



REPORT TO CITY PLAN COMMISSION

Plan Commission Meeting Date: August 27, 2019

Common Council Meeting Date: September 4, 2019

Item: Spartan Drive - Sommers Drive - Edgewood Drive Annexation

Case Manager: David Kress

GENERAL INFORMATION

Owner/Applicant: City of Appleton

Address/Parcel: Tax Id #101009803, #101009802, and #101009801 and part of Tax Id #101008901 in the Town of Grand Chute. The subject property is located north of Edgewood Drive and west of Haymeadow Avenue.

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 annex City-owned property into the City of Appleton. Stormwater management facilities are anticipated for Areas A, B, and C, as shown on the attached exhibit map, to be associated with future Spartan Drive and officially mapped Sommers Drive.

Population of Such Territory: 2

Annexation Area: 31.8498 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 and a north-south roadway to be known as Sommers Drive. On August 7, 2013, Common Council adopted Ordinance 55-13, which modified the alignment of officially mapped Sommers Drive. The public right-of-way dedication for parts of Spartan Drive and Sommers Drive, located adjacent to the subject area, was approved by Common Council on September 21, 2016 and formalized with the recording of Certified Survey Map 7315.

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On April 20, 2016, Common Council approved the offer to purchase of 110 West Edgewood Drive, and on September 21, 2016 Common Council approved the offer to purchase of 210 West Edgewood Drive. The properties at 110 and 210 West Edgewood Drive are shown as Area D on the attached exhibit map. On June 5, 2019, Common Council approved an agreement to accept Areas A, B, and C, as shown on the attached exhibit map, to allow for the construction of Spartan Drive and associated stormwater management facilities. This agreement also provided land for future Sommers Drive right-of-way.

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 August 5, 2019, so this requirement will be satisfied prior to Common Council taking action at their September 4, 2019 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 Spartan Drive, Edgewood Drive, and adjacent properties located along Clearwater Court and Haymeadow Avenue.
- Annexation of the site in question is consistent with the Intermunicipal Boundary Agreement with the Town of Grand Chute.
- Additional City sewer and water infrastructure will be installed with the ongoing and future construction of Spartan Drive. A lift station was constructed on nearby parcel #31-6-6001-00 in 2017.
- Currently, there is an existing single-family dwelling located at 110 West Edgewood Drive, which is owned by the City of Appleton and rented by the elector. The structures at 210 West Edgewood Drive were recently demolished. The remainder of the subject property consists of vacant, undeveloped land.
- 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: P-I Public Institutional District and Town of Grand Chute. The adjacent land uses to the north are currently a mix of agricultural and institutional uses, including a lift station.

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South: Temporary AG Agricultural District and Town of Grand Chute. The adjacent land uses to the south are currently single-family residential, including the property recently annexed to the City with the Perez Annexation.

East: AG Agricultural District, R-1B Single-Family District, PD/R-3 Planned Development Multi-Family District, and Town of Grand Chute. The adjacent land uses to the east are currently a mix of residential and agricultural uses.

West: Town of Grand Chute. The adjacent land uses to the west are currently a mix of commercial and agricultural uses.

Appleton Comprehensive Plan 2010-2030: The City of Appleton *Comprehensive Plan 2010-2030* identifies this area for future Business/Industrial uses. The proposed annexation is consistent with the following goals and objectives of the *Comprehensive Plan 2010-2030*.

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.

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 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.

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.

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Technical Review Group (TRG) Report: This item was discussed at the July 23, 2019 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. 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 will be determined at a later date and processed in accordance with Section 23-65(d) Zoning Map Amendments.

