



City of Appleton

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

Meeting Agenda - Final City Plan Commission

Wednesday, July 12, 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

[23-0791](#) City Plan Minutes from 6-28-23

Attachments: [City Plan Minutes 6-28-23.pdf](#)

5. Public Hearing/Appearances

[23-0792](#) Special Use Permit #9-23 for an automobile sales and display lot located at 1524 W. Civic Street (Tax Id #31-3-0124-00), 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 #23-0793)

Attachments: [ClassIIPublicHearingNoticeNewspaper_1524WCivicSt_SUP#9-23.pdf](#)
[PublicHearingNoticeNeighborhood_1524WCivicSt_SUP#9-23.pdf](#)

[23-0794](#) The street discontinuance to vacate a portion of E. Circle Street public right-of-way located west of N. Drew Street and east of N. Durkee Street and adopt the Initial Resolution and exhibit map (Associated with Action Item #23-0795)

Attachments: [InformalPublicHearingNotice_ECircleSt_StreetVacation.pdf](#)

6. Action Items

[23-0793](#) Request to approve Special Use Permit #9-23 for an automobile sales and display lot located at 1524 W. Civic Street (Tax Id #31-3-0124-00), 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_1524WCivicSt_SUP_For7-12-23.pdf](#)

[23-0795](#) Request to approve the street discontinuance to vacate a portion of E. Circle Street public right-of-way located west of N. Drew Street and east of N. Durkee Street and adopt the Initial Resolution and exhibit map

Attachments: [StaffReport_ECircleSt_StreetVacation_For7-12-23.pdf](#)

[23-0823](#) Request to approve the location of the proposed Sexual Assault Survivors Monument within Ellen Kort Peace Park, per Wis. State Statute §62.23(5), as shown on the attached plans

Attachments: [Memo_Plan Commission SexualAssaultSurvivorMonument_For7-12-23.pdf](#)

[23-0796](#) Elect Vice Chair

Attachments: [Email From Isaac Uitenbroek Stepping Down as Vice Chair.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
Appleton, WI 54911-4799
www.appleton.org

Meeting Minutes - Final City Plan Commission

Wednesday, June 28, 2023

3:30 PM

Council Chambers, 6th Floor

1. Call meeting to order

Meeting called to order by Vice Chair Uitenbroek at 3:30 p.m.

2. Pledge of Allegiance

3. Roll call of membership

Present: 6 - Palm, Robins, Dane, Uitenbroek, Neuberger and Fenton

Excused: 1 - Mayor Woodford

Others present:

Lisa Nebel, ThedaCare, 3000 E. College Avenue, Suite A

Tom Steiner, ThedaCare, 130 Second Street, Neenah

4. Approval of minutes from previous meeting

[23-0730](#)

City Plan Minutes from 6-14-23

Attachments: [City Plan Minutes 6-14-23.pdf](#)

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

Motion carried by the following vote:

Aye: 6 - Palm, Robins, Dane, Uitenbroek, Neuberger and Fenton

Excused: 1 - Mayor Woodford

5. Public Hearing/Appearances

[23-0733](#)

Rezoning #4-23 for the subject site located at 2600 S. Heritage Woods Drive (Tax Id #31-8-2020-00 & 31-8-2025-00), including to the centerline of the adjacent right-of-way, as shown on the attached maps, from PD/R-3 Planned Development Amendment #G-98 Multi-family District to R-3 Multi-family District (Associated with Action Item #23-0734)

Attachments: [InformalPublicHearingNotice_TheHeritage_SUP#8-23+Rezoning#4-23.pdf](#)

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

[23-0731](#)

Special Use Permit #8-23 to conform and expand a community living arrangement (CLA) a/k/a community based residential facility (CBRF) located at 2600 S. Heritage Woods Drive (Tax Id #31-8-2020-00 & 31-8-2025-00) serving a total capacity of 51 persons, 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 #23-0732)

Attachments: [ClassIIPublicHearingNoticeNewspaper_2600SHeritageWoodsDr_SUP#8-23.pdf](#)
[InformalPublicHearingNotice_TheHeritage_SUP#8-23+Rezoning#4-23.pdf](#)

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

[23-0735](#)

Proposed district boundaries and the Project Plan for Tax Incremental Financing District #13 in Southpoint Commerce Park, City of Appleton, Wisconsin (Associated with Action Item #23-0736)

Attachments: [Class II Plan Commission June 28 Public Hearing Notice TIF 13.pdf](#)

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

6. Action Items

[23-0734](#)

Request to approve Rezoning #4-23 for the subject site located at 2600 S. Heritage Woods Drive (Tax Id #31-8-2020-00 & 31-8-2025-00), including to the centerline of the adjacent right-of-way, as shown on the attached maps, from PD/R-3 Planned Development Amendment #G-98 Multi-family District to R-3 Multi-family District

Attachments: [StaffReport_2600SHeritageWoodsDr_Rezoning_For6-28-23.pdf](#)

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

Aye: 6 - Palm, Robins, Dane, Uitenbroek, Neuberger and Fenton

Excused: 1 - Mayor Woodford

[23-0732](#)

Request to approve Special Use Permit #8-23 to conform and expand a community living arrangement (CLA) a/k/a community based residential facility (CBRF) located at 2600 S. Heritage Woods Drive (Tax Id #31-8-2020-00 & 31-8-2025-00) serving a total capacity of 51 persons, 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_2600SHeritageWoodsDr_SUP_For6-28-23.pdf](#)

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

Aye: 6 - Palm, Robins, Dane, Uitenbroek, Neuberger and Fenton

Excused: 1 - Mayor Woodford

[23-0736](#)

Request to approve Resolution designating the proposed district boundaries and approving the Project Plan for Tax Incremental Financing District #13 in Southpoint Commerce Park, City of Appleton, Wisconsin

Attachments: [Resolution_City Plan Commission_TIF 13.pdf](#)

[Updated Page 9 for TIF District 13 Project Plan.pdf](#)

[TIF District 13 Project Plan DRAFT June 28 2023.pdf](#)

[Resolution_Common Council_TIF 13 .pdf](#)

Staff stated some changes were made to some of the figures listed under Section 4 on Page 9 of the project plan. The updated Page 9 with the proposed changes in red font was distributed to the Commission. The updated project plan (now incorporating the changes to Page 9) is attached.

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

Aye: 6 - Palm, Robins, Dane, Uitenbroek, Neuberger and Fenton

Excused: 1 - Mayor Woodford

[23-0737](#)

Request to approve the dedication of land for public right-of-way for portions of N. Providence Avenue and E. Baldeagle Drive located adjacent to N. Lightning Drive as shown on the attached maps

Attachments: [StaffReport_ProvidenceBaldeagle_StreetDedication_For6-28-23.pdf](#)

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

Aye: 6 - Palm, Robins, Dane, Uitenbroek, Neuberger and Fenton

Excused: 1 - Mayor Woodford

7. Information Items

8. Adjournment

Robins moved, seconded by Fenton, that the meeting be adjourned at 3:48 p.m. Roll Call. Motion carried by the following vote:

Aye: 6 - Palm, Robins, Dane, Uitenbroek, Neuberger and Fenton

Excused: 1 - Mayor Woodford

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, July 12, 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 Sections 23-66 and 23-132 of the Appleton Municipal Code, to consider a request by Daniel Gueths, applicant, and Unicorn Holdings, LLC, owner, for property located at 1524 W. Civic Street (Tax Id #31-3-0124-00) to obtain a Special Use Permit for an automobile sales and display lot. In the M-2 General Industrial District, a Special Use Permit is required for an automobile sales and display lot.

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

CITY PLAN COMMISSION
APPLETON, WISCONSIN

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

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

RUN: June 28, 2023
July 5, 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, July 12, 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 Sections 23-66 and 23-132 of the Appleton Municipal Code, to consider a request by Daniel Gueths, applicant, and Unicorn Holdings, LLC, owner, for property located at 1524 W. Civic Street (Tax Id #31-3-0124-00) to obtain a Special Use Permit for an automobile sales and display lot. In the M-2 General Industrial District, a Special Use Permit is required for an automobile sales and display lot.

- ALDERMANIC DISTRICT: 9 – Alderperson Alex Schultz

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

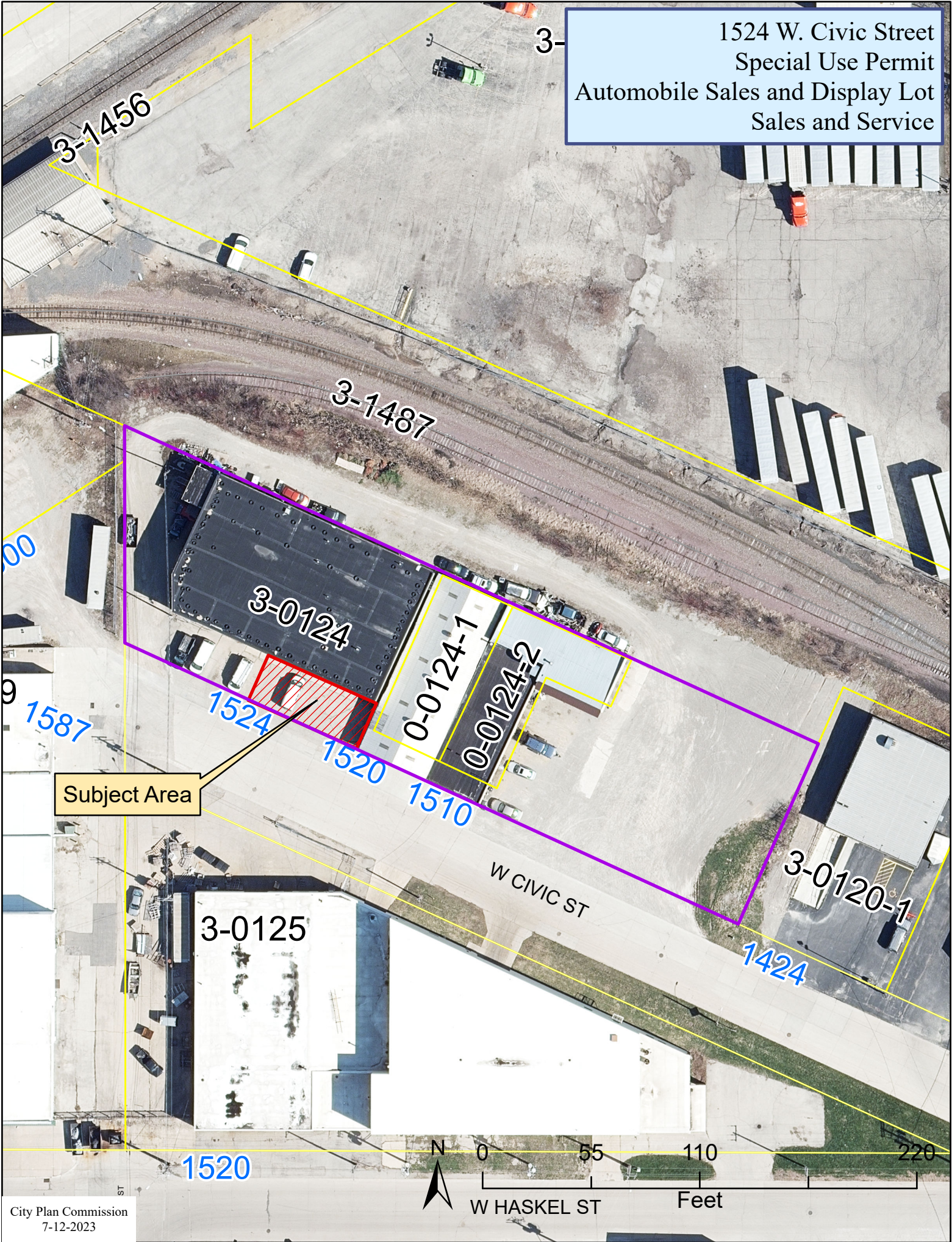
Any questions regarding this matter should be directed to Jessica Titel, Principal Planner, in the Community and Economic Development Department at 920-832-6476 or by email at jessica.titel@appleton.org.

CITY PLAN COMMISSION

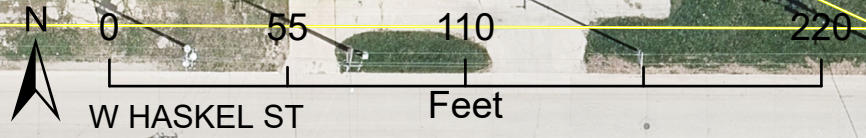
COMMUNITY & ECONOMIC DEVELOPMENT
CITY HALL - 100 NORTH APPLETON STREET
APPLETON, WISCONSIN 54911-4799
920-832-6468

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

1524 W. Civic Street
Special Use Permit
Automobile Sales and Display Lot
Sales and Service



Subject Area



NOTICE OF INFORMAL PUBLIC HEARING
OF THE
APPLETON CITY PLAN COMMISSION

Dear property owner(s):

The City of Appleton Plan Commission will conduct an Informal Public Hearing on Wednesday, July 12, 2023, at 3:30 P.M., in Common Council Chambers, 6th Floor, City Hall, 100 North Appleton Street, or as soon thereafter as can be heard, for the purpose of considering the following proposed Street Vacation (discontinuance of a portion of public street right-of-way).

LEGAL DESCRIPTION OF AREA TO BE VACATED:

All of a strip of land 60 feet in width and 405.5 feet m/l in length, containing 24,330 square feet of land m/l and being further described by:

All of Circle Street lying between Block Seven (7) and Block Twelve (12), of Herman Erbs 6th Ward Addition, located in the Southwest Quarter (SW ¼) of the Southeast Quarter (SE ¼) of Section 23, Township 21 North, Range 17 East, City of Appleton, Outagamie County, Wisconsin.

See also attached Exhibit “A” for illustration.

COMMON DESCRIPTION: Portion of E. Circle Street, located west of N. Drew Street and east of N. Durkee Street

ALDERMANIC DISTRICT: 14 – Alderperson Christopher Croatt

PARTIAL STREET VACATION REQUEST:

A Street Vacation request has been initiated by the applicant, City of Appleton. The applicant requests to vacate and discontinue a portion of E. Circle Street. The area being vacated has not been used for public street purposes for over 50 years. The street vacation will create accurate public records for future expansion plans of the Kaleidoscope Academy. The adjoining property owner (Appleton Area School District) will acquire ownership to the afore-described and vacated portion of E. Circle Street right-of-way, as shown on the attached maps.

PURPOSE OF NOTIFICATION:

You are being notified as a policy of the City of Appleton Community and Economic Development Department. All person 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 Lindsey Kemnitz, Principal Planner, in the Community and Economic Development Department at 920-832-3943 or by email at lindsey.kemnitz@appleton.org.

