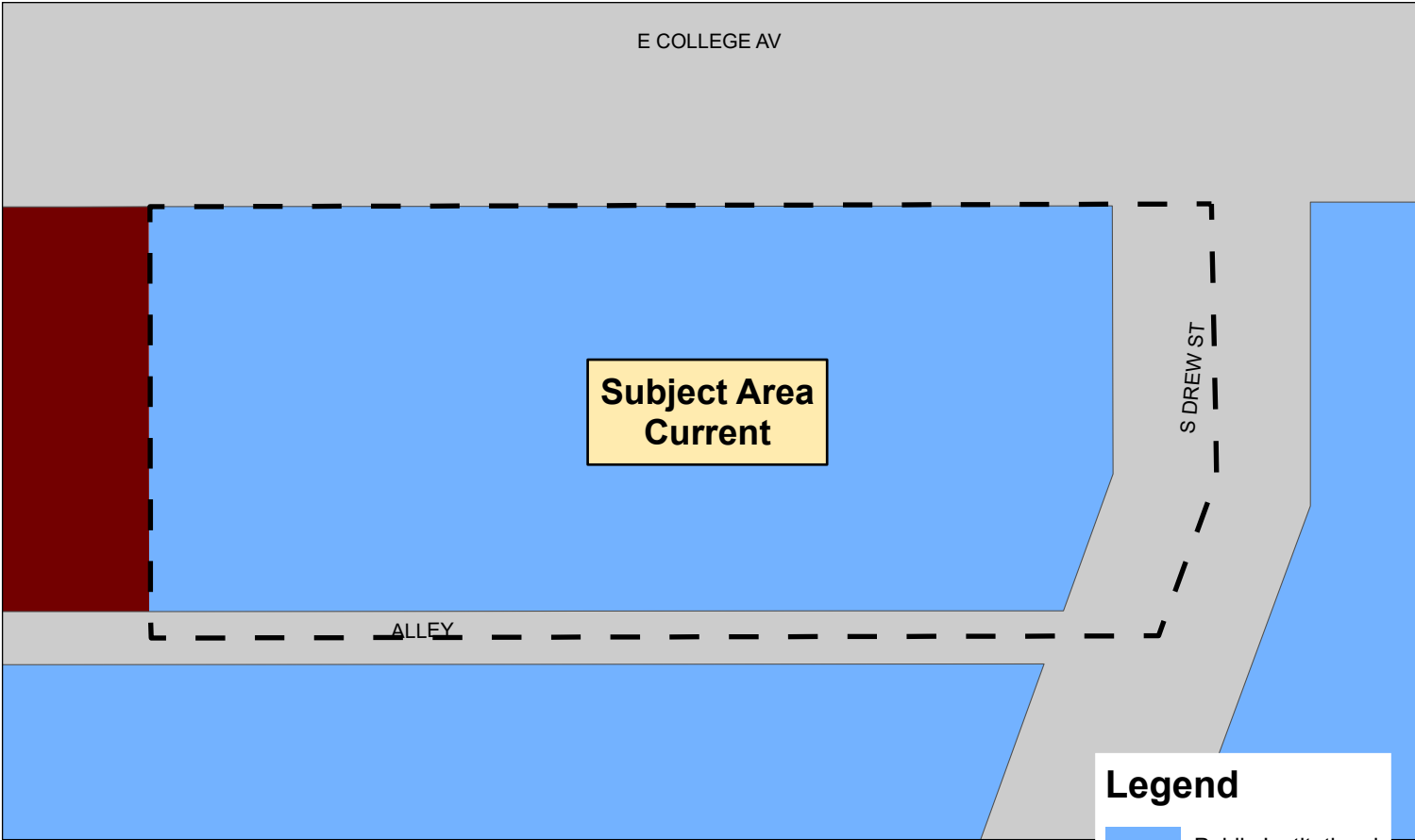
ATTEST:

Kami Lynch, City Clerk

Future Land Use Map Amendment Future Public/Institutional to Central Business District Vicinity Map

