



# CITY OF APPLETON

## MEMORANDUM

**Date:** May 28, 2025  
**To:** Plan Commission  
**From:** Don Harp, Principal Planner  
**Subject:** Petition for Direct Annexation by Unanimous Approval Where No Owners/Electors Reside – Chris J. Hartwig Rev Trust – E. Northland Ave/441 Annexation

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## GENERAL INFORMATION

**Owner/Petitioner:** Evelyn A. Hartwig, Trustee for Chris J. Hartwig Revocable Trust

**Applicant/Developer:** Devon Pittman, Development Manager - Briohn Building Corporation

**Address/Parcel Numbers:** East Northland Avenue / 101171300, 101171400, 101171500, 101171600, 101171700, 101171800, 101171900, 101172000, 101172100, 102005800, 102005900, and 102008300 - Town of Grand Chute

**Petitioner's Request:** The owner/petitioner is requesting direct annexation by unanimous approval where no owners/electors reside 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 property to be developed utilizing City services for anticipated commercial/industrial uses.

**Population of Such Territory:** 0

**Annexation Area:** 11.1796 acres m/l

**Plan Commission Meeting Date:** May 28, 2025

**Common Council Meeting Date:** June 4, 2025

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## 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.

On March 12, 2025, City staff held a conceptual site plan review meeting with the owner's representative and applicant/developer to review and provide initial comments on a conceptual site plan layout for the land area located at the northwest corner of the intersection of Northland Avenue (CTH OO)/USH-441 Interchange. Staff will continue to work with the applicant/developer of the property to review and provide feedback on future site plan submittals. This ongoing collaboration is intended to ensure that all municipal requirements are met and that the development aligns with City goals and policies.

On May 20, 2025, the Department of Administration (DOA) found the annexation to be in the public interest; attached is the review letter.

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## **STAFF ANALYSIS**

This item appeared on the April 22, 2025 Development Review Team (DRT) agenda. The Development Review Team has reviewed the annexation petition and identified the following:

- Currently, the subject property is undeveloped. No electors reside in the annexation area.
- The area proposed for annexation is contiguous to the existing City boundary located to the north, south, east and west of the annexation area.
- Annexation of the site in question is consistent with the Intermunicipal Boundary Agreement with the Town of Grand Chute.
- North of CTH OO, sanitary sewer exists in Conkey Street, Winslow Avenue, and along the east side of Tax Parcel 31-1-5352. DPW anticipates sanitary sewer laterals for the referenced parcels north of CTH OO will need to be extended to one of the referenced locations. Property owner responsible for verifying appropriate depth for gravity service.
- South of CTH OO, sanitary sewer exists along the east side of Tax Parcel 102005800. DPW anticipates sanitary sewer laterals for the referenced parcels north of CTH OO will need to be extended to the referenced location. Property owner responsible for verifying appropriate depth for gravity service.
- Water main exists in Conkey Street, Winslow Avenue, along the east side of Tax Parcel 31-1-5352, and along the north side of CTH OO. The annexed parcels north of CTH OO will be served from one of the three water mains.
- Access to CTH OO is under the authority of the Outagamie County Highway Department. Access to the other streets would be under the authority of the City of Appleton.
- The City can provide Police and Fire services to the subject property.
- The City of Appleton 2010-2030 Comprehensive Plan Map identifies the subject area as future Business/Industrial.
- The owner will initiate the future land use map and zoning map amendment requests pursuant to the following information:

- ❖ Adjacent parcels 31-1-6728-00, 31-1-6729-00, 31-1-5351-00, 31-1-5352-01, and 31-1-5352-00, located between CTH OO and East Winslow Avenue are also owned by the petitioner. Future development is anticipated on the properties located on the north side of CTH OO included in this annexation request and these adjacent parcels; however, prior to development, a future land use map amendment from Business/Industrial to future Commercial will be required for parcels 101171300, 101171400, 101171500, 101171600, 101171700, 101171800, 101171900, 101172000, 101172100, 31-1-6728-00, 31-1-6729-00, 31-1-5351-00, 31-1-5352-01, and 31-1-5352-00 and a zoning map amendment from AG District and M-1 District to C-2 District will be required for parcels 101171300, 101171400, 101171500, 101171600, 101171700, 101171800, 101171900, 101172000, 101172100, 31-1-6729-00, 31-1-5351-00, 31-1-5352-01, and 31-1-5352-00.
- The territory located on the south side of CTH OO will maintain its AG District zoning classification until a development proposal is submitted to the City for review.

