



REPORT TO CITY PLAN COMMISSION

Plan Commission Meeting Date: December 10, 2019

Common Council Meeting Date: December 18, 2019

Item: Evergreen Heights Annexation

Case Manager: David Kress

GENERAL INFORMATION

Owner/Applicant: Grishaber Main Street Partnership, LLP c/o Scot Grishaber

Address/Parcel: Tax Id #101052406, #101052800, and #101052802 in the Town of Grand Chute. The subject property is located east of Richmond Street and south of Evergreen Drive.

Petitioner's Request: Owner is requesting direct annexation by unanimous approval pursuant to Section 66.0217(2), Wisconsin State Statutes of land currently located in the Town of Grand Chute, Outagamie County.

Purpose for Annexation: To allow for future development on the subject properties and adjacent parcels already in the City, which are also owned by the petitioner.

Population of Such Territory: 0

Annexation Area: 4.914 acres m/l

BACKGROUND

On March 16, 1992, the City of Appleton and the Town of Grand Chute agreed to and entered into an Intermunicipal Boundary Agreement pursuant to Section 66.027 and 66.30 of the Wisconsin State Statutes for the purpose of defining and expanding the provision of governmental services, including water and sewer services, by establishing the City's growth area and establishing provisions for annexation of land within the Town of Grand Chute to the City of Appleton.

Neighboring parcels #31-6-5601-00, #31-6-5601-01, and #31-6-5601-02, which are also owned by the petitioner, were annexed to the City of Appleton in 2008. At that time, the newly annexed parcels were assigned a zoning classification of C-2 General Commercial District. Future development is anticipated on the subject properties and these adjacent parcels; however, the zoning for the broader development area still needs to be determined.

Before Common Council approves the annexation ordinance, the City must allow a 20-day statutory review period, which starts when the Wisconsin Department of Administration (DOA) receives the annexation application materials and fee. The DOA received the annexation application materials and fee

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on November 25, 2019, so this requirement will be satisfied prior to Common Council taking action at their December 18, 2019 meeting.

STAFF ANALYSIS

The Community and Economic Development Department staff has reviewed the annexation petition and identifies the following:

- The area proposed for annexation is contiguous to the existing City boundary. The subject property connects to the City of Appleton at Richmond Street, Interstate 41, and adjacent properties located along Alvin Street and Richmond Street.
- Annexation of the site in question is consistent with the Intermunicipal Boundary Agreement with the Town of Grand Chute.
- City sanitary sewer and water infrastructure is already installed along Evergreen Drive and Alvin Street. A short extension to the existing sanitary sewer in Alvin Street is needed to serve the southern extent of the annexation area, with funding requested in the 2020 budget. Annexation to the City of Appleton is required before the subject property could connect to the City sewer and water.
- Currently, there is an existing office building and associated parking on parcel #101052406. Parcels #101052800 and #101052802 are developed with a metal building, as well as a gravel parking and outdoor storage area. The remainder of the annexation area consists of existing public right-of-way.
- The owner is not requesting that the Plan Commission initiate a rezoning for the subject property, so the temporary AG Agricultural District will be assigned. If the temporary zoning classification is not amended within 90 days, the zoning will revert to AG Agricultural District.

Surrounding Zoning Classification and Land Uses:

North: Town of Grand Chute. The adjacent land use to the north is currently a cemetery.

South: C-2 General Commercial District. The adjacent land uses to the south are currently a mix of commercial uses.

East: P-I Public Institutional District and Town of Grand Chute. The adjacent land uses to the east are currently a mix of residential and institutional uses, including a place of worship.

West: C-2 General Commercial District and Town of Grand Chute. The adjacent land uses to the west are currently a mix of commercial uses and vacant land.

Appleton Comprehensive Plan 2010-2030: The City of Appleton *Comprehensive Plan 2010-2030* identifies this area for future Commercial uses. The proposed annexation is consistent with the following goals and objectives of the *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.

OBJECTIVE 9.5 Economic Development:

Encourage new development and redevelopment activities that create vital and attractive neighborhoods and business districts.

Policy 9.5.1 Ensure a continued adequate supply of industrial and commercial land to sustain new business development.

OBJECTIVE 10.5 Land Use:

Support the continued redevelopment and revitalization of land uses adjacent to Appleton's key transportation corridors and downtown.

Technical Review Group (TRG) Report: This item was discussed at the November 19, 2019 Technical Review Group meeting. No negative comments were received from participating departments.

