

Item 24-0317: Public Hearing For Rezoning #2-24

Item 24-0317: Request to approve Rezoning #2-24 for the subject parcel located south of E. Midway Road, south of the roundabout at E. Plank Road (Tax Id #31-9-4161-02), including to the centerline of the existing adjacent street right-of-way, as shown on the attached maps, from R-1A Single-Family District to R-3 Multi-Family District

City Plan Commission

Wed, Mar 27, 2024 3:30PM

Mayor Jake Woodford 01:12

Right, we do have a public hearing this afternoon. This is item 23-0316 rezoning number 2-24 for the subject parcel located south of east Midway Road south of the roundabout at East Plank Road. And to tell us about this will be Jess Titel. All right.

Principal Planner Jessica Titel 01:34

Okay, the subject parcel is at the southwest corner of Midway and Plank Road. The property is currently undeveloped and contains about 5.2 acres of land. The request is to rezone the property from R1A single family to R3 multifamily district. The request is consistent with the city's comprehensive plan and the zoning code parameters for zoning map amendments. The properties adjacent to this one along the north and the west side also have an R3 and multifamily land uses.

Principal Planner Jessica Titel 02:04

I'll provide a little bit of background on this parcel. The parcel was annexed to the city in 1985. At the time of annexation, it was signed—assigned an R1A zoning classification. This was the standard procedure for all properties that were annexed into the city at that time. It did not reflect the proposed use of the property. The property has also been shown as future multifamily land use since at least 2004. The vision 2020 comprehensive plan was adopted by the Common Council in 2004. The future multifamily land use was reaffirmed with the adoption of the 2010-2030 Comp plan, and again with the updated 2010-2030 comp plan in 2017. During the development of those plans, there was many opportunities for public comment for the community.

Principal Planner Jessica Titel 02:55

The request today is just for the zoning of the property which establishes the land use and the development parameters. The plan commission is not being asked to act on a proposed development with this request. No applications for a site plan have been submitted at this time, and any future development would require an application for a site plan review prior to any site work beginning. During that site plan review—a number of city departments are involved in the review for conformance with the city's municipal code, including items such as grading, drainage, stormwater management, access, erosion control, setbacks, parking, landscaping, fire, utilities. All those items go into the review of site plan development. So given that report, and based on review of the rezoning request, staff has determined that the request meets the parameters in the zoning code and would recommend approval.

Mayor Jake Woodford 03:46

Thank you. All Right, before we get into the public hearing, just a couple of things to keep in mind. This this is a public hearing, but we'll not be engaging in dialogue between the commission, city staff, or the applicant and members of the public during the hearing. So, if you have questions during the hearing, please raise your questions. Staff will be keeping track of your questions, and we'll do our best to answer those questions that

come up during the hearing after the hearing concludes. But the hearing is not a dialogue between the commission, city staff, or the applicant and members of the public.

Mayor Jake Woodford 04:24

There are no time limits on public comment during public hearings. However, we would just ask as a courtesy that you try to keep your comments concise and to the point and consider the points that have been made by others around you, as you offer your comments. And we for public hearings do not take a sign in to establish the order. So, we'll just work our way through members of the public who'd like to like to speak, and we'll just manage that together through the process here. So, with that we'll open the public hearing. Is there anyone who wishes to speak? Please come on up. We'd ask that you please state your name and address for the record.

Carol S. (Resident) 05:09

Hi, I'm [Carol S.] I live at [XXXXX] Orchard Blossom. My backyard would back directly up to this project. I may begin?

Mayor Jake Woodford 05:20

Please go ahead.

Carol S. (Resident) 05:21

Okay. Behind me are a number of neighbors, and I will speak a little bit on some of their behalf but I allow them to speak on their own behalf, of course. I handed our aldermen 20 or more—I think there were 21 or 22—pages that we have distributed around the neighborhood and individuals have said that they are in favor of keeping this as single family. I personally have been contacting the city since 2011 asking almost yearly, what is going to happen with the field. And when the for-sale signs went up, I contacted the city and asked again, and I asked if we would be notified if there was any change because when I purchased my property in 2011, I was told that it was R1A single family.

Carol S. (Resident) 06:03

I have in the—can you pull those out for just a moment so I can show? No, the yellow ones that I gave.

