



REPORT TO CITY PLAN COMMISSION

Plan Commission Meeting Date: August 23, 2023

Common Council Meeting Date: September 6, 2023

Item: Petition for Direct Annexation by Unanimous Approval –
Prospera Credit Union Annexation

Case Manager: Lindsey Smith, Principal Planner

GENERAL INFORMATION

Owner: Prospera Credit Union, Sheila Schinke, CEO

Town Where Property is Located: Town of Grand Chute

Address/ Parcel Number: 101160700 - Town of Grand Chute, 4704 N. Ballard Road

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 the future development on the subject property and adjacent parcels already in the City, which are also owned by the petitioner.

Population of Such Territory: 0

Annexation Area: 0.98 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 #31-1-8006-00 (4830 N. Ballard Road) and #31-1-8007-00, which are also owned by the petitioner, were annexed to the City of Appleton in 1993. At that time, the newly annexed parcels were assigned a zoning classification of C-2 General Commercial District and R-1A Single Family District. Site Plan #03-16 was approved in 2003 to allow the construction of Prospera Credit Union located on parcel #31-1-8006-00 (4830 N. Ballard Road). Future development is anticipated on the subject

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property and these adjacent parcels; however, prior to development, a rezone will be required for the subject property and parcel #31-1-8007-00.

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 July 26, 2023. On August 15, 2023 the DOA found the annexation to be in the public interest, attached is the review letter.

STAFF ANALYSIS

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

- Currently, the subject property has a residential home that is vacant. No electors reside in the annexation area.
- The area proposed for annexation is contiguous to the existing City boundary located to the west of the annexation area. The subject property connects to the City of Appleton at the Ballard Road right-of-way, land locked parcel to the east, and adjacent property located along Ballard Road.
- 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 Ballard Road. Annexation to the City of Appleton is required before the subject property could connect to the City water.
- The City can provide Police and Fire services to the subject property.
- 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: C-2 General Commercial District. The adjacent land use to the north is currently developed as a financial institution.

South: Town of Grand Chute. The adjacent land use to the south is currently developed as single-family residential.

East: C-2 General Commercial District and R-1A Single Family District. The adjacent land use to the east is currently undeveloped and developed as financial institution.

West: R-2 Two-Family District. The adjacent land use to the west is currently undeveloped and Ballard Road.

Appleton Comprehensive Plan 2010-2030: The City of Appleton 2010-2030 Comprehensive Plan Map identifies the subject area as future Commercial Development. The proposed annexation is consistent with the following goals and objectives of the *Comprehensive Plan 2010-2030*.

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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 appeared on the July 18, 2023 TRG Agenda. 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 C-2 General Commercial 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.