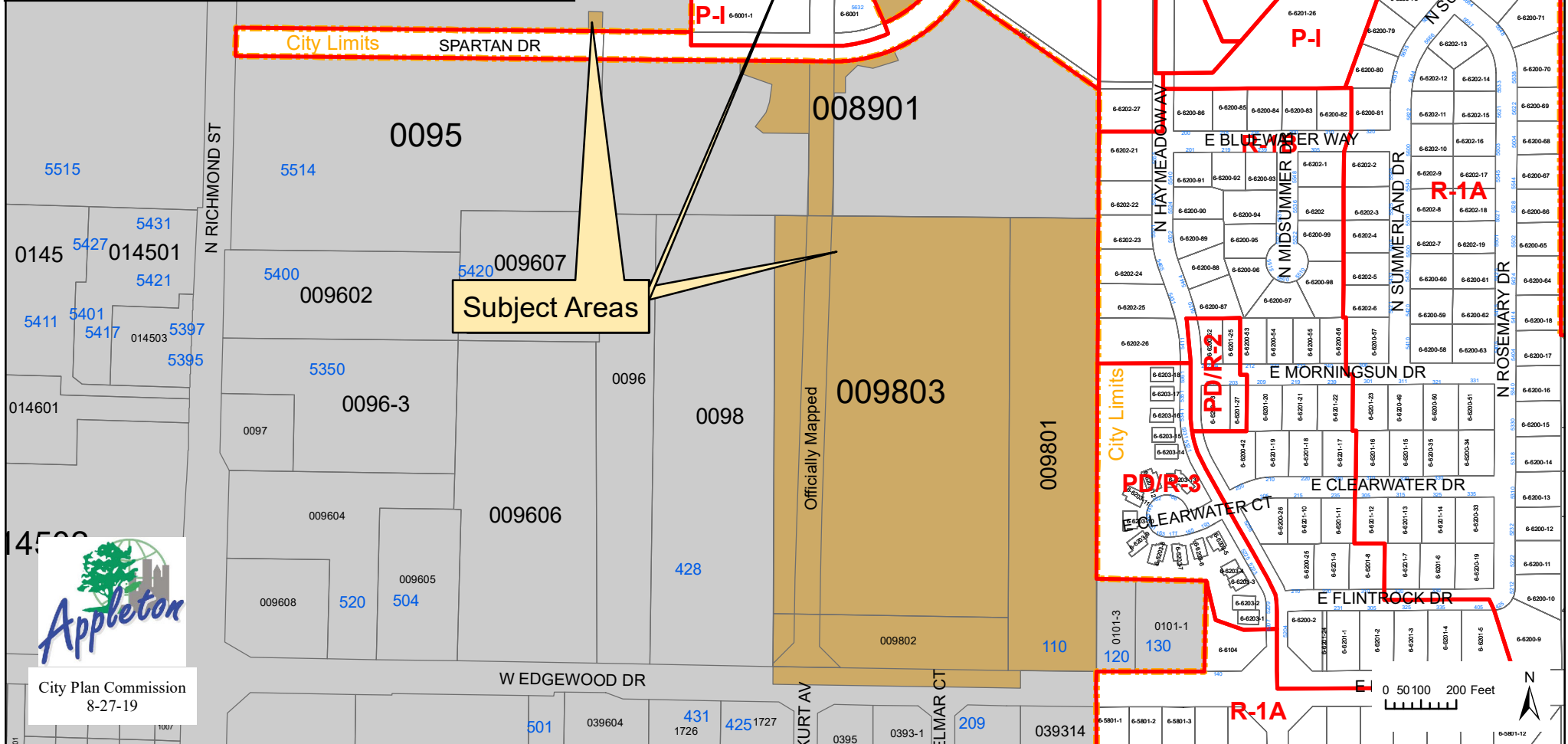
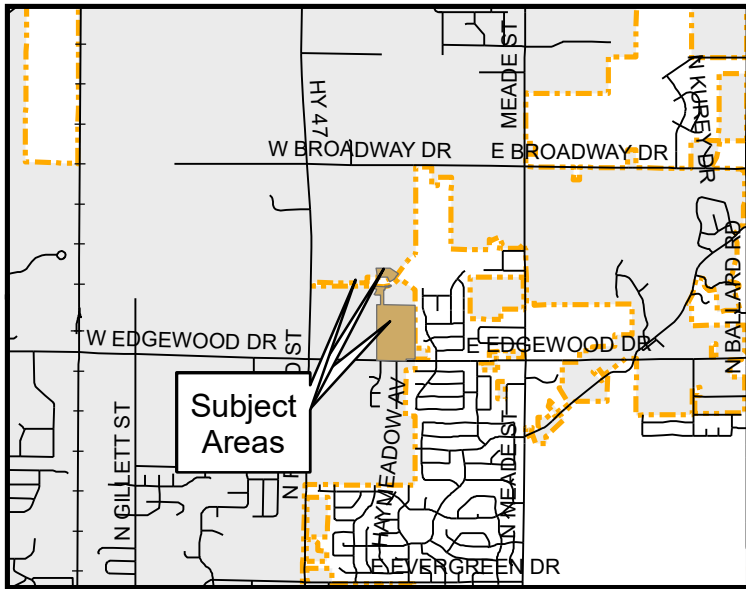
It is anticipated that a Certified Survey Map (CSM) will be prepared to reconfigure lot lines and dedicate public right-of-way. The dedication of land for public right-of-way for Sommers Drive requires action by Plan Commission and Common Council. CSMs are administratively reviewed and approved by City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

RECOMMENDATION

Staff recommends that the Spartan Drive - Sommers Drive - Edgewood Drive 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.