FUTURE ACTIONS

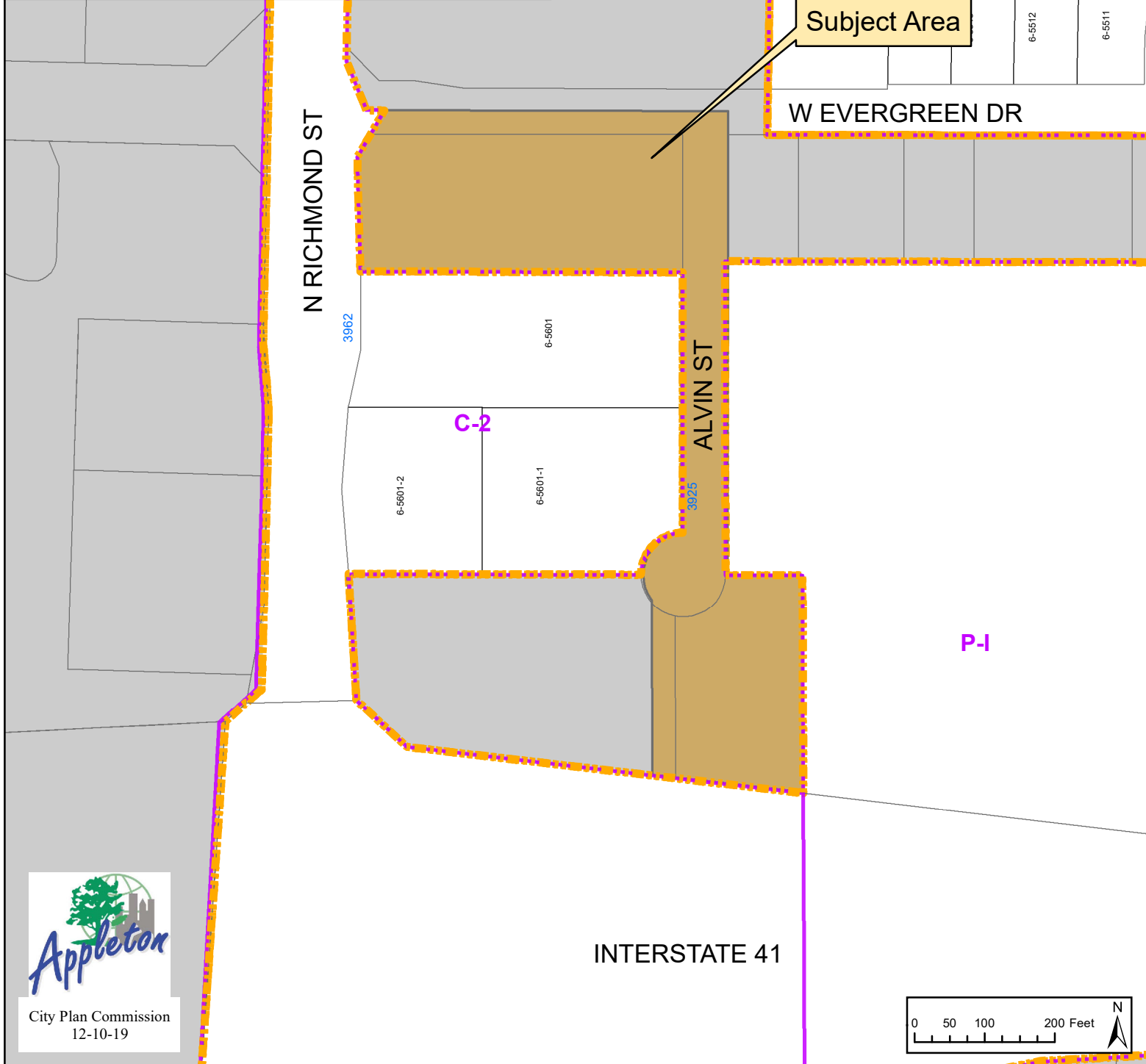
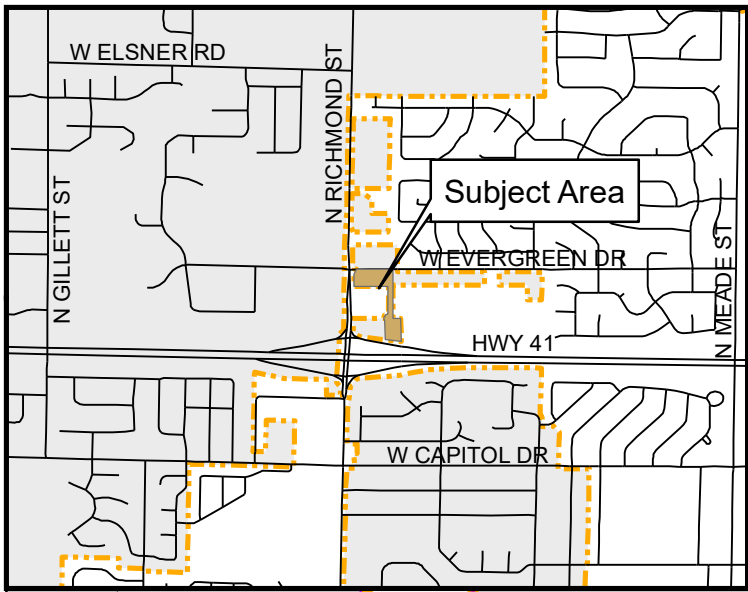
Per Section 23-65(e) of the Municipal Code, a temporary zoning classification is assigned to newly annexed territory, with permanent zoning taking place following the annexation process. In this case, the owner is not requesting a rezoning for the subject property, so the temporary AG Agricultural District will be assigned. Permanent zoning, perhaps utilizing a Planned Development Overlay District, will be determined at a later date. A rezoning request would be processed in accordance with Section 23-65(d) Zoning Map Amendments, which includes action by Plan Commission and Common Council.

