



## REPORT TO CITY PLAN COMMISSION

**Plan Commission Meeting Date:** January 12, 2021

**Common Council Meeting Date:** January 20, 2021

**Item:** Cain Annexation (675 E. Edgewood Drive)

**Case Manager:** Jessica Titel

### GENERAL INFORMATION

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**Owner/Applicant:** Larry & Cheryl Cain

**Address/Parcel:** 675 E. Edgewood Drive (Town of Grand Chute Tax Id. 101038801)

**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 the existing single-family residence to be connected to the City sanitary sewer and water system.

**Population of Such Territory:** 5

**Annexation Area:** 0.77 acres m/l

### BACKGROUND

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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.

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 on December 18, 2020, so this requirement will be satisfied prior to Common Council taking action at their January 20, 2021 meeting.

### STAFF ANALYSIS

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

## **Cain Annexation**

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- The area proposed for annexation is contiguous to the existing City boundary to the north (public right-of-way), south and east.
- 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 within East Edgewood Drive. Annexation to the City of Appleton is required before the subject property could connect to the City sewer and/or water.
- Currently, the subject property consists of one single-family home and a detached accessory building.
- The owner is requesting that the City Plan Commission initiate a rezoning for the subject property from temporary AG Agricultural District to a permanent zoning classification of R-1A Single-Family District. The temporary zoning classification must be made permanent in accordance with Section 23-65(d), Zoning Map Amendments, within 90 days, or the zoning will revert to AG Agricultural District.

### **Surrounding Zoning Classification and Land Uses:**

North: R-1A and Town of Grand Chute. The adjacent land use to the north is currently City of Appleton public right-of-way and residential (Town of Grand Chute).

South: R-1A Single Family Residential. The adjacent land use to the south is currently single family residential.

East: R-1A Single Family Residential. The adjacent land use to the east is currently single-family residential.

West: Town of Grand Chute. The adjacent land use to the west is currently single-family residential.

**Appleton Comprehensive Plan 2010-2030:** The City of Appleton *Comprehensive Plan 2010-2030* identifies this area for future One and Two-Family Residential 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 3 – Housing Quality, Variety, and Affordability*

*Appleton will provide a variety of rental and ownership housing choices in a range of prices affordable to community residents, and ensure that existing housing is adequately maintained in terms of physical quality and market viability.*

*5.1 OBJECTIVE: Continue efforts to ensure an adequate supply of housing affordable to all income levels in the community.*

*5.3 OBJECTIVE: Provide a range of housing options that meet the needs and appeal to all segments of the community and allows residents to age in place.*

**Technical Review Group (TRG) Report:** This item was discussed at the December 22, 2020 Technical Review Group meeting. No negative comments were received from participating departments.

### **FUTURE ACTIONS**

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- 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. All territory annexed to the City is assigned a zoning classification as recommended by Plan Commission. The Plan Commission shall consider the following criteria in selection of an appropriate zoning district for the annexed land:
  - The existing land uses within the territory to be annexed;
  - The surrounding land uses that exist on adjacent properties regardless of municipal boundary lines;
  - The comprehensive plan of the City.
- The owner is requesting that Plan Commission initiate a rezoning for the subject property from temporary AG Agricultural District to a permanent zoning classification of R-1A Single-Family District. A rezoning initiated directly by Plan Commission will be processed in accordance with Section 23-65(d), Zoning Map Amendments, which includes review and action by the Common Council.

