

Public Hearings And Action Items

City Plan Commission

Wed, Apr 09, 2025 3:30PM

Mayor Jake Woodford 01:07

Moving along to public hearings and appearances, first is 25-0324, special use permit number 3-25 for landscape business located at 727 West Weiland Ave and neighboring lot. And to tell us about that is Colin. Colin? District seven. Go ahead.

Principal Planner Colin Kafka 01:27

Thank you, Mayor. So, this special use permit that is before the plan commission today, it was submitted by the applicant, David Witt, who owns Down to Earth Landscaping with permission of the owner of the property, John Samsa. The location is 727 West Weiland Avenue. It's actually two properties that are adjacent to each other. One of those properties has a 2400 square foot contractor office building with overhead garage, and then the other parcel is vacant. It's just a grass lot.

Principal Planner Colin Kafka 02:00

The petitioner's request is to seek a special use permit for a landscape business located in the C2 general commercial district. So, in the C2 commercial district a landscape business is a special use. This project would— sorry, lost my spot. So, what the applicant is suggesting, and you can see it on the attached development plan that was with this action item, is just to use the 2400 square foot office building that has that overhead garage for both office space and then indoor storage. In the future, the applicant would like to combine those parcels (there's currently a certified survey map in process to combine those parcels), and they would have a fenced in outdoor storage area that would be compliant with code. They'd have to submit a fence permit for that. So, the long-term vision is to just use this really, as a staging base for this landscape business to store things in and operate out of.

Principal Planner Colin Kafka 03:05

Like I mentioned, a special use permit is required for a landscape business in this commercial district. The surrounding land uses are a mix of commercial and residential. Staff found that there was compliance with the Appleton comprehensive plan and there were no negative comments received from the development review team, which is an internal staff team that reviews these applications. Like I'd already mentioned, there were— there are future actions planned for this parcel, the first one being to combine the parcels to create that outdoor storage area. And then the second is that that process would go through our building permit process to secure a fence permit so the city would be able to evaluate and make sure that that fenced in storage area would be compliant.

Principal Planner Colin Kafka 03:52

Staff—with all special use permits there staff evaluates findings of fact. The standards were found in the affirmative as those stipulations were satisfied, and with that, staff is recommending approval of this special use permit, including those conditions of approval that are found in the action item.

Mayor Jake Woodford 04:13

All right, thank you. This is a public hearing. Is there anyone who wishes to speak on this item? This is a public hearing. Is there anyone who wishes to speak? This is a public hearing. Is there anyone who wishes to speak? All right. Hearing, none, I declare this public hearing closed.

Mayor Jake Woodford 04:37

We'll move now to the associated action item. This is item 25-0325, request to approve special use permit number 325 for landscape business located at 727 West Weiland Ave and neighboring lot. Need a motion. Have a motion and a second to approve. Open the floor for discussion. Any discussion from the Commission? All right, Commissioner Fenton. Number two, go ahead.

Aldersperson Denise Fenton (District 6) 05:13

Thank you, Your Honor. I'm gonna have my alderperson hat on for a second. This is in my district, and one of the questions that we'd gotten from neighbors is a question on—and I don't know if the if the—I understand the owners here, but a question on the noise level, the anticipated noise level. Is there anything that the staff report, other than the number of trucks going in and out—

Mayor Jake Woodford 05:48

Any anything?

Aldersperson Denise Fenton (District 6) 05:49

—that could speak to that?

Principal Planner Colin Kafka 05:52

No, there are city ordinances in place for noise ordinances and noise concerns. But that was not—that is not something that's stipulated to be included with the review.

Mayor Jake Woodford 06:04

Thank you.

Aldersperson Denise Fenton (District 6) 06:04

Thank you.

Mayor Jake Woodford 06:06

Further discussion for the commission. All right, hearing none, we have a motion and a second to approve. All those in favor please signify by saying aye. Aye. Any opposed? All right, with none opposed, that item has been approved.

Mayor Jake Woodford 06:24

All right, back to public hearings and appearances. This is item 23-0326, rezoning number 1-25 for subject parcels located at 1930 West College Ave, 1932 West College Ave, and 120 North Woods Edge Drive, and it's Colin again. Go ahead.