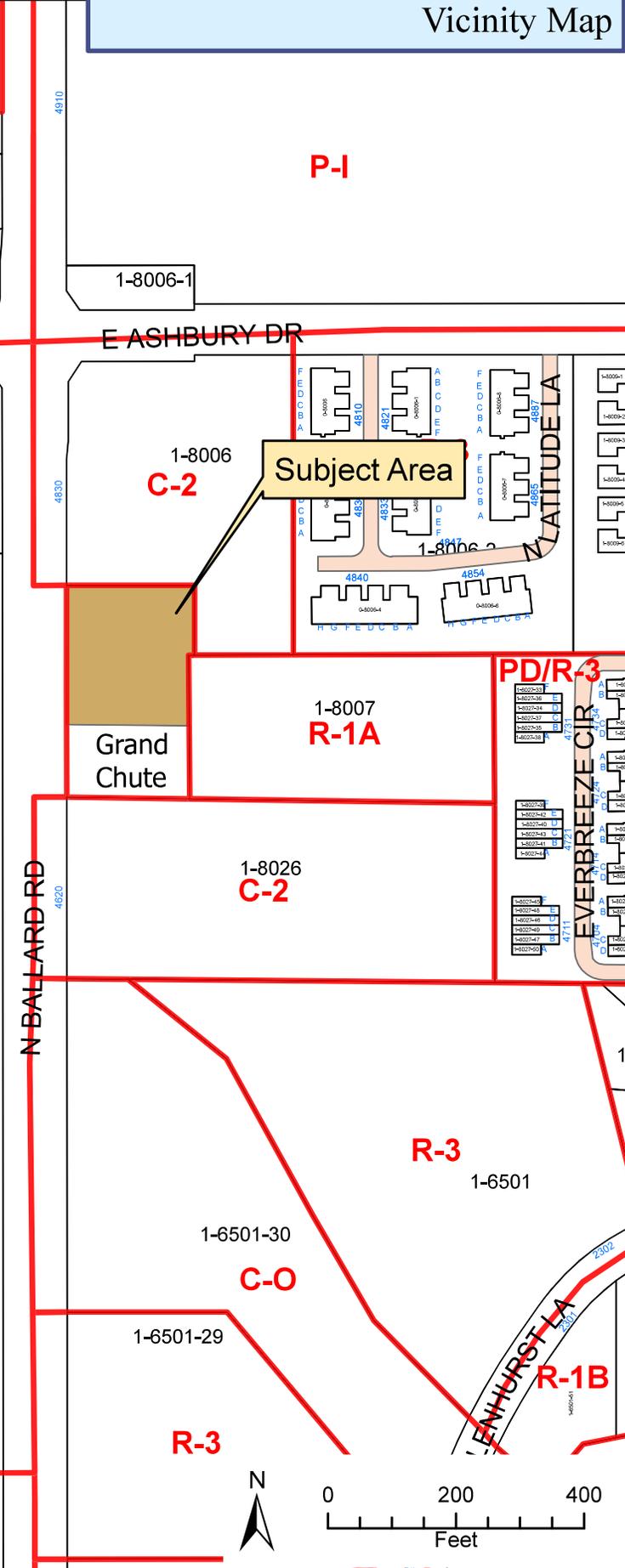
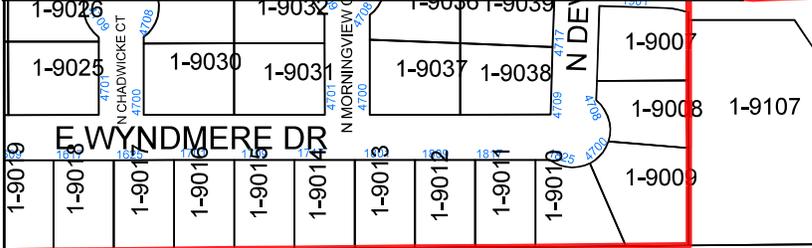
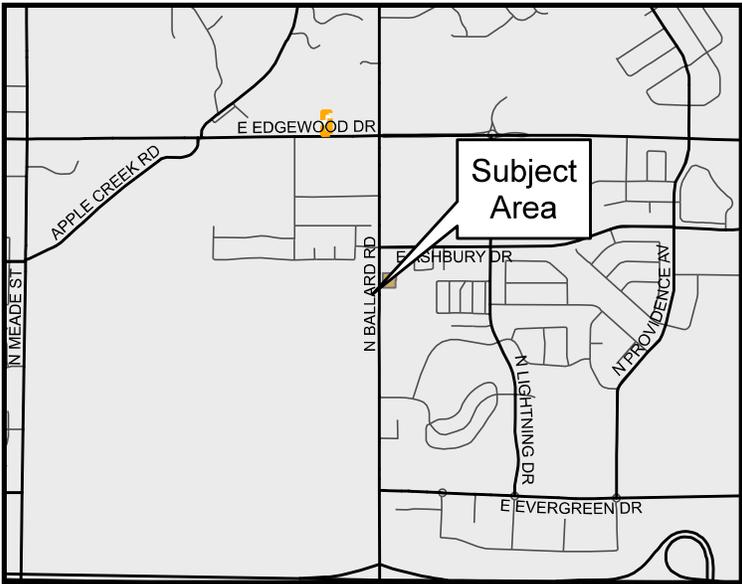
Review and approval of a Certified Survey Map will be submitted to combine the subject property and adjacent parcels owned by the petitioner. Certified Survey Maps are reviewed and approved by City staff.