Mayor Jake Woodford 06:08

We have—staff has those.

Carol S. (Resident) 06:10

Across the street from me is [Paul P.]. [Mr. P.] purchased his home—it was built prior to most of ours. Like, it was one of the first in the neighborhood. And he said that at that time, they were assured it was going to continue R1A. When you look at the map that we were given—and may I, may I give an exhibit? Is that appropriate?

Mayor Jake Woodford 06:31

If—do have something to distribute or what's the...? Yeah, that's fine. Yes, please, we'll take that.

Carol S. (Resident) 06:49

And may I hand it off to each of you? What I'm handing out looks like this, and it shows the subject parcel. It is this piece right here, this piece right here. I would ask to be notified of what is planned for the parcel directly to the east. That parcel goes up to the Solitude Tahoe neighborhood. When that neighborhood was developed (And I believe it was Sue Carlson that develop that neighborhood), she was assured at that time that that would all be single family.

Carol S. (Resident) 07:25

By making this parcel—this little triangle behind all of us—multifamily, you are essentially making the Solitude neighborhood into an island as well as the Blueberry Huckleberry neighborhoods. So, it's silly when I look at it, and I look at this thing here. If this is single family over here, and directly to the west, there's another empty field. I don't know—Mr. Doran, do you know if there's already been plans made for that piece of property? That is also zoned R1A single family, and it's shown on the long-term city plan as single family. Why this one little triangle is here.

Carol S. (Resident) 07:59

So, I was told that that developer did not go through with the plans. And so that's why it remains single family R1A. I would ask that we please consider for the continuity of the neighborhood, for Janet Berry school, and for all of the millions of questions that I put on this sheet down here and which has come from all of the neighbors that we do strongly consider this remaining r1 A.

Carol S. (Resident) 07:59

So, I called last weekend, I believe it was Ms. Titel that I talked to and asked, "Why is this so in multifamily? What makes it so special? Why is this one little triangle different?" And I was told that at the time that this was all developed, when there is multifamily over here on the corner by Janet Berry school (it's kitty corner to the school) that they thought and the developer at that time thought that he would continue that same development. It is a very nice development. It is very small, and that is why it was put on the comprehensive plan as possibly at some point turning into multifamily. And that is why I've been calling the city every time every year for the last 10 years to ask about this parcel.

Carol S. (Resident) 09:05

There is going to be a new park put in just to the east of this parcel by the town of Harrison. I think it's called Rennet Park. It would be great for everyone in the neighborhood to be able to go through that area and make it to that park. It's on a busy street; Midway is a bit busy, but if the piece just to the east of it is also single family, why are we singling this one out as multifamily.

Carol S. (Resident) 09:28

We have been given a site plan by the developer. It was sent to all of us in the neighborhood. I have a number of questions as to how many feet these units are from our back lot lines. Behind the parcel—or behind my personal parcel is a detention pond. The city may or may not remember. I—Mr. Doran I don't believe you were alderperson at the time. I think it was Katie who's now your—thank you, Katie. There you are. Katie was very instrumental. Two sewers had to be put in on that back lot line for the water problem.

Carol S. (Resident) 10:07

I checked yesterday; I check every day. We used to have to put two sump pumps in our backyard and they ran for two months straight, because the city gave the dirt from the roundabout to the Jonan family farm, which raised the elevation over by the condominiums. And it all runs down the field, down here through my backyard, and out to the front. So, I understand you will be addressing the water issues. But I will tell you, they were not completely solved.

Carol S. (Resident) 10:34

The first sewer is—I believe, I was told by a neighbor who's here that it is between 12 and 18 inches above the ground and never gets any water in it. So having a detention pond in that area, there is not one of these units

directly behind my home planned. So actually, I have the best of all worlds, and I really don't need to be here. But I also believe in supporting all of my neighbors and supporting the field that we currently have.

Carol S. (Resident) 11:02

Right now. We have sandhill cranes, we have two red tail hawks, we've got all sorts of nature going on that field, and I know it will be developed. I have many questions about the amount of impervious surfaces. Currently, we have garbage pickup at 5am on a Thursday morning. If we have 25 more units, which is what are plans, are we going to hear 25 more dumps of the garbage truck? I have questions about the lighting. I have—we have lots and lots of questions as neighbors.

