



**APPLICATION FOR PLANNED DEVELOPMENT  
REZONING**

Community Development Department  
 100 N. Appleton St.      PH: 920-832-6468  
 Appleton, WI 54911      FAX: 920-832-5994



PROPERTY OWNER		APPLICANT (owner's agent)	
Name		Name	
Mailing Address		Mailing Address	
Phone		Phone	
E-mail		E-mail	

PROPERTY INFORMATION	
Property Tax # (31-0-0000-00)	
Site Address/Location	
Legal Description of Land proposed for PD Rezoning including to the center line of right of way(s) <b>*Please submit an electronic copy of the legal description in Microsoft Word format.</b>	
Current Zoning:	Proposed Zoning:
Current Uses:	Proposed Uses:
Lot Dimensions and Area:	

PLEASE STATE REASON(S) FOR PLANNED DEVELOPMENT REZONING REQUEST

Date	Owner/Agent Signature (Agents must provide written proof of authorization)

OFFICE USE ONLY			
FILE # _____	Application Complete _____	____/____/____	Date Filed ____/____/____
Fee \$600.00	Acct #PWZNIG	Receipt # _____	Date Paid ____/____/____

## **WHAT IS A PLANNED DEVELOPMENT REZONING?**

A Planned Development (PD) is an overlay to existing zoning that establishes criteria for a parcel of land or contiguous parcels of land controlled by a single landowner or by a group of landowners with a common agreement as to control. The Planned Development is to be developed as a single entity, the environment of which is compatible with adjacent parcels and the intent of the zoning district or districts in which it is located.

## **WHERE DO I START?**

Contact the Community Development Department to discuss interest in a PD Rezoning. The staff will provide information regarding the Comprehensive Plan 2010-2030, permitted uses, surrounding uses, possible nonconformities, and the Implementation Plan Document (IPD). A PD has both a Development Plan (DP) and an IPD. The DP is a detailed concept plan for the proposed development. The Community Development Department creates a Draft IPD, which is then amended by the applicant to reflect the elements and development standards specific to the development.

## **WHAT'S NEXT?**

A complete submittal includes a completed application, a legal description of the land to be rezoned, a DP (provided by e-mail in pdf format), an IPD (provided by e-mail in Word format), and the appropriate fee. Payment (check payable to the City of Appleton) shall be mailed or dropped off at City Hall (100 N. Appleton Street, 5<sup>th</sup> Floor). The Community Development Department will file the complete submittal with the City Clerk.

City departments make recommendations to the Plan Commission. The Plan Commission holds an informal public hearing to review staff comments and makes its recommendations to the Common Council. Notice of the hearing is sent to the petitioner, alderperson of the district, property owners within 100 feet of the lot to be rezoned and/or the Town Clerk. A recommendation to the Common Council is made within 45 days of the informal hearing.

Notice of the public hearing is published in the newspaper for two consecutive weeks before the Common Council meeting. At the public hearing, the Common Council formally approves, refers the item back to the Plan Commission, modifies the conditions or denies the PD Rezoning. The Common Council approves or denies the ordinance.

## **WHAT IS THE FINAL ACTION?**

The approved ordinance is published in the local newspaper. Upon publication, the PD rezoning is final. The IPD must be filed in the County Register of Deeds office, and a recorded copy of the IPD is provided to the Community Development Department. The PD zoning designation runs with the land and remains the designation of the property until a rezoning action is submitted and approved.

*NOTE: If the Common Council denies a PD rezoning request, the applicant must wait a year before submitting the same rezoning request. If the applicant withdraws the submittal prior to Common Council action to deny, the year wait to resubmit does not apply.*

## **IMPLEMENTATION PLAN DOCUMENT AND DEVELOPMENT PLAN INFORMATION**

The Implementation Plan Document (IPD) is recorded in the County Register of Deeds office. The IPD informs all who deal with the PD of the restrictions placed upon the land and acts as a customized zoning district. The IPD will include the Development Plan (DP), in which case requirements of the Development Plan checklist will also apply and will provide an analysis of the surrounding area in addition to the site-specific requirements of the IPD. The Development Plan (DP) shall generally locate buildings and site improvements and analyze the surrounding area to determine needs and compatibility.

The approval of the DP and IPD for a PD shall not constitute approval of the future final IPD. Rather, it shall be deemed an expression of approval of the concepts and details of the DP and IPD and as a specific guide to the preparation of final documents which are required as part of the application for approval of the final IPD and an Implementation Plan (Site Plan). Further, it indicates approval of the details in the application and a commitment by the applicant to such details.

The DP and IPD, as approved by the Common Council, shall remain valid for a period of 365 days during which time the Implementation Plan (Site Plan) must be submitted for review to the Director of Community Development. The Common Council may extend this period upon recommendation of the City Plan Commission. Failure to submit the Implementation Plan (Site Plan) for review will constitute abandonment of the PD and related approvals and any assumed development rights over that allowed through the base zoning district.

