

Item 25-0556 Request to approve the acceptance of the proposed dedication of a portion of 200 West College Avenue for public right-of-way for West Johnston Street

Item 25-0984: Annual review and request to approve the Downtown Appleton Business Improvement District (BID) 2026 Operating Plan

Item 25-0985: Proposed draft text amendments to the Municipal Code Chapter 23 Zoning relating to Article III. Section 23-54 Temporary Uses and Structures

Item 0986: Proposed draft text and map amendments to the Municipal Code Chapter 23 Zoning creating Article XI. Shoreland-Wetland Zoning District Regulations and amending Article XIX. Shoreland Zoning

City Plan Commission

Wed, Aug 27, 2025 3:30PM

Mayor Jake Woodford 00:59

We have no public hearings or appearances today, so we'll move to action items, first of which is 25-0556, request to approve the acceptance of the proposed dedication of a portion of 200 West College Avenue for public right of way for West Johnston Street per Wisconsin state statutes.

Alderpersion Denise Fenton (District 6) 01:18

Move to approve.

Mayor Jake Woodford 01:21

We have a motion. Is there a second?

Deputy Director Pete Neuberger (Public Works) 01:22

Second.

Mayor Jake Woodford 01:23

We have a motion and a second to approve. Any discussion? Hearing none, all those in favor, please signify by saying aye.

All Commission Members 01:31

Aye.

Mayor Jake Woodford 01:35

I didn't—we didn't have a report on it. Did you want to tell us anything about it? You're all prepared. I'm sorry, Dave.

Deputy Director David Kress (Community and Economic Development) 01:43

That's okay.

Mayor Jake Woodford 01:44

Deputy Director Kress.

Deputy Director David Kress (Community and Economic Development) 01:48

Seen this information before for various other reasons, but this is kind of a final step in the process to have the formal dedication of a small sliver of land, a portion that will complete Johnston street alley all the way to Appleton Street, as shown on the exhibit map. But worked closely with the property owner there to work through the dedication process. So happy to finally have it here at planning commission.

Mayor Jake Woodford 02:09

Yes, and thank you. A part of, part of my just breezing through, is like, "Oh, we've seen this one." Yeah. This was, this is behind the Chase and Vault property.

Deputy Director David Kress (Community and Economic Development) 02:23

Right. There's a special use permit that had come through a couple months ago now for off street parking lot just north of the Chase Bank development that's being re developed as ground floor commercial and upper floors as residential.

Mayor Jake Woodford 02:25

And cleaning up that alley. So, no real changes in terms of what folks will experience there, just taking care of some documentation.

Deputy Director David Kress (Community and Economic Development) 02:45

Exactly.

Mayor Jake Woodford 02:45

Very good. All right, thank you. And seeing as it's already approved, then we can move on from that one. Sorry about that.

Mayor Jake Woodford 02:52

Okay. Next Action item's 25-0984, annual review and request to approve the downtown Appleton Business Improvement District 2026 operating plan. And joining us is Jennifer Stephany. Would you like to address the commission, or Is Dave going to give a report?

Deputy Director David Kress (Community and Economic Development) 03:12

I can just introduce.

Mayor Jake Woodford 03:13

Go ahead.

Deputy Director David Kress (Community and Economic Development) 03:14

Yeah, just for context purposes, this is part of an annual review process that's driven by Wisconsin state statute. So, planning commission members probably familiar with seeing this each late summer, early fall. No massive changes from previous years, no changes in district boundaries or anything of that nature. But Jennifer is going to give us a more in-depth overview of what they've been up to lately.

Mayor Jake Woodford 03:38

All right. Welcome.

Jennifer Stephany (Appleton Downtown Incorporated) 03:39

Hi. Thanks so much for allowing us an opportunity to present the 2026 business improvement district plan. I'm Jennifer Stephany. I'm the executive director with Appleton Downtown, Incorporated. We are the managing arm for the business improvement district. This year, we have 204 contributing parcels and units. The bid properties increased in value over previous year just under 14% which is a pretty substantial increase from year to year. And we're looking at a total value of \$208.3 million within our district. So, it's seen some very good improvements over the years as I know all of you are very well aware. And we're very excited for this year's plan.

