



REPORT TO CITY PLAN COMMISSION

Plan Commission Meeting Date: October 27, 2021

Common Council Meeting Date: November 3, 2021

Item: Spartan Drive Annexation

Case Manager: Jessica Titel, Principal Planner

GENERAL INFORMATION

Owner/Applicant: City of Appleton

Address/Parcel: Part of Tax Id #101006900 in the Town of Grand Chute. The subject property is located west of North Meade Street, connecting existing East Spartan Drive right-of-way to the west and east.

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: Future construction of a street officially mapped as Spartan Drive and an associated stormwater pond is anticipated.

Population of Such Territory: 0

Annexation Area: 3.9468 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.

On March 5, 2008, Common Council adopted Ordinance 51-08, which amended the City's Official Map to officially map the location of an east-west roadway to be known as Spartan Drive.

On February 3, 2021 Common Council approved a Relocation Order for the subject area, with the purpose to construct officially mapped Spartan Drive and an associated stormwater pond. The property needed for the project was acquired in subsequent months and is included in this annexation request. 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

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on October 8, 2021, so this requirement will be satisfied prior to Common Council taking action at their November 3, 2021 meeting.

STAFF ANALYSIS

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

- The area proposed for annexation is contiguous to the existing City boundary. The subject property connects to the City of Appleton at the east and west portions of Spartan Drive right-of-way.
- Annexation of the site in question is consistent with the Intermunicipal Boundary Agreement with the Town of Grand Chute.
- City water, sanitary and storm sewer infrastructure is already installed along the western portion of Spartan Drive that will connect to the subject area. It is anticipated that public utility infrastructure will be included with the future construction of Spartan Drive.
- Currently, the subject property consists of vacant, undeveloped land.
- 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 P-I Public Institutional 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: Town of Grand Chute. The adjacent land use to the north is currently agriculture.

South: R-3 Multi-Family District & Town of Grand Chute. The adjacent land uses to the south are currently a mix of multi-family residential uses, including a community-based residential facility, and agriculture.

East: P-I Public Institutional District. The adjacent land use to the east is currently undeveloped and planned for a future City-owned stormwater management facility.

West: R-1B Single-Family District. The adjacent land use to the west is currently single-family residential (Clearwater Creek Subdivision).

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*.

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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 4 – Transportation

Appleton will support a comprehensive transportation network that provides viable options for pedestrian, bicycle, highway, rail, and air transportation, both locally and within the region.

OBJECTIVE 6.1 Transportation:

Plan for the safe and efficient movement of vehicles on local and regional roads.

OBJECTIVE 6.8 Transportation:

Implement transportation improvements which also support the City's desired land use, housing and neighborhood goals, objectives, and policies.

OBJECTIVE 7.5 Utilities and Community Facilities:

Implement effective stormwater management practices.

Technical Review Group (TRG) Report: This item was discussed at the October 5, 2021 Technical Review Group meeting. 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. 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 P-I Public Institutional 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.