RECOMMENDATION

Staff recommends that the Evergreen Heights Annexation, as shown on the attached maps, **BE APPROVED** with the following stipulation:

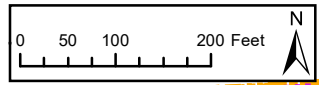
1. The Plan Commission assign a zoning classification of temporary AG Agricultural District for the subject property, pursuant to Section 23-65(e) of the Municipal Code.

Annexation Evergreen Heights Town of Grand Chute Zoning Map



City Plan Commission
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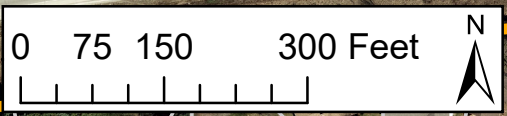
INTERSTATE 41



Annexation
Evergreen Heights
Town of Grand Chute
Aerial Map



City Plan Commission
12-10-19





**PETITION FOR DIRECT ANNEXATION BY UNANIMOUS APPROVAL
PURSUANT TO SECTION 66.0217(2), WISCONSIN STATUTES
WHERE NO ELECTORS RESIDE IN TERRITORY**

We, the undersigned, constituting all of the owners of the real property in which no electors reside in the following territory of the Town of Grand Chute, Outagamie County, Wisconsin, lying contiguous to the City of Appleton, petition the Common Council of the City of Appleton to annex the territory described below and shown on the attached scale map to the City of Appleton, Outagamie County, Wisconsin.

A parcel of land in the Northwest 1/4 of the Northwest 1/4 of Section Fourteen (14), Township 21 North, Range 17 East, in the Town of Grand Chute, Outagamie County, Wisconsin, containing 214,035 square feet (4.914 acres) bounded and described as follows:

Commencing at the Northwest corner of said Section 14;

thence S89°51'46"E, 90.00 feet along the North line of Section 14 to a point on a West line of the City of Appleton Corporate Boundary;

thence continue S89°51'46"E, 25.01 feet along said Corporate Boundary line and the North line of Section 14 to the point of beginning;

thence continuing S89°51'46"E, 489.17 feet along said Section line to the Northerly extension of the East line of Alvin Street;

thence S00°04'20"W, 659.44 feet along said extension and the East line of said Alvin Street to the North line of parcel 10-1-0528-00;

thence S89°46'39"E, 106.60 feet along the said North line to the Northeast corner thereof;

thence S00°10'04"E, 308.60 feet along the east line of said parcel to the North line of Interstate 41;

thence N83°27'37"W, 216.09 feet along the said North line to the Southwest corner of parcel 10-1-0528-02;

thence N00°10'04"W, 248.68 feet along the west line of said parcel to the Westerly Right of Way of Alvin Street;

thence 127.07 feet along said Westerly Right of Way line on the arc of a 60.00 foot radius curve to the right having a chord of N23°39'38"E, 104.62 feet;

thence N00°04'20"E, 370.50 feet along said Right of Way to the Southeast corner of parcel 10-1-0524-06;

thence N89°50'52"W, 457.63 feet along the South line of said parcel to the East line of North Richmond Street;

thence N01°18'27"W, 162.41 feet along said Right of Way;

thence N30°03'49"E, 76.75 feet along said Right of Way and its extension to the Point of Beginning;

Area of lands to be annexed contains 4.914 acres m/l.