Jennifer Stephany (Appleton Downtown Incorporated) 04:29

The 2026 BID levy continues at the same level that it was in previous year. That's \$2.75 per 1000 of assessed value, with a maximum amount of \$5500 on any parcel, and a minimum of \$275 per parcel. Based on this methodology, the 2026 BID assessments will generate \$285,183 for the business improvement district expenditures.

Jennifer Stephany (Appleton Downtown Incorporated) 04:59

Regarding downtown management, we're really focused on sustainability for our organization, for the downtown, for the properties within our district, and, of course, working to grow and progress through our strategic planning and marketing. We're looking forward to engaging our new five-year plan, which is currently in production as we speak. We're in process on that, but looking forward to sharing that, both, of course, with City Council and Planning Commission.

Jennifer Stephany (Appleton Downtown Incorporated) 05:30

We look to manage a comprehensive brand image marketing strategy and foster inclusive community engagement. We have some new programs, such as our Youth Advisory Committee and our brand-new podcast, which launched this year. We are committed to keeping downtown clean, safe, and friendly through our maintenance position, as well as our contracts with power washing professionals and the care program with Riverview gardens. We also help to advocate alongside of Pillars to help solve our housing insecurities within our downtown. We ensure our long-term success with our diversified revenue streams with ADI as well as Creative Downtown Appleton Inc. We're evaluating our management needs relative to the Business Improvement District throughout the year to see if the assessment rate warrants an increase for the future.

Jennifer Stephany (Appleton Downtown Incorporated) 06:28

Regarding downtown living, of course, our goal is to attract new residents by creating a desirable downtown. We hope to support residential development, host neighborhood engagement programs and events, and recruit businesses that help to meet the needs of our downtown residents, like a grocery store, of course (that is always on our list; tougher nut to crack than what we ever would have thought), as well as other amenities. We also work to improve the public spaces within downtown, advocate for more walkability, and we're engaged in the efforts to reduce vehicle noise within the downtown.

Jennifer Stephany (Appleton Downtown Incorporated) 07:03

Regarding mobility and parking, we aim to be a partner and advocate for the new initiatives that will be coming out of the proposed Walker study, and we'll work together with DPW to improve the pedestrian experience, promote cycling infrastructure, diverse parking options, and the passport parking app.

Jennifer Stephany (Appleton Downtown Incorporated) 07:22

Regarding business growth, we're committed to fostering a prosperous central business district. We're conducting our annual survey currently, and we'll conduct one on one visits based on those responses. We'll

support new businesses coming in the into the district, as well as our current businesses and helping them expand and retain sustainability. We'll support our facade grant program and our business recruitment grant program as well.

Jennifer Stephany (Appleton Downtown Incorporated) 07:52

Supporting tourism arts and entertainment—we'll cultivate a vibrant downtown, promoting diverse cultural attractions and events, a calendar full of events, curating new public art and installations and promoting unique visitor experiences alongside of our partners at the Convention and Visitors Bureau.

Jennifer Stephany (Appleton Downtown Incorporated) 08:12

Regarding urban form and design, we're focused on enhancing downtown's public spaces, continuing to look for ways to improve way-finding. We're exploring the use of digital platforms to help to enhance that way-finding, beautification improvements regarding flowers and lighting and public art and enhancing those functional spaces, hopefully with more public seating. We look to leverage the resources of both Appleton Downtown, Incorporated, Creative Downtown Appleton Inc, as well as the business improvement district to uphold this program of work and as it aligns with the Comprehensive Plan chapter 14. We are here to answer any questions. With me is current Board President Walter Schoenfeld and past president Gary Schmitz. We appreciate the opportunity. Thank you.

Mayor Jake Woodford 08:59

Thank you very much. Appreciate it. Any questions or comments? All right. Well, I'll just say it's been an exciting year so far in the BID, lots of programming, events, great turnout. We've dodged some weather. We've moved around some weather, but it's been a great season so far, and a lot more to come in the current year. And looking forward to seeing what the BID can do in 2026.