Carol S. (Resident) 11:29

So, we would ask for you as a Council to please give serious consideration as to what we were all told when we bought our properties, including my neighbor across the street, which was one of the first ones in this subdivision. Please strongly consider the continuity of the neighborhood, the fact that Janet Berry school is less than a block away. One of the comments on that sheet was "How will this development assist in the content—in the longevity of Janet Berry school? Wouldn't it be better to have single family?" There are so many questions that we have. And I understand the developer is doing a good job. They will all do a good job. But really shouldn't this—the biggest question is "Why move this to multifamily when single family is what's in that area?"

Carol S. (Resident) 12:13

One final note. In the last year, two years, there have been built—we have—I have to look at the numbers—168 new units in a an apartment complex called Novella. I don't know how many new apartment units in a place called Mirragio, which by the way, they drive constantly through the Tahoe subdivision. They're always cutting through on their way to Walmart. Lake Park development down Lake Park Road. Now these are all Town of Harrison. So perhaps the city of Appleton is not aware, but there literally have been—I don't know the exact numbers (perhaps someone in the city can research it)—well over 500 new units built within the last year and a half. So, what is the true need for single family?

Carol S. (Resident) 12:55

In the developers letter he states that he wants to make jobs that the city will need for economic development. This development is currently slated on the on the developers plan as a retirement community. And the last time I checked, retirement people aren't going to be getting new jobs. So, unless they're just jobs for the builders, which a builder would build a single family just as well as they could build a multifamily. And if you look at the Lexington Home developments, they're not local builders that are be coming in here. So, the jobs are not coming to the City of Appleton.

Carol S. (Resident) 13:24

So, I would ask you to please review this list of questions I have as well. I can provide that to Alderman Doran, and he can pass that along to you. And now I'll get my neighbors all chance to speak. Thank you for listening.

Mayor Jake Woodford 13:45

Would others like to speak? Any else like to speak? Please, please come on up. All right. Name and address for the record, please.

Marcus McGuire (Developer) 14:05

Marcus Timothy McGuire [XXXXXX] Appleton. So, I am the applicant moving forward with the rezoning. We looked at from a global perspective. We worked with Green Bicycle, you know, and I understand that that was, you know, from your office. I sat in on a lot of the meanings. One of the things that we looked at was a, you

know—aside from the construction, what it's going to be, the waterfall of housing, right? So, we understand that the creation of housing, and we are behind approximately 25% of housing units.

Marcus McGuire (Developer) 14:55

And a lot of through other things, a lot of people that we work with bigger industries, bigger companies, and maybe some of the neighbors and people here today, can hear that, you know, they're short on jobs, right? So, with the understanding of creating new homes, we want to have basically the middle level home, creating that waterfall moving into retirement homes, so first time homebuyers can buy their home. Then the existing first-time homebuyer can move into a middle level home, and we can keep that progression moving.

Marcus McGuire (Developer) 15:31

Now as far as the area goes and the rezoning, you know, there is multifamily right to the west, and this is essentially an extension of that rezoning and movement of that into this parcel. So that's kind of the nature of the beast there.

Marcus McGuire (Developer) 15:50

Now, as far as the development and the water, I mean, that's all gonna get engineered out. We're gonna move through the processes, local, state, county, you know, to be able to fix a lot of the water problems. Just simply because it's a rough field, you know, there's—it's, it's not managed, right? So that's kind of a big piece there.

Marcus McGuire (Developer) 16:14

So, we're looking forward to, and we're excited about it. We are a local company. All of my guys that work for me, they do live in Appleton. So, the jobs will be local, and, you know, we're—we want to participate, and we want to, you know, provide that solution for housing. It's a big thing for us. It's more than just, you know, building. It's more than just keeping busy. It's developing nice housing, and, frankly, we feel there's a need. And it's based off of industry. It's based off the Housing Coalition. It's based off of our meetings at Home Builders Association. So, there is plenty of research behind it. Thank you.

Mayor Jake Woodford 17:15

Anyone else? Yeah, come on up.