**Surrounding Zoning and Land Uses:** The surrounding zoning and uses (north, south, east, and west) are generally commercial, industrial and stormwater conveyance in nature with a small portion being residential.

North: City of Appleton, M-1 Industrial Park District. The adjacent land uses to the north are commercial/industrial and undeveloped land.

South and West: Town of Grand Chute. The adjacent land use to the south is residential.

South: City of Appleton, M-1 Industrial Park District. The adjacent land uses to the south are stormwater conveyance and detention facilities.

East: City of Appleton, M-1 Industrial Park District. The adjacent land use to the east is undeveloped land and CTH OO/USH 441 Interchange.

West: City of Appleton, M-1 Industrial Park District. The adjacent land use to the west is undeveloped land.

**Appleton Comprehensive Plan 2010-2030:** The City of Appleton 2010-2030 Comprehensive Plan Map identifies the subject area as Business/Industrial development.

*7.1 OBJECTIVE: Provide a pattern of development that minimizes impacts to municipal services and utilities.*

*7.1.1: Prioritize development and redevelopment that minimizes the need for additional public and private infrastructure such as water storage facilities and sewage lift stations.*

*9.2 OBJECTIVE: Grow Appleton's business community through recruitment, expansion, and retention programs that ensure a diverse business mix and jobs that pay well.*

*9.5 OBJECTIVE: Encourage new development and redevelopment activities that create vital and attractive neighborhoods and business districts.*

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

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

*10.5.1: In conjunction with area neighborhoods, property owners, and other key stakeholders and the public, implement and eventually update the Wisconsin Avenue, Richmond Street, and South Oneida Street Corridor Plans, in addition to other corridors. Future updates should encourage additional tax base on underperforming parcels while enhancing community quality of life through the provision of additional neighborhood services, increased bike and pedestrian access, and other improvements.*