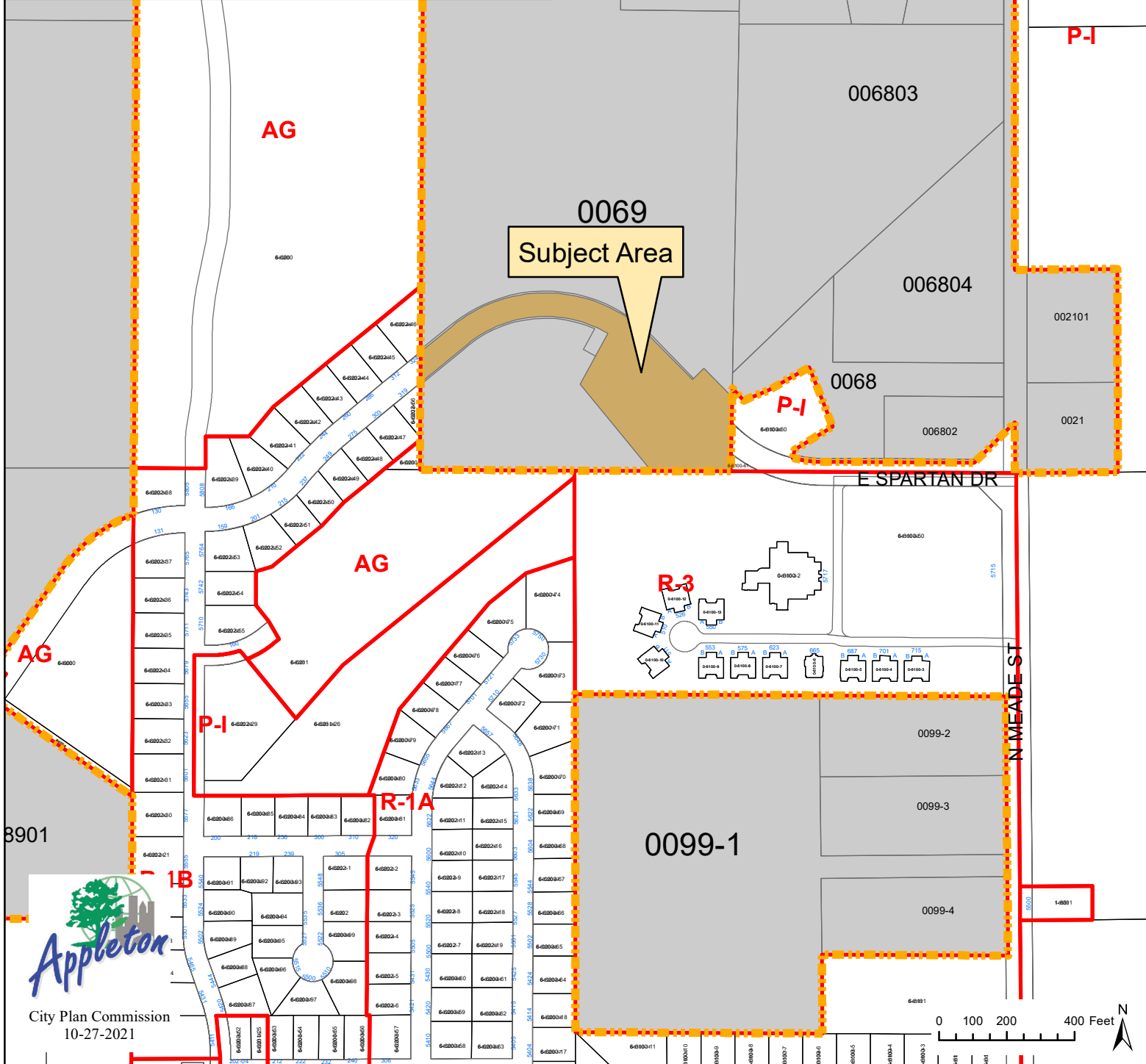
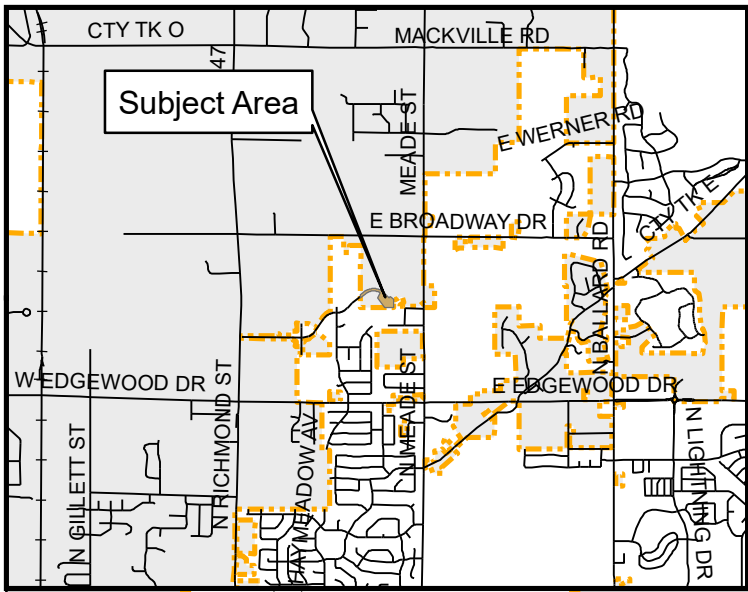
It is anticipated that a Certified Survey Map (CSM) will be prepared to reconfigure lot lines and dedicate public right-of-way. The dedication of land for public right-of-way for Spartan Drive requires action by Plan Commission and Common Council. CSMs are administratively reviewed and approved by City staff.