Mayor Jake Woodford 09:34

Also, I think it's worth pointing out, when we have visitors come to our community, one of the comments that I often hear from people is how clean it is. They remark at how clean our downtown is, and that truly wouldn't be possible without the efforts that our business improvement district puts forward. The extra cleaning, the power washing, the attention to detail in the district makes such a difference. We could not do that as a municipal government without our business improvement district. So, I think it's important to point that out. That doesn't just happen by accident. Believe it or not, people aren't just innately more cleanly here in the city of Appleton, as evidenced by what gets cleaned up on College Avenue. And we very much appreciate the efforts of the BID to make sure that that happens. So, we're grateful that you do that, and looking forward to seeing that continue in '26.

Mayor Jake Woodford 10:32

Any further comments questions from the Commission? All right, looking for a motion to approve. We have a motion and a second to approve. Any discussion? Hearing none, all those in favor, please signify by saying, aye. Aye. Any opposed? All right, with none opposed, item has been approved. Thank you very much.

Mayor Jake Woodford 10:57

All right, commission, it's time for information. First is 25-0985, proposed draft text amendments to the Municipal Code chapter 23 zoning related to Article Three sections 23 through 54 temporary uses and structures. And whose pinch hitting for Colin? All right. Deputy Director Kress.

Deputy Director David Kress (Community and Economic Development) 11:21

Thank you, Mayor. So, as you indicated, this is on the agenda as an information item this afternoon. Really the purpose there is to allow for open discussion and feedback being captured by staff from planning commission members. Primary purpose for the proposed temporary use amendment is really to eliminate duplication of efforts. There are a handful of temporary uses—so think firework sales leading up to Independence Day, Christmas tree ch—Christmas tree sales leading up to Christmas time, farm stands and so on—that, as it stands today, require a temporary use permit through community development department and a license through the city clerk's office. Our hope with these proposed amendments is to eliminate that redundancy. So, the standards remain as is, there just would no longer be a need for the temporary use permit process. Our Community Development Department staff would still perform a typical review of the license that would be administered through the city clerk's office. So, the standards really aren't changing in any substantial way, but we'd be eliminating the need for a license and a permit. So that's it, in a nutshell. Happy to entertain any feedback or answer questions.

Mayor Jake Woodford 12:36

All right. We do have Alder Fenton Go ahead.

Alderson Denise Fenton (District 6) 12:40

Thank you. Chair just general question, in terms of the revenue impact of not requiring the temporary use permits and the fees going along, do we have an estimate for the revenue impact of that?

Deputy Director David Kress (Community and Economic Development) 12:56

Yeah, did take a quick look at that. So, the way it stands today is that a brand-new temporary use permit, one that's never been established at a location previously, is \$150, and a repeat permit, you know, coming back to the same location to sell Christmas trees every year, is \$75. Estimate is somewhere in \$700 to \$1,000 range in terms of potential lost revenue. But just a little foreshadowing, I suppose, towards budget process, we are exploring other planning and development kind of land use and zoning application fee changes that would offset that cost.

Alderson Denise Fenton (District 6) 13:34

Thank you.

Mayor Jake Woodford 13:36

And ideally, by refining the process, we're reducing administrative time.

Deputy Director David Kress (Community and Economic Development) 13:42

Yes.

Mayor Jake Woodford 13:42

And so, when we think about—and this is true for community development, as it is across departments in the city. When we're when we're talking about changing a process, there may be a budgetary impact to reduction in fee collected; however, the reduction in administrative work oftentimes frees up far more time and money than then we were collecting anyway, and so a benefit to the city and to our taxpayers ultimately.

Deputy Director David Kress (Community and Economic Development) 14:14

That's a fantastic point.

Mayor Jake Woodford 14:17

Other comments? Okay. Great. Thank you very much. So, we'll see this again?

Deputy Director David Kress (Community and Economic Development) 14:26

Correct, yep. So, this will come back with a formal public hearing and as an action item later on in September. I think we're targeting the second meeting in September.

Mayor Jake Woodford 14:35

All right. I won't gloss over that update when it comes back.

Deputy Director David Kress (Community and Economic Development) 14:39

Sounds good.