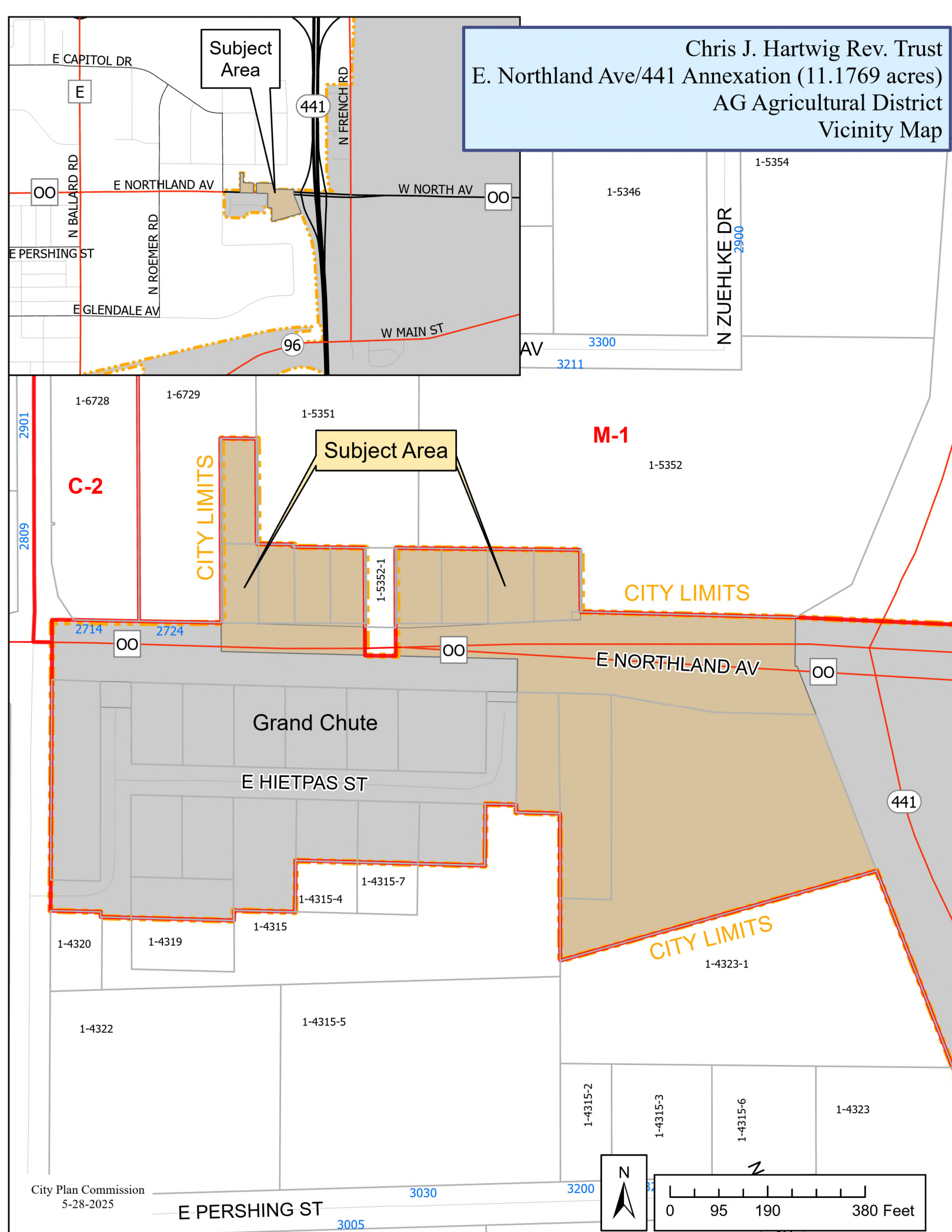
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## **RECOMMENDATION**

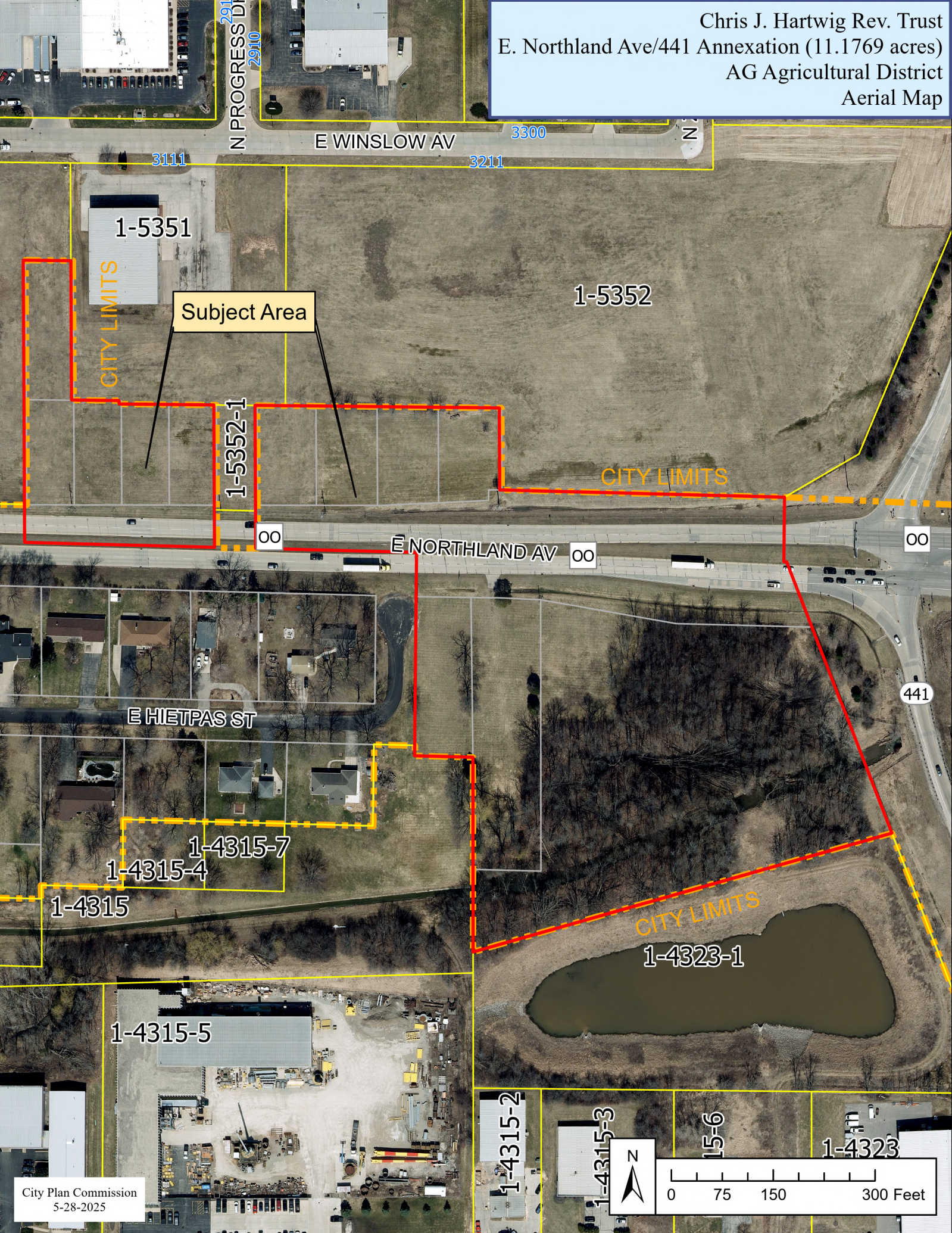
Staff recommends that the Chris J. Hartwig Rev Trust – E. Northland Ave/441 Annexation, as shown on the attached maps, **BE APPROVED** subject to the following:

1. A zoning classification of AG Agricultural Zoning District will be assigned to the newly annexed territory with no hearing required pursuant Section 23-65(h) of the Municipal Code.

Chris J. Hartwig Rev. Trust  
E. Northland Ave/441 Annexation (11.1769 acres)  
AG Agricultural District  
Vicinity Map





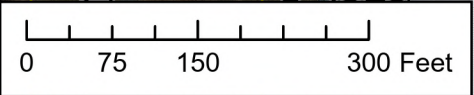


Subject Area

CITY LIMITS

CITY LIMITS

CITY LIMITS







## CITY OF APPLETON

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

The undersigned, constituting the Trustee of the Chris J. Hartwig Revocable Trust, owner 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:

BEING PART OF THE OF THE SOUTHEAST 1/4 AND SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 18 AND PART OF THE NORTHWEST 1/4 AND NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 19, TOWNSHIP 21 NORTH, RANGE 18 EAST, IN THE TOWN OF GRAND CHUTE, OUTAGAMIE COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS:  
COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHEAST 1/4; THENCE N 00°15'48" W ALONG THE WEST LINE OF SAID SOUTHEAST 1/4 10.02 FEET TO A POINT OF INTERSECTION WITH THE REFERENCE LINE OF COUNTY TRUNK HIGHWAY "OO"; THENCE S 88°32'26" E ALONG SAID REFERENCE LINE 330.04 FEET TO THE POINT OF BEGINNING OF LANDS TO BE DESCRIBED; THENCE N 00°16'15" W 414.96 FEET; THENCE S 89°24'21" E 70.08 FEET TO A POINT ON THE WEST LINE OF LOT 1, BLOCK 12, NORTHEAST INDUSTRIAL PARK PLAT NO. 2; THENCE S 00°16'15" E ALONG SAID WEST LINE 204.92 FEET TO THE SOUTHWEST CORNER OF SAID LOT 1; THENCE S 89°24'21" E ALONG THE SOUTH LINE OF SAID LOT 70.00 FEET; THENCE S 00°16'15" E 5.00 FEET; THENCE S 89°24'21" E ALONG SAID SOUTH LINE 139.49 FEET; THENCE S 00°16'15" E 209.27 FEET TO A POINT ON SAID REFERENCE LINE, BEING POINT 'A'; THENCE N 88°32'26" W ALONG SAID REFERENCE LINE 279.67 FEET TO THE POINT OF BEGINNING. CONTAINING 72,968 SQUARE FEET OR 1.6751 ACRES