RECOMMENDATION

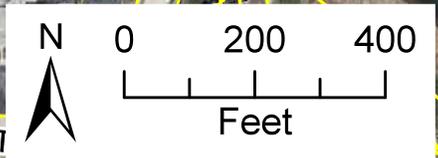
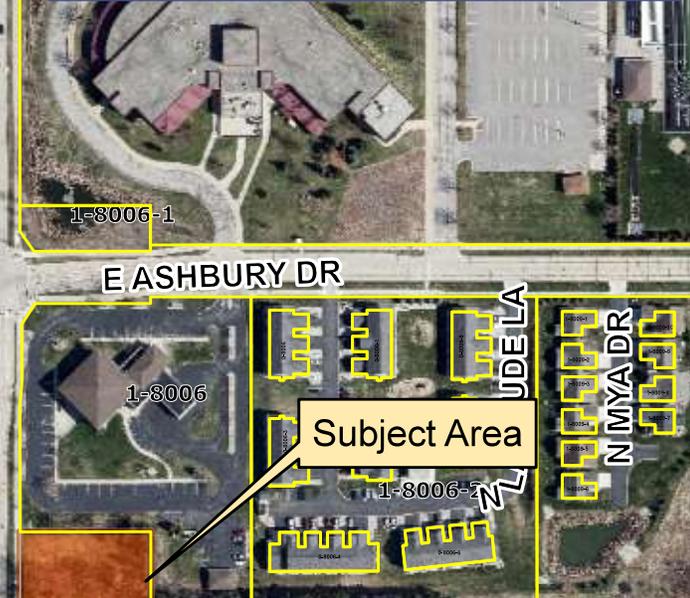
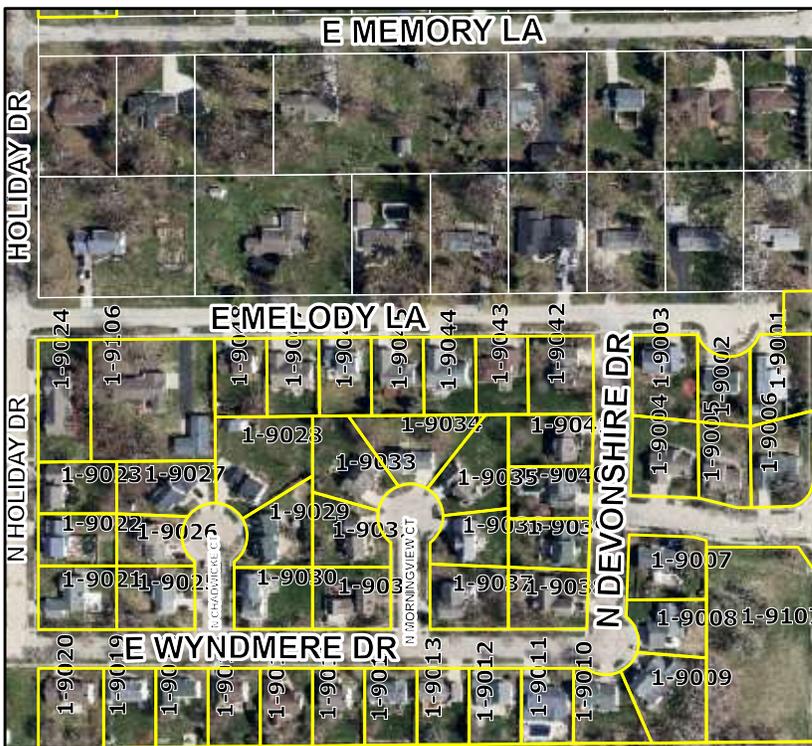
Staff recommends that the Prospera Credit Union Annexation, as shown on the attached maps, **BE APPROVED** with the following stipulation:

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
4704 N. Ballard Road
Annexation - Town of Grand Chute
Vicinity Map



Annexation
4704 N. Ballard Road
Annexation - Town of Grand Chute
Aerial Map





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

I/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 scaled map to the City of Appleton, Outagamie County, Wisconsin.