Jim Sehloff (Daval Engineering) 17:16

Jim Sehloff from Daval Engineering. I'm actually a City of Appleton resident currently. I am the designer of the layout for this property. I've actually worked with many different developers trying to develop the property. There are several problematic things with this property, you cannot get multiple—the driveway access is off; it does not have the depth to run a public road through it. That's why we thought the condominium design was more advantageous towards us, and that's why we needed to go for the multifamily homes. So.

Mayor Jake Woodford 17:59

Thank you. Anyone else like to speak?

Mayor Jake Woodford 18:04

Ah. If somebody else would like to—yeah, come on up.

Jeff B. (Resident) 18:17

Hi there. [Jeff B.]. I live on the South Tahoe Lane in in the neighborhood that Carol describes. And I guess so me and my family moved to the home February of 2022. Moved here from Colorado. Saw the neighborhood as a very desirable neighborhood to move into, and an understanding that possibly in our backyard there may be

future homes with the condominiums in the middle. So, we had an understanding that there would be some development in our backyard, which is being completed. It's in completion right now. So.

Jeff B. (Resident) 18:55

What we didn't understand is that we would be in essentially a potential island of condominiums and multifamily housing. If we would have known that that would have been around surrounding our whole neighborhood and the impact that that would have had, we would have—that would have swayed our decision to buy the home. And it feels to me that it's, I guess, the cart before the horse. The fact that this property was purchased as single housing, and feels like being ramrodded into a multi home purchase, it just doesn't feel—I have more of a problem with the process of it.

Jeff B. (Resident) 19:38

If this would have been zoned as multifamily, I would have been full knowing that moving in and would have you know—I think that would have been a fair a fair way of looking at our purchase. After the fact in hindsight and having things changed just the purchase of the property and then the changes of rezoning after the fact, more than anything I have a problem with that process. So.

Mayor Jake Woodford 20:02

Thank you. Anyone else wishes to speak?

Jennifer T. (Resident) 20:16

Very much unscripted. My name is [Jennifer T.]. I live on [XXXXX] South Christopher Court, so the property—I don't know—an eighth of a mile south of the property we're discussing. I moved to that area in 2010 and so the traffic on Midway and Plank wasn't—there was no stoplight; there was no roundabout; it was nothing.

Jennifer T. (Resident) 20:34

I am—my children are now teenagers, but I do have a child with a disability. And I have seen with all of the development, with all of the growth, I've seen ongoing safety concerns with more and more traffic, trying to get in and out of our neighborhood (as we've mentioned, Janet Berry several times) is always a challenge. And so now with additional traffic, additional families, additional keep adding on. I am concerned for the safety of not only my own children, who neither of whom drive they're on pedestrians or ride a bike or with a caregiver. I am concerned about keeping the neighborhood safe.

Jennifer T. (Resident) 21:09

On Christopher it has become—it was a very quiet street, a very safe street for me to raise my children on when we first moved to the neighborhood, and now I've seen cars come flying through there. To the back of my property is where some of those other developments have been built that Carol's discussing. I see trash; I see less wildlife; and I don't feel as safe with my family and also as a single woman because there's just what used to be a quiet little haven, like others have said, that we all moved into when we first bought our property is not that way anymore. So, I'd like—I'd just like to keep it safe, not only for myself, but for the other families and the other children in the area. Thank you.

Mayor Jake Woodford 21:56

Anyone else wish to speak?

Karl B. (Resident) 22:03

My name is [Karl B.]. I live at [XXXXX] Orchard blossom. The back of my yard will be at this property. I live right next door to Carol. We purchased our home in March of 2022, and before we purchased, we did check to see

how that property was zoned that we're discussing today. I am not against development, but I do have concerns about changing the zoning of it because we did purchase with the understanding that that property would remain single family. So, it would be disappointing if that changed now.

Mayor Jake Woodford 22:52

Anyone else like to speak? Did you have more comments you wanted to make? Please come on up.

Carol S. (Resident) 23:06

May I ask if any of you have seen this? This is what we were given by the developer. It's a plan for the area behind us. It has 25 units on it, each with a two-car garage. That's 50 cars. You can't get in and out of our neighborhood in the mornings right now, because of Janet Berry school. We time ourselves so that we don't have to go anywhere. I tutor at the Appleton Public Library, and I purposely time leaving extra early because I can't get through that neighborhood.