ALSO:

COMMENCING AT AFORESAID POINT 'A'; THENCE S 88°32'26" E ALONG THE REFERENCE LINE OF COUNTY TRUNK HIGHWAY "OO" 60.71 FEET TO THE POINT OF BEGINNING OF LANDS TO BE DESCRIBED; THENCE N 00°16'15" W 210.19 FEET TO A POINT ON THE SOUTH LINE OF LOT 1, BLOCK 12, NORTHEAST INDUSTRIAL PARK PLAT NO. 2; THENCE S 89°24'21" E ALONG SAID LINE AND THE SOUTH LINE OF LOT 2 OF SAID BLOCK 359.82 FEET TO THE SOUTHEAST CORNER OF SAID LOT 2; THENCE S 00°16'15" E ALONG THE WEST LINE OF LOT 3 OF SAID BLOCK 120.58 FEET

TO THE SOUTHWEST CORNER OF SAID LOT 3, BEING 95.00 FEET AS MEASURED NORMAL TO THE SAID REFERENCE LINE; THENCE S 88°32'26" E AND PARALLEL WITH SAID REFERENCE LINE 419.53 FEET TO THE SOUTH CORNER OF LOT 1 OF CERTIFIED SURVEY MAP NO. 2358; THENCE S 00°35'39" W 95.01 FEET TO A POINT ON SAID REFERENCE LINE; THENCE S 88°32'26" E ALONG SAID REFERENCE LINE 4.11 FEET; THENCE S 21°11'31" E ALONG THE EASTERLY LINE OF CERTIFIED SURVEY MAP NO. 2457 AND ITS EXTENSION 428.79 FEET TO THE SOUTHEASTERLY CORNER OF LOT 1 OF SAID MAP; THENCE S 74°10'39" W ALONG THE SOUTHERLY LINE OF SAID LOT 1 640.97 FEET TO THE SOUTHWEST CORNER OF SAID LOT; THENCE N 00°03'24" W ALONG THE WEST LINE OF SAID LOT AND ITS EXTENSION, BEING THE EAST LINE OF LOT 5 OF ROWE'S, A SUBDIVISION, 286.35 FEET; THENCE N 88°28'59" W 86.02 FEET; THENCE N 00°34'34" E ALONG THE EAST LINE OF HIETPAS STREET AND ITS EXTENSION 299.83 FEET TO A POINT ON SAID REFERENCE LINE; THENCE N 88°32'26" W ALONG SAID REFERENCE LINE 237.02 FEET TO THE POINT OF BEGINNING. CONTAINING 414,015 SQUARE FEET OR 9.5045 ACRES


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 further understand the subject property will be assigned a zoning classification of AG Agricultural District, pursuant to Section 23-65(h)(3) of the Appleton Zoning Ordinance with no public hearing required.

Total area of lands to be annexed contains 11.1796 acres m/l.

Tax Parcel numbers of lands to be annexed: 101171300, 101171400, 101171500, 101171600, 101171700, 101171800, 101171900, 101172000, 101172100, 102005800, 102005900, and 102008300.

The current population of such territory is 0.