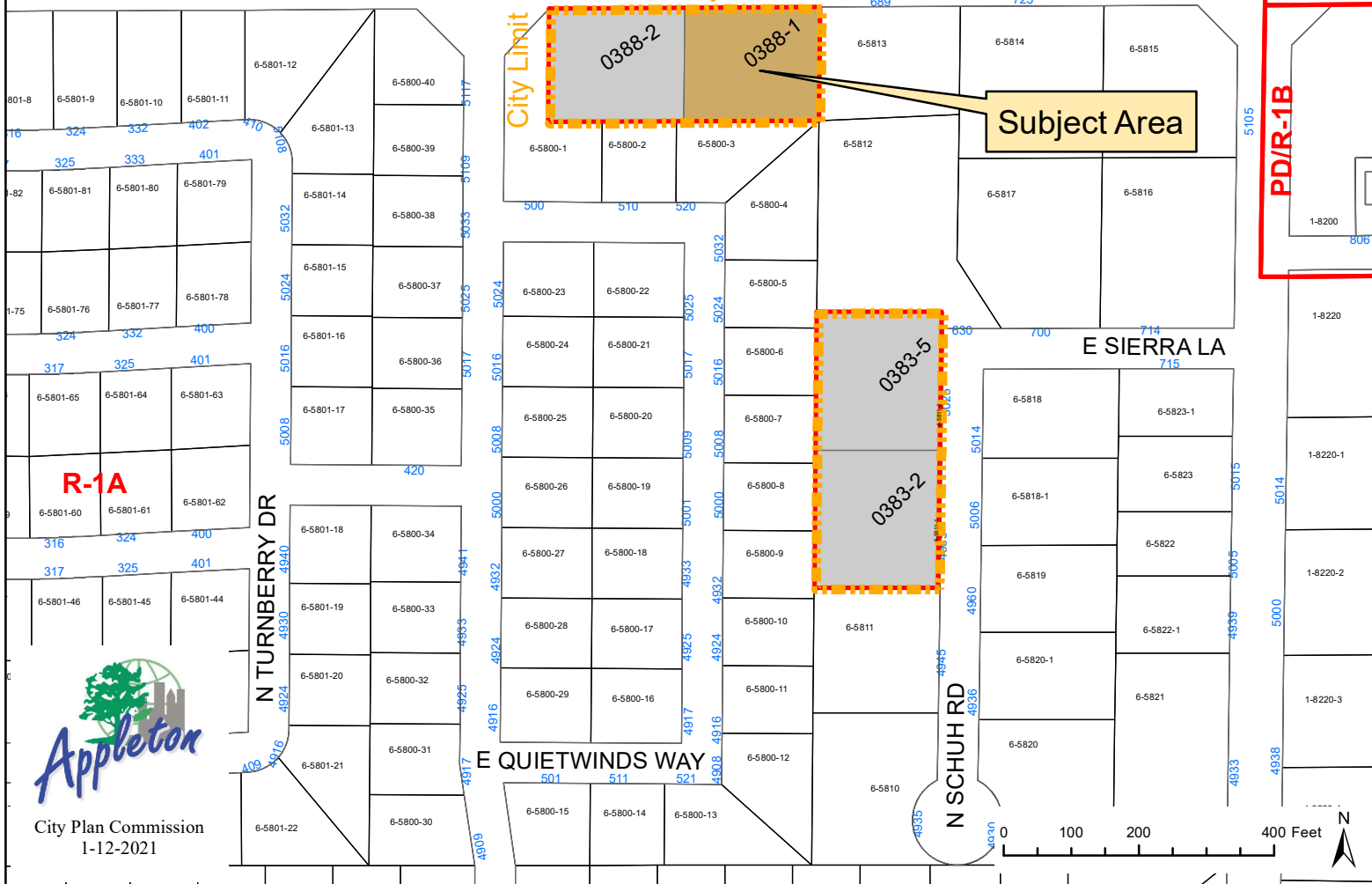
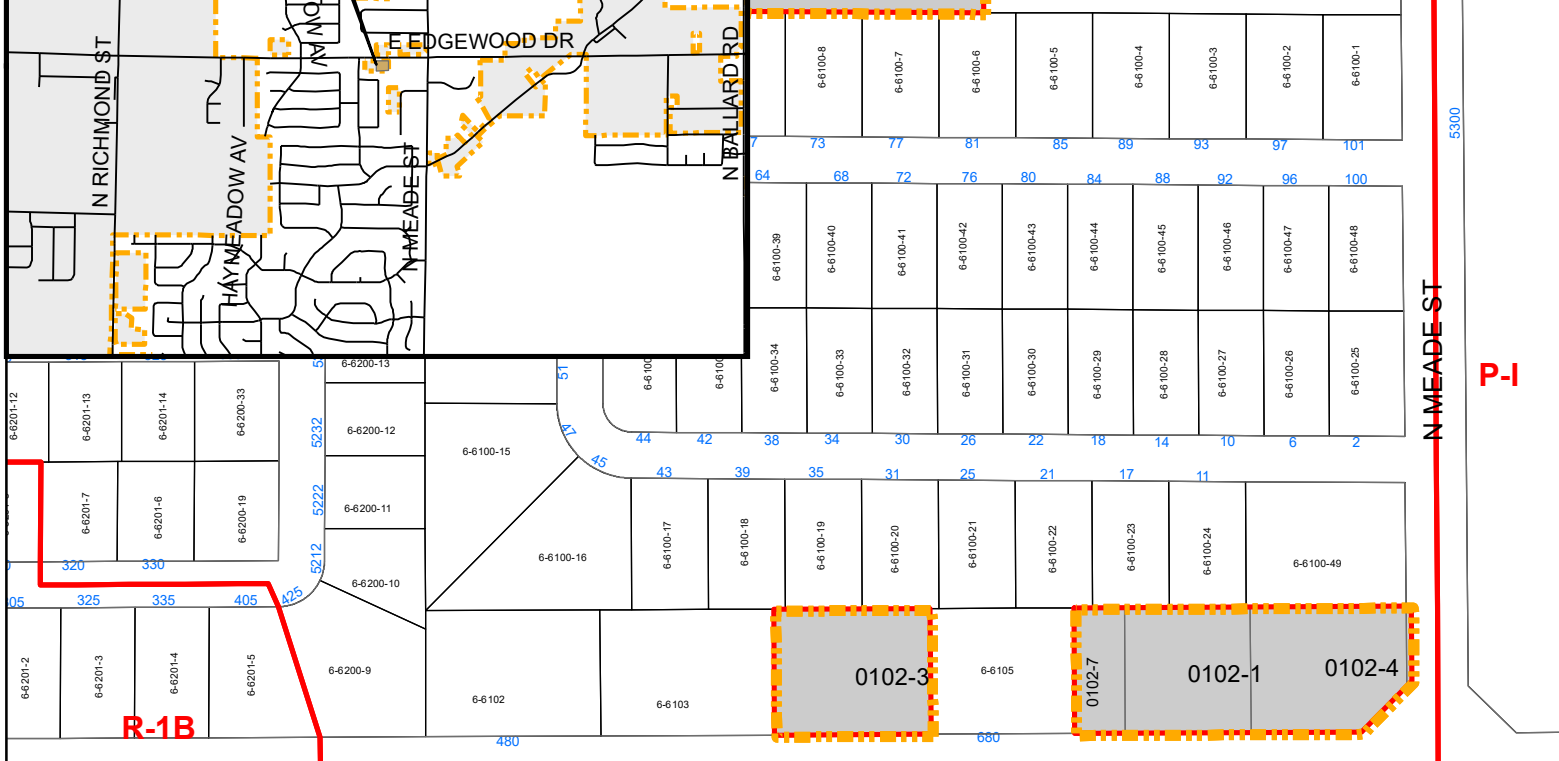