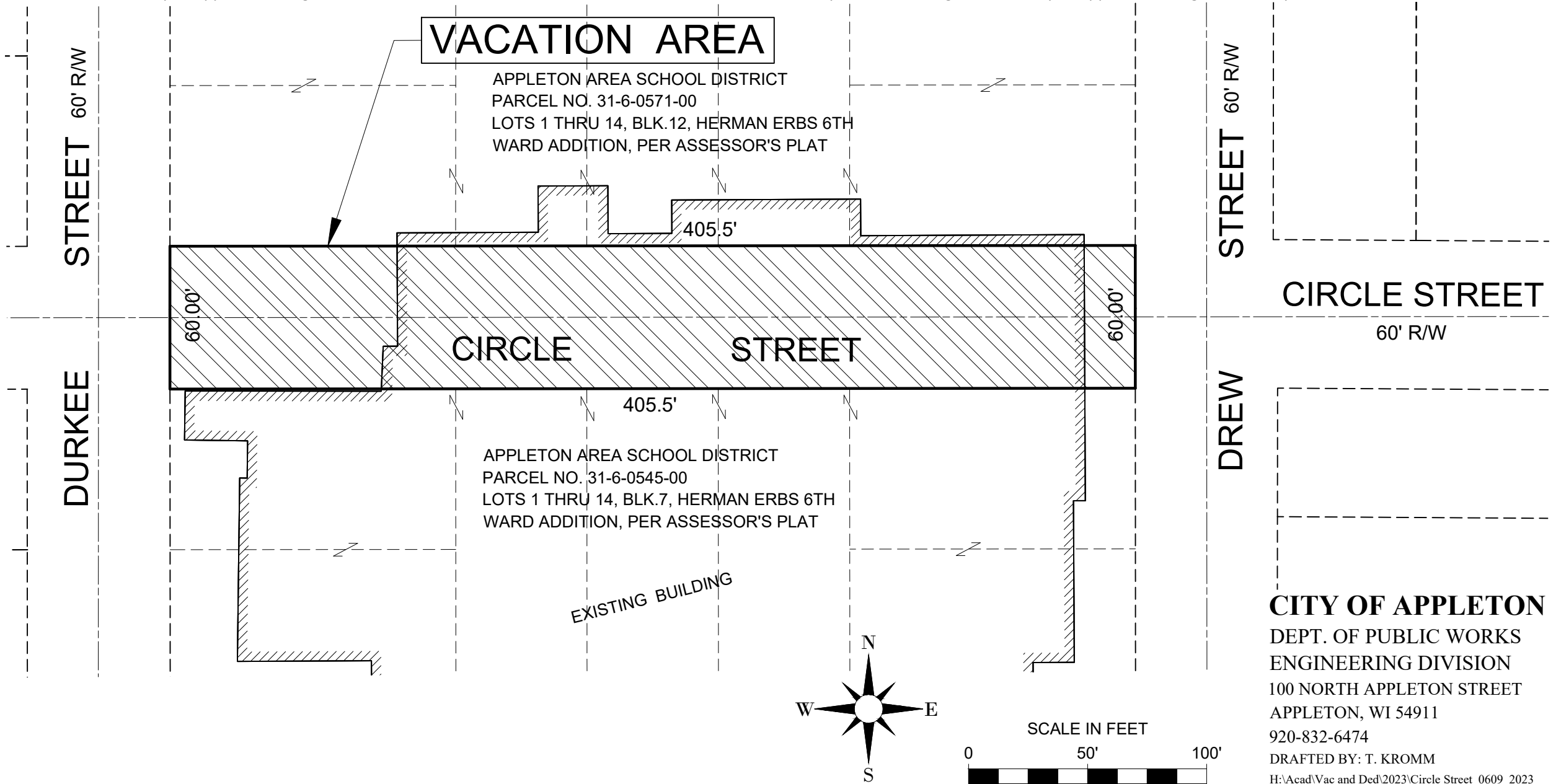
CITY PLAN COMMISSION

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

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

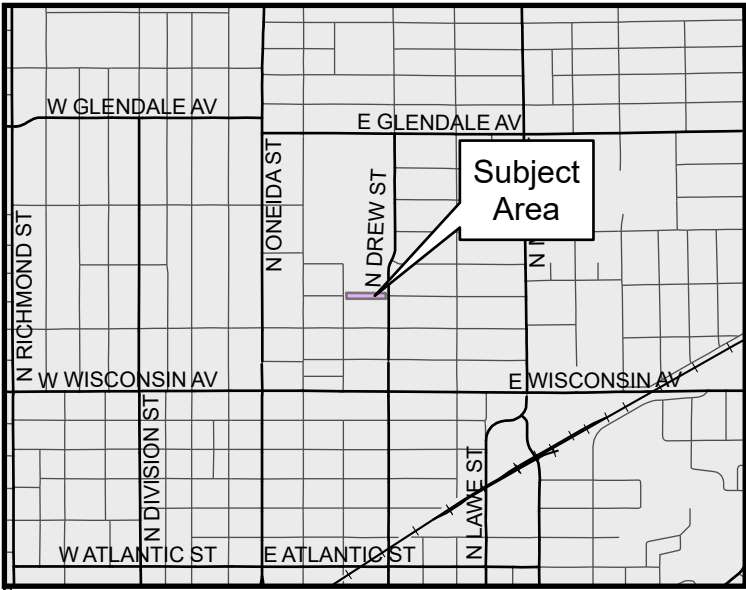
EXHIBIT "A"

All of Circle Street, lying between Block Seven (7) and Block Twelve (12), of HERMAN ERBS 6TH WARD ADDITION, all according to the recorded Assessor's Map of the City of Appleton, being located in the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 23, Township 21 North, Range 17 East, City of Appleton, Outagamie County, Wisconsin.



CITY OF APPLETON
DEPT. OF PUBLIC WORKS
ENGINEERING DIVISION
100 NORTH APPLETON STREET
APPLETON, WI 54911
920-832-6474
DRAFTED BY: T. KROMM
H:\Acad\Vac and Ded\2023\Circle Street_0609_2023

E. Circle Street,
west of N. Drew Street and
east of N. Durkee Street
Street Vacation
Vicinity Map



Subject Area

P-I



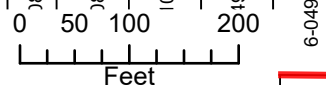
Subject Area

PD/R-3

R-2

R-2

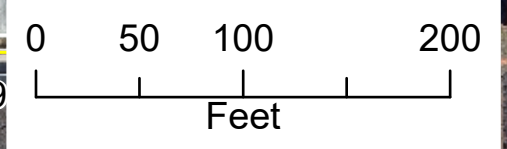
C-2



E. Circle Street, west of
N. Drew Street and
east of N. Durkee Street
Street Vacation
Aerial Map



Subject Area





REPORT TO CITY PLAN COMMISSION

Plan Commission Public Hearing Date: July 12, 2023

Common Council Meeting Date: July 19, 2023

Item: Special Use Permit #9-23 for an automobile sales and display lot

Case Manager: Jessica Titel, Principal Planner

GENERAL INFORMATION

Owner: Unicorn Holdings, LLC c/o Scott DeWitt

Applicant: DLG Auto, LLC c/o Daniel Gueths

Address/Parcel Number: 1524 W. Civic Street (Tax Id #31-3-0124-00)

Petitioner's Request: The applicant is requesting a Special Use Permit for an automobile sales and display lot.

BACKGROUND

Special Use Permit #2-09 was approved by the Common Council on May 20, 2009 to allow for automobile sales at this location but did not allow an outdoor sales and display lot. Special Use Permit #2-09 stipulated that all vehicles would be stored indoors. At the time of approval, the Zoning Code required a Special Use Permit for all automobile sales, whether they were proposing an outdoor sales and display lot or not.

The Board of Zoning Appeals granted a variance on July 19, 2010 to the automobile sales and display lot landscaping and buffering standards in Section 23-66(h)(5). The applicant did not follow-through with applying for a new or amended Special Use Permit for the outdoor sales and display lot; therefore, a Special Use Permit is required.

STAFF ANALYSIS

Project Summary: The applicant proposes to establish an automobile sales and display lot on the south side of the subject site. As shown on the attached development plan, the applicant proposes to utilize approximately 6 existing parking spaces as the display area. Based on the information supplied, the total display area would be approximately 1,500 square feet in size. The applicant also indicates the interior building space will be used for an office and general vehicle maintenance.

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

Existing Site Conditions: The 1.09-acre site is currently developed with an existing single-story building, which is approximately 24,080 square feet in size. The site also includes off-street parking south and east of the building. Access is provided from W. Civic Street.

Special Use Permit #9-23

July 12, 2023

Page 2

Current Zoning and Procedural Findings: The subject property has a zoning designation of M-2 General Industrial District. An automobile maintenance shop is a permitted use in the M-2 District.

Per Section 23-132(e) of the Municipal Code, an automobile sales and display lot requires a Special Use Permit in the M-2 District. The Plan Commission makes a recommendation to the Common Council who will make the final decision on the Special Use Permit. A two-thirds vote of the Common Council is required for approval.

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 industrial in nature.

North: Railroad Right-of-Way. The adjacent land use to the north is currently railroad right-of-way.

South: M-2 General Industrial District. The adjacent land uses to the south are currently a mix of industrial uses.

East: M-2 General Industrial District. The adjacent land uses to the east are currently a mix of industrial uses.

West: M-2 General Industrial District. The adjacent land uses to the west are currently a mix of industrial uses.

Appleton Comprehensive Plan 2010-2030: Community and Economic Development staff has reviewed this proposal and determined it is compatible with the Industrial 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.

Technical Review Group (TRG) Report: This item appeared on the June 20, 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

Special Use Permit #9-23

July 12, 2023

Page 3

accept in support of a conclusion.” Any requirements and conditions listed for approval must be reasonable, and to the extent practicable, measurable.

As part of the special regulations for an automobile sales and display lot, perimeter landscaping is required pursuant to Section 23-66(h)(5) of the Municipal Code. For the subject site, the Board of Zoning Appeals granted a variance on July 19, 2010 to the automobile sales and display lot landscaping and buffering standards in Section 23-66(h)(5).

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 #9-23 for an automobile sales and display lot located at 1524 W. Civic Street (Tax Id #31-3-0124-00), 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. All applicable codes, ordinances, and regulations, including but not limited to Fire, Building, and Health Codes and the Noise Ordinance, shall be complied with.

Substantial Evidence: Standardized condition to ensure the applicant understands the City’s Municipal Code and all applicable State and Federal laws must be followed.

2. The automobile sales and display lot use is limited to the parts of parcel #31-3-0124-00 shown on the attached development plan drawings and maps. Vehicles displayed for sale outdoors shall be kept within the identified areas. Any future expansions or deviations from the approved development plan may require a major or minor amendment request to this Special Use Permit, pursuant to Section 23-66(g) of the Municipal Code.

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.

3. This Special Use Permit is needed for the automobile sales and display lot use. Compliance with the plan of operation is required at all times. Changes to the plan of operation, including any future changes to the agent/operator, shall be submitted to the Community and Economic Development Department for review and approval.

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.

4. The minimum standards for an automobile sales and display lot found in Section 23-66(h)(5) of the Municipal Code shall be complied with, as applicable.

Substantial Evidence: This condition provides notice to the applicant that they are required to comply with special regulations included in the Zoning Ordinance for this particular use.

Special Use Permit #9-23

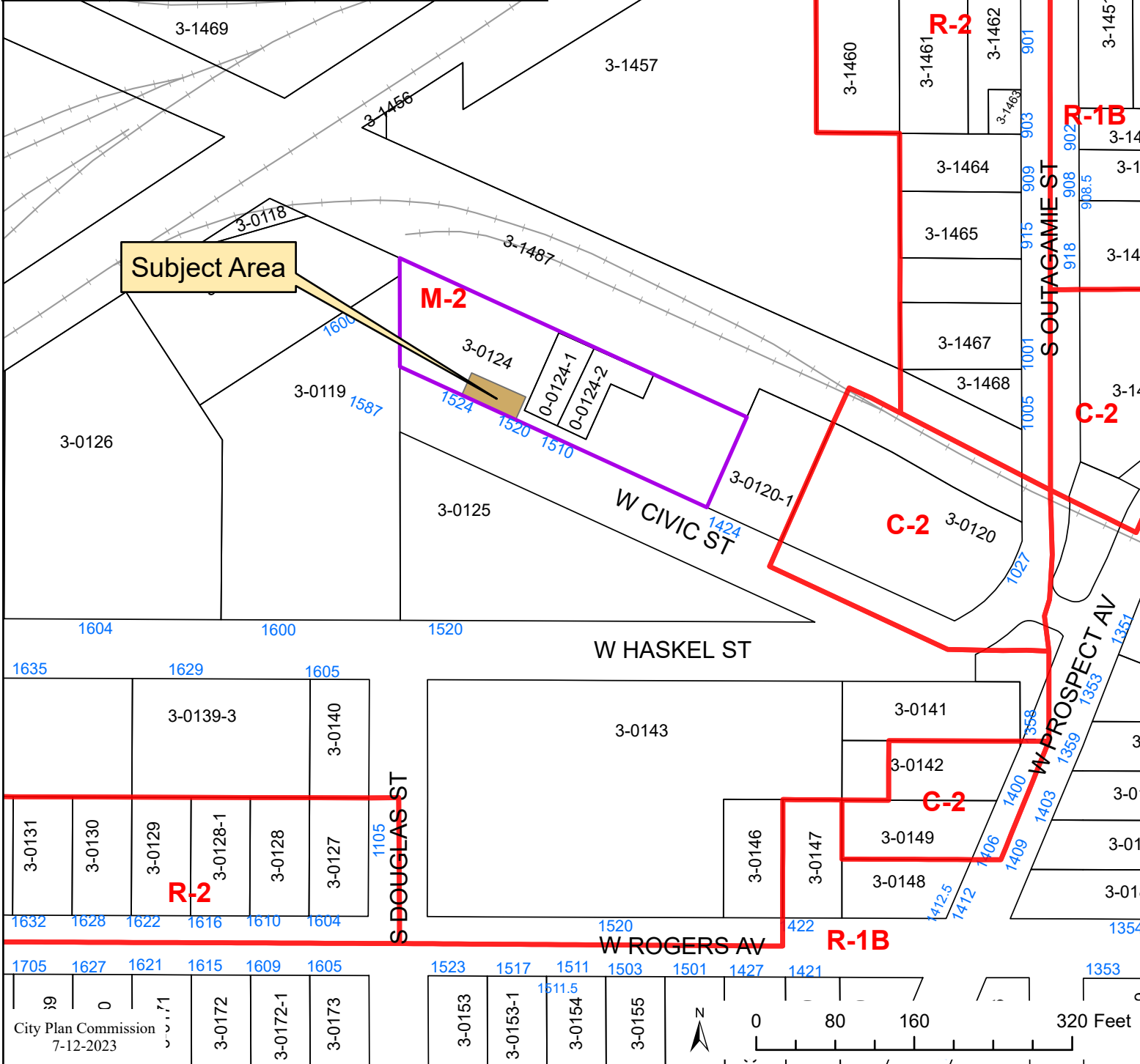
July 12, 2023

Page 4

5. Prior to displaying vehicles for sale, the operator shall provide the Inspections Supervisor with a valid copy of their State of Wisconsin Motor Vehicle Dealer License, if required.

Substantial Evidence: This condition provides notice to the applicant that a new or amended State license may also be needed prior to operating.

1524 W. Civic Street
Special Use Permit
Automobile Sales and Display Lot
Vicinity Map



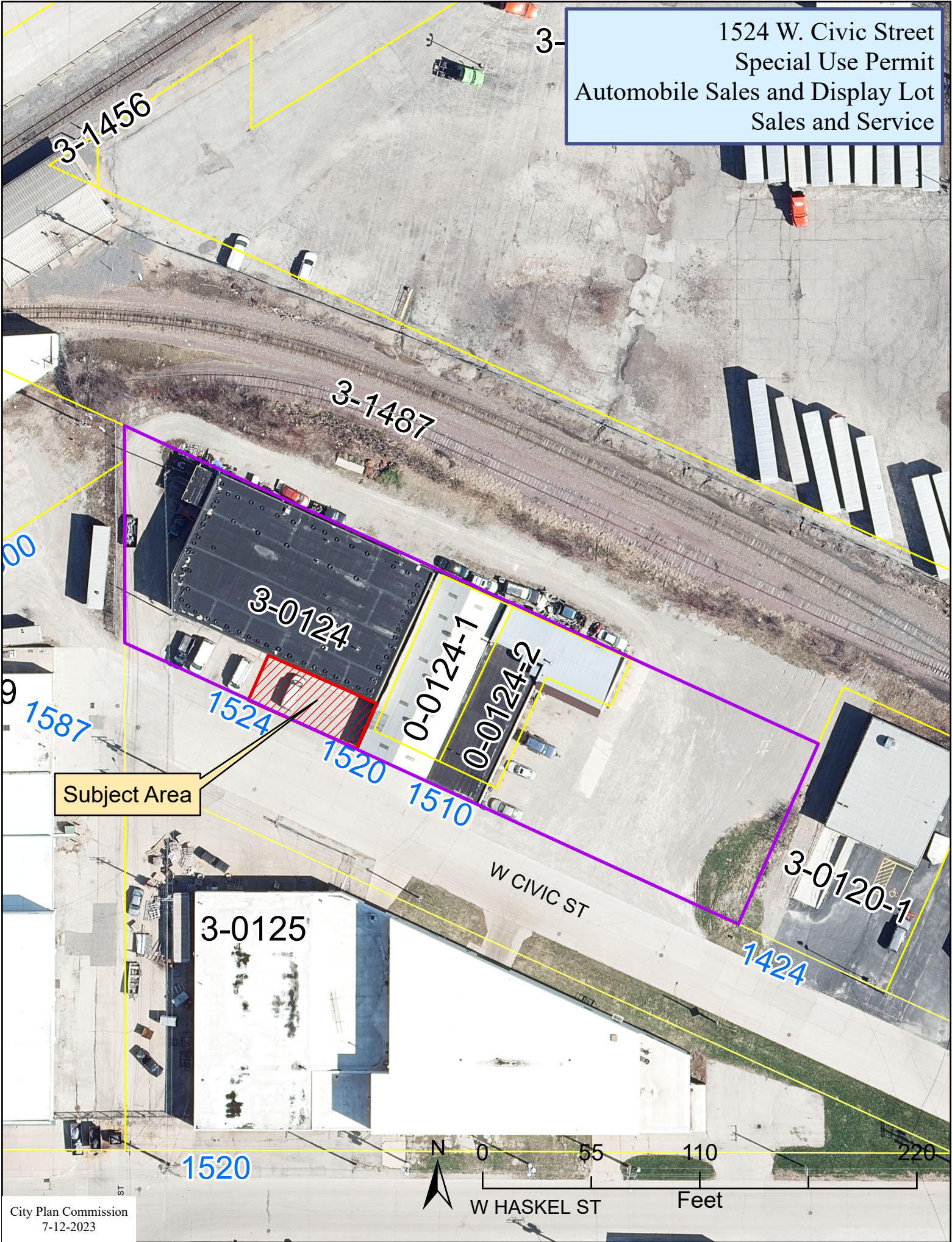
Subject Area

Subject Area

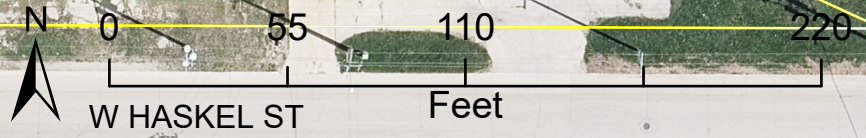
Subject Area



1524 W. Civic Street
Special Use Permit
Automobile Sales and Display Lot
Sales and Service



Subject Area



**CITY OF APPLETON
RESOLUTION FOR SPECIAL USE PERMIT #9-23
AUTOMOBILE SALES AND DISPLAY LOT
1524 W. CIVIC STREET**

WHEREAS, DLG Auto, LLC has applied for a Special Use Permit for an automobile sales and display lot located at 1524 W. Civic Street, also identified as Parcel Number 31-3-0124-00; and