Legal description of proposed territory to be annexed:

A part of the South Fractional ½ of the Northwest ¼ of Section 7, Township 21 North, Range 18 East, Town of Grand Chute, Outagamie County, Wisconsin, containing 0.98 Acres of land m/l and described as follows:
Commencing at the West ¼ corner of said Section 7;
Thence North 00°03'10" West 397.00 feet along the West line of the Northwest ¼ of said Section 7;
Thence South 89°11'07" East 50.01 feet to the East line of Ballard Road to the point of beginning;
Thence North 00°03'10" West 218.13 feet m/l to a South line of Lot 1 of C.S.M. No. 6239;
Thence North 89°57'00" East 200.00 feet along a South line of said Lot 1;
Thence South 00°03'10" East 109.43 feet along a West line of said Lot 1 to the most South line of said Lot 1;
Thence South 89°49'09" West 8.02 feet;
Thence South 00°03'10" East 111.58 feet;
Thence North 89°11'07" West 192.00 feet to the Point of Beginning.
Area of lands to be annexed contains 0.98 acres m/l.

Town of Grand Chute Tax Parcel to be annexed: 101160700

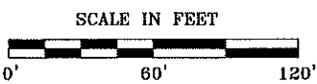
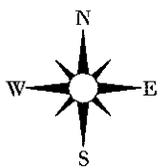
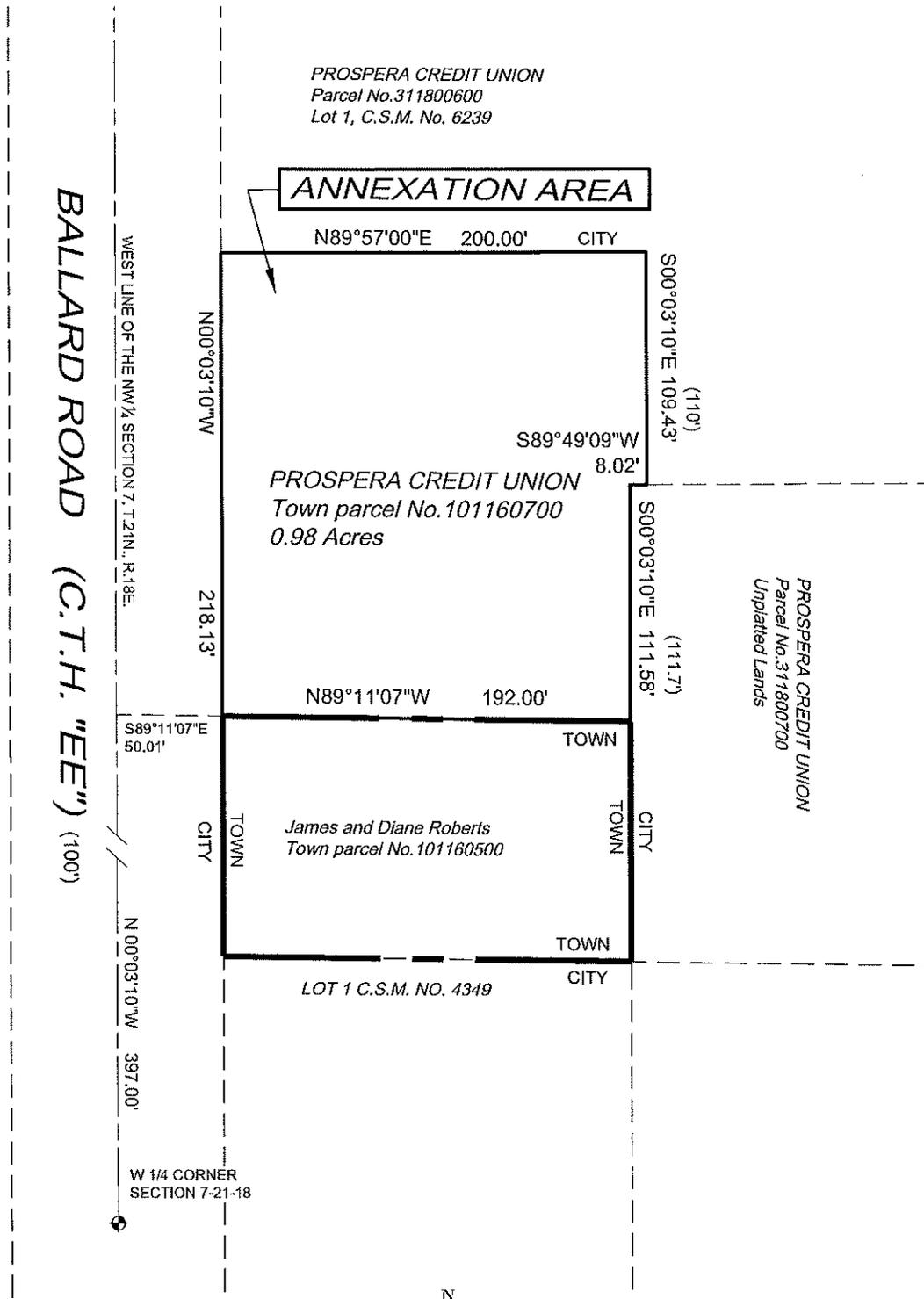
The current population of such territory is 0.

