



## REPORT TO CITY PLAN COMMISSION

**Plan Commission Meeting Date:** June 10, 2013

**Item:** North Meadow Investment/Evergreen Drive Annexation

**Common Council Meeting Dates:**

- June 19, 2013 (Plan Commission report for approval)
- July 24, 2013 (Resolution for approval)
- August 7, 2013 (Annexation Ordinance for approval)

**Case Manager:** Don Harp

### GENERAL INFORMATION

**Owner/Applicant:** Peter J. Rohe on behalf of North Meadows Investment Ltd. and the City of Appleton

**Address/Parcel #:** Generally located on the north side of Evergreen Drive, west of Lighting Drive.

**Petitioner's Request:** Owner/applicant is requesting direct annexation by unanimous approval pursuant to Section 66.021(2), Wisconsin State Statutes of land currently located in the Town of Grand Chute, Outagamie County.

**Population of such Territory:** 0

**Annexation Area:** 9.45 Acres M/L

**Annexation Ordinance Publish Date (anticipated):** August 12, 2013

### STAFF ANALYSIS

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

- The area proposed for annexation is a Town island contiguous to City limits on all sides.
- Annexation of the site in question is consistent with the boundary agreement with the Town of Grand Chute.
- The City of Appleton portion of the annexation area is existing public right-of-way (Evergreen Drive) and drainage corridor (Apple Creek Drainage Corridor) under the City's jurisdiction.
- Currently, there are no constructed buildings existing on the North Meadows Investment Ltd portion of the annexation area. Currently, no specific development proposal is proposed for land included in this annexation area.
- Sanitary sewer and water infrastructure exists in Evergreen Drive and can be extended to the site in question.

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- According to 23-65(e) of the zoning amendment section of the City of Appleton Zoning Ordinance, annexation property shall be temporarily zoned AG Agricultural. However, the Plan Commission can recommend a zoning classification other than AG Agricultural. With this in mind, staff recommends the annexation area be assigned the following zoning classifications:
  - NC Nature Conservancy District be assigned to the City of Appleton portion of land located within the Apple Creek Drainage Corridor. This zoning classification is consistent with the existing zoning classification of this portion of the drainage corridor and the City of Appleton 2010-2030 Comprehensive Plan.
  - Temporary AG Agricultural District be assigned to the to the City of Appleton portion of land located with the Evergreen Drive right-of-way and the North Meadows Investment Ltd portion of land. This zoning district is intended to constitute a “hold” district to retain land in less intensive use until such time when the property owner requests a specific zoning classification for a specific development proposal.

### Surrounding zoning and land uses:

- North: Located in the City of Appleton and is characterized by residential, pedestrian trail, drainage corridor uses. That area located within the City of Appleton is zoned R-1B Single-family District and NC Nature Conservancy District.
- South: Located in the City of Appleton and is characterized by Medical office and vacant land. That area located within the City of Appleton is zoned M-1 Industrial Park District.
- East: Located in the City of Appleton and is characterized by Place of Worship. That area located within the City of Appleton is zoned P-I Public Institutional District.
- West: Located in the City of Appleton and is characterized by vacant land. That area located within the City of Appleton is zoned C-O Commercial Office District.

**Technical Review Group Report (TRG):** This item was discussed at the May 21, 2013 Technical Review Group Report meeting. No negative comments were received from participating departments.

### RECOMMENDATION

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Staff recommends that the North Meadow Investment/Evergreen Drive Annexation as shown on the attached maps, **BE APPROVED** with the following stipulation:

1. The newly annexed area, pursuant to Sec. 23-65(e), be assigned and included in the annexation ordinance permanent zoning classification of NC Nature Conservancy District for the City of Appleton portion of land located within the Apple Creek Drainage Corridor and Temporary AG Agricultural District for the City of Appleton portion of land located with the Evergreen Drive right-of-way and the North Meadows Investment Ltd portion of land.

# NORTH MEADOWS INVEST. LTD. ANNEXATION

## LEGAL DESCRIPTION

Part of Lot 1 of Certified Survey Map No.1284 recorded in Volume 7 of Certified Survey Maps on Page 1282 as Document No.1040543 and a part of the Southeast Quarter (SE ¼) of the Southwest Quarter (SW ¼) and a part of the Northeast Quarter (NE ¼) of the Southwest Quarter (SW ¼) of Section 7, T.21N., R.18E., Town of Grand Chute, Outagamie County, Wisconsin, containing 9.45 Acres of land M/L and being described as follows:

Commencing at the South ¼ corner of said Section 7;

Thence N.00°15'21"E. 33.02 feet, along the East line of the SW ¼ of said Section 7, to the point of beginning;