WHEREAS, the location for the proposed automobile sales and display lot is located in the M-2 General Industrial District, and the proposed use may be permitted by Special Use Permit within this zoning district pursuant to Chapter 23 of the Municipal Code; and

WHEREAS, the City of Appleton Plan Commission held a public hearing on July 12, 2023 on Special Use Permit #9-23, 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 #9-23 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 July 19, 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 #9-23 for an automobile sales and display lot located at 1524 W. Civic Street, also identified as Parcel Number 31-3-0124-00, 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 #9-23 for an automobile sales and display lot located at 1524 W. Civic Street, also identified as Parcel Number 31-3-0124-00, 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 #9-23

- A. All applicable codes, ordinances, and regulations, including but not limited to Fire, Building, and Health Codes and the Noise Ordinance, shall be complied with.
 - B. The automobile sales and display lot use is limited to the parts of parcel #31-3-0124-00 shown on the attached development plan drawings and maps. Vehicles displayed for sale outdoors shall be kept within the identified areas. Any future expansions or deviations from the approved development plan may require a major or minor amendment request to this Special Use Permit, pursuant to Section 23-66(g) of the Municipal Code.
 - C. This Special Use Permit is needed for the automobile sales and display lot use. Compliance with the plan of operation is required at all times. Changes to the plan of operation, including any future changes to the agent/operator, shall be submitted to the Community and Economic Development Department for review and approval.
 - D. The minimum standards for an automobile sales and display lot found in Section 23-66(h)(5) of the Municipal Code shall be complied with, as applicable.
 - E. Prior to displaying vehicles for sale, the operator shall provide the Inspections Supervisor with a valid copy of their State of Wisconsin Motor Vehicle Dealer License, if required.
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

NEW/USED AUTOMOBILE SALES (more than 5 vehicles each year)

Trade Name: DLG Auto LLC (DLGueeths Auto DBA)

Building Address: 1524 W. CIVIC ST

Years in Operation: NEW 2023

Type of proposed establishment (detailed explanation of business):

USED VEHICLE SALES/motorcycle

Dealer Type (check applicable boxes):

- Retail dealer of ~~new~~ and/or used automobiles and trucks to the general public.
- Retail dealer of new and/or used mopeds to the general public.
- Retail dealer of ~~new~~ and/or used motorcycles to the general public.
- Retail dealer of new and/or used boats to the general public.
- Retail dealer of new and/or used recreational vehicles to the general public.
- Wholesale auction dealer in which you hold auctions in which you display and sell automobiles and trucks owned by someone other than licensed dealers, or in which you display and auction off vehicles to the general public.
- Wholesale dealer in which you purchase and resell used vehicles to licensed dealers only, never to the public.

Indoor Building Uses (check applicable boxes):

OFFICE
15' x 30'
Display Area
25' x 60'

- Office Space. Please identify the area of this space: 450 square feet.
- Vehicle Display Area (Retail to general public). Please identify the area of this space: 1500 square feet.
- Service Department (check applicable services).
 - General Maintenance Repairs (exhaust system, transmission, brakes, tires repair/installation, electrical, engine repair/tune up)
 - Painting
 - Body Work

Please describe other services provided within Service Department space: NONE

Other. If other, please describe other indoor use activities: N/A

Building Capacity and Storage Areas:

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

Gross floor area of the existing building(s): 24,080

Gross floor area of the proposed building(s): _____

Employees:

Number of existing employees: 1 - SELF only

Number of proposed employees: 0

Number of employees scheduled to work on the largest shift: 0

Proposed Business Hours of Operation:

Day	From	To
Monday - Friday	10 - AM	2 PM
Saturday	10 - AM	2 PM
Sunday	CLOSED	CLOSED

Outdoor Uses (check applicable boxes):

2.5' X 60'

- Vehicle Sales and Display Lot is proposed. Please identify the area of this space 1,500 square feet.
- Vehicle Sales and Display Lot is not proposed.
- Other. If other, please describe other outdoor areas: _____

Outdoor Display Lot Screening/Landscaping:

Type and height of screening with plantings/fencing/gating: N/A. Variance received 7/19/10 for screening requirements.

Outdoor Music/Speakers:

Are there plans for outdoor music/speakers? Yes _____ No

If yes, describe type how will the noise be controlled: _____

Outdoor lighting:

Type: night lights already on building

Location: _____

Off-street parking:

Number of customer spaces existing: 3.

Number of customer spaces proposed: _____.

Number of employee spaces existing: _____.

Number of employee spaces proposed: _____.

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?

adequate

Describe any potential noise emanating from the proposed use:

A. Describe the noise levels anticipated from all the proposed use: None

B. How will the noise be controlled? NONE

Identify location, number, capacity and flammable liquid materials stored on site:

None

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

None





REPORT TO CITY PLAN COMMISSION

Municipal Services Committee Meeting Date: July 10, 2023

Plan Commission Informal Public Hearing Date: July 12, 2023

Common Council Meeting Date – Initial Resolution: July 19, 2023

Common Council Meeting Date – Public Hearing (40-day waiting period): September 6, 2023

Item: Street discontinuance to vacate a portion of East Circle Street

Case Manager: Lindsey Kemnitz, Principal Planner

GENERAL INFORMATION

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

Location: Part of E. Circle Street, located west of N. Drew Street and east of N. Durkee Street

Owner/Applicant's Request: The applicant is requesting a street discontinuance to vacate a portion of E. Circle Street right-of-way.

BACKGROUND

As Appleton Area School District was preparing a Certified Survey Map (CSM) for an expansion at the Kaleidoscope Academy, it was determined E. Circle Street, located west of N. Drew Street and east of N. Durkee Street as a public right-of-way. According to the City's records, the street vacation was initiated in 1971 to allow for construction of an addition but was not completed. In 1997, the City re-initiated the street vacation to provide accurate public records but was not completed. The area being vacated has not been used for public street purposes for over 50 years. The City is initiating the street vacation to create accurate public records for the future expansion plans of the Kaleidoscope Academy.

STAFF ANALYSIS

Title to Vacated Street: When vacated, the land reverts to its original source, which in this case includes the parcels located adjacent to the proposed vacation area. Consequently, title to the street segments being vacated would belong to the adjoining property owner. All adjacent parcels are commonly owned by the Appleton Area School District. As shown on the attached map, the adjoining property owner would acquire the vacated E. Circle Street right-of-way of approximately 24,330 square feet. It is anticipated that the vacated area would be combined with the surrounding parcels, as described above.

Existing Public Utilities: The City will retain an easement for the existing sanitary sewer within the entire length and width of the vacated right-of-way. Currently, the sanitary sewer within the vacated right-of-way serves properties located on N. Durkee Street. The Public Works Department is intending to relay a portion of the sanitary sewer in N. Durkee Street in 2024, which will allow the City to release the sanitary sewer easement in the future.

Street Vacation – E. Circle Street

July 12, 2023

Page 2

Street Right-of-Way Width: This portion of E. Circle Street is approximately 60 feet wide.

Street Classification: The City’s Arterial/Collector Plan Map identifies E. Circle Street as a local street.

Surrounding Zoning and Land Uses: The surrounding area is under the jurisdiction of the City of Appleton (north, south, east, and west). The uses are generally residential and institutional in nature.

North: P-I Public Institutional District. The adjacent land to the north is occupied by Kaleidoscope Academy.

South: P-I Public Institutional District. The adjacent land to the south is occupied by Kaleidoscope Academy.

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

West: R-1B Single Family District. The adjacent land use to the west is single family residential.

Comprehensive Plan 2010-2030: The City of Appleton *Comprehensive Plan 2010-2030* Future Land Use Map identifies this area with a future Public/Institutional Use. The proposed street vacation is consistent with the following excerpts from the *Comprehensive Plan 2010-2030*.

OBJECTIVE 6.8 Transportation:

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

OBJECTIVE 7.3 Education:

Work with Appleton Area School District to assist them, when appropriate to do so, in delivering services to Appleton residents.

Technical Review Group (TRG) Report: This item appeared on the June 20, 2023 TRG agenda. No negative comments were received from participating departments.

RECOMMENDATION

Staff recommends the discontinuance of a portion of E. Circle Street public right-of-way, as shown on the attached map and legal description, and the adoption of the Initial Resolution, **BE APPROVED**.

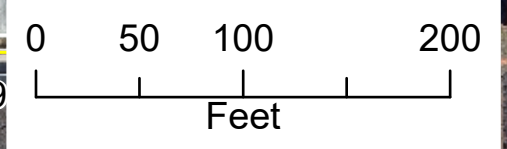
E. Circle Street, west of
N. Drew Street and
east of N. Durkee Street
Street Vacation
Aerial Map



Subject Area



City Plan Commission
7-12-2023



INITIAL RESOLUTION

WHEREAS, the public interest requires that a portion of East Circle Street, from North Durkee Street to North Drew Street, that has not previously been vacated, be vacated and discontinued,

BE IT RESOLVED, that the Common Council of the City of Appleton, Wisconsin, hereby determines that the public interest requires that a portion of East Circle Street, City of Appleton, Outagamie County, Wisconsin, as hereinafter described, is hereby vacated and discontinued pursuant to §66.1003 of the Wisconsin Statutes.

LEGAL DESCRIPTION

All of a strip of land 60 feet in width and 405.5 feet m/l in length and containing 24,330 square feet of land m/l and being further described by:

All of Circle Street lying between Block Seven (7) and Block Twelve (12), of Herman Erbs 6th Ward Addition, located in the Southwest Quarter (SW ¼) of the Southeast Quarter (SE ¼) of Section 23, Township 21 North, Range 17 East, City of Appleton, Outagamie County, Wisconsin.

See also attached Exhibit "A" for illustration.

EASEMENT

The City of Appleton their heirs, successors and or assigns (Grantee) hereby retain an easement for a sanitary sewer within the entire length and width of the above described right of way.

It is further agreed that this easement shall be a permanent easement.

It is further agreed that Grantee shall have the right to install, regrade, replace, relocate, operate, maintain, resize and repair the sanitary sewer and associated appurtenances. It is further agreed that after installing, regrading, replacing, relocating, operating, maintaining, resizing or repairing of this utility and associated appurtenances Grantee shall restore unimproved surfaces such as grass, gravel and dirt on said property, as closely as possible, to the condition previously existing. Grantee shall not be required to restore or compensate for any improvements or improved surfaces such as, but not limited to, curb and gutter, hard pavements, trees, shrubs and landscaping, disturbed as a result of the maintenance activities described herein. This easement includes the right to operate any and all equipment deemed necessary by Grantee to perform said activities. Grantee agrees that it shall give timely notice to the Grantor of routine maintenance work.

COMMON DESCRIPTION:

Portion of East Circle Street from North Durkee Street to North Drew Street

FURTHER RESOLVED, that the City Clerk of the City of Appleton be authorized and directed to give notice required by §66.1003 of the Wisconsin Statutes.

FURTHER RESOLVED, that according to §66.1005 of the Wisconsin Statutes, upon vacation and discontinuance of said part of East Circle Street, title to the above-described street shall belong to the adjoining property owner and shall acquire an ownership interest in the entire area being vacated as shown on the attached Exhibit Map.

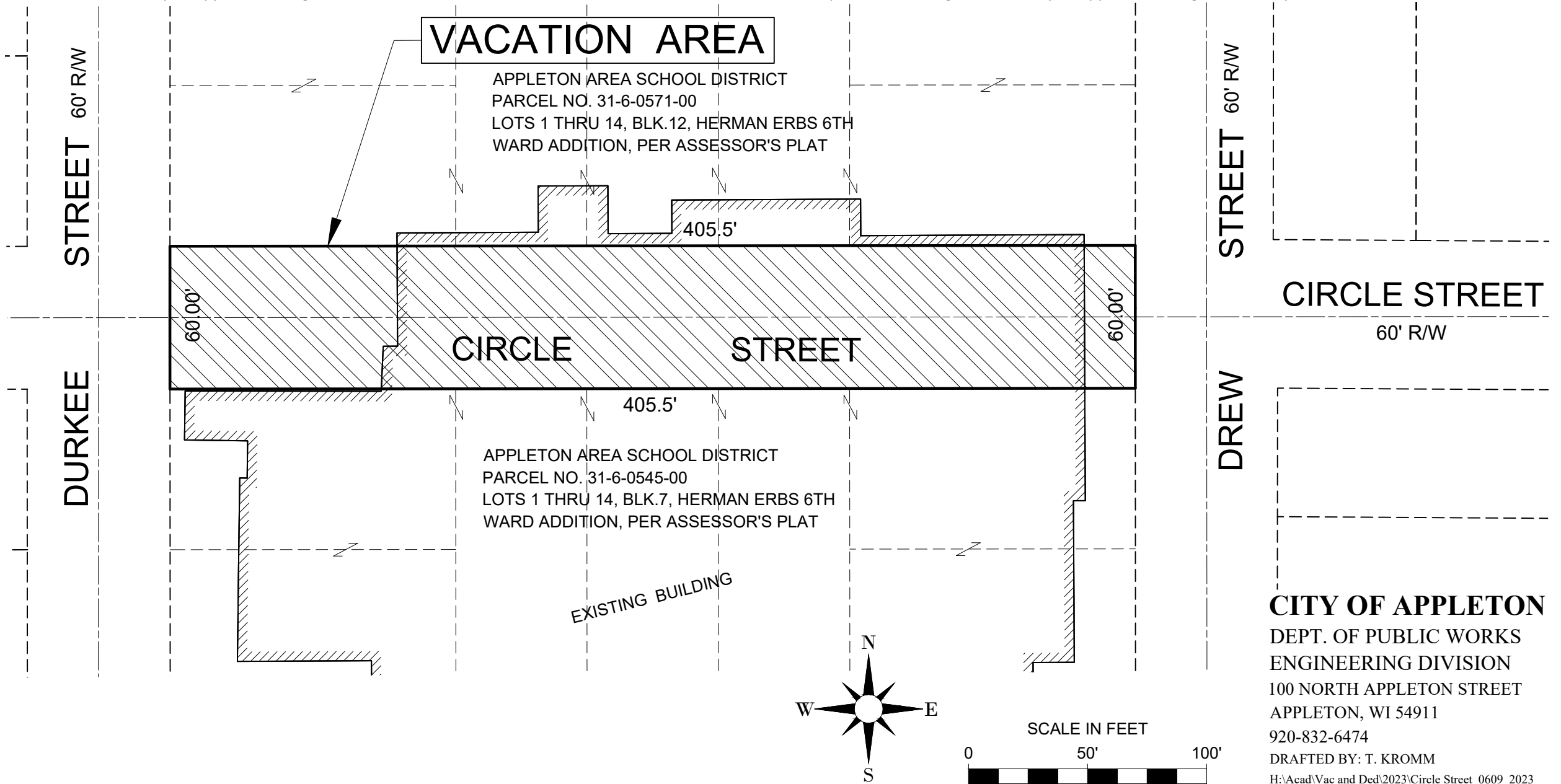
By: _____

Date: _____

City Law A23-0898

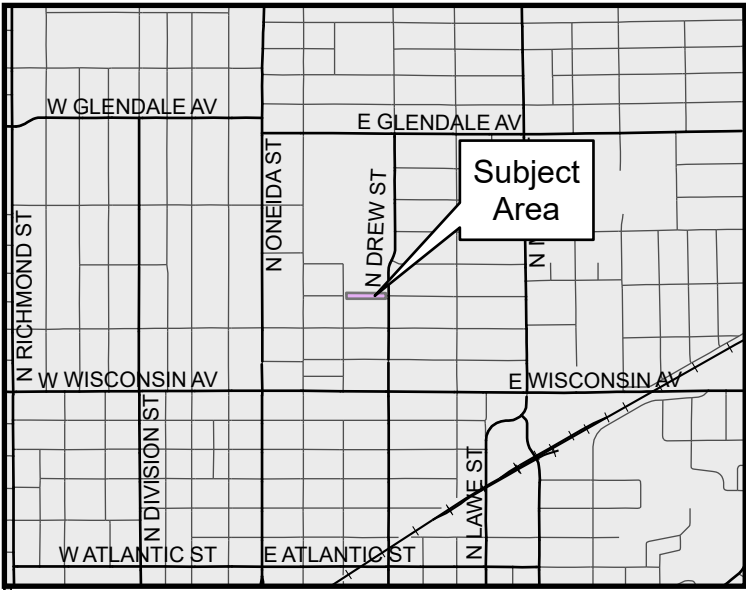
EXHIBIT "A"

All of Circle Street, lying between Block Seven (7) and Block Twelve (12), of HERMAN ERBS 6TH WARD ADDITION, all according to the recorded Assessor's Map of the City of Appleton, being located in the Southwest ¼ of the Southeast ¼ of Section 23, Township 21 North, Range 17 East, City of Appleton, Outagamie County, Wisconsin.



