

86-23

AN ORDINANCE AMENDING CHAPTER 23 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON AND THE OFFICIAL ZONING MAP WHICH IS A PART THEREOF, BY MAKING THE FOLLOWING CHANGES IN THE DISTRICT AS NOW PROVIDED.

(City Plan Commission 09-06-2023)

The Common Council of the City of Appleton does ordain as follows:

Section 1: That Zoning Ordinance, Chapter 23 of the Municipal Code of the City of Appleton and the Official Zoning Map, which is a part thereof, is amended by making the following changes:

To rezone lands generally located along the extension of East Sweetwater Way, south of East Spartan Drive and east of North Haymeadow Avenue (Tax Id #31-6-6201-00 and part of #31-6-6200-00) from AG Agricultural District to R-1B Single-family District. (Rezoning #5-23 – 4th Addition to Clearwater Creek)

LEGAL DESCRIPTION:

PART OF LOT 2 OF CERTIFIED SURVEY MAP NO. 3927 FILED IN VOLUME 21 OF CERTIFIED SURVEY MAPS ON PAGE 3927 AS DOCUMENT NO. 1388606, BEING PART OF THE SOUTHWEST 1/4 OF THE FRACTIONAL NORTHEAST 1/4; AND UNPLATTED LANDS BEING PART OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4; ALL IN SECTION 2, TOWNSHIP 21 NORTH, RANGE 17 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN, MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST 1/4 CORNER OF SAID SECTION 2; THENCE NORTH 89 DEGREES 40 MINUTES 21 SECONDS WEST, ALONG THE NORTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION, A DISTANCE OF 1300.89 FEET TO THE POINT OF BEGINNING;
THENCE SOUTH 00 DEGREES 07 MINUTES 09 SECONDS EAST, ALONG THE EAST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION, A DISTANCE OF 19.71 FEET; THENCE SOUTH 50 DEGREES 55 MINUTES 11 SECONDS WEST, ALONG THE NORTHERLY LINE OF OUTLOT 2, FIRST ADDITION TO CLEARWATER CREEK, A DISTANCE OF 880.71 FEET; THENCE SOUTH 41 DEGREES 17 MINUTES 35 SECONDS WEST, CONTINUING ALONG THE NORTHERLY LINE OF SAID OUTLOT 2, A DISTANCE OF 209.90 FEET; THENCE NORTH 39 DEGREES 21 MINUTES 44 SECONDS WEST, ALONG THE NORTHEASTERLY LINE OF OUTLOT 1, CERTIFIED SURVEY MAP NO. 7827, A DISTANCE OF 227.58 FEET; THENCE 88.74 FEET ALONG AN ARC OF A CURVE TO THE LEFT, ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF SWEETWATER WAY, SAID CURVE HAVING A RADIUS OF 280.00 FEET AND A CHORD THAT BEARS

NORTH 59 DEGREES 43 MINUTES 01.5 SECONDS EAST, 88.37 FEET; THENCE NORTH 50 DEGREES 38 MINUTES 16 SECONDS EAST, CONTINUING ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF SWEETWATER WAY, A DISTANCE OF 22.82 FEET; THENCE NORTH 29 DEGREES 14 MINUTES 54 SECONDS WEST, ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SWEETWATER WAY, A DISTANCE OF 60.95 FEET; THENCE THE FOLLOWING SIX CALLS ARE ALONG THE SOUTHERLY LINE OF THE THIRD ADDITION TO CLEARWATER CREEK AND CERTIFIED SURVEY MAP NO. 8106: THENCE NORTH 39 DEGREES 21 MINUTES 44 SECONDS WEST, 59.84 FEET; THENCE NORTH 00 DEGREES 15 MINUTES 15 SECONDS EAST, 100.20 FEET; THENCE NORTH 73 DEGREES 01 MINUTES 34 SECONDS EAST, 49.11 FEET; THENCE NORTH 50 DEGREES 38 MINUTES 16 SECONDS EAST, 190.00 FEET; THENCE NORTH 43 DEGREES 34 MINUTES 56 SECONDS EAST, 95.72 FEET; THENCE NORTH 50 DEGREES 38 MINUTES 16 SECONDS EAST, 290.53 FEET; THENCE SOUTH 00 DEGREES 19 MINUTES 45 SECONDS WEST, ALONG THE EAST LINE OF LOT 2, CERTIFIED SURVEY MAP NO. 3927, A DISTANCE OF 87.84 FEET; THENCE SOUTH 89 DEGREES 40 MINUTES 21 SECONDS EAST, ALONG THE NORTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 2, A DISTANCE OF 455.83 FEET TO THE POINT OF BEGINNING. CONTAINING 312,063 SQ.FT. [7.164 ACRES].