Tax Parcel numbers of lands to be annexed: 101052406, 101052800, and 101052802.

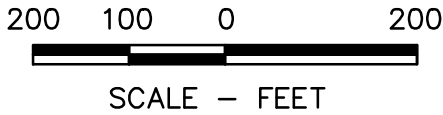
The current population of such territory is 0.

We, the undersigned, elect that this annexation shall take effect to the full extent consistent with outstanding priorities of other annexation, incorporation, or consolidation proceedings, if any.

Signature of Petitioner	Owner	Date of Signing	Address of Petitioner (Include Zip Code)
<i>Scot Grishaber</i>	Grishaber Main Street Partnership, LLP	11-8-19	501 N. Westhill Boulevard Appleton, WI 54914
Scot Grishaber, Partner, Grishaber Main Street Partnership, LLP			

ANNEXATION MAP

PARCELS 10-1-0524-06,
10-1-0528-00, 10-1-0528-02,
EVERGREEN DRIVE & ALVIN STREET
TOWN OF GRAND CHUTE,
OUTAGAMIE COUNTY, WISCONSIN



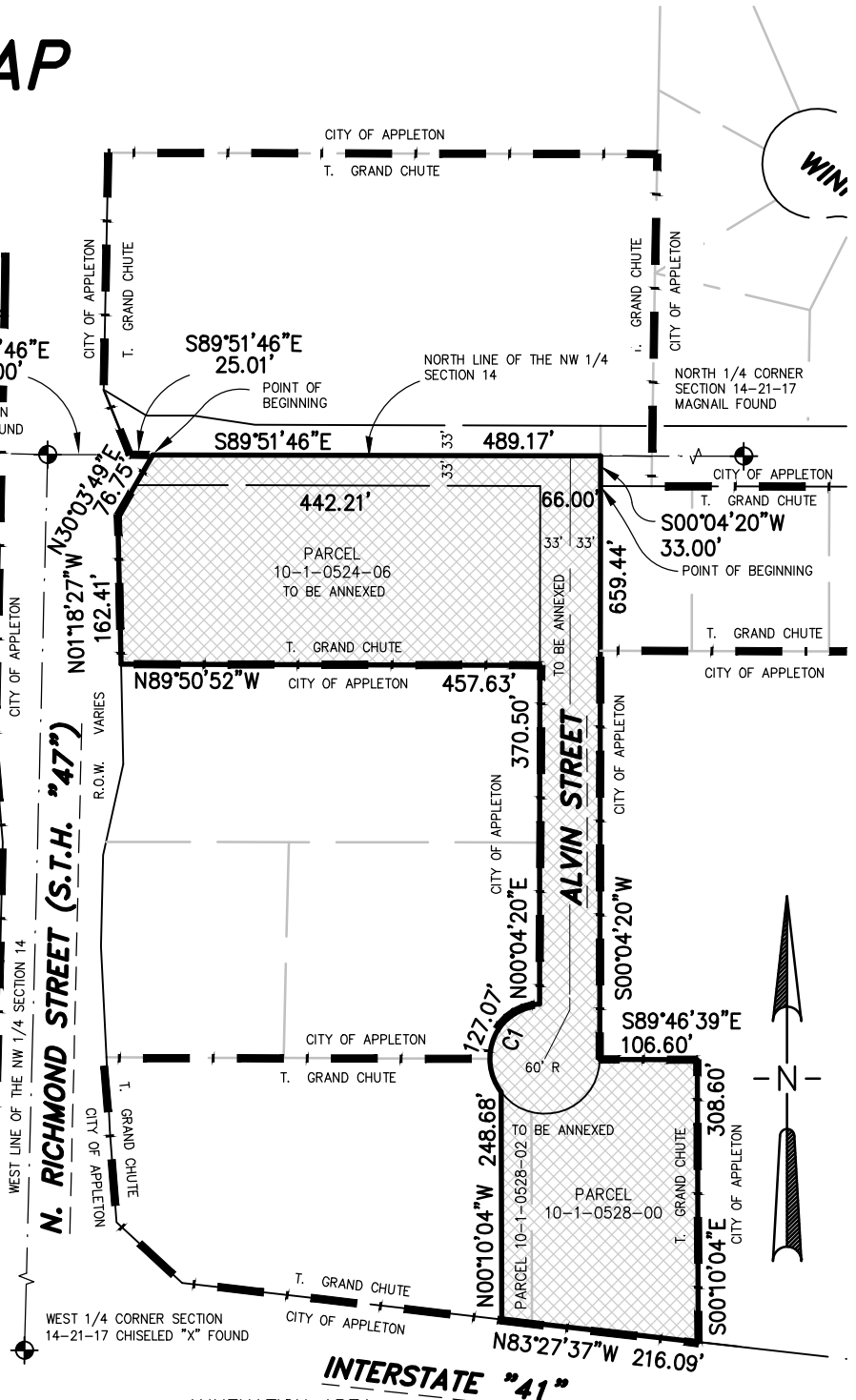
EVERGREEN DRIVE

PROPERTY DESCRIPTION

A PARCEL OF LAND IN THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION FOURTEEN (14), TOWNSHIP 21 NORTH, RANGE 17 EAST, IN THE TOWN OF GRAND CHUTE, OUTAGAMIE COUNTY, WISCONSIN, CONTAINING 214.035 SQUARE FEET (4.914 ACRES) BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 14;
THENCE S89°51'46"E, 90.00 FEET ALONG THE NORTH LINE OF SECTION 14 TO A POINT ON A WEST LINE OF THE CITY OF APPLETON CORPORATE BOUNDARY;
THENCE CONTINUE S89°51'46"E, 25.01 FEET ALONG SAID CORPORATE BOUNDARY LINE AND THE NORTH LINE OF SECTION 14 TO POINT OF BEGINNING;
THENCE CONTINUE S89°51'46"E, 489.17 FEET ALONG SAID SECTION LINE TO THE NORTHERLY EXTENSION OF THE EAST LINE OF ALVIN DRIVE;
THENCE S00°04'20"W, 659.44 FEET ALONG SAID EXTENSION AND THE EAST LINE OF SAID ALVIN STREET TO THE NORTH LINE OF PARCEL 10-1-0528-00;