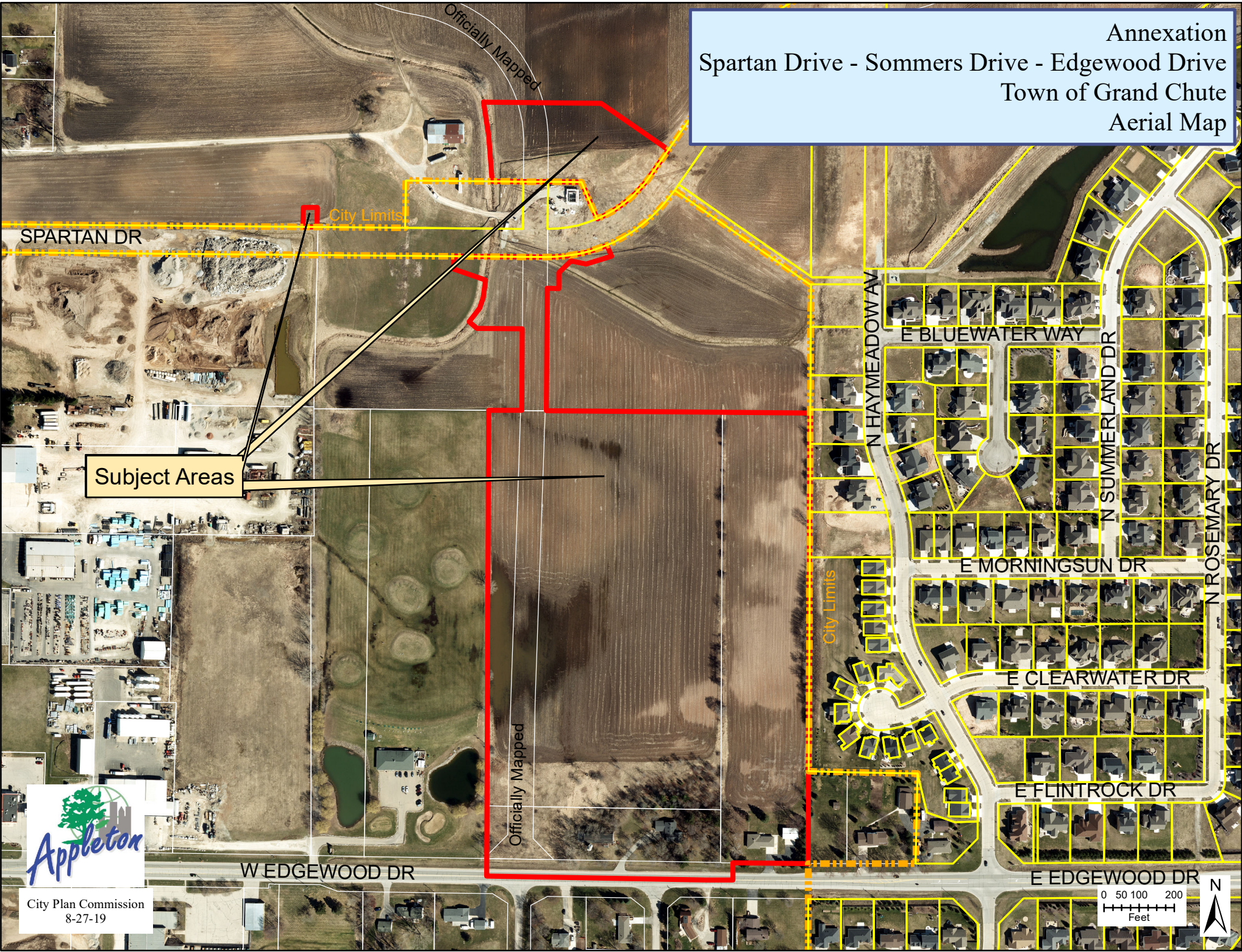
Annexation Spartan Drive - Sommers Drive - Edgewood Drive Town of Grand Chute Zoning Map



City Plan Commission
8-27-19



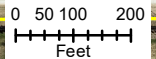
Annexation
Spartan Drive - Sommers Drive - Edgewood Drive
Town of Grand Chute
Aerial Map



Subject Areas



City Plan Commission
8-27-19





**PETITION FOR DIRECT ANNEXATION BY UNANIMOUS APPROVAL
PURSUANT TO SECTION 66.0217(2), WISCONSIN STATUTES
WHERE ELECTORS RESIDE IN TERRITORY**

We, the undersigned, constituting all of the owners of the real property and all of the electors that 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 scale map to the City of Appleton, Outagamie County, Wisconsin.