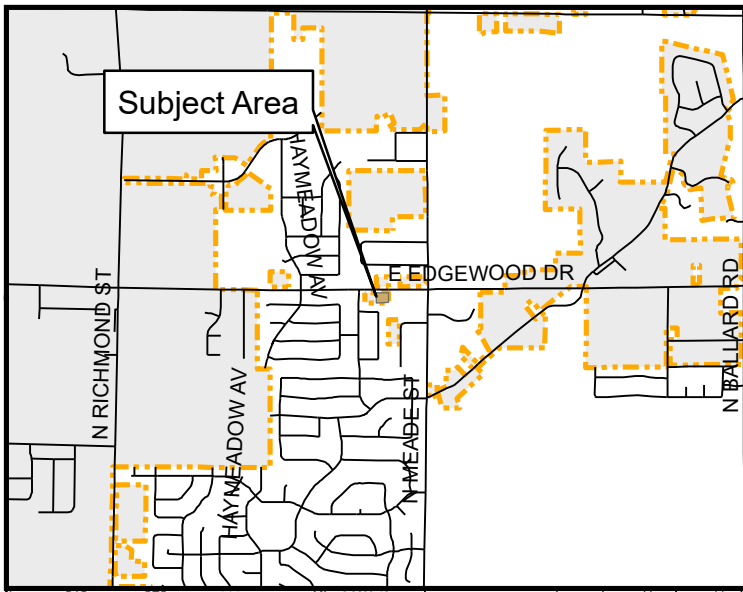
### **RECOMMENDATION**