Mayor Jake Woodford 14:39

All right. Hold me to it.

Mayor Jake Woodford 14:41

All right. Next, we're going to move on to 25-0986, proposed draft text and map amendments to the Municipal Code chapter 23 zoning, creating article 11, shore—shoreland wetland zoning, district regulations, and amending article 14—14? Do I have that right? 19. Yeah, the X is 10, yeah, jeez. Shoreland zone—I'm doing great today. Don, tell us about it. What mic do you have? Okay, number one. Go ahead.

Principal Planner Don Harp 15:20

Thank you, Mayor. The DNR had reached out to city staff to begin the process of adopting the shoreline wetland ordinance because of a few annexations on the north side of Appleton that have wetlands of five acres or more. So based on the state statutes under Chapter 62 and R117, cities and villages in the state of Wisconsin are required to adopt shoreline wetland ordinances.

Principal Planner Don Harp 15:46

We did obtain the model ordinance, so we mirrored that with the draft that's in front of the plan Commission. In addition to the draft, we are cleaning up a small section in our existing shoreland ordinance just to mirror some of the language that's in the model code for the shoreline wetland ordinance. So, you'll see just a short little fix in the code, just to align terminology.

Principal Planner Don Harp 16:13

We will be bringing forth a shoreland map amendment. We did provide just kind of a the inventory map from the DNR website, just to kind of illustrate where these wetlands are, primarily on the north side of Appleton that would be affected by this ordinance adoption. And we will—we currently have a shoreline wetland map, but we just want to update it to represent the wetlands that are five acres or greater on that. So, we have a little work to do just before we publish the ordinance for our meeting. Probably at the end of September what we're shooting for to bring this back.

Principal Planner Don Harp 16:53

So, the wetlands that will be affected with this would be within 1000 feet of a lake or navigable water, and also 300 feet within ordinary high-water mark of rivers and streams. So those are the specifics for the regulations.

Mayor Jake Woodford 17:12

And did we come across any significant issues between the model ordinance and existing ordinances? Anything of particular concern for when the planning commission takes this up ultimately?

Principal Planner Don Harp 17:23

No, we did go back and forth with the DNR a little bit. We tried to customize it slightly, but they weren't on board with that. So, we kind of went back to the model code and—

Mayor Jake Woodford 17:33

I can't believe that.

Principal Planner Don Harp 17:34

So, we did our best to try to kind of add some—probably to clarify some language, a little bit easier to read, but they would prefer us to adopt the model code as written. So that's what we went back to, passed it back to the DNR. They confirmed that it met the minimum standards. Therefore, they asked—they gave us a directive to proceed. So that's right from the plan commission as an information item at this point in time.

Mayor Jake Woodford 18:03

Okay. Well, I think the commission would be interested in in hearing more if there if there are issues with the model ordinance that we can, we can adjust and still remain compliant. Ultimately, you know, we want to make sure we're compliant with our with our ordinance. On the other hand, the Department of Natural Resources does not write Municipal Code for the city of Appleton. So, if, if there are things that that we need to take a look at, I believe I speak for my fellow plan commissioners, we would be happy to entertain our recommendation, so long as we're maintaining that compliance.

Principal Planner Don Harp 18:43

Right. So, what we have in the model—what we have in our adopted code, still is in line with the model code. It's—there's really nothing that is more restrictive or lesser. So, it's—there's really no issue from our standpoint in terms of having the commission take a look at what the DNR commented on. So, we didn't provide that commentary. So, I think between staff, we sat down with our engineering staff who would be administering this provision of the zoning code, and think we all—our comfort level is good with what the draft is in front of the plan commission.

Mayor Jake Woodford 19:22

Okay, okay. To be clear, I'm not itching for a fight with the DNR, but on the other hand, just want to make sure that we're adopting ordinances that that makes sense for the city of Appleton, and we—

Principal Planner Don Harp 19:34

Right.

Mayor Jake Woodford 19:34

—we can faithfully execute. So—

Principal Planner Don Harp 19:34

Right.

Mayor Jake Woodford 19:34

All right. Thank you. Any further comments or questions from the Commission? All right, thank you very much.