Carol S. (Resident) 23:39

This shows that the entrance to this development—and I just heard the engineer say that there's not room for a road or an entrance. There's a road shown on here all the way through. It's not a commercial road, but it's a road all the way through coming off the roundabout, and exiting right next to the brand-new park. That could be possibly be 50 cars. I ask for you please to take that into consideration.

Carol S. (Resident) 24:06

I heard the developer speak about jobs. Yes, it will provide some construction jobs for a short period of time. It is slated as retirement community. It will not provide jobs in the long term because most people retired aren't there. And what happens if there isn't the demand because there are so many new developments in our area? What happens then?

Carol S. (Resident) 24:28

It's difficult to see on here, but it shows this roadway measurement as 27 feet. It shows these units. There's no measurement as to how close they are to all of our backlot lines. It looks like it's a min—maximum of 27 feet. That's about—it's not even quite the distance across this room. It's about three quarters of the distance across this room. I asked that we consider the process that we were all assured, and as I said I've been calling every single year (they probably will tell you I'm a bit of a pain) and asking what's happening with that property? "Oh, don't worry; there'll be a public hearing." Is it still R1A? Is it still zoned residential? Please don't let the process be changed at this point in time. Please let us continue to have what we were assured when we all purchase these properties.

Carol S. (Resident) 25:18

In the stack of comments that are over there, Mr. Brad, Brad—Mr. Firkus? There are a number of comments from—in the, they're all orange—I apologize. Wrong name? Oh, I'm sorry. That's the name that's shown. Okay.

Carol S. (Resident) 25:32

In the stack of comments there is one person that says "If this happens, we will move to Neenah." There are many that have comments, and is it appropriate to actually read those comments on there or not? I don't want to take too much time. But there are other comments that—there's concern for safety; there's concern for the back lot line; there's concern for—so many concerns. And there are over 20 copies from other neighbors who are not present here today—there may be one or two present, but most of them are not present here today, because it's spring break, and it's 3:30 in the afternoon. So, I asked you to consider on the behalf of all of us, not just those who have spoken, to look at that and strongly consider it. Thank you very much.

Mayor Jake Woodford 26:13

Just a note, the comments that were received will be entered into the record.

Carol S. (Resident) 26:17

And do you want a copy of this?

Mayor Jake Woodford 26:19

We don't need a copy of that. We're not discussing site plan during this meeting.

Carol S. (Resident) 26:24

Thank you.

Mayor Jake Woodford 26:24

Okay. This is a public hearing. Is there anyone who wishes to speak? This is a public hearing. Is there anyone who wishes to speak? This is a public hearing. Is there anyone who wishes to speak? Seeing no further, I declare this public hearing closed.

Mayor Jake Woodford 26:49

And we will move on now to the associated action item. This is item 24-0317 request to approve rezoning number 2-24 for the subject parcel located south of east Midway Road, south of the roundabout at East Plank Road.

Deputy Director Pete Neuberger (Public Works) 27:05

Move for approval.

Mayor Jake Woodford 27:06

We have a motion and a second to approve, and we'll open the floor for discussion from—Okay, district seven.

Aldersperson Katie Van Zeeland (District 5) 27:16

Thank you, Your Honor. As one of the speakers mentioned before, I did at one time represent that area, but now currently represent the citizens on Tahoe and Solitude. And a lot of them were very confused about the difference between the future land use map and the zoning map that we have. And I think if maybe Director Homan could speak to that. The confusion lies around this being something that's being rammed through as opposed to something that was previous previously planned. Could you talk a little bit about the Comprehensive Plan and the future land use map and how the zoning plans all relate? Thank you.

Mayor Jake Woodford 28:00

District five. All right. Director Homan.

Director Kara Homan (Community And Economic Development) 28:05

So, the zoning the zoning map is related to the land use regulations that exist today for each property within the city of Appleton. What guides future—you can't hear me? Is this better?

Mayor Jake Woodford 28:21

What we need to do is we'll open the other set of doors, but we have to keep a set of doors open for the open meeting, but we can close—we can close both of those, and we'll open this set and that should help with the sound.