THENCE S89°46'39"E, 106.60 FEET ALONG THE SAID NORTH LINE TO THE NORTHEAST CORNER THEREOF;
THENCE S00°10'04"E, 308.60 FEET ALONG THE EAST LINE OF SAID PARCEL TO THE NORTH LINE OF INTERSTATE 41;
THENCE N83°27'37"W, 216.09 FEET ALONG THE SAID NORTH LINE TO THE SOUTHWEST CORNER OF PARCEL 10-1-0528-02;
THENCE N00°10'04"W, 248.68 FEET ALONG THE WEST LINE OF SAID PARCEL TO THE WESTERLY RIGHT OF WAY OF ALVIN STREET;
THENCE 127.07 FEET ALONG SAID WESTERLY RIGHT OF WAY LINE ON THE ARC OF A 60.00 FOOT RADIUS CURVE TO THE RIGHT HAVING A CHORD OF N23°39'38"E, 104.62 FEET;
THENCE N00°04'20"E, 370.50 FEET ALONG SAID RIGHT OF WAY TO THE SOUTHEAST CORNER OF PARCEL 10-1-0524-06;
THENCE N89°50'52"W, 457.63 FEET ALONG THE SOUTH LINE OF SAID PARCEL TO THE EAST LINE OF NORTH RICHMOND STREET;
THENCE N01°18'27"W, 162.41 FEET ALONG SAID RIGHT OF WAY;
THENCE N30°03'49"E, 76.75 FEET ALONG SAID RIGHT OF WAY AND ITS EXTENSION TO THE POINT OF BEGINNING;

BEARINGS ARE REFERENCED TO THE NORTH LINE OF THE NORTHWEST 1/4 OF SECTION 14, TOWNSHIP 21 NORTH, RANGE 17 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN, WHICH BEARS N89°51'46"E PER THE OUTAGAMIE COUNTY COORDINATE SYSTEM.



INTERSTATE "41"

ANNEXATION AREA	
PARCEL 10-1-0524-06	89,792 S.F. 2.061 ACRES
ALVIN STREET	49,449 S.F. 1.135 ACRES
EVERGREEN STREET	16,456 S.F. 0.378 ACRES
PARCEL 10-1-0528-00	50,522 S.F. 1.160 ACRES
PARCEL 10-1-0528-02	7,816 S.F. 0.179 ACRES
TOTAL AREA	214,035 S.F. 4.914 ACRES

FOR: -GRISHABER MAIN STREET PARTNERSHIP
-501 N. WESTHILL BLVD.
-APPLETON, WI 54915

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH	TANGENT BEARING-IN	TANGENT BEARING-OUT
C1	127.07'	60.00'	121°20'43"	N23°39'38"E	104.62'	S84°20'00"W	S37°00'43"E