### **INFORMAL HEARING PROCEDURE BEFORE THE CITY PLAN COMMISSION**

The City Plan Commission, as a matter of policy, conducts informal hearings on all Zoning Ordinance amendments referred to it by the Common Council. While the law does not require these hearings, the Commission believes they are useful as an additional means of providing an opportunity for public comment on zoning and land use issues. In order that these hearings may be conducted in an orderly and productive fashion, the Plan Commission has established the following procedures:

1. A representative of the Community Development Department (which provides technical staff support for the Plan Commission) reviews the facts of the case and makes a recommendation for Commission action.
2. The Chair of the Plan Commission invites the applicant to address the Commission and to comment on the reasons for making the request for a change.
3. The Plan Commission may address questions to the applicant.
4. The Chair invites the public to comment on the merits of the request and to present planning evidence in support of or in opposition to the requested amendment. The public is asked to keep its comments brief and to the point on the particular zoning question at hand. Duplicating or inflammatory statements are discouraged.
5. The Plan Commission may address questions to the applicant, to the public or to the staff.
6. The Chair shall declare the informal hearing closed. At this time, the Plan Commission will debate the issue among themselves and act to either postpone the request or make a recommendation to the Common Council favoring or opposing the request.

Upon completion of the informal hearing and action by the Plan Commission, the case is referred to Common Council for its consideration at a formal public hearing.

## DEVELOPMENT PLANS

The specific contents of the development plan for a Planned Development (PD) Overlay District are listed in the Municipal Code, Chapter 23-151(n)(1). This checklist is provided to assist you in preparing a complete set of plans, prior to submission.

Development plans and supporting data shall include all items listed in this section:

- 1. Topographic survey and location map
- 2. Detailed plan, drawn at a scale not less than one-inch equals 100 feet, or as considered appropriate by the Community Development Director. This plan should include:
  - Proposed streets
  - Lots
  - All buildings, showing setback dimensions to lot lines and use
  - Common open space
  - Recreation facilities
  - Parking areas, showing setback dimensions to lot lines
  - Service areas and other facilities to indicate the character of the development
  - Note identifying the lot coverage percentage of impervious surface coverage within the PD
  - Note identifying the percentage of permanent common open space within the PD
- 3. Boundary lines, including bearings, distances and acreage
- 4. Easement locations, including width and purpose
- 5. Existing land use on the PD property and up to 150 feet on adjacent lots
- 6. Other conditions on adjoining land, including:
  - Actual direction and gradient of ground slope, including embankments and retaining walls
  - Character and location of major buildings
  - Railroads
  - Power lines
  - Towers
  - Other nearby non-residential land uses or adverse influences
  - Owners of platted land, referred to by subdivision plat name, recording date and number
  - Approximate percentage built-up, typical lot sizes and dwelling types of platted land
- 7. Zoning on and adjacent to the tract
- 8. Streets on and adjacent to the tract, including:
  - Street names
  - Right-of-way widths
  - Existing or proposed centerline elevations
  - Pavement types
  - Walks
  - Curbs
  - Gutters
  - Culverts
- 9. Location of residential and non-residential buildings, including
  - Purpose
  - Height
- 10. General map data, including
  - Name of development
  - North arrow
  - Scale
  - Date of preparation
- 11. Accurate legal description of the entire area within the PD

- \_\_\_\_\_ 12. Identification and explanation of those aspects of the proposed PD overlay district that vary from the Zoning Ordinance requirements applicable to the underlying zoning district and from other applicable regulations of the City
- \_\_\_\_\_ 13. Explanation of the character of the PD overlay district and the reasons why it has been planned to take advantage of the flexibility of these regulations. This item shall include a specific explanation of how the proposed PD overlay district meets the objectives of this section.
- \_\_\_\_\_ 14. Titles and certificates, including
  - \_\_\_\_\_ Present tract designation according to official record in the County Register of Deeds
  - \_\_\_\_\_ Title under which the development is to be recorded, with names and addresses of owners and notation stating acreage; owners include beneficial owners of any land trust
- \_\_\_\_\_ 15. A general landscape and lighting plan for the site, including the effects of lighting on adjacent properties