COMMON DESCRIPTION:

Along the extension of East Sweetwater Way, south of East Spartan Drive and east of North Haymeadow Avenue, for the Fourth Addition to Clearwater Creek (Tax Id #31-6-6201-00 and part of #31-6-6200-00)

Section 2: This Ordinance shall be in full force and effect from and after its passage and publication, and upon its passage and publication the Director of Community and Economic Development is authorized and directed to make the necessary changes to the Official Zoning Map in accordance with this Ordinance.

87-23

**AN ORDINANCE ANNEXING TERRITORY
TO THE CITY OF APPLETON, WISCONSIN.
(4704 North Ballard Road Annexation)
MBR Number: 14610**

The Common Council of the City of Appleton does ordain as follows:

Section 1. Territory Annexed. In accordance with §66.0217 of the Wisconsin Statutes

for 2021 – 2022 and the *Unanimous Petition for Direct Annexation* filed with the City Clerk on July 20, 2023, the following described territory in the Town of Grand Chute, Outagamie County, Wisconsin, lying contiguous to the City of Appleton, is hereby annexed to the City of Appleton, Wisconsin:

Owner: Prospera Credit Union, a Wisconsin Credit Union
Parcel No. 101160700

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.

The current population of such territory is 0 people.

Section 2. Effect of Annexation. From and after the date of this ordinance, the territory described in Section 1 shall be a part of the City of Appleton for any and all purposes provided by law and all persons coming or residing within such territory shall be subject to all ordinances, rules and regulations governing the City of Appleton.

Section 3. Ward Designation. The territory described in Section 1 of this ordinance is hereby made a part of the Forty-first (41st) Ward, attached to the Thirteenth (13th) Aldermanic District of the City of Appleton, Outagamie County, subject to the ordinances, rules and regulations of the City governing wards.

Section 4. Zoning Classification. The territory described in Section 1 is hereby zoned as follows, pursuant to §66.0217(7)(a), Stats., and §23-65(e), Appleton Municipal Code:

Temporary Agricultural District (Temporary AG District)

Section 5. Severability. If any provision of this ordinance is invalid or unconstitutional, or if the application of this ordinance to any person or circumstances is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this ordinance, which can be given without the invalid or unconstitutional provision or application.

Section 6. Effective Date. This ordinance shall take effect upon passage and publication.

88-23

**AN ORDINANCE AMENDING SECTION 19-86 OF CHAPTER 19 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO PARKING RESTRICTIONS.
(Municipal Services Committee 8/16/2023)**

The Common Council of the City of Appleton does ordain as follows:

Section 1: That Section 19-86 of Chapter 19 of the Municipal Code of the City of Appleton, relating to parking restrictions, is hereby created as follows. This ordinance supersedes and repeals any conflicting ordinance regarding parking in the designated area.

Designate a 15-minute loading/unloading zone from 11:00 p.m. to 5:00 a.m. on the south side of College Avenue from State Street to Division Street (Tow Zone).

Section 2: This ordinance shall be in full force and effect from and after its passage and publication, and upon its passage and publication, the Traffic Engineer is authorized and directed to make the necessary changes in the Parking District Map in accordance with this Ordinance.