Principal Planner Colin Kafka 06:43

Thank you. So, with this rezoning, the applicant is requesting, with owner approval, of all four of these parcels to rezone the parcels from the M2 general industrial district to the C2 general commercial district. And the reasoning for this request is actually the owner and the applicant, I should say, are seeking to combine a portion of an adjacent C2 zoned parcel. And so, in order to do that, in order for the lot combination to take place, all the parcels need to be in the same zoning district.

Principal Planner Colin Kafka 07:19

The grand plan for these four parcels—they've been industrial parcels ever since, even before, they were annexed into the city of Appleton, and the vision is to actually turn this space into a internal site that would be

used as a micro-brewery. And so, staff has been working with that applicant on both the CSM to combine those parcels, as I mentioned, and anticipate seeing a site plan in the near future.

Principal Planner Colin Kafka 07:48

There are some existing non conformities on these parcels currently in the M2 district. Like I had mentioned, all of this site, all four of these parcels, I should say, were developed when they were still in the town. So, there were different zoning standards, and the main non-conforming challenge or issue would be the lot coverage standard. As of right now, the vast majority of all four of these parcels is impervious surface. As I had mentioned though, the future redevelopment of the site anticipates to actually reduce that non-conforming issue with the lot coverage.

Principal Planner Colin Kafka 08:23

The surrounding uses are generally industrial and commercial in nature. Included in the staff report, this rezoning is—lines up with several objectives in the comp plan. And like I also mentioned in future actions, the long-term goal is to combine these parcels and really activate the site and turn it into a more utilized site than it currently is today and rehabilitate those existing buildings.

Principal Planner Colin Kafka 08:56

It's compliant, like I had mentioned, with the comprehensive plan, especially the standards for the zoning map amendments. The future land use map for these these parcels shows this area as future commercial so there was no issues there. And at the development review team meeting, there were no negative comments expressed on this. With that, staff is recommending approval of this rezoning.

Mayor Jake Woodford 09:18

Thank you. 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? Hearing none, I declare that public hearing closed, and we'll move to the associated action item.

Mayor Jake Woodford 09:40

This is item 25 dash 0327, request to approve rezoning number 1-25 for the subject parcel is located at 1930 West College Ave, 1932 West College Ave, and 120 North Woods Edge Drive. Need a motion. We have a motion to approve. Is there a second? We have a motion and a second to approve. Open the floor for discussion.

Mayor Jake Woodford 10:05

Just a question on the non-conformity, you mentioned that there's a—the lot coverage right now would not be in conformity with our with our codes, but would they be required to conform, if they if they touch those non-conforming surfaces, or is it really just a matter of they can remove what they what they want to remove for their plan, but anything that exists can continue to? Oh, sorry, go ahead.

Principal Planner Colin Kafka 10:36

Yep, of course. So as long as they aren't expanding the degree of non-conformity, there wouldn't be any issues with the zoning code. Just was something that's brought to the attention of the plan commission, that again, there are some current non conformities, but as we move forward and they diminish that overall lot coverage, will they get to the 75% impervious surface lot coverage that's in the C2 district? Maybe; maybe not. But again, they are not anticipating to increase the impervious surface.

Mayor Jake Woodford 11:06

That's good. And it'd be there—to their benefit to do so because it'll reduce their storm water utility fees. So okay, great.

Mayor Jake Woodford 11:15

Any further discussion from the commission? Hearing none, we have a motion and a second to approve all those in favor. Please signify by saying aye. Aye. Any opposed? All right, with none opposed, that item has been approved.

Mayor Jake Woodford 11:29

All right, sticking with action items. Next is 25-0328, request to approve the Dorn Annexation consisting of approximately 95 acres, 96 acres located at 4700 North Richmond Street, currently in the town of Grand Chute. And Don Harp. Six. Go ahead.

Principal Planner Don Harp 11:50

Thank you, Mayor. Put before us, we have a petition of annexation that was signed by David Dorn who's the trustee for the Jane Dorn Revocable Trust. Staff has processed the annexation with the department of administration, and attached to our staff report is the department of administration's review, and they do find the annexation in the public interest.