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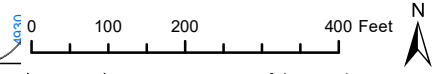
Staff recommends that the Cain Annexation (675 E. Edgewood Drive), as shown on the attached maps, **BE APPROVED** with the following stipulation:

1. The Plan Commission initiate the rezoning for the subject property from temporary AG Agricultural District to a permanent zoning classification of R-1A Single-Family District, pursuant to Section 23-65(d)(1) of the Municipal Code.

# Annexation Cain – 675 E. Edgewood Drive Town of Grand Chute Zoning Map



City Plan Commission  
1-12-2021



Annexation  
Cain – 675 E. Edgewood Drive  
Town of Grand Chute  
Aerial Map

E EDGEWOOD DR

City Limits

Subject Area



City Plan Commission  
1-12-2021

ENE WAY





**PETITION FOR DIRECT ANNEXATION BY UNANIMOUS APPROVAL  
PURSUANT TO SECTION 66.0217(2), WISCONSIN STATUTES**

I/We, the undersigned, constituting all of the sole owner of the real property and all of the electors that reside in the following territory of the Town of Grand Chute, Outagamie County, Wisconsin, 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.

The East 200 feet of the North 217.8 feet of the West One-half (W ½) of the Northeast Quarter (NE ¼) of the Northeast Quarter (NE ¼) of Section Eleven (11), Township Twenty-one (21) North, Range Seventeen (17) East, Town of Grand Chute, Outagamie County, Wisconsin, less that part reserved for highway purposes, containing 0.77 Acres of land m/l.

The current population of such territory is 5. The number of electors that reside on the lands to be annexed is 1.

I/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.

I/We further respectfully request that the City Plan Commission initiate a rezoning for the subject property, from temporary AG Agricultural District to a permanent zoning classification of R-1A Single-Family District.