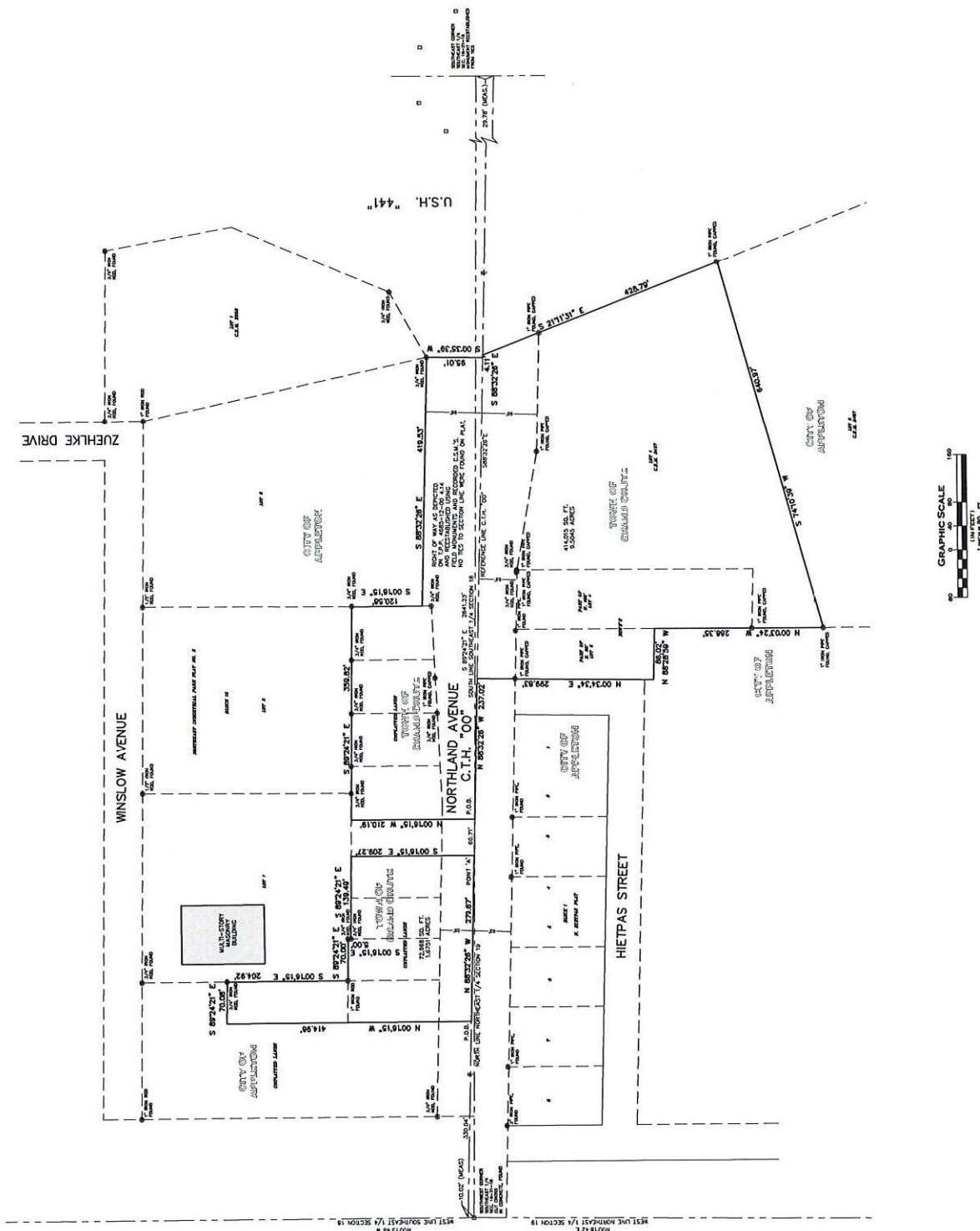
Signature of Petitioner/Trustee	Date of Signing	Address of Petitioner (Include Zip Code)
	4/4/25	1430 Potato Point Rd. Appleton, WI 54911
Evelyn A. Hartwig, Trustee Chris J. Hartwig Revocable Trust		





RECEIVED: 4/2/73

DATE	MARCH 27, 2025
DRAWING NO.	EX-0
CHECKED BY:	MJB
SHEET	1 OF 1





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](mailto:wimunicipalboundaryreview@wi.gov)

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

May 20, 2025

PETITION FILE NO. 14758

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: HARTWIG REVOCABLE TRUST ANNEXATION

The proposed annexation submitted to our office on May 01, 2025, 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.

Note: The scale map of the territory to be annexed must clearly show and identify the existing City of Appleton municipal boundary in relation to the territory.

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 14758 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](mailto: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=2832>  
Please call me at (608) 264-6102, should you have any questions concerning this annexation review.

Sincerely,

Erich Schmidtke, Municipal Boundary Review

cc: petitioner