CITY OF APPLETON
DEPT. OF PUBLIC WORKS
ENGINEERING DIVISION
100 NORTH APPLETON STREET
APPLETON, WI 54911
920-832-6474
DRAFTED BY: T. KROMM
H:\Acad\Vac and Ded\2023\Circle Street_0609_2023

E. Circle Street,
west of N. Drew Street and
east of N. Durkee Street
Street Vacation
Vicinity Map



P-I





MEMORANDUM

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

TO: Plan Commission

FROM: Jessica Titel, Principal Planner

DATE: July 12, 2023

RE: Location of the proposed Sexual Assault Survivors Monument in Ellen Kort Peace Park per Wis. State Statute 62.23(5)

Wis. State Statute 62.23(5) states that the location of any statue or other memorial shall be referred to the Plan Commission for its consideration and report before final action is taken by the Common Council.

Background:

The applicant has been working since late 2020 to secure funding for the design, engineering and construction of the monument and has now met her fundraising goal. The applicant has also worked closely with Parks, Recreation and Facilities Management regarding the location and design of the monument. The applicant is now requesting final approval of the monument and plans to begin construction this summer.

The final design and placement of the monument was recommended for approval by the Public Art Committee on June 20, 2023. Their recommendation and report will be presented at the July 10, 2023 Parks & Recreation Committee and then forwarded to the Common Council for final action on July 19, 2023, in conjunction with this action item.

Please see the attached memo, that was presented to the Public Art Committee on June 20, 2023, for full details and past action.

PLAN COMMISSION RECOMMENDED ACTION:

In accordance with Wis. State Statute 62.23(5), Staff recommends that the location for the Sexual Assault Survivors Monument within Ellen Kort Peace Park, as shown on the attached plans, **BE APPROVED**.



MEMORANDUM

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

TO: Appleton Public Arts Committee (APAC)

FROM: Jessica Titel, Principal Planner

DATE: June 20, 2023

RE: Final Design - Sexual Assault Survivors Monument

On September 10, 2020, the Appleton Public Arts Committee recommended approval of the conceptual design and placement within Ellen Kort Peace Park of the proposed Sexual Assault Survivors Monument. The Parks and Recreation Committee and the Common Council also approved the proposal on September 21, 2020 and October 7, 2020, respectively.

Since the monument was in its very early design phase and the applicant wanted assurance that the monument was supported prior to fundraising efforts, the monument was conceptually reviewed and approved. Upon securing adequate funding and the final design, the monument was to come back to Committee and Council for final approval. The initial staff report is attached for reference and the following conditions were attached to the conceptual approval:

1. Upon approval of the final design and location, an agreement between the applicant and the City will be prepared by the City’s Legal Services Department and shall be executed prior to installation. This agreement will memorialize the expectations of the parties including the location of the art, installation and insurance requirements, maintenance, liability, indemnification, and the like.

Status: The Public Art Agreement will be executed after approval and prior to construction of the monument. This condition will be included with the recommendation.

2. The final design, construction details and structural engineering shall be provided to Staff no later than December 31, 2021. The final design will be presented to the Public Art Committee, Parks and Recreation Committee and Common Council for final review and action before the monument installation. The monument shall not be considered “approved” until this step is complete.

Status: Final design, location and structural engineering documents have been provided to staff. Fundraising took longer than anticipated; however, the applicant has secured the

funding needed to complete the design and the installation. The action and review requested with this report will satisfy this condition.

3. Proof of funding (or significant progress towards funding) for the monument shall be provided to Staff by December 31, 2021.

***Status:** Fundraising took longer than anticipated; however, the applicant has secured the funding needed to complete the design and the installation. Final design, location and structural engineering documents have been provided to staff indicating the funding is adequate to complete the project.*

4. Approval of the monument will be contingent on both parties (City and Sexual Assault Survivors Monument Corporation) mutually agreeing on the final design.

***Status:** Parks, Recreation and Facilities Management have been working with the applicant on the final design and placement of the monument. The action and review requested with this report will satisfy this condition.*

5. Applicant shall create an endowment fund for ongoing maintenance of the monument.

***Status:** The applicant has committed to creating an endowment fund to cover ongoing maintenance of the monument. The details will be included in the Public Art Agreement. This condition is satisfied.*

The applicant has completed the fundraising, design and engineering of the monument. She has also worked closely with Parks, Recreation and Facilities Management regarding the location and design of the monument. The applicant is now requesting final approval of the monument and plans to begin construction this summer.

APPLETON PUBLIC ARTS COMMITTEE ACTION:

Based upon the guidelines outlined in the Art in Public Places Policy, staff recommends that the final design of the proposed Sexual Assault Survivors Monument to be located within Ellen Kort Peace Park, as shown on the attached plans, **BE APPROVED** subject to the following conditions:

1. Agreement between the applicant and the City will be prepared by the City's Legal Services Department and shall be executed prior to installation. This agreement will memorialize the expectations of the parties including the location of the art, installation and insurance requirements, maintenance, liability, indemnification, and the like.
2. Applicant shall create an endowment fund for ongoing maintenance of the monument. Details shall be included in the Public Art Agreement.
3. Upon completion of the installation, a structural/professional engineer shall provide certification that the artwork was installed according to specifications and meets required structural standards.

4. Applicant and/or contractor shall contact Digger's Hotline for underground utility locates prior to any site work commencing.
5. Per the Art in Public Places Policy, any artwork signage shall meet the parameters set forth in Zoning Code Section 23-531(e), which allows each artwork one plaque/sign not to exceed nine square feet in size.
6. Applicant and/or any contractors shall provide proof of minimum liability insurance to meet City requirements, prior to installation.

Monument SASM

Ellen Kort Peace Park - W Water Street, Appleton, WI 54911

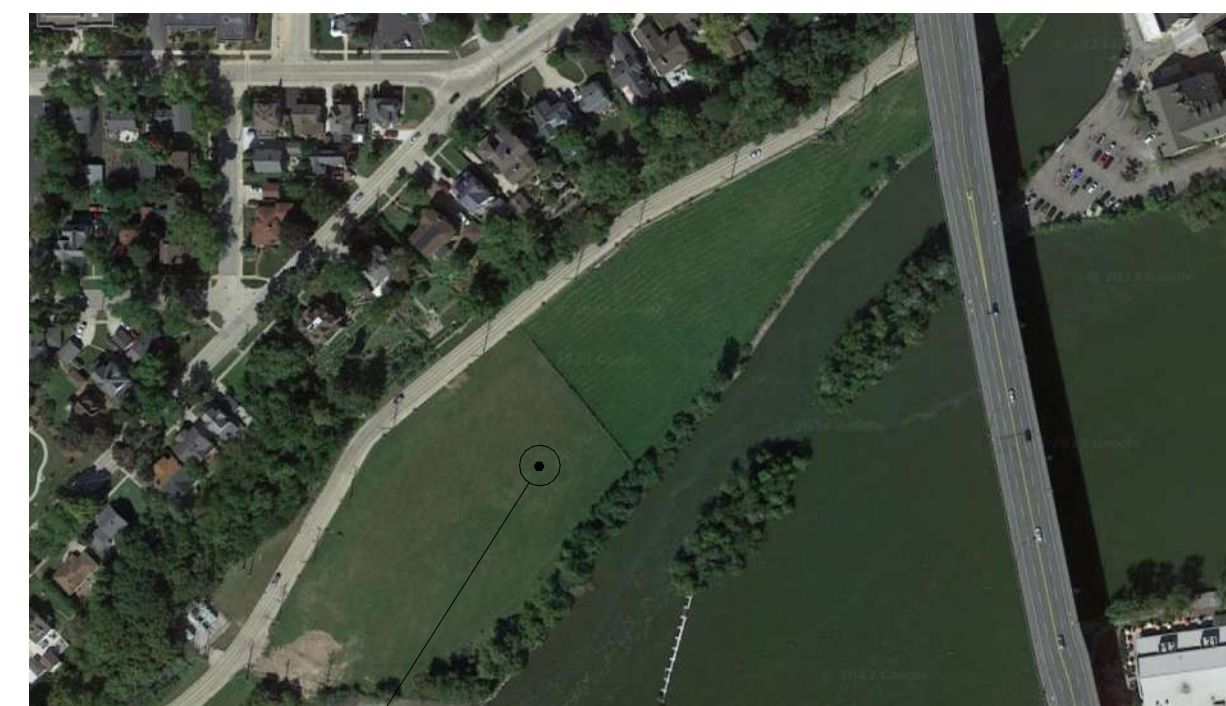


OWNER:

Sexual Assault Survivors Monument Corporation
W2162 Daisy Ln * Brillion, WI * 54110



SITE LOCATION
STATE LOCATION



SITE LOCATION
LOCATION MAP

DRAWING SYMBOLS LEGEND:

ROOM 100A	ROOM NAME AND NUMBER	(A100A) 1-HR	DOOR TAG - REFER TO DOOR SCHEDULE FIRE RATING
	INTERIOR ELEVATION		WINDOW TAG
	SHEET ON WHICH ELEVATION IS DRAWN	(A1A)	WALL TAG - INTERIOR
	SECTION OR DETAIL NUMBER	(E2EM)	WALL TAG - EXTERIOR
	SHEET ON WHICH SECTION OR DETAIL IS DRAWN	(TA-18)	TOILET ACCESSORY TAG
	PLAN OR DETAIL NUMBER		REVISION TAG - ADDENDUM/ CONSTRUCTION BULLETIN
	SHEET ON WHICH PLAN OR DETAIL IS DRAWN		SPOT ELEVATION
EL. 100'-0" FIRST FLOOR	EXISTING ELEVATION		WORK POINT
EL. 100'-0" FIRST FLOOR	NEW ELEVATION		SURVEY POINT
			DEMOLITION NOTE
			PLAN NOTE

GENERAL NOTES:

- ALL WORK OF ALL TRADES SHALL BE COMPLETED IN ACCORDANCE WITH ALL GOVERNING CODES AND ORDINANCES. IF ANY CONTRACTOR OBSERVES THAT ANY OF THE CONTRACT DOCUMENTS ARE AT VARIANCE WITH APPLICABLE LAWS, STATUTES, BUILDING CODES, OR ORDINANCES, THEY SHALL PROMPTLY NOTIFY HOFFMAN.
- EACH CONTRACTOR SHALL VERIFY ALL CONDITIONS AND DIMENSIONS AT THE SITE; NEITHER THE OWNER NOR HOFFMAN ASSUMES RESPONSIBILITY FOR CONDITIONS OR DIMENSIONS SHOWN AS EXISTING.
- NOTIFY HOFFMAN IMMEDIATELY IF ANY HAZARDOUS MATERIALS ARE ENCOUNTERED DURING DEMOLITION, REMODELING, OR EXCAVATION, AND STOP WORK IN THE IMMEDIATE AREA UNTIL A COURSE OF ACTION IS DETERMINED. DO NOT ABATE.
- CONTRACTOR IS RESPONSIBLE FOR REVIEWING ALL CONTRACT DOCUMENTS FOR WORK PERTAINING TO THEIR SCOPE, INCLUDING CODE AND REFERENCE SHEETS. KEYNOTE LIST ON INDIVIDUAL SHEETS MAY NOT INCLUDE ALL KEYNOTES ON THAT SHEET.
- PLAN NOTES ARE GLOBAL; INDIVIDUAL PLAN NOTES MAY NOT BE PRESENT ON EVERY PLAN SHEET.
- NEITHER HOFFMAN NOR THE OWNER ARE RESPONSIBLE FOR ERRORS IN SCALING DUE TO PRINTING, REPRODUCTION, OR ELECTRONIC FILE CREATION. SCALE AT YOUR OWN RISK.

CONSULTANTS:

FABRICATOR:
URBAN EVOLUTIONS
2401 W COLLEVE AVENUE
APPLETON, WISCONSIN 54914
(920) 380-4149

FABRICATOR:
MATHFAB
101 W SNELL ROAD
OSHKOSH, WISCONSIN 54901
(920) 231-6060

FABRICATOR:
A&P FABRICATING SOLUTIONS
5007 N WREN DRIVE
APPLETON, WISCONSIN 54913
(920) 716-7531

CONTRACTOR:
MIRON CONSTRUCTION
1471 MCMAHON DRIVE
NEENAH, WISCONSIN 54956
(920) 969-7000

ELECTRICAL:
ABSTRACT ELECTRIC
116 N. 12TH STREET
HILBERT, WISCONSIN 54129
(920) 871-4014

STRUCTURAL:
LARSON ENGINEERING
2801 E. ENTERPRISE AVENUE SUITE 200
APPLETON, WISCONSIN 54913
(920) 734-9867

EQUIPMENT:
EAGLE PERFORMANCE PLASTICS
2929 W EVERGREEN DRIVE
APPLETON, WISCONSIN 54913
(920) 739-8841

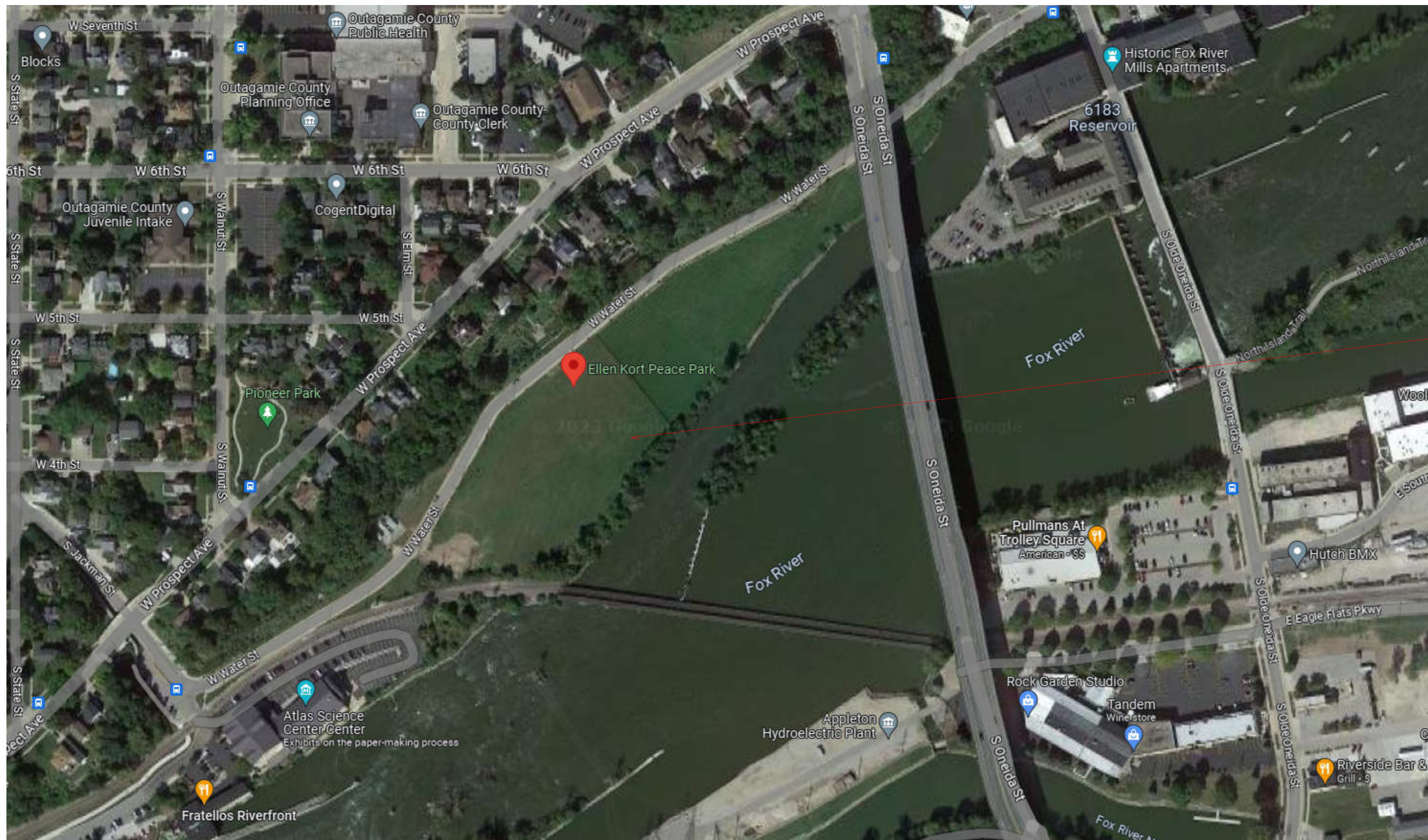
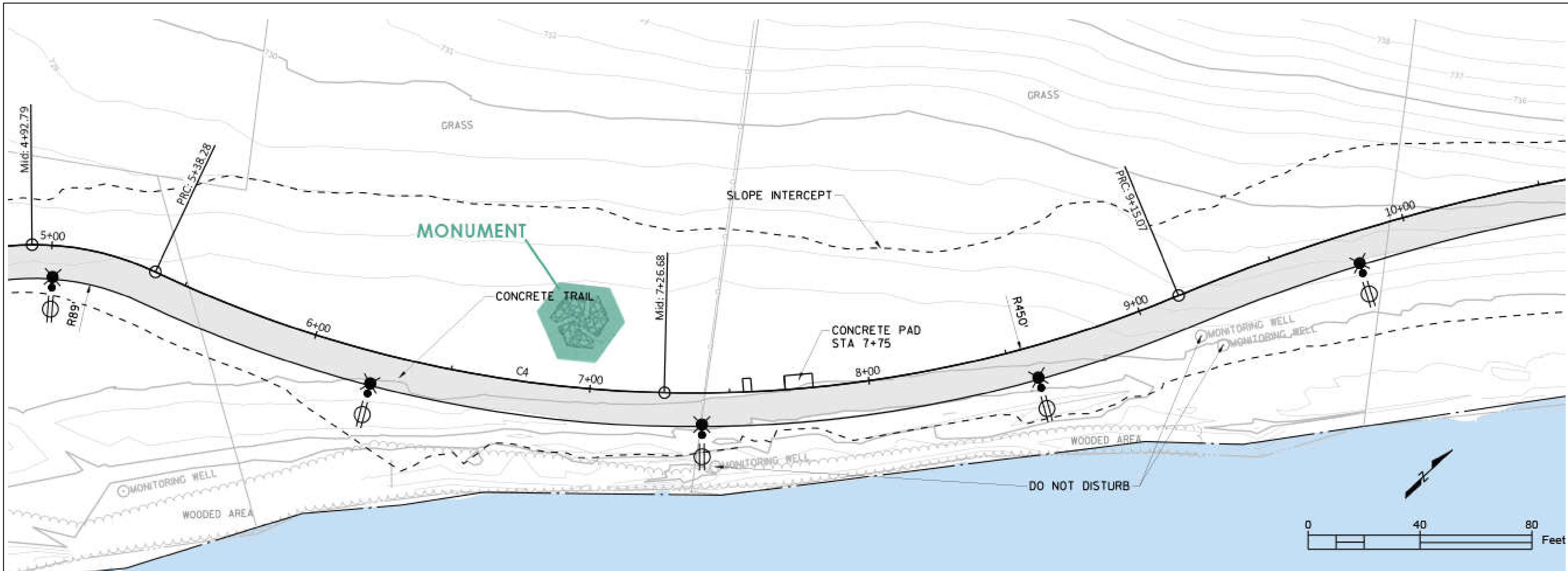
DRAWING INDEX:

GENERAL	ELECTRICAL
GI-000 COVER SHEET	
GI-101 CODE PLAN	
CIVIL	
STRUCTURAL	
ARCHITECTURAL	
AE-101 OVERALL/ENLARGED ROOF AND FLOOR PLANS	
AE-202 ENLARGED COLUMN ELEVATIONS	
AE-301 BUILDING SECTIONS	

DATE	MARK
ISSUED:	Issue Date
PROJECT NO:	
DRAWN BY:	Author
CHECKED BY:	Checker
COPYRIGHT © 2020: HOFFMAN PLANNING, DESIGN & CONSTRUCTION, INC.	

COVER SHEET

GI-000



APPROXIMATE
SITE LOCATION

CONSULTANT:

Monument
SASM
Ellen Kort Peace Park - W Water Street, Appleton, WI
54911

MARK	DATE
ISSUED:	Issue Date
PROJECT NO:	
DRAWN BY:	Author
CHECKED BY:	Checker

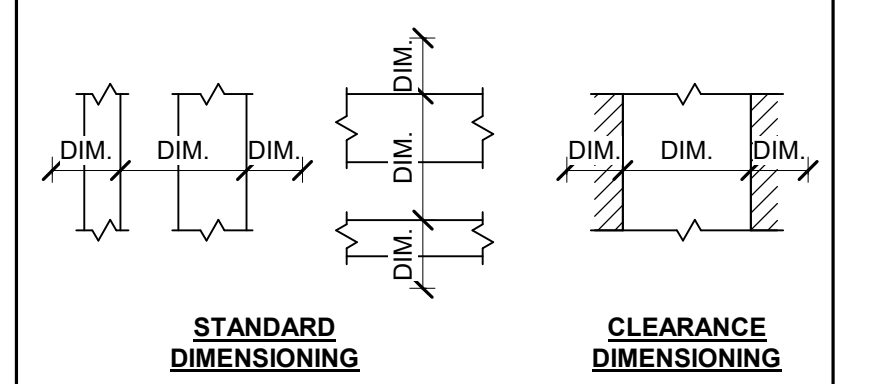
SITE PLAN

AE-001

PRELIMINARY
NOT FOR CONSTRUCTION

WALL DIMENSION KEY

NOTE:
ALL WALLS ARE DIMENSIONED TO FACE OF STUD OR FACE OF MASONRY. CLEARANCE DIMENSIONS ARE FROM FACE OF STUDS OR FACE OF MASONRY.



KEYNOTE LEGEND

KEY NO.	KEYNOTE TEXT
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PLAN NOTES KEY

NO.	DESCRIPTION
-----	-------------

CONSULTANT:

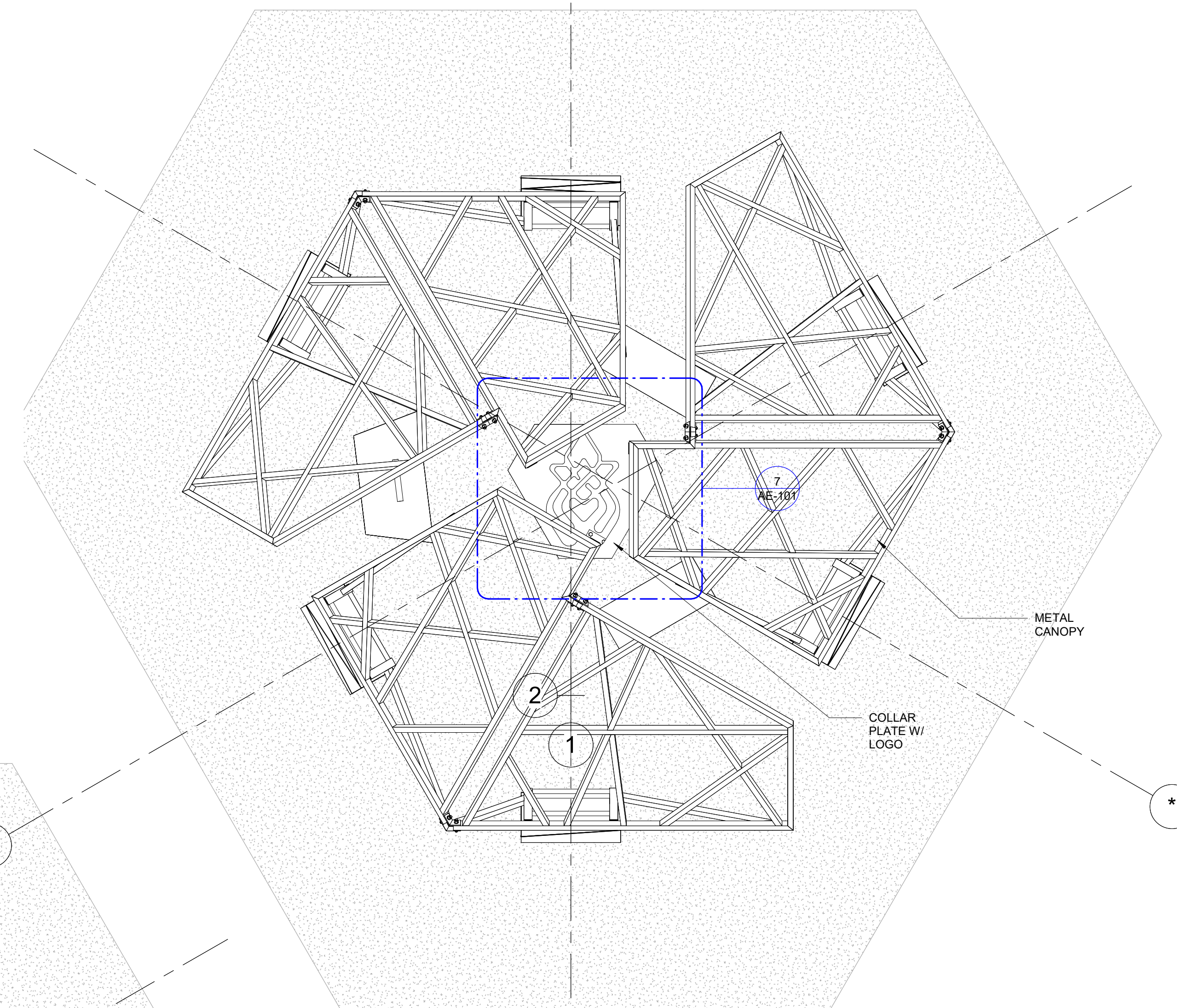
Monument
SASM
Ellen Kort Peace Park - W Water Street, Appleton, WI
54911

MARK	DATE
ISSUED:	Issue Date
PROJECT NO:	
DRAWN BY:	Author
CHECKED BY:	Checker

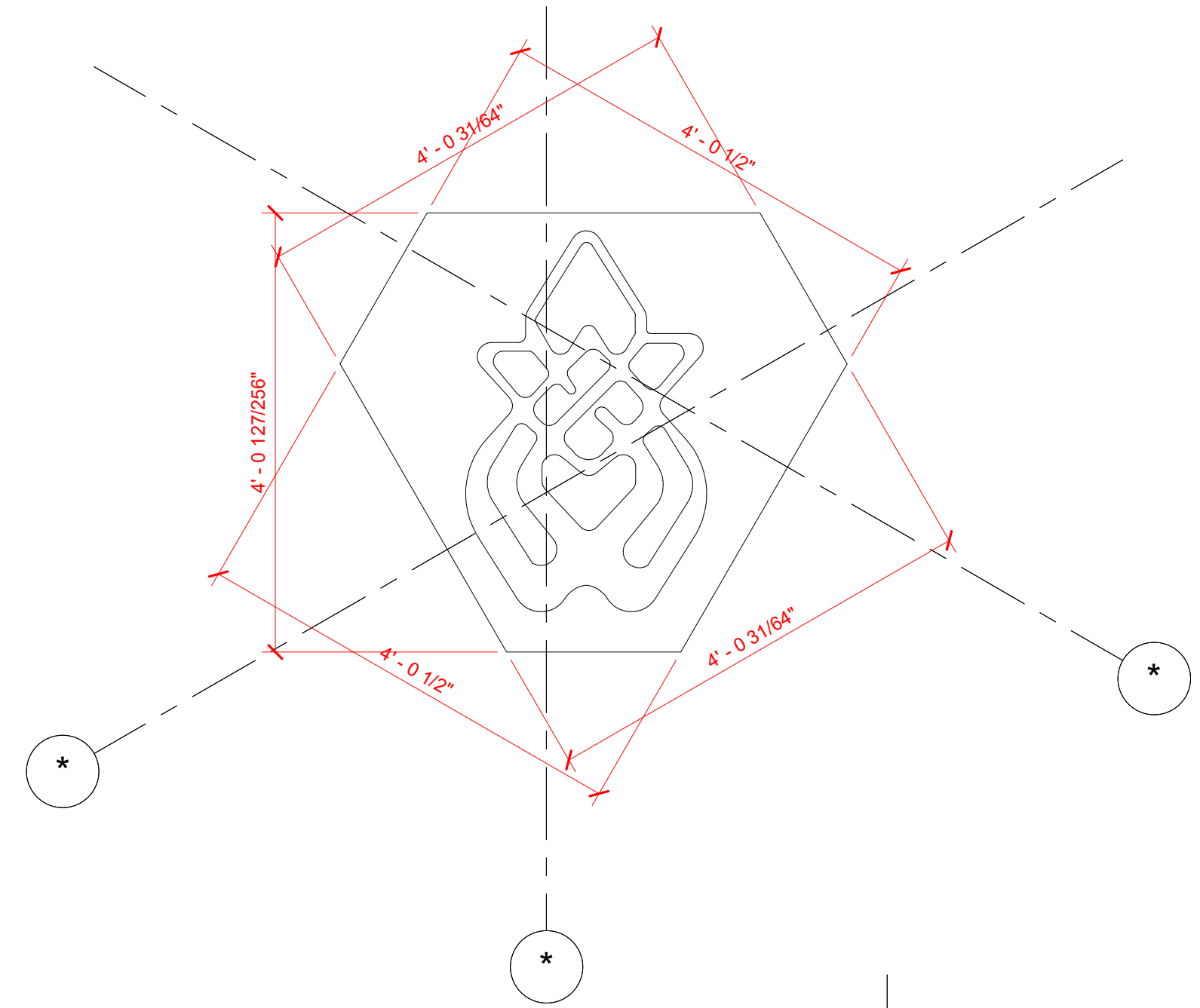
OVERALL/ENLARGED
ROOF AND
FLOOR PLANS

AE-101

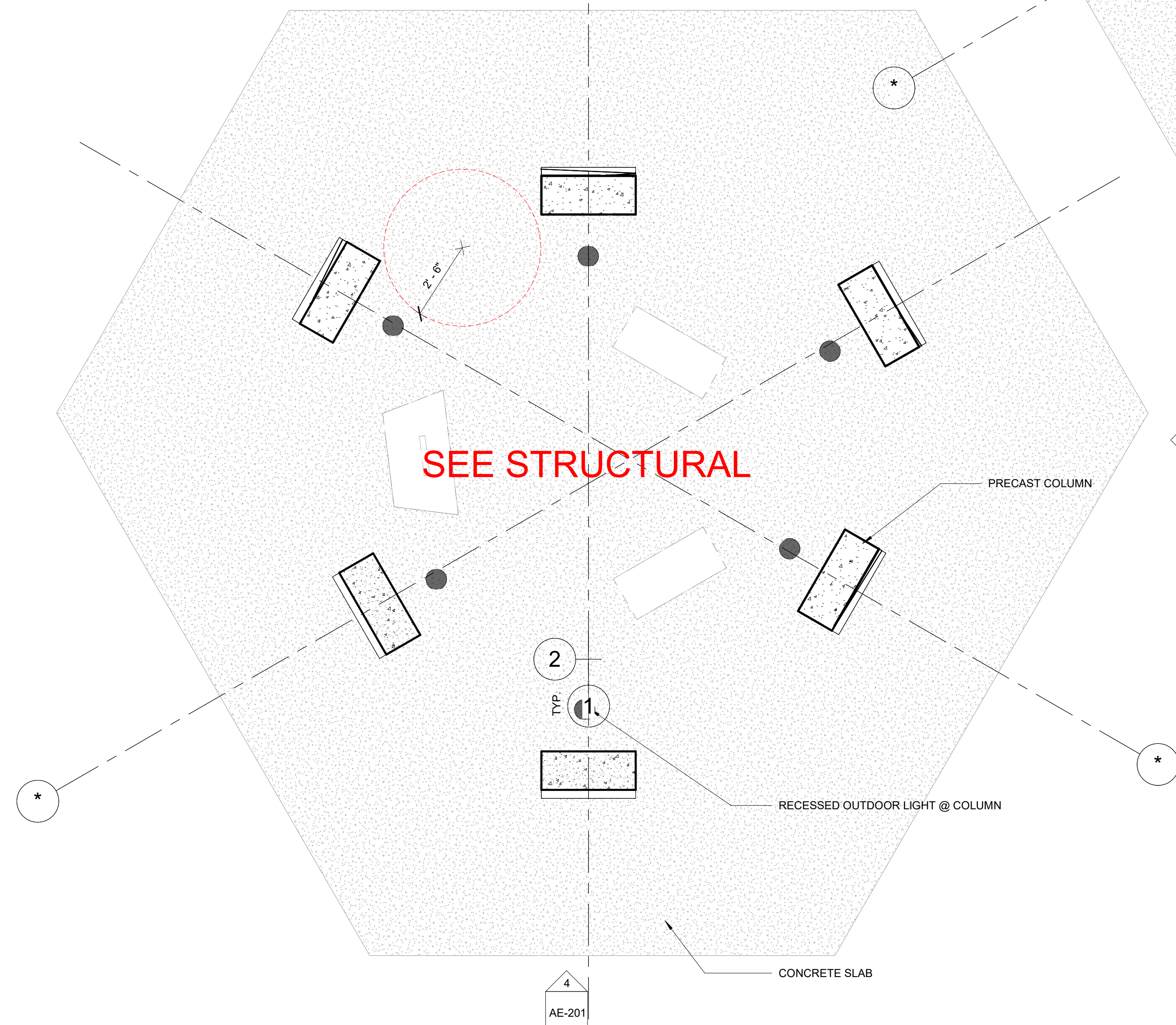
**PRELIMINARY
NOT FOR CONSTRUCTION**



6 CANOPY PLAN
SCALE 3/8" = 1'-0"
AS REFERENCED BY: 1 / AE-201



7 COLLAR PLATE PLAN
SCALE 3/4" = 1'-0"
AS REFERENCED BY: 6 / AE-101



1 GROUND LEVEL PLAN
SCALE 3/8" = 1'-0"
AS REFERENCED BY: 1 / AE-201

SEE STRUCTURAL

CONSULTANT:

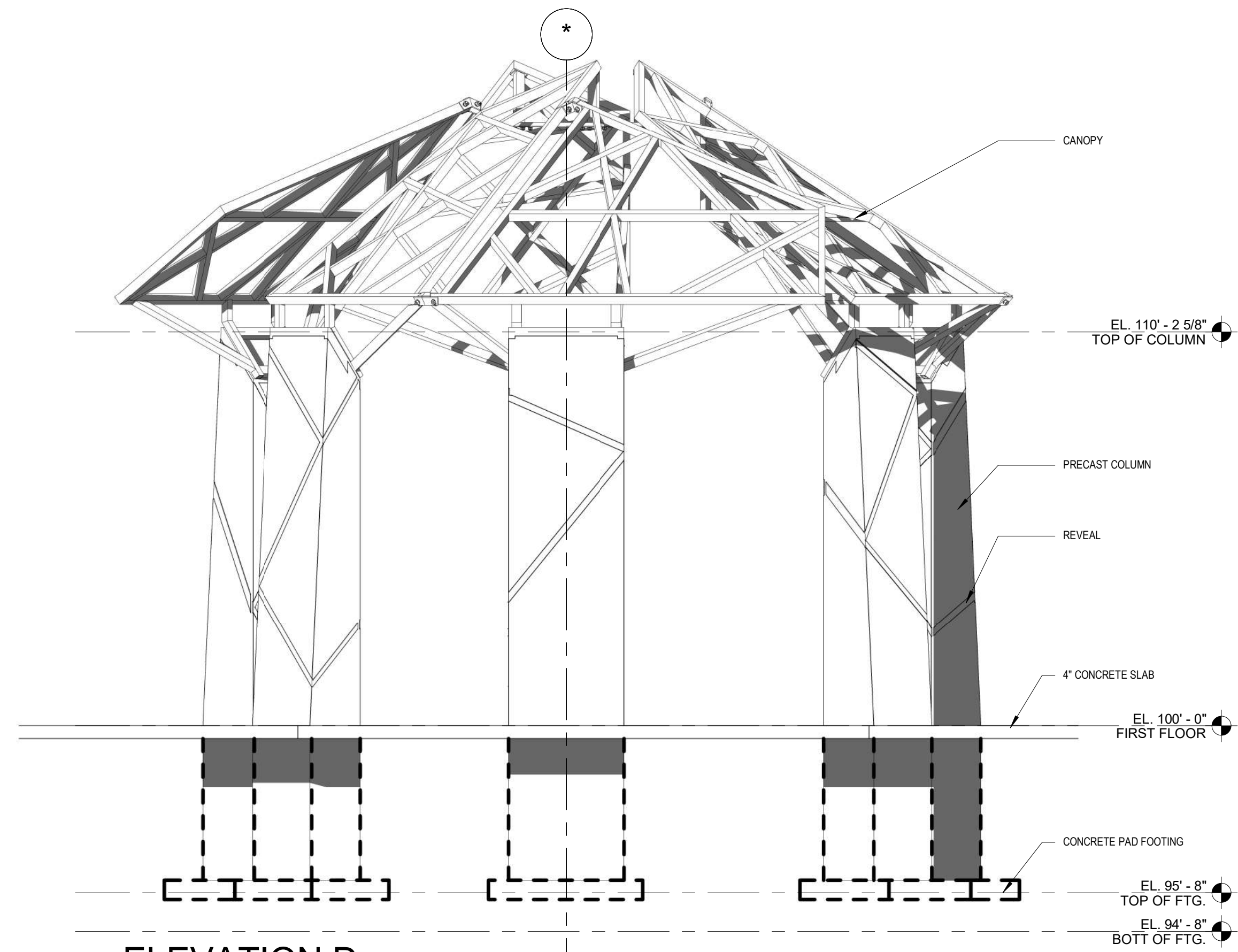
Monument
SASM
 Ellen Kort Peace Park - W Water Street, Appleton, WI
 54911

MARK	DATE
ISSUED:	Issue Date
PROJECT NO:	
DRAWN BY:	Author
CHECKED BY:	Checker
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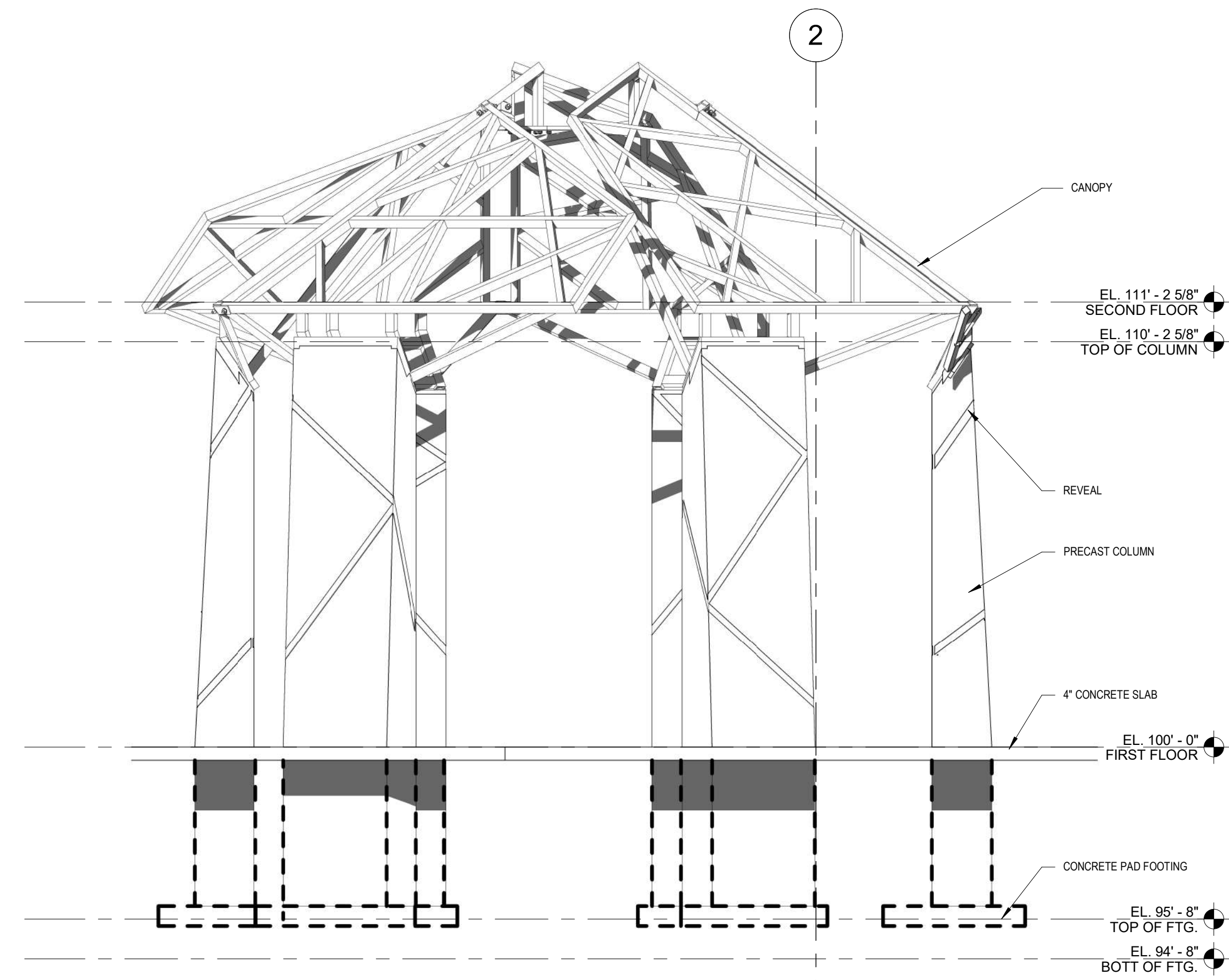
EXTERIOR
 ELEVATIONS

AE-201

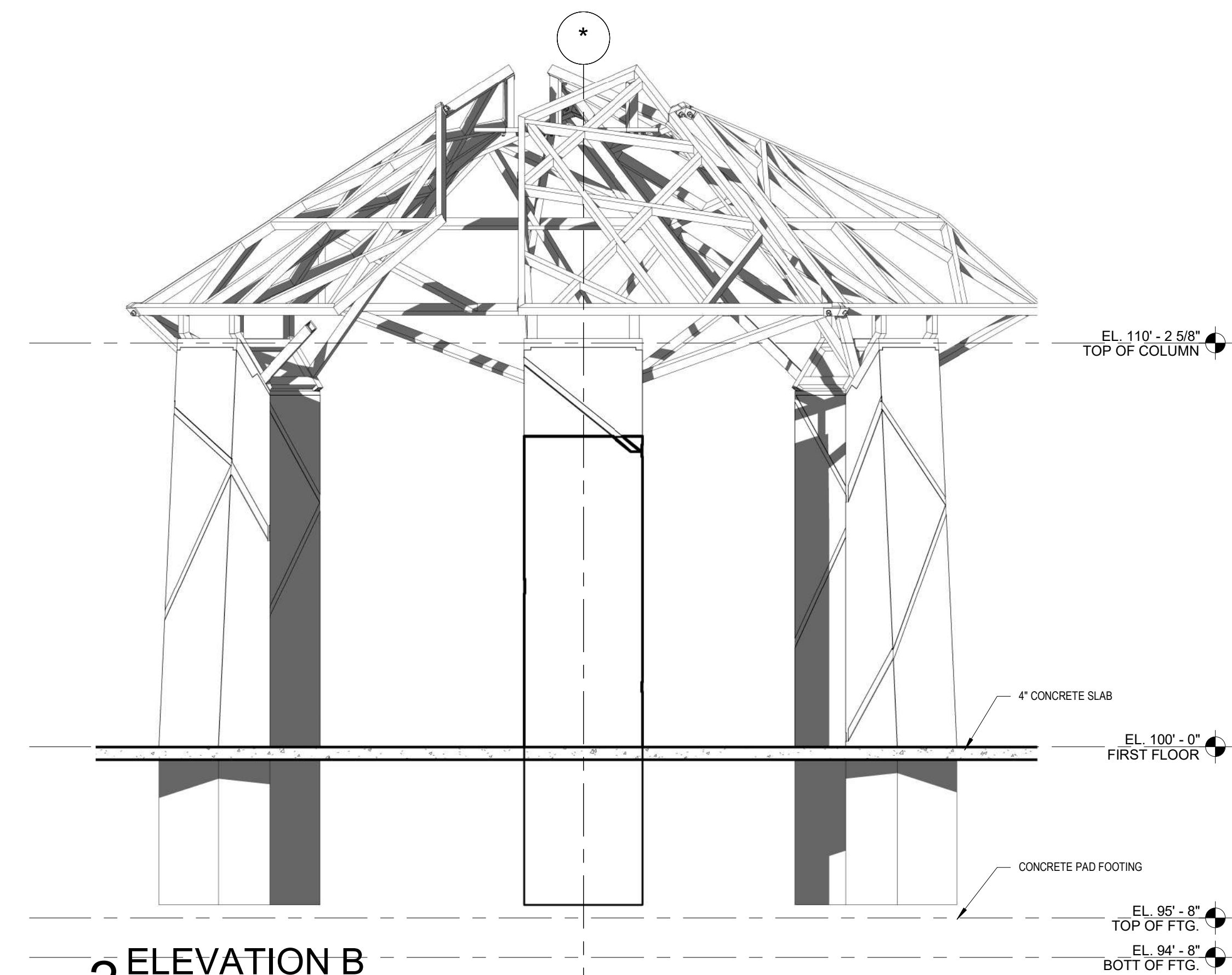
**PRELIMINARY
 NOT FOR CONSTRUCTION**



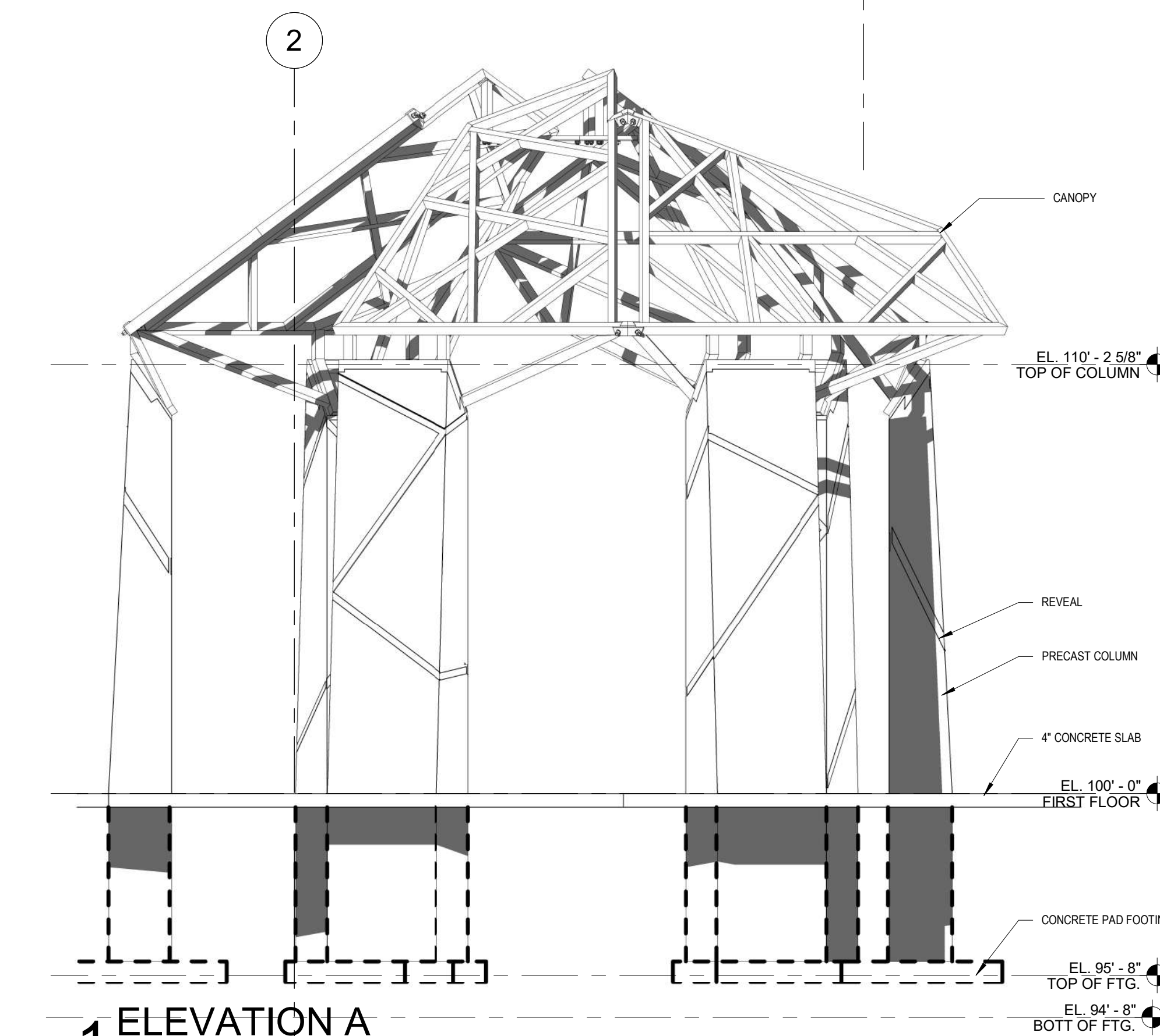
4 ELEVATION D
 SCALE 3/8" = 1'-0"
 AS REFERENCED BY:1 / AE-101