Principal Planner Don Harp 12:12

The 95-acre property that's coming from the town of Grand Chute to the City of Appleton is anticipated to be developed as single family. Therefore, in the petition, the petitioners is requesting that the plan commission initiate the rezoning from agricultural district. When properties are indexed to the city, they come in as agricultural 'til such time a rezoning petition is filed. And in this case, the petitioner's requesting the plan commission initiate that from agricultural to an R-1B district to help facilitate the single-family development that would be occurring on this property at that move forward. The conference of land use plan does call for one and two families, so that zoning category is consistent; therefore, staff would recommend approval of the annexation, with plan commission initiating the rezoning from agricultural to an R-1B district that would come forward at a subsequent plan commission meeting.

Mayor Jake Woodford 13:12

Okay. So just for the clarity of the commission then, today's action would handle the annexation, and with approval of the annexation, staff would take that as direction then to proceed with the rezoning process.

Principal Planner Don Harp 13:28

Correct. Staff will—we've completed the rezoning application, so we will provide that to the Mayor's Office for your signature mayor, and then that will help facilitate the necessary filings with the clerk's office so we can begin the public hearing process for the rezoning. So, we would do our typical rezoning process, the notification requirements to the property owners with 100 feet of this annexation boundary, as well as the town clerk, and then we would have another subsequent public hearing for the rezoning and move forward as we establish that zoning category for this property.

Mayor Jake Woodford 14:04

Great. Thank you. All right. We need a motion. Got a motion and a second to approve. We'll open the floor for discussion. Discussion from the Commission. I'll just say this is this is great to bring this property into the city of Appleton, and look forward to working with these folks as they proceed with their project. As a as a city that's

sort of pushing up against our boundaries, bringing 95 additional acres into the city of Appleton is a great thing, and we look forward to providing our great services to this this property as it comes into the city of Appleton.

Mayor Jake Woodford 14:54

So, with that, we have a motion and a second to approve, and if there's no further discussion, all those in favor, please signify by saying aye. Aye. Any opposed? That item has been approved.

Mayor Jake Woodford 15:09

All right. Next item, 25-0329, request to approve location and architectural design of the proposed pavilion in Lundgaard Park located at 4900 North Lightning Drive. Colin, back to you.

Principal Planner Colin Kafka 15:23

Thank you. So, under Wisconsin state statute 62.235, the location and architectural design of any public building should be referred to the plan Commission or shall be for its consideration and report before final action is taken by the Common Council. So, what is before you today is a site plan that was submitted for Lundgaard Park, a public park. It has actually gone through phase one construction. That did not come before the plan commission because there were not any public buildings that were in that initial phase. So that was just handled through staff review under the state plan process, pursuant to section 23-570 of the municipal code.

Principal Planner Colin Kafka 16:08

However, with this specific project, there's a proposed pavilion, and so the plan commission is evaluating the specific location and design of that pavilion. There's also concurrent with this site plan to evaluate some additional features that's proposed with this pavilion. It's included in the action item. There's some pavement to actually get to the pavilion from other areas of this park. And then another exhibit showcases the actual architectural design of the pavilion. And so, with that, staff is recommending approval of the location and design of the pavilion by the Plan Commission.

Mayor Jake Woodford 16:51

Thank you. Need a motion.

Richard Carpenter (ARA Member) 16:53

Motion. Got a motion.

Aldersperson Denise Fenton (District 6) 16:55

Second.

Mayor Jake Woodford 16:55

Motion and a second to approve. Any discussion from the Commission? All right. Well, having been party to the design development process of this pavilion, I would say there's been as much thought put into the pavilion as maybe any other civic building that's ever been constructed in the City of Appleton, lots of engagement from the fire department, Lundgaard family, and excited to see this moving forward. The park has been well received in the neighborhood, and adding this amenity will really, I think, complete—substantially complete the park and provide great space for community gatherings.

Mayor Jake Woodford 17:44

So, they're going for for—since we're supposed to talk about the design of the pavilion, I'll just I'll just note that this looks a little different than other park pavilions in the city of Appleton, and it's taking some design inspiration from traditional firehouse designs, which is why you see this this tower up on the corner of the

pavilion. Again, lots of engagement from our colleagues in the Appleton Fire Department on the design and really trying to fit in with not only the park but also the existing neighborhood. So excited to see this come forward and appreciate all the work that's gone into it and also the incredible donor support that has helped to make this project possible. Wouldn't have been possible to do a pavilion like this in a neighborhood park without significant philanthropic support.

Mayor Jake Woodford 18:34

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