RECOMMENDATION

Staff recommends that the Spartan Drive Annexation, 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 P-I Public Institutional District, pursuant to Section 23-65(d)(1) of the Municipal Code.

Annexation Spartan Drive (Right-of-Way) Town of Grand Chute Zoning Map



City Plan Commission
10-27-2021

Annexation
Spartan Drive (Right-of-Way)
Town of Grand Chute
Aerial Map

Subject Area



City Plan Commission
10-27-2021



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

I, 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.

A part of Lot 1 of Certified Survey Map No. 4027, located in and being a part of the South $\frac{1}{2}$ the Fractional Northeast $\frac{1}{4}$ of Section 2, Township 21 North, Range 17 East, Town of Grand Chute, Outagamie County, Wisconsin, containing 171,926 Square Feet (3.9468 Acres) of land and described as follows:

Commencing at the East $\frac{1}{4}$ corner of said Section 2;
Thence North $89^{\circ}40'21''$ West 839.03 feet along the South line of the Fractional NE $\frac{1}{4}$ of said Section 2 and being coincident with the South line of Certified Survey Map No.4431 to the point of beginning;
Thence continue North $89^{\circ}40'21''$ West 234.71 feet along the South line of the Fractional NE $\frac{1}{4}$ of said Section 2
Thence North $39^{\circ}21'44''$ West 331.88 feet;
Thence North $28^{\circ}42'55''$ East 170.75 feet;
Thence Westerly 443.68 feet along the arc of a curve to the left having a radius of 365.00 feet and the chord of which bears South $85^{\circ}27'40''$ West 416.86 feet;
Thence South $50^{\circ}38'16''$ West 177.69 feet to the West line of Lot 1 of Certified Survey Map No.4027;
Thence North $00^{\circ}19'45''$ East 90.97 feet along the West line of Lot 1 of Certified Survey Map No.4027;
Thence North $50^{\circ}38'16''$ East 119.60 feet;
Thence Easterly 644.99 feet along the arc of a curve to the right having a radius of 435.00 feet and the chord of which bears South $86^{\circ}53'06''$ East 587.51 feet;
Thence South $44^{\circ}24'28''$ East 175.81 feet;
Thence North $45^{\circ}35'32''$ East 47.78 feet;
Thence South $44^{\circ}24'28''$ East 119.08 feet to the East line of Lot 1 of Certified Survey Map No.4027;
Thence South $01^{\circ}03'01''$ West 219.70 feet along the East line of Lot 1 of Certified Survey Map No.4027 to the Point of Beginning.


Part of Tax Parcel number of land to be annexed: #101006900

I, 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 respectfully request that the City Plan Commission initiate a rezoning for the subject property from temporary AG Agricultural District to the zoning classification of P-I Public Institutional District.