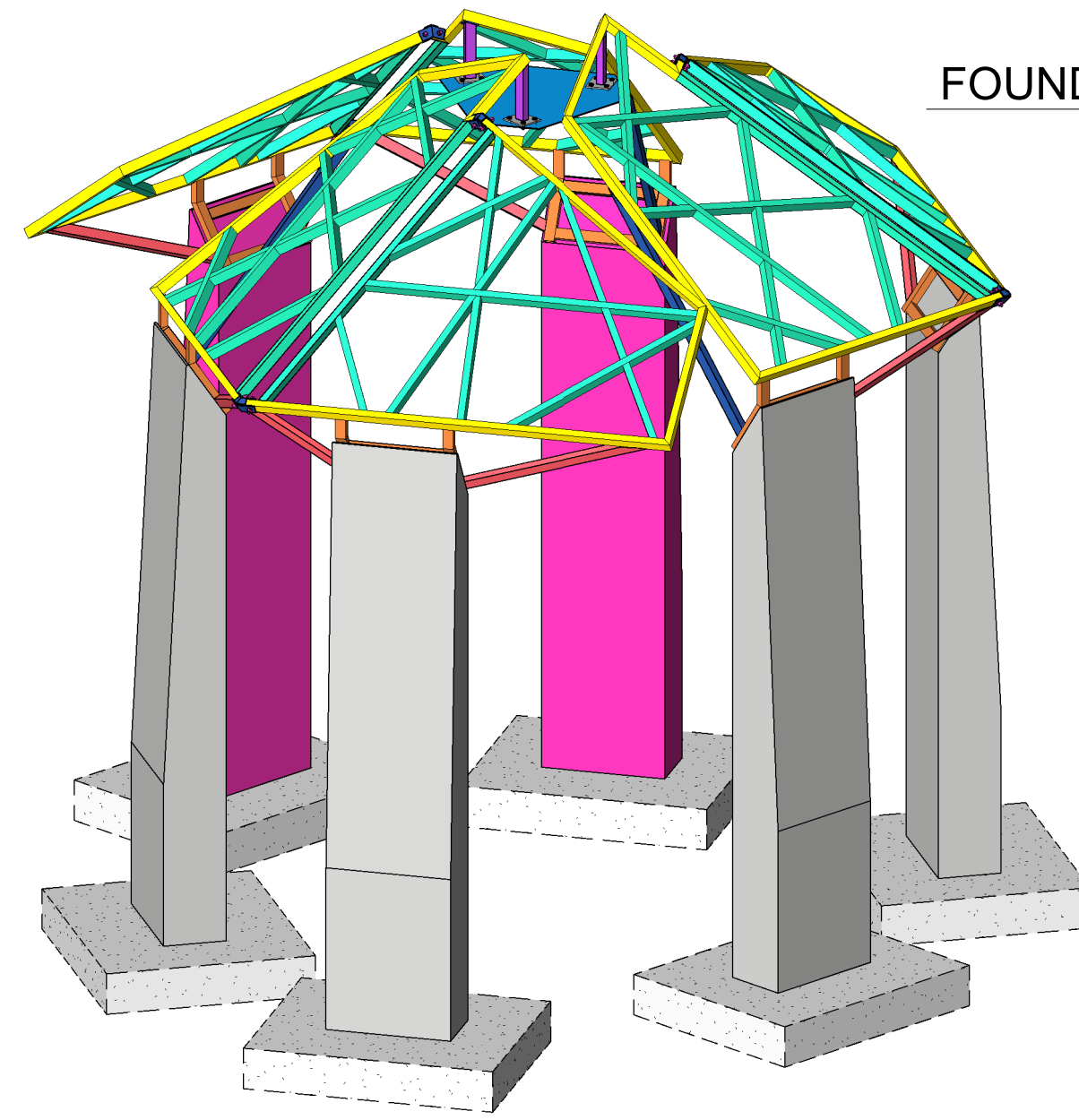
3 ELEVATION C
 SCALE 3/8" = 1'-0"
 AS REFERENCED BY:1 / AE-101



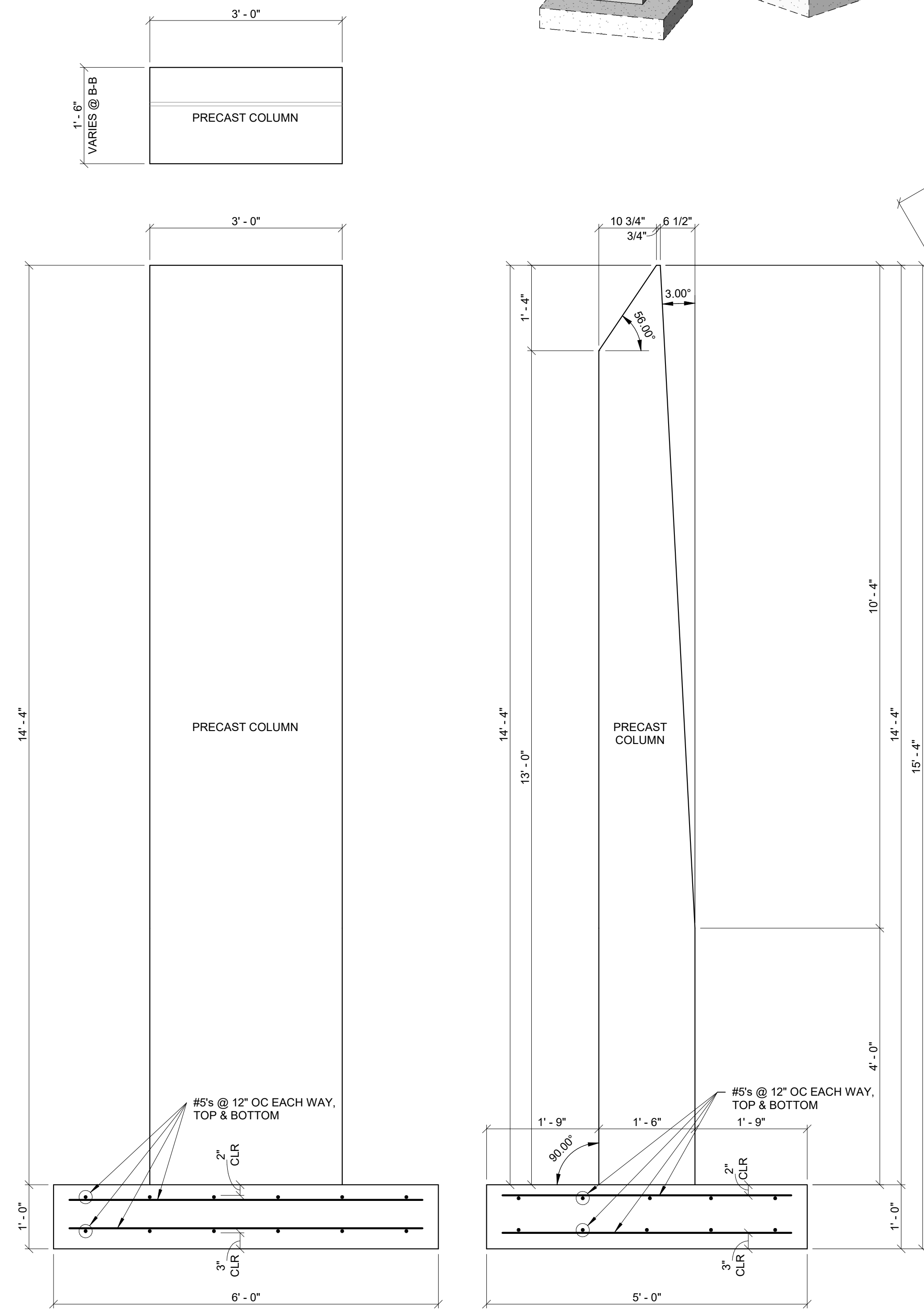
2 ELEVATION B
 SCALE 3/8" = 1'-0"
 AS REFERENCED BY:1 / AE-101



1 ELEVATION A
 SCALE 3/8" = 1'-0"
 AS REFERENCED BY:1 / AE-101

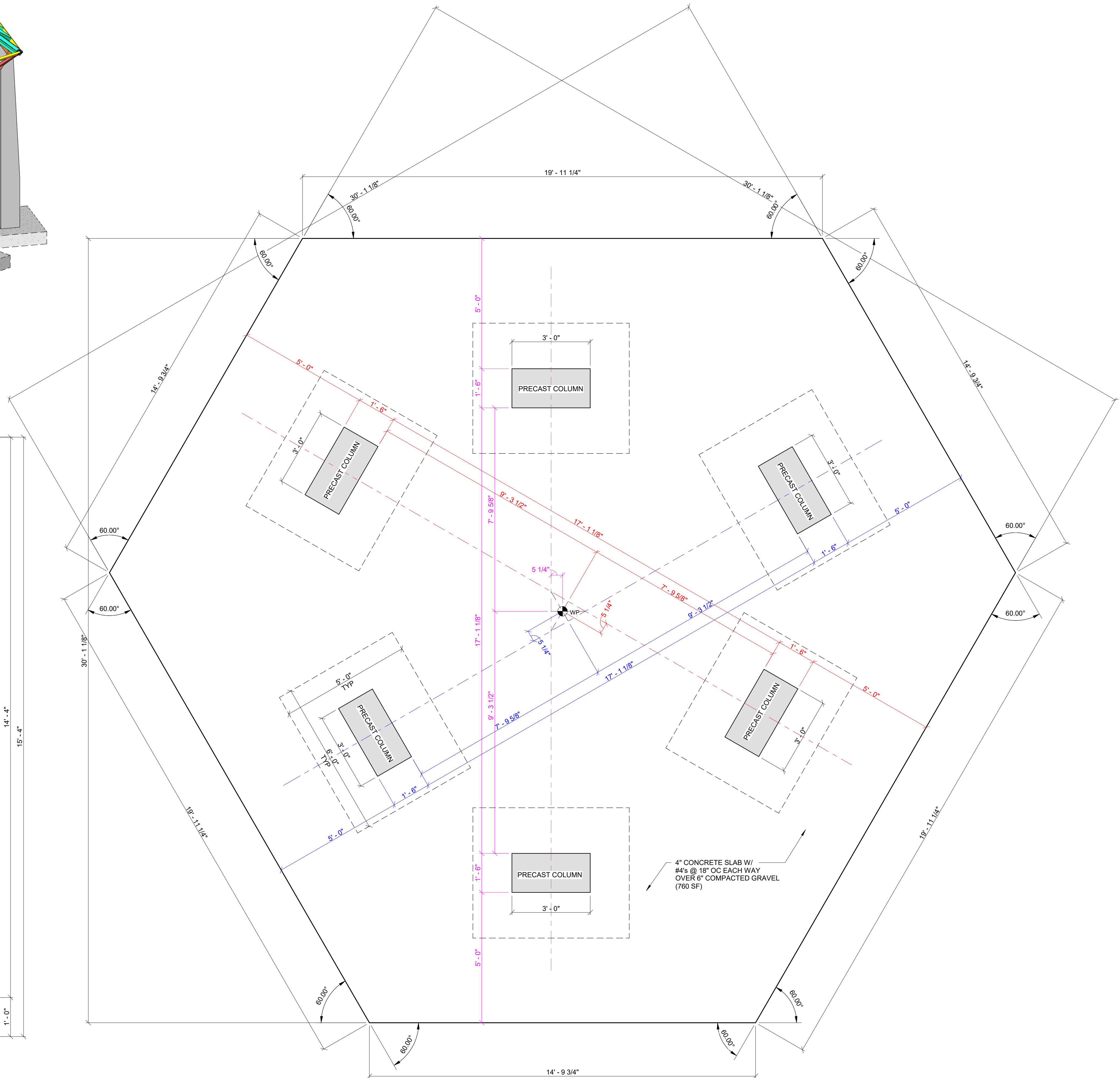


FOUNDATION & FRAMING ISOMETRIC



FOUNDATION DETAIL

3/4" = 1'-0"



FOUNDATION / LAYOUT PLAN

1/2" = 1'-0"

MARK	DATE
ISSUED:	06/09/23
PROJECT NO:	
DRAWN BY:	BJR
CHECKED BY:	CAR

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 CONSTRUCTION, INC.

FOUNDATION &
 PRECAST
 COLUMN PLAN

S2.0



REPORT TO PUBLIC ARTS COMMITTEE

Appleton Public Arts Committee Meeting Date: September 10, 2020

Parks and Recreation Committee Date: September 21, 2020

Common Council Meeting Date: October 7, 2020

Item: Sexual Assault Survivors Monument – Conceptual Review

Case Manager: Jessica Titel

GENERAL INFORMATION

Applicant: Chelsea Bongert – Sexual Assault Survivors Monument Corporation

Address/Parcel: W. Water Street – Ellen Kort Peace Park

Applicant's Request: Applicant is requesting approval of the conceptual design and placement of the Sexual Assault Survivors Monument within the future development of Ellen Kort Peace Park.

PROJECT DETAILS

Brief Description of Project and Location: The monument will be located in the future development of Ellen Kort Peace Park. The design of the park is planned for 2022. This proposal will be reviewed in two steps. First, is this approval of the conceptual design of the monument and the placement within Ellen Kort Peace Park. The applicant will then know if the monument has support and if it will have a place in the park. Assuming it is approved, the applicant can move forward with fundraising, design details and structural engineering with assurance of a location within the park and the City can continue with the design of the park taking into consideration the final placement of the monument. Since the park planning and design will occur in 2022, the City will need to have the final monument design ahead of that so the monument can be incorporated into the park layout. Due to the complexities of the proposed design and significant cost of this project, the applicant requested some level of review and approval prior to embarking on major fundraising efforts.

The second step for this project will include presenting the final detailed design, specifications and structural engineering to the Public Art Committee, Parks and Recreation Committee and Common Council for final review and action. A more narrowed down location within the park would also be presented with the next submittal.

The applicant has provided a detailed project narrative that is attached to this report. The work would comprise of gazebo-like monument with a concrete base and six stone pillars. There will be two curved benches on either side of the monument and a curved wall in the back middle of the gazebo with a firerose design in the front. Renaissance School of the Arts students worked for a semester in a monument design class with designing this monument being their culminating project, so many of these design ideas and parts came from the Renaissance students. Please note, parts of the design are subject to change as the project moves into the detailed design phase.

Sexual Assault Survivors Monument

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Attached to this report are the following supporting documents:

- Detailed project proposal/summary
- Conceptual monument design prepared by Renaissance School of the Arts Students
- Revised 3D monument rendering eliminating the fountain feature (based upon City feedback)
- Conceptual Ellen Kort Peace Park layout

Reason for Choosing the Proposed Location: Ellen Kort Peace Park will be designed as a passive park and is intended for people to visit, reflect and enjoy nature. This monument could fit well with the intended use and vision for this future park.

Description of How the Work is Installed/Anchored/Attached: Final design and structural engineering details will come at a later date and will be presented to the Public Art Committee, Parks and Recreation Committee and Common Council for final review and action prior to park design in 2022.

Timeline and Duration of Installation: The park design is planned for 2022 with construction tentatively scheduled to begin in 2023, subject to final budget approval. The monument will be a permanent structure within the park.

Maintenance and Cost: Due to the early stage of this project maintenance costs are unknown. The applicant will be providing those with the final design. The Sexual Assault Survivors Monument Corporation Nonprofit (501.c3) will plan to set up an endowment fund to cover maintenance costs of the monument.

Associated Signage: There will be a sign in front of the monument as you enter with the mission statement, a brief history, reason for the monument, and the community involvement for the monument. Within the monument there will be plaques on each pillar that describe the meaning/symbolism of the pieces within the monument. The stones on the walkway will also have sponsors engraved on them as well.

Appleton Comprehensive Plan 2010-2030: The City of Appleton *Comprehensive Plan 2010-2030* illustrates the importance of the arts community to Appleton and encourages the expansion and promotion of placemaking and arts in the City. The proposed public art project is consistent with the following goals and objectives of the *Comprehensive Plan 2010-2030*.

Chapter 3 – Community Vision #12: Creative place making and public art enhance the public realm and contribute to a vibrant economy.

Goal 7 – Agricultural, Natural, and Cultural Resources

Appleton will continue to protect and enhance its environmental quality and important natural resources, preserve historic sites, and support cultural opportunities for community residents.