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.

Signature of Petitioner	Owner	Date of Signing	Address of Petitioner (Include Zip Code)
	Prospera Credit Union, Sheila Schinke, CEO	7-10-23	4830 N. Ballard Road Appleton, WI 54913
Sheila Schinke			

ANNEXATION EXHIBIT

Part of the South Fractional 1/2 of the Northwest 1/4 of Section 7, Township 21 North, Range 18 East, Town of Grand Chute, Outagamie County, Wisconsin.



BEARINGS ARE REFERENCED TO THE WISCONSIN COUNTY COORDINATE SYSTEM, OUTAGAMIE COUNTY, WEST LINE OF NW 1/4 SECTION 7, T.21N., R.18E.; RECORDED AS N.00°03'10"W. H:\Acad\Annex2023\Prospera_BallardRd_0705_2023

CITY OF APPLETON
 DEPT. OF PUBLIC WORKS
 ENGINEERING DIVISION
 100 NORTH APPLETON STREET
 APPLETON, WI 54911
 920-832-6474
 DRAFTED BY: T. KROMM



TONY EVERS

GOVERNOR

KATHY BLUMENFELD

SECRETARY

Municipal Boundary Review

PO Box 1645, Madison WI 53701

Voice (608) 264-6102 Fax (608) 264-6104

Email: wimunicipalboundaryreview@wi.gov

Web: <http://doa.wi.gov/municipalboundaryreview>

August 15, 2023

PETITION FILE NO. 14610

KAMI LYNCH, CLERK
CITY OF APPLETON
100 N APPLETON ST
APPLETON, WI 54911-4702

KAYLA RAATZ, CLERK
TOWN OF GRAND CHUTE
1900 W GRAND CHUTE BOULEVARD
GRAND CHUTE, WI 54913-9613

Subject: PROSPERA CREDIT UNION ANNEXATION

The proposed annexation submitted to our office on July 26, 2023, has been reviewed and found to be in the public interest. In determining whether an annexation is in the public interest, s. 66.0217 (6), Wis. Stats. requires the Department to examine "[t]he shape of the proposed annexation and the homogeneity of the territory with the annexing village or city..." so as, to ensure the resulting boundaries are rational and compact. The statute also requires the Department to consider whether the annexing city or village can provide needed municipal services to the territory. The subject petition is for territory that is reasonably shaped and contiguous to the City of Appleton, which is able to provide needed municipal services.

The Department reminds clerks of annexing municipalities of the requirements of s. 66.0217 (9)(a), Wis. Stats., which states:

"The clerk of a city or village which has annexed shall file immediately with the secretary of administration a certified copy of the ordinance, certificate and plat, and shall send one copy to each company that provides any utility service in the area that is annexed. The clerk shall record the ordinance with the register of deeds and file a signed copy of the ordinance with the clerk of any affected school district..."

State and federal aids based on population and equalized value may be significantly affected through failure to file with the Department of Administration. Please file a copy of your annexing ordinance, including a statement certifying the population of the annexed territory. **Please include your MBR number 14610 with your ordinance.** Ordinance filing checklist available at <http://mds.wi.gov/>, click on "Help on How to Submit Municipal Records". Email scanned copy of required materials (color scan maps with color) to mds@wi.gov or mail to: Wisconsin Department of Administration, Municipal Boundary Review, PO Box 1645, Madison WI 53701-1645.

The petition file is available for viewing at: <http://mds.wi.gov/View/Petition?ID=2684>
Please call me at (608) 264-6102, should you have any questions concerning this annexation review.

Sincerely,

Erich Schmidtke, Municipal Boundary Review

cc: petitioner