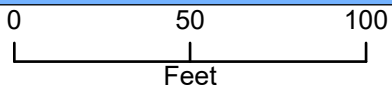
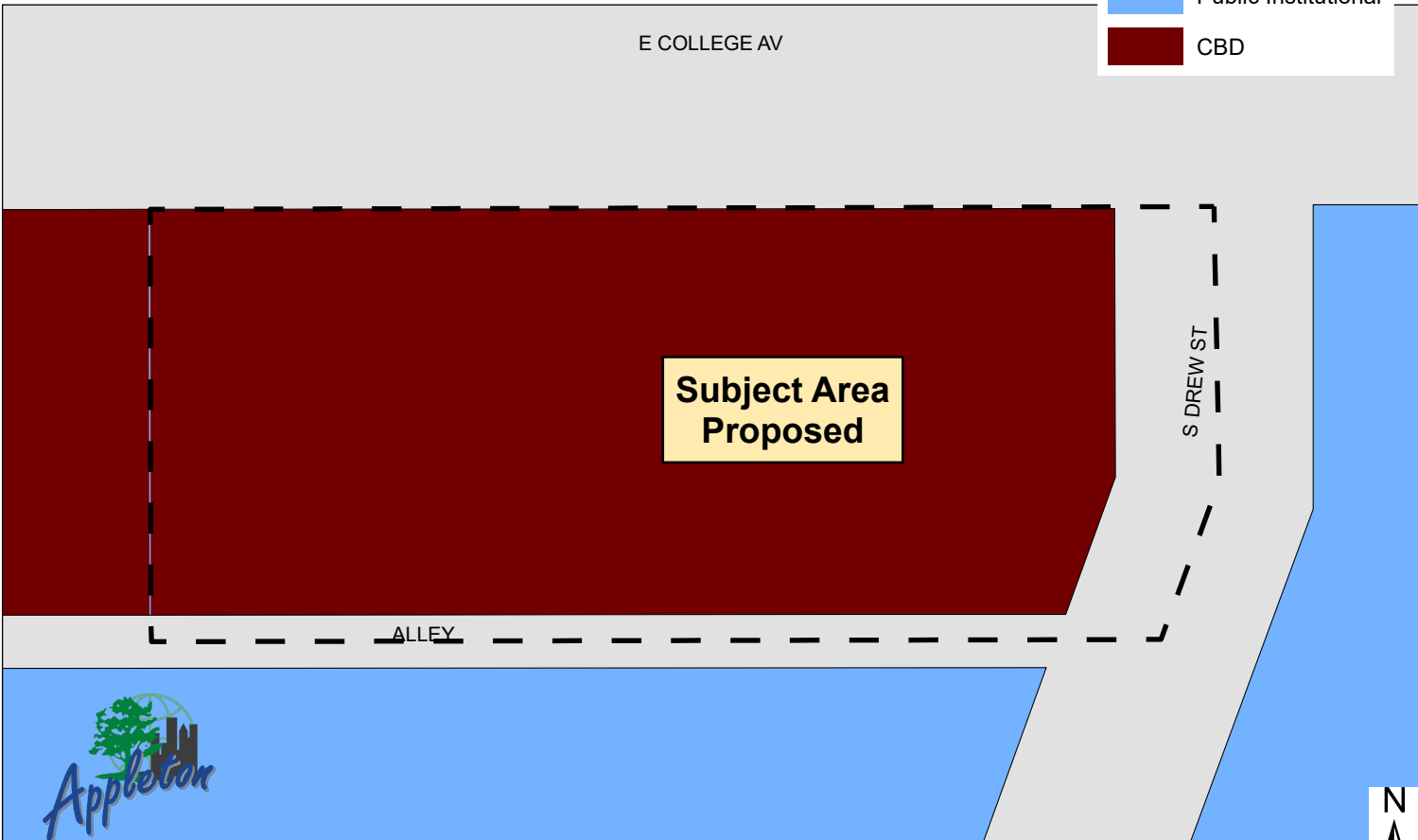


Future Land Use Map Amendment
Future Public/Institutional to Central Business District