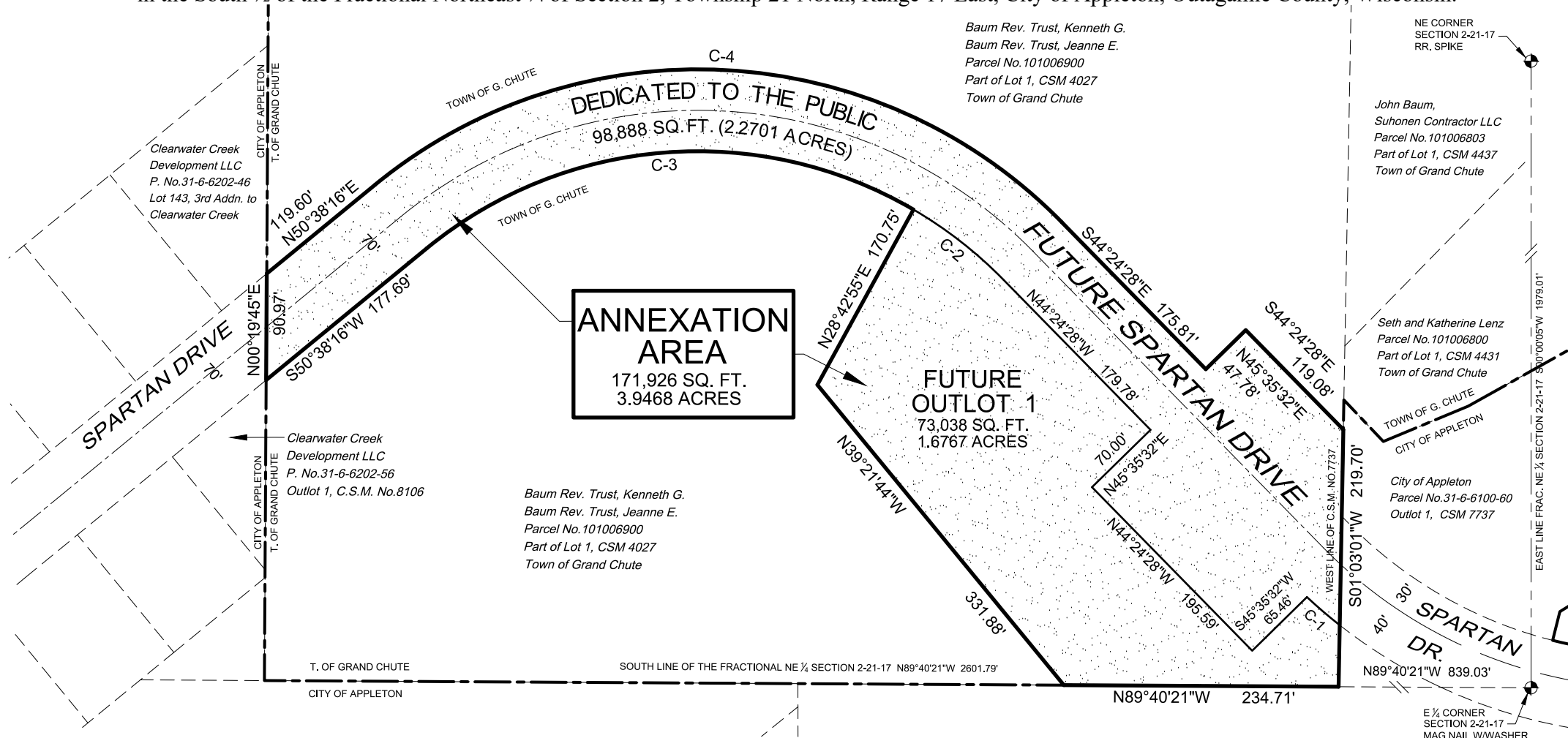
Area of lands to be annexed contains 3.9468 acres.

The current population of such territory is 0.

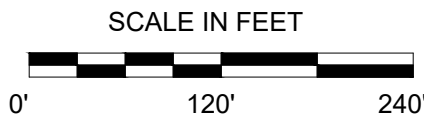
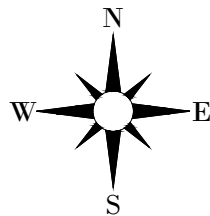
Signature of Petitioner	Owner	Date of Signing	Address of Petitioner (Include Zip Code)
 Jacob A. Woodford, Mayor City of Appleton	City of Appleton	9/22/21	100 N. Appleton Street Appleton, WI 54911

ANNEXATION EXHIBIT

Part of Lot 1 of Certified Survey Map No. 4027 filed in Volume 22 of Certified Survey Maps on Page 4027 as Document No.1402877, being located in the South 1/2 of the Fractional Northeast 1/4 of Section 2, Township 21 North, Range 17 East, City of Appleton, Outagamie County, Wisconsin.



CURVE DATA TABLE				
CURVE	RADIUS	LENGTH	LC	LCB
C1	440.00'	36.89'	36.88'	N49°24'52"W
C2	365.00'	97.52'	97.27'	N52°03'42"W
C3	365.00'	443.68'	416.86'	S85°27'40"W
C4	435.00'	644.99'	587.51'	S86°53'06"E



BEARINGS ARE REFERENCED TO THE WISCONSIN COUNTY COORDINATE SYSTEM, OUTAGAMIE COUNTY, SOUTH LINE OF THE FRACTIONAL NE 1/4 SECTION 2, T.21N., R.17E.; WHICH BEARS N89°40'21"W
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CITY OF APPLETON
DEPT. OF PUBLIC WORKS
ENGINEERING DIVISION
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