Chapter 14 – Downtown Plan

- *Community Priorities: Ellen Kort Peace Park – This newly designated park is envisioned as a place which celebrates cultural diversity and various forms of public art.*
- *Strategy 1.4 Install sculpture, murals, and other art in public locations throughout the downtown*
- *Strategy 2.1 Maintain and strengthen the vitality of the arts and entertainment niche*
- *Strategy 2.6 Create more Fox River to Downtown tourism opportunities and connections*

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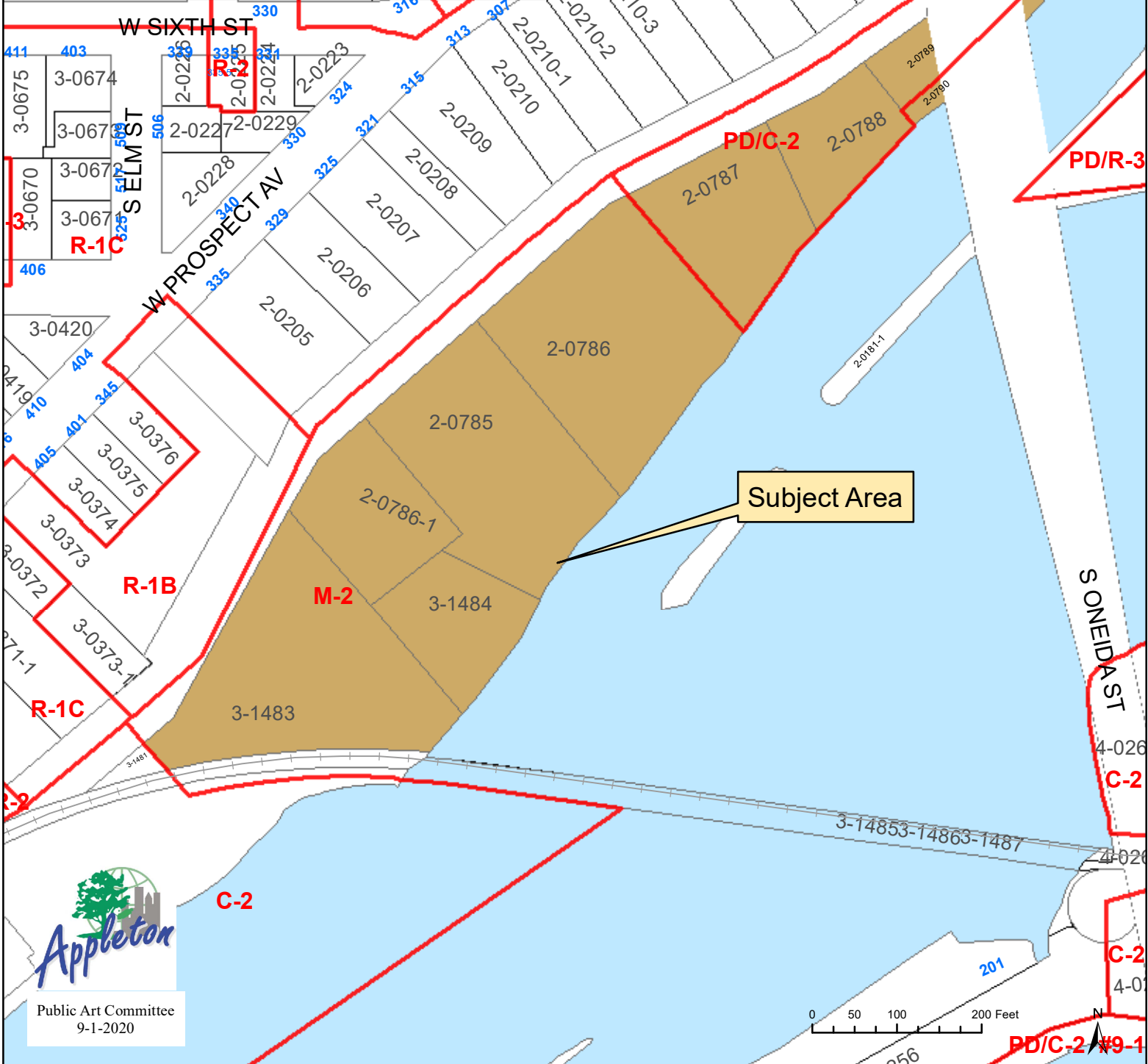
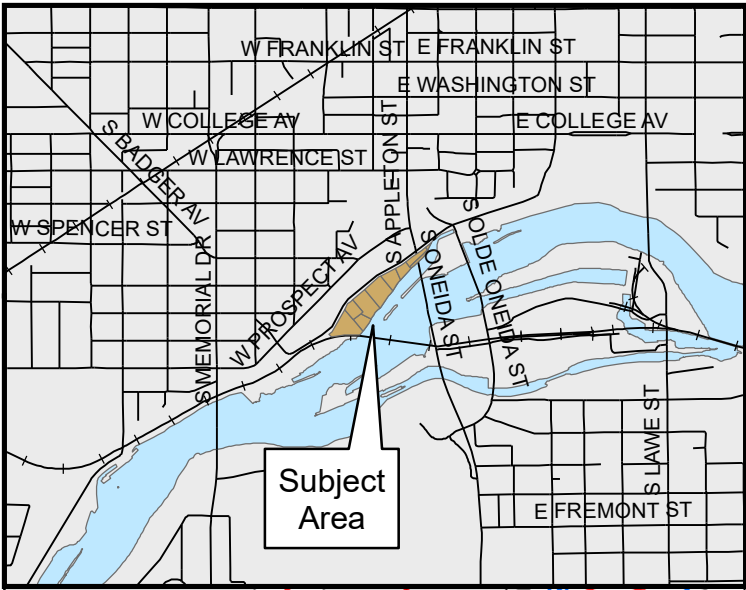
- *Strategy 7.4 Plan, design, and construct improvements to Jones Park and Ellen Kort Peace Park: It is anticipated that Ellen Kort Peace Park will emphasize nature, art, and culture over active play areas or highly formal programming.*

RECOMMENDATION

Based upon the guidelines outlined in the Art in Public Places Policy, staff recommends that the conceptual design of the proposed Sexual Assault Survivors Monument be located within the future Ellen Kort Peace Park, as shown on the attached conceptual plans, **BE APPROVED** subject to the following conditions:

1. Upon approval of the final design and location, an agreement between the applicant and the City will be prepared by the City's Legal Services Department and shall be executed prior to installation. This agreement will memorialize the expectations of the parties including the location of the art, installation and insurance requirements, maintenance, liability, indemnification, and the like.
2. The final design, construction details and structural engineering shall be provided to Staff no later than December 31, 2021. The final design will be presented to the Public Art Committee, Parks and Recreation Committee and Common Council for final review and action before the monument installation. The monument shall not be considered "approved" until this step is complete.
3. Proof of funding (or significant progress towards funding) for the monument shall be provided to Staff by December 31, 2021.
4. Approval of the monument will be contingent on both parties (City and Sexual Assault Survivors Monument Corporation) mutually agreeing on the final design.
5. Applicant shall create an endowment fund for ongoing maintenance of the monument.

Public Art Committee Sexual Assault Survivors Monument Ellen Kort Peace Park Zoning Map



Ellen Kort Peace Park

City of Appleton, WI



Master Plan

- A - Crosswalk
- B - Jones Park Connector
- C - Park Gateway
- D - Poet's Garden
- E - Nature's Gazebo
- F - River's Edge Lawn
- G - Circle Gathering Lawns
- H - Sculptures
- I - Circular Hill
- J - Butterfly Garden
- K - Peace Ring
- L - Path at River's Edge
- M - Pile Supported Walk
- N - Birding Island
- O - Peace Pole
- P - Parking
- Q - Quilt Gardens
- R - Rain Gardens/Detention
- S - Pavilion/Restroom
- T - Future Trail Extension
- U - Steps to Pioneers Park
- V - Overlook

SCALE 0' 20' 40' 80'

LUNDE-WILLIAMS



Sexual Assault Survivors Monument Corporation

Appleton Park Art Application

Submittal Requirements:

1. Brief description of the proposed artwork

The piece will be a gazebo-like monument that brings a voice to sexual assault awareness. It will have two baby trees on either side of the stone walkway up to the monument. The trees will be sponsored each year by area companies with a plaque that accompanies them stating the year, company, and Sexual Assault Survivors Monument and the following year the trees will be replanted at the companies (with the plaque) to symbolize the spreading growth and awareness as a community. The stone path will have rounded stones with sponsor names on them as you walk up to the monument. The monument itself will be ground level with a concrete base and 6 pillars. As planned now, the front two pillars will say "You Matter" and "Be A Voice". The other pillars will have plaques on them that explain the meaning/symbolism of each piece of the monument. Two curved benches will be on either side of the gazebo with colorful mosaic tiles, each coming from an event where area survivors can pick a tile to represent them, or someone they know, who has been affected by sexual assault; therefore involving the community and allowing the topic to hit home. Metal teal ribbon backs will be attached to the benches, as the teal ribbon is for sexual assault awareness. There will then be a curved wall in the back middle of the gazebo with a firerose design in the front and cubby holes on either side. Within each cubby will be a plastic bottle where survivors and community members can leave messages of hope and encouragement, their own story and healing, and words of comfort. Visitors to the monument can then read these, take a message to keep and refill the bottle with their own message, or just write a message to leave in a bottle. It will make the monument a "living" space. Please note, parts of this plan are subject to change and open to change as well, but this is the best description of the design we have today. Renaissance School of the Arts students actually worked for a semester in a monument design class with designing this monument being their culminating project, so many of these design ideas and parts came from the Renaissance students.

2. Photos/sketches of the proposed artwork (see attached images)

In the attached images, you will see a sketch I have done (keeping in mind that the fountain in my sketch has been discussed and changed to a curved wall in

the back, so no fountain will be planned). The other design is a 3D graphic rendering of the monument

3. Site plan/location map showing location of proposed work

Ellen Kort Peace Park - actual location within to be determined once park design is planned

4. Reason for choosing the proposed location

I cannot think of a better location for a monument like this; one that is built for reflection, healing, and hope. The Ellen Kort Peace Park is designed for just that purpose. I did not know Ellen Kort personally, but I do know she was a teacher, as I am also, with a passion to make a difference and be a voice with her work and writings. She actually taught at Renaissance School of the Arts years back, and now present students from Renaissance are the ones that designed this monument for the community. Both of those details of teaching and Renaissance really brings a part of her life back to the park. Ellen was an amazing woman, going beyond her classroom and into the community to bring hope and change. Her words were powerful, as was her mission and love. As many of you know, she took her workshops everywhere - into schools, to at-risk teens, grieving parents, domestic abuse survivors, and women in prison. She had a heart for those who knew pain in their lives and reached out to them. Her words were a beacon of hope, and that is what this monument would be as well. Therefore, it would be an honor to have the Sexual Assault Survivors Monument call Ellen Kort Peace Park its home. It fits the mission of the park and has details that reflect Ellen Kort's life.

5. Description of how the work is installed/anchored/attached

Our plan at the moment is the base of the monument will be concrete and the structure will be built on top of that and secured onto the concrete base. So, wedge anchors will be put in place to hold the gazebo frame in place and the legs can then be bolted directly into place. That is my understanding at the moment.

6. Installation specifications provided by a structural engineer

We have met and plan to work with Hoffman Planning, Design, and Construction and had an initial meeting with them. They would like to know we have a spot secured in the park before moving forward and charging us money without that guarantee. Once that is guaranteed we will be more than happy to share specifics about installation. The dimensions we have discussed are 10 ft

diameter, and about 12 to 14 feet tall. The columns will be made of either cement or fiberglass outside with a steel rod running down the center. Both would be easy to maintain. The roof is planned to be metal, with the top roof being colored teal metal roofing, and the windows around the top roof would be plexiglass. Again, the roofing material would be easy to maintain. The benches would be concrete with a metal teal ribbon as the backs, and the curved survivor wall would also be made of concrete with the firerose colored and stamped in.

7. Timeline and duration of installation

Again, our plan is to install it in Ellen Kort Peace Park after the park is done being built, or if possible, while it is in the final stages - that decision is up to the Board. The specific amount of time this would take is unknown to me at this time, but again I am more than willing to share that information with you the moment we have it.

8. How the artwork will be maintained (including any costs associated with the maintenance and who will be responsible for those costs)

We, as the Sexual Assault Survivors Monument Corporation Nonprofit (501.c3) plan to set up an endowment fund as we fundraise for this exact purpose and plan to cover maintenance costs of the monument.

9. Description of any associated signage

There will be a sign in front of the monument as you enter, giving our mission statement (see letter), a brief history, reason for the monument, and the community involvement put into the monument (such as Renaissance students for example). Within the monument there will be plaques on each pillar that describe the meaning/symbolism of pieces within the monument. The stones on the walkway will also have sponsors engraved on them as well.

***Please note that these are the plans and ideas as of right now and that they may be subject to change as we are in the early phases of this project. So please understand some of this may evolve over time.

Thank you for your time taken to read this application and for your dedicated consideration for this monument to be placed in Ellen Kort Peace Park. I look forward to working with each of you in the future as we move forward.

Chelsea Bongert - Founder, Speaker, Advocate, Teacher
Sexual Assault Survivors Monument Corporation





Sexual Assault Survivors Monument Corporation

W2162 Daisy Ln * Brillion, WI * 54110

Dear Appleton Park and Recreation Committee,

My name is Chelsea Bongert and I am a teacher in the Appleton Area School District, teaching 8th grade math. I am also a speaker, advocate, and survivor of sexual assault. This will be my 10th year speaking to schools in the Fox Cities area. I started speaking during my first year at Wilson Middle School. I remember asking my administration what was done for sexual assault awareness and if I could hold an all school assembly on the topic, and they said yes. I shared my personal story of multiple rapes and assaults - the pain, the emotions, the hope and healing that comes, and what actions we can take together to make a change in the community and our own thinking. Now, 9 years later, I am joined by a panel of experts from Catalpa Health, Sexual Assault Crisis Center, Reach Counseling, Harbor House, and Center for Suicide Awareness-Hopeline, and we hold annual assemblies at every middle school in Appleton, and other schools in the Fox Cities, speaking on sexual assault awareness. I have also spoken at the Appleton Voices of Men annual events, business events, lead staff developments, and spoke for 3 days in LaCrosse at middle schools and community events. Each year I have multiple students and staff come to me after events in tears - telling me their personal story of sexual assault. I have heard stories of indescribable pain come from area 8th grade students, and seen tears roll down the faces of veteran teachers saying "I have never told anyone in 30 years..." I have held survivors as they cried, finally knowing it is not their fault and they are not alone. Every year I continue to speak and spread awareness, but always ask myself, "What more can I do?" If only I could raise bigger community awareness, and also give hope to victims and survivors - letting them know they are not alone.

Because of these experiences in the last 10 years, I started the nonprofit Sexual Assault Survivors Monument Corporation. We are a recognized 501.c3 and I am happy to share that paperwork with you as well. Our nonprofit's mission is: **To be a beacon of hope and strength to victims and survivors - reminding them they matter - and educating the community so we can use our voices together to create change.**

As part of this mission to bring awareness, we would like to create a monument in Appleton. We have already started fundraising and collaborated with the students from Renaissance School of the Arts in Appleton to create a design. The teachers created a class this past semester solely focused on monument design and the final project was



Sexual Assault Survivors Monument Corporation

W2162 Daisy Ln * Brillion, WI * 54110

to design the Sexual Assault Survivors Monument. The students presented to our Board in groups and did a phenomenal job. We have now taken their ideas and designs and created a final monument, incorporating ideas from each student group. It is very important to us that the members of the community feel they own and take part in this monument. That was one of the reasons it was important to us to have the design done by the youth of Appleton. The final design has been very carefully thought out, with symbolism and community involvement, and we are proud of what it is.

As a survivor myself, and someone who has heard so many stories of pain and heartbreak from our own in Appleton, this project is very dear to my heart. I feel I owe it to victims still struggling and feeling alone, to my students, past and present, who have cried in my classroom after school as they shared their story of assault with me, to all the survivors in our community. This monument will be a stand as the message to survivors "You Matter" and to the community it will say "Be educated, be aware - then have determination to make a positive difference." It will be a symbol of our continued efforts to end sexual violence, and also create a safe place of reflection and conversation.

This is the point where I humbly come to you, as the Appleton Park and Recreation Committee, asking for authorization to move forward with, and raise money for, the Sexual Assault Survivors Monument, and if I do, then the City of Appleton would authorize the monument with the intent of it being placed in Ellen Kort Korte Peace Park. I cannot think of a better location for a monument like this; one that is built for reflection, healing, and hope. I did not know Ellen Kort personally, but I do know she was a teacher with a passion to make a difference and be a voice with her work and writings. She actually taught at Renaissance School of the Arts years back, and now present students from Renaissance are the ones that designed this monument for the community. Ellen was an amazing woman, going beyond her classroom and into the community to bring hope and change. Her words were powerful, as was her mission and love. As many of you know, she took her workshops everywhere - into schools, to at-risk teens, grieving parents, domestic abuse survivors, and women in prison. She had a heart for those who knew pain in their lives and reached out to them. She believed in her mission enough to carry around glow in the dark chalk just to write messages on the sidewalks. Her words were a beacon of hope, and that is what this monument would be as well. Therefore, it would be an honor to have the Sexual Assault Survivors Monument call Ellen Kort Korte Peace Park its home.



Sexual Assault Survivors Monument Corporation

W2162 Daisy Ln * Brillion, WI * 54110

My plan is to, with your authorization, spend the next couple years raising 100% of the funds for the Sexual Assault Survivors Monument, with the agreement that it would then stand in Ellen Kort Korte Peace Park in Appleton. I truly appreciate you taking the time to consider this and read my letter of request. Please know I, and my Board, am more than willing to sit with each of you and have a discussion and answer any questions you may have. Thank you again, and I look forward to talking with you in the near future.

Best regards,

Chelsea Bongert
President, Sexual Assault Survivors Monument Corp
(920) 915 - 7211
bongertchelsea@asds.k12.wi.us
chelseabongert@gmail.com



SEXUAL ASSAULT SURVIVORS MONUMENT

YOU MATTER

STRENGTH

SIGN EXPLAIN MONUMENT







Brenda Broeske

From: Isaac Uitenbroek <iduitenbroek@gmail.com>
Sent: Wednesday, July 5, 2023 8:01 PM
To: Brenda Broeske
Subject: Vice Chair

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Fellow Commissioners,

I have recently taken on a new role with Outagamie County as Zoning Administrator. Unfortunately, my availability to attend our commission meetings regularly, will be reduced. As a result, I would like to step down as Vice Chair and continue to serve as a commissioner. I appreciate your understanding, and look forward to our continued work together on the Appleton City Planning Commission.

Respectfully,

Isaac Uitenbroek

Attention: This message was sent from a source external to the City of Appleton. Please use caution when opening attachments or clicking links.