Director Kara Homan (Community And Economic Development) 28:36

So, the zoning is the set of regulations that exist for the site today. The city goes through a planning process, typically every five to 10 years, called the Comprehensive Planning process, and with—it creates a vision for what the future of the city will be including what the future land use will be. And the future land use map for this particular parcel has been planned for multifamily for—since 2004. So, it's always been the city's vision, since 2004 on, for this parcel to transition to multifamily when it was developed.

Mayor Jake Woodford 29:14

Thank you. Alder Van Zeeland, do you have more? Go ahead. I'm sorry. Thank you.

Aldersperson Katie Van Zeeland (District 5) 29:23

Thank you. I think that was really important for everyone to hear so they understand that this isn't something that came out of the blue. There was also some confusion between what was happening with this parcel and the parcel behind Solitude. I understand there was some communication they received that was stating if something happened on this parcel, they could look for zoning changes to happen on the next parcel. Could staff talk about how those work together or if they don't work together at all? I know that there are some preliminary plans, but maybe you could speak to the differences.

Aldersperson Katie Van Zeeland (District 5) 30:03

Go ahead.

Principal Planner Jessica Titel 30:04

So, the parcel you're referring to behind Solitude—the vacant parcel—our future land use map and the comprehensive plan shows that as one and two family mul—one and two family residential as the future land use, which is the same process. We use that to guide our zoning decisions. The subject parcel today is shown as—that we're looking at today—is shown as future multifamily land use. So, the parcel to the north is slated to stay one or two family residential per our comprehensive plan.

Aldersperson Katie Van Zeeland (District 5) 30:33

If I could?

Mayor Jake Woodford 30:34

Go ahead.

Aldersperson Katie Van Zeeland (District 5) 30:34

So, anything that happens on this parcel does not relate to the other parcel at all?

Director Kara Homan (Community And Economic Development) 30:40

Correct.

Aldersperson Katie Van Zeeland (District 5) 30:41

Thank you. Beyond that, if I could just continue? Thank you. My constituents do have concerns about the number of cars that will be traveling in that area and the lack of sidewalks. Especially without seeing the other plans, they're very concerned. So, if we could take that into consideration in the planning process, it's going to be really important to them that they see a way for their kids to walk safely to school and into neighboring areas.

Mayor Jake Woodford 31:11

Thank you, Alder Van Zeeland, and on that last point, what the Planning Commission is reviewing today is the zoning. So, we are not taking into consideration site planning which is a future process that would take place if the development were to move forward. So, issues such as sidewalks, access, and others would be addressed during site planning.

Aldersperson Katie Van Zeeland (District 5) 31:32

If I could just add. Sorry. Obviously, those things to me are not directly happening today, but my constituents who couldn't be here want me to make sure that I said that on their behalf.

Mayor Jake Woodford 31:44

Of course. Thank you. All right. From the Commission, Alder Fenton.

Aldersperson Denise Fenton (District 6) 31:55

Thank you, Your Honor. May I direct a question to either Director Homan or Principal Planner Titel? Could one of you just outline the process? The staff report shows that this property was annexed to the city in 1985. Can you just go through the steps that happen in terms of zoning changes when there's an annexation from another jurisdiction?

Principal Planner Jessica Titel 32:22

So, this was zoned—annexed in 1985. As far as I understand, the process was different than the process we use today. So today, when a property is annexed, a permanent zoning is assigned via public hearing and through the planning commission. In 1985, when properties were brought into the city, they were just assigned the R1A zoning district regardless of the proposed land use. After it was annexed, it would go to plan commission, Council, be annexed to the city, and that R1A was just the standard assigned zoning classification. So that is why we see R1A zoning on this particular parcel.

Mayor Jake Woodford 33:02

Other questions?

Aldersperson Denise Fenton (District 6) 33:03

And this one is for Director Homan, and I apologize if you don't have the right number. How many housing units would we need to create each year to keep up with the demand in the City of Appleton?

Mayor Jake Woodford 33:21

Mike number? Go ahead.

Director Kara Homan (Community And Economic Development) 33:25

We need to produce about 300 units. I believe we've been producing around 180, 170. Is that right, Jess?

Principal Planner Jessica Titel 33:33

Correct.

Director Kara Homan (Community And Economic Development) 33:34

So, we—each year we under produce that deficit just starts to stack up. And because we have an under supply of housing units, that's putting that upward pressure on price because demand is outpacing supply.