*The following items may be waived by the Community Development Director:*

- \_\_\_\_\_ 1. Proposed public improvements
- \_\_\_\_\_ 2. Utilities on and adjacent to the tract, including
  - \_\_\_\_\_ Location of: \_\_\_\_\_ sanitary and storm sewers
  - \_\_\_\_\_ electric, telephone and gas lines
  - \_\_\_\_\_ fire hydrants
  - \_\_\_\_\_ street lights
  - \_\_\_\_\_ Size and invert elevation of sanitary and storm sewers
  - \_\_\_\_\_ Direction, distance to and size of nearest water mains adjacent to the tract
  - \_\_\_\_\_ Direction, distance to, size and invert elevation of nearest sewers adjacent to the tract
- \_\_\_\_\_ 3. Ground elevation on the tract and the first 50 feet on all adjacent tracts, including
  - \_\_\_\_\_ One foot contours for land which slopes less than .5%
  - \_\_\_\_\_ All breaks in grade at drainage changes or swales
  - \_\_\_\_\_ All breaks in grade at selected points not more than 100 feet apart in all directions
  - \_\_\_\_\_ Two foot contours for land that slopes more than .5%
  - \_\_\_\_\_ Land within the 100 year floodplain
- \_\_\_\_\_ 4. Subsurface conditions on the tract, including tests to ascertain subsurface soil, rock and groundwater conditions and depth to groundwater, unless test pits are dry at a depth of five feet
- \_\_\_\_\_ 5. Other conditions: water courses, marshes, rock outcrops, wooded areas, isolated trees one foot or more in diameter, existing structures and other significant features
- \_\_\_\_\_ 6. Names and addresses, including
  - \_\_\_\_\_ Those who should receive hearing notices
  - \_\_\_\_\_ The subdivider or developer, the designer of the subdivision or development, owners of land immediately adjoining the land to be platted
- \_\_\_\_\_ 7. All parcels of land intended to be dedicated for public use or reserved for the use of all property owners, with purpose indicated
- \_\_\_\_\_ 8. A drainage plan signed by a Wisconsin Registered Professional Engineer that conforms to City standards for site drainage
- \_\_\_\_\_ 9. Tabulation of each separate subdivided use area, including
  - \_\_\_\_\_ Land area
  - \_\_\_\_\_ Number of buildings
  - \_\_\_\_\_ Number of dwelling units per acres
- \_\_\_\_\_ 10. An accurate legal description of each separate unsubdivided use area, including open area

\_\_\_\_\_ 11. A stormwater management plan signed by a Wisconsin Registered Professional Engineer that conforms to the City Stormwater Management Ordinance

\_\_\_\_\_ 12. Miscellaneous documents that may be required by the Community Development Director as requested after the preapplication conference

The following items may be required by the Community Development Director:

\_\_\_\_\_ 1. Development schedule indicating,

\_\_\_\_\_ Stages in which the project will be built with emphasis on:

- area
- density
- use and public facilities, i.e. open space to be developed with each stage

\_\_\_\_\_ Each stage described and mapped as a unit of the project; overall design of each unit shall be shown on the plan and through supporting graphic material

\_\_\_\_\_ Dates for beginning and completion of each stage

\_\_\_\_\_ 2. Proposed agreements, provisions or covenants which will govern the use, maintenance and continued protection of the PD and any of its common open space

\_\_\_\_\_ 3. Proposed condominium declaration and bylaws of condominium form of ownership or homeowners' association if it is to be used in the PD

\_\_\_\_\_ 4. Information on the type and amount of non-residential uses, including

\_\_\_\_\_ Building locations

\_\_\_\_\_ Building heights

\_\_\_\_\_ Building sizes

\_\_\_\_\_ Amount and location of common open space

\_\_\_\_\_ Hours of operation

\_\_\_\_\_ Number of employees

\_\_\_\_\_ Specific uses

\_\_\_\_\_ 5. Preliminary architectural plans for all primary buildings, with sufficient detail to indicate

\_\_\_\_\_ Style of the development

\_\_\_\_\_ Design elements of the buildings

\_\_\_\_\_ Number, size and type of dwelling units

\_\_\_\_\_ 6. Development plans and feasibility reports for:

\_\_\_\_\_ Streets (including classification, width of right-of-way, width of pavement, construction details)

\_\_\_\_\_ Sidewalks

\_\_\_\_\_ Sanitary sewers

\_\_\_\_\_ Storm drainage

\_\_\_\_\_ Water supply system

\_\_\_\_\_ Street lighting

\_\_\_\_\_ Public utilities

\_\_\_\_\_ 7. Community-benefit analysis indicating the fiscal impact of the PD overlay district on major taxing bodies including the municipal corporation, school district(s) and others, including detailed estimates on:

- Expected population of the development
- Operating cost to be incurred by each taxing body
- Additional major capital investments required because of the PD overlay district
- Revenue generated for each taxing body by the PD overlay district to offset service and fiscal demands created

\_\_\_\_\_ 8. Traffic analysis, studying the impact of the PD overlay district on the street and highway system in the City

- \_\_\_\_\_ 9. Market information, indicating extent of market demand for uses in the PD overlay district, including:
- Analysis of demographics
  - Sales potentials
  - Competitive alignment
  - Assessment of market share
  - Market positioning of each component of the PD overlay district
- \_\_\_\_\_ 10. Environmental analysis that discloses the major impacts, positive and negative, on the environment by the PD overlay district, including the effects on:
- discrete ecosystems
  - deteriorated air quality in the immediate vicinity and along arterial and collector roads leading to the PD overlay district over a distance determined by the City Engineer
  - deterioration in the groundwater or surface water quality
  - sensitive land areas such as floodplains, wetlands, forests, aquifer recharge areas, historic buildings or structures
- \_\_\_\_\_ 11. Open space standards effecting all open space, which at the election of the City, shall be:
- Conveyed to the City
  - Conveyed to a not-for-profit group or entity established for the purpose of benefiting the owners and tenants of the PD overlay district or adjacent property owners
  - Guaranteed by a restrictive covenant running with the land for the benefit of residents of the PD overlay district or adjacent property owners