Thence N.87°31'44"W. 193.17 feet, parallel to the South line of the SW ¼ of said Section 7 to a West line of Lot 1 of said Certified Survey Map No.1282;

Thence N.00°05'51"E. 166.97 feet, along the West line of said Lot 1;

Thence N.87°31'44"W. 90.01 feet, along a South line of said Lot 1 to the most West line thereof;

Thence N.00°05'16"E. 1327.72 feet m/l, along the West of said Lot 1 and continuing along the West line of lands described in a Warranty Deed recorded as Document No.1769953 and then the West line of lands described in a Warranty Deed recorded as Document No.1769938 to the Northwest corner thereof;

Thence S.88°30'12"E. 287.39 feet, along the North line of lands described in said Warranty Deed recorded as Document No.1769938 to the East line of the SW ¼ of said Section 7;

Thence S.00°15'21"W. 1499.41 feet, along the East line of the SW ¼ of said Section 7, to the point of beginning.

All of tax parcel 10-1-1612-00, 10-1-1624-00, 10-1-1626-00, 10-1-1624-02 and part of the Applecreek Corridor.



# NORTH MEADOWS INVEST. LTD. ANNEXATION

## **REZONING: City of Appleton legal description (NC Nature Conservancy District)**

Part of the Northeast Quarter (NE ¼) of the Southwest Quarter (SW ¼) of Section 7, T.21N., R.18E., Town of Grand Chute, Outagamie County, Wisconsin, containing 0.456 Acres of land M/L and being described as follows:

Commencing at the South ¼ corner of said Section 7;

Thence N.00°15'21"E. 1510.08 feet, along the East line of the SW ¼ of said Section 7, to the point of beginning;

Thence N.26°19'20"W. 25.27 feet;

Thence N.88°30'12"W. 135.05 feet;

Thence S.25°52'09"W. 228.61 feet;

Thence S.50°43'59"W. 53.74 feet;

Thence N.00°05'16"E. 243.40 feet;

Thence S.88°30'12"E. 287.39 feet, to the East line of the SW ¼ of said Section 7;

Thence S.00°15'21"W. 22.35 feet, along the East line of the SW ¼ of said Section 7, to the point of beginning.

The afore described lands being part of the City of Appleton Applecreek Corridor.

## **REZONING: North Meadows Inv. Ltd. and Evergreen Drive r/w legal description (Temporary AG Agricultural District)**

Part of Lot 1 of Certified Survey Map No.1284 recorded in Volume 7 of Certified Survey Maps on Page 1282 as Document No.1040543 and a part of the Southeast Quarter (SE ¼) of the Southwest Quarter (SW ¼) and a part of the Northeast Quarter (NE ¼) of the Southwest Quarter (SW ¼) of Section 7, T.21N., R.18E., Town of Grand Chute, Outagamie County, Wisconsin, containing 8.998 Acres of land M/L and being described as follows:

Commencing at the South ¼ corner of said Section 7;

Thence N.00°15'21"E. 33.02 feet, along the East line of the SW ¼ of said Section 7, to the point of beginning;

Thence N.87°31'44"W. 193.17 feet, parallel to the South line of the SW ¼ of said Section 7 to a West line of Lot 1 of said Certified Survey Map No.1282;

Thence N.00°05'51"E. 166.97 feet, along the West line of said Lot 1;

Thence N.87°31'44"W. 90.01 feet, along a South line of said Lot 1 to the most West line thereof;

Thence N.00°05'16"E. 1327.72 feet m/l, along the West of said Lot 1 and continuing along the West line of lands described in a Warranty Deed recorded as Document No.1769953 and then the West line of lands described in a Warranty Deed recorded as Document No.1769938 to the Northwest corner thereof;

Thence S.88°30'12"E. 287.39 feet, along the North line of lands described in said Warranty Deed recorded as Document No.1769938 to the East line of the SW ¼ of said Section 7;

Thence S.00°15'21"W. 1499.41 feet, along the East line of the SW ¼ of said Section 7, to the point of beginning,

**LESS** a Part of the Northeast Quarter (NE ¼) of the Southwest Quarter (SW ¼) of Section 7, T.21N., R.18E., Town of Grand Chute, Outagamie County, Wisconsin, containing 0.456 Acres of land M/L and being described as follows:

Commencing at the South ¼ corner of said Section 7;

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All of tax parcel 10-1-1612-00, 10-1-1624-00, 10-1-1626-00, 10-1-1624-02 and a part of Evergreen Drive r/w.

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# NORTH MEADOWS INVEST. LTD. ANNEXATION

# Evergreen Drive North Meadows Annexation Zoning Map