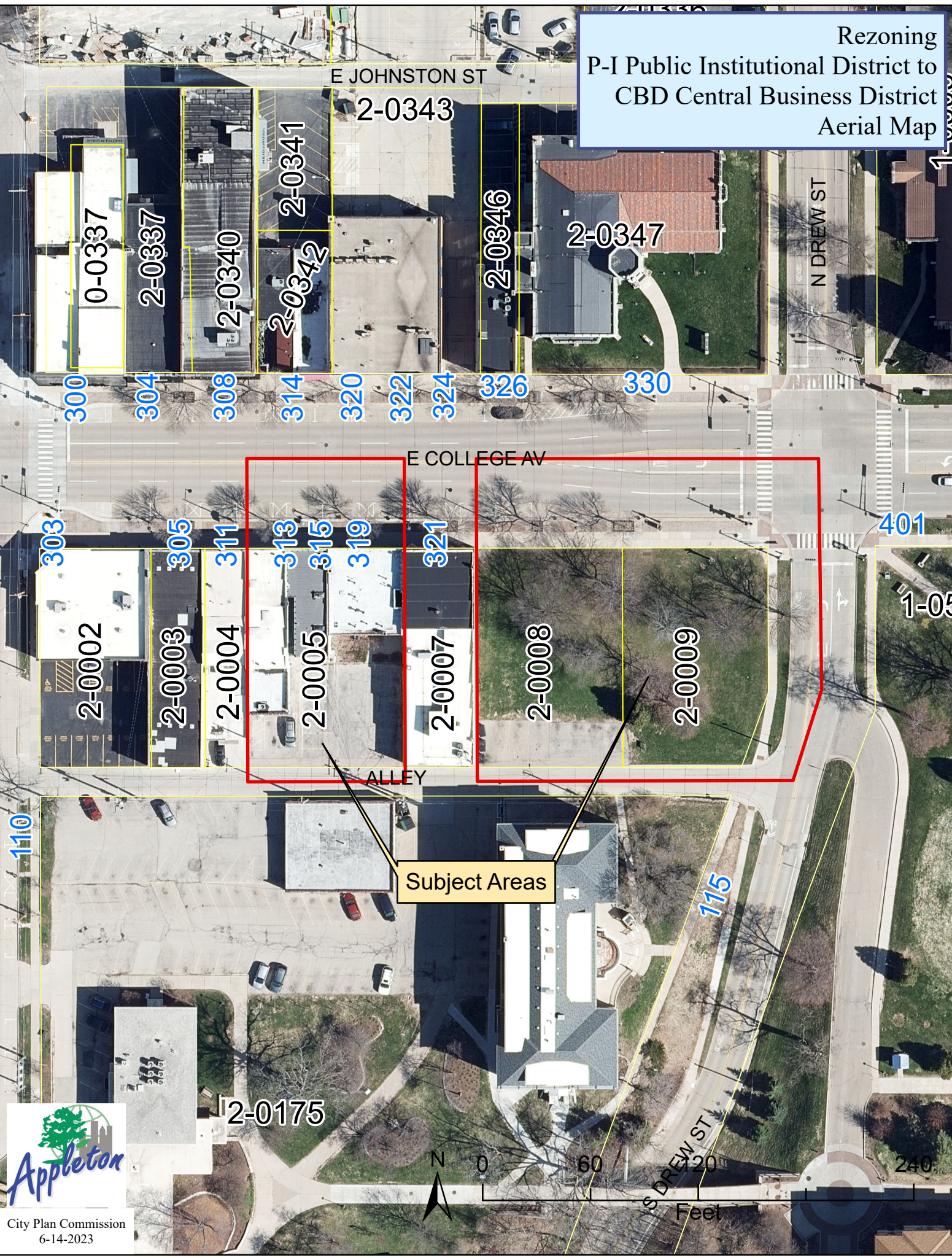


Legend

- Public Institutional
- CBD



Rezoning
P-I Public Institutional District to
CBD Central Business District
Aerial Map



Subject Areas