Alderperson Denise Fenton (District 6) 33:48

Thank you.

Mayor Jake Woodford 33:52

Comments, questions from the Commission? I'd like to address a couple of things that came up during the hearing. First, as I've mentioned previously, there—the questions related to site plan are not relevant to the discussion of the plan commission today. The plan commission's focus is to address the zoning concerns specifically, and so our analysis and staff's analysis regarding this question is fairly narrow, and focuses on the zoning designation of the property. So, concerns related to site plan, including access, drainage, and other engineering concerns are part of the site plan process that will take place if the project moves forward. But just as we're having our discussion here today, I just want it to be clear, it's not that we're ignoring the concerns or questions that we're hearing from the community related to site planning issues; it's just that our role as a plan commission is fairly narrow in this respect. So just want to make that clear. We've heard your comments and concerns, and, fortunately, the developer is also here to hear your comments and concerns. And so, I appreciate the community bringing those forward.

Mayor Jake Woodford 35:10

Mr. McGuire mentioned the Green Bicycle Company, and I'd just like to make it clear that that reference is to a the consultant that the city of Appleton has been using for our Housing Task Force project, which is an analyzing the city's policies and procedures related to housing development in the city, but the city has not in any way contracted with green bicycle to facilitate development projects in the City of Appleton. So just wanted to make that clear for the record.

Mayor Jake Woodford 35:44

There was also a mention of concerns related to this process, and I'd like to clarify that the process that we are in right now is the is the standard process that the city follows when we receive a request to rezone. And we asked staff to strictly analyze the request that's coming forward against a number of criteria, which we'll discuss as a commission in a moment. But in terms of the process that's happening right now, this—we are we are in the process. And so, I understand that there may be concerns about how this process works, but I just want to make clear that what we are doing here is following a standard process and ensuring that public notice is made and that opportunities for the public to weigh in on these issues is made available. This—if this item moves forward, there will be further opportunities for public comment on it before the Common Council. So just wanted to make that point clear.

Mayor Jake Woodford 36:47

Is there other discussion from the Commission before we move on to the staff findings? Okay. I'd just like to discuss the staff findings in in our report, which we received. This is this is from Jessica Titel, our principal planner who conducted the analysis on this request. And I'd like to focus our attention to page three of this report, sections A and B.

Mayor Jake Woodford 37:24

So "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." And in the analysis, there are findings for two of the four.

Mayor Jake Woodford 37:45

First, "the request for a zone change is in conformance with the comprehensive plan for the city of Appleton. The report confirms that the rezoning request is in conformance with the comprehensive plan 2010 to 2030

goals and objectives stated above and the future land use map which identifies the site for future multifamily residential land use."

Mayor Jake Woodford 38:07

The report also finds on 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." Finding states "the college North neighborhood plan Chapter Four market study 2020 to 2030: the average annual housing need is about 301 units per the marking market study. The zoning map amendment will help to meet the demand for housing in Appleton as specified in the market study."

Mayor Jake Woodford 38:45

The report goes on in Section B "in addition to the findings required to be made by subsection A, finding shall be made by the plan commission on each of the following matters based on the evidence presented." Under Section One "the adequacy of public facilities such as transportation, utilities, and other required public services to serve the proposed site" finding states, "the subject area is served by existing infrastructure and the transportation network should be able to accommodate the proposed rezoning. Staff is working closely with Calumet County Highway Department regarding access to the property."

Mayor Jake Woodford 39:21

And Two "the effect of the proposed rezoning on surrounding area surrounding uses." Finding states "single family and multifamily residential uses are already located in this area of the city. Therefore, their proposed rezoning request is unlikely to create adverse impacts on the surrounding uses."

Mayor Jake Woodford 39:40

I recognize the subjectivity of that analysis but for purposes of the planning commission, it represents a finding backed—an evidence-based finding that supports the case for rezoning. Furthermore, the technical review group reviewed this item on March 5 2024, and no negative comments were received from participating departments. And, as such, I will be voting to approve this recommendation to amend and encourage my colleagues to do the same.

Mayor Jake Woodford 40:12

Is there any discussion from the plan commission? Hearing none, we have a motion and a second to approve. All those in favor, please signify by saying aye. Aye. Any opposed? Hearing none, the item has been approved unanimously.