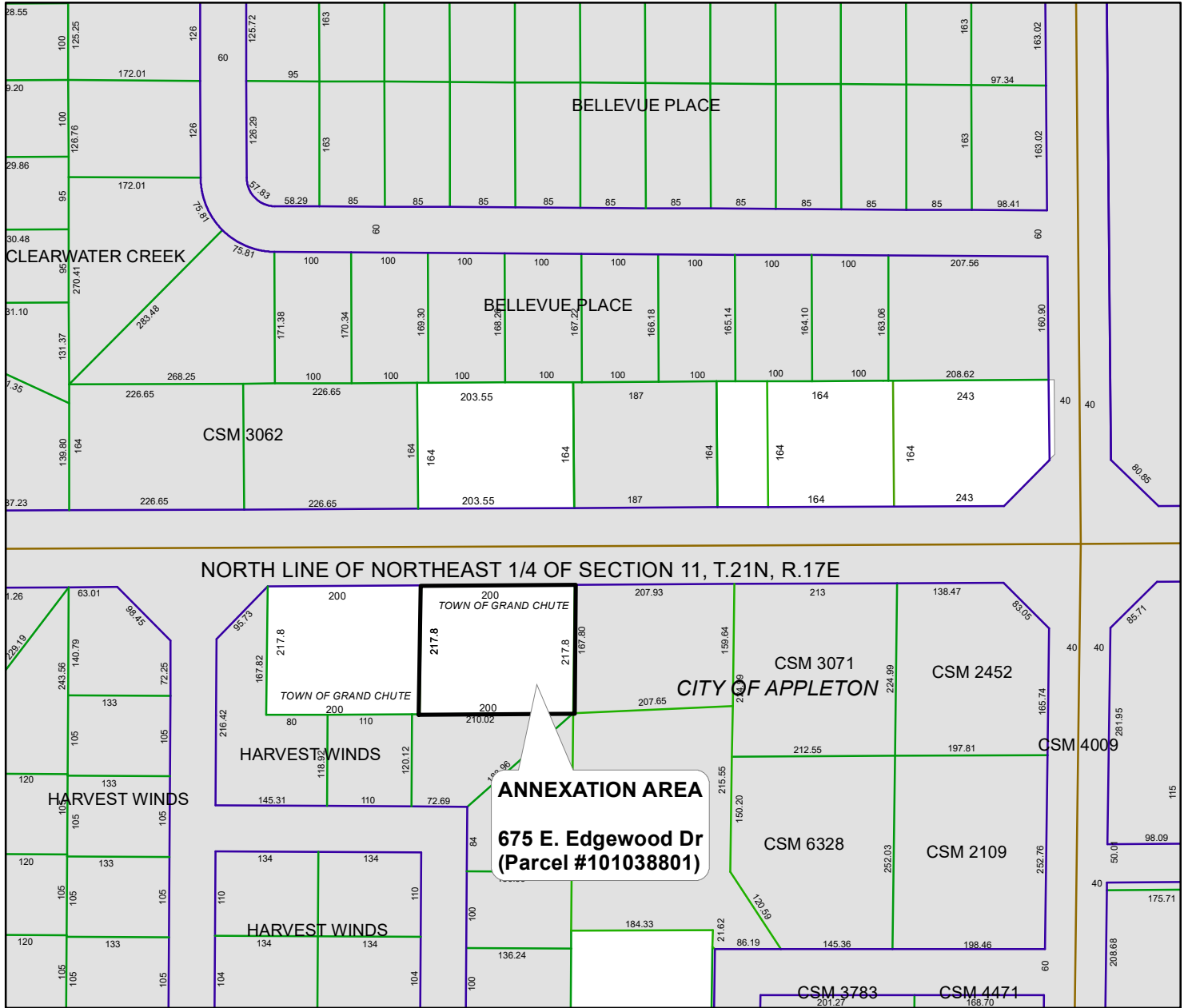
Area of lands to be annexed contains 0.77 acres m/l.

Tax Parcel number of lands to be annexed: 101038801

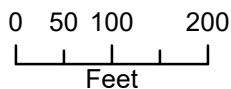
<b>Signature of Petitioner</b>	<b>Owner/Elector</b>	<b>Date of Signing</b>	<b>Address of Petitioner (Include Zip Code)</b>
<i>Cheryl S Cain</i>	Owner (Larry W. & Cheryl S. Cain Revocable Trust 2012)	12/4/2020	818 E. Pondview Court Appleton, WI 54913
Cheryl Stelse Cain			
<i>Larry William Cain</i>	Owner (Larry W. & Cheryl S. Cain Revocable Trust 2012)	12/4/2020	818 E. Pondview Court Appleton, WI 54913
Larry William Cain			
<i>Trevor Schulz</i>	Elector	12/5/2020	675 E. Edgewood Drive Appleton, WI 54913
Trevor Schulz			

# ANNEXATION EXHIBIT

The East 200 feet of the North 217.8 feet of the West One-half (W ½) of the Northeast Quarter (NE ¼) of the Northeast Quarter (NE ¼) of Section Eleven (11), Township Twenty-one (21) North, Range Seventeen (17) East, Town of Grand Chute, Outagamie County, Wisconsin, less that part reserved for highway purposes, containing 0.77 Acres of land m/l.



BEARINGS ARE REFERENCED TO THE WISCONSIN COUNTY COORDINATE SYSTEM OUTAGAMIE COUNTY, NORTH LINE OF NORTHEAST 1/4 OF SECTION 11, T.21N, R.17E  
Recorded to bear S89,14'49"E



CITY OF APPLETON  
DEPT OF COMMUNITY  
AND ECONOMIC DEVELOPMENT  
GIS DIVISION  
100 NORTH APPLETON STREET  
APPLETON WI 54911  
920-832-6468  
MAPPED BY J SCHNEIDER  
LEGAL DESC BY T KROMM  
Date: 12/3/2020