AREA "A"

A part of Lot 1 of Certified Survey Map No. 4225 filed in Volume 23 of Certified Survey Maps on Page 4225 as Document No.1447327, located in and being a part of the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 2, Township 21 North, Range 17 East, Town of Grand Chute, Outagamie County, Wisconsin, containing 0.0505 Acres (2,200 sq. ft.) of land and being all those lands of the owner within the following described traverse:

Commencing at the W $\frac{1}{4}$ corner of said Section 2;
Thence South $89^{\circ}57'54''$ East 1029.19 feet along the North line of the SW $\frac{1}{4}$ of said Section 2;
Thence South $00^{\circ}02'06''$ West 750.31 feet to the Point of Beginning;
Thence South $89^{\circ}29'31''$ East 40.00 feet;
Thence South $00^{\circ}30'29''$ West 55.00 feet to the North line of Spartan Drive;
Thence North $89^{\circ}29'31''$ West 40.00 feet coincident with the North line of Spartan Drive;
Thence North $00^{\circ}30'29''$ East 55.00 feet to the point of beginning.

AREA "B"

A part of Lot 1 of Certified Survey Map No. 4225 filed in Volume 23 of Certified Survey Maps on Page 4225 as Document No.1447327, located in and being a part of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 2, Township 21 North, Range 17 East, Town of Grand Chute, Outagamie County, Wisconsin, containing 2.5298 Acres (110,198 sq. ft.) of land and being all those lands of the owner within the following described traverse:

Commencing at the W $\frac{1}{4}$ corner of said Section 2;
Thence South $89^{\circ}57'54''$ East 1542.63 feet along the North line of the SW $\frac{1}{4}$ of said Section 2;
Thence South $00^{\circ}02'06''$ West 450.14 feet to the Point of Beginning;
Thence South $89^{\circ}33'07''$ East 334.60 feet;
Thence South $55^{\circ}08'53''$ East 233.42 feet to the Northwesterly line of Spartan Drive;
Thence South $34^{\circ}51'07''$ West 86.19 feet coincident with the Northwesterly line of Spartan Drive;
Thence Southwesterly 200.43 feet along the arc of curve to the right having a radius of 360.00 feet and the chord of which bears South $50^{\circ}48'04''$ West 197.85 feet coincident with the Northwesterly line of Spartan Drive;
Thence North $23^{\circ}16'01''$ West 114.00 feet;

Thence North 89°33'07" West 254.52 feet;
Thence North 04°17'58" West 131.22 feet;
Thence North 08°33'37" West 95.27 feet to the point of beginning.

AREA "C"

A part of Lot 1 of Certified Survey Map No. 4225 filed in Volume 23 of Certified Survey Maps on Page 4225 as Document No. 1447327, located in and being a part of the Northeast ¼ of the Southwest ¼ of Section 2, Township 21 North, Range 17 East, Town of Grand Chute, Outagamie County, Wisconsin, containing 1.5300 Acres (66,647 sq. ft.) of land and being all those lands of the owner within the following described traverse:

Commencing at the W ¼ corner of said Section 2;
Thence South 89°57'54" East 1458.72 feet along the North line of the SW ¼ of said Section 2;
Thence South 00°02'06" West 888.86 feet to the South line of Spartan Drive and being the Point of Beginning;
Thence South 89°29'31" East 261.74 feet coincident with the South line of Spartan Drive;
Thence Easterly 177.73 feet coincident with the South line of Spartan Drive, along the arc of curve to the left having a radius of 440.00 feet and the chord of which bears North 78°56'09" East 176.53 feet;
Thence South 22°45'43" East 34.24 feet; Thence South 73°05'06" West 75.48 feet;
Thence North 78°19'08" West 43.22 feet; Thence South 46°07'08" West 48.53 feet;
Thence South 00°26'53" West 44.85 feet; Thence North 89°33'07" West 32.68 feet;
Thence South 00°26'53" West 348.32 feet to the South line of Lot 1 of Certified Survey Map No. 4225;
Thence North 89°29'24" West 70.00 feet coincident with the South line of Lot 1 of Certified Survey Map No. 4225;
Thence North 00°26'53" East 232.78 feet; Thence North 89°33'07" West 129.63 feet;
Thence North 49°08'54" West 28.78 feet; Thence North 36°59'56" East 49.04 feet;
Thence North 18°19'57" East 31.14 feet; Thence North 07°51'34" East 50.31 feet;
Thence North 70°31'10" West 95.35 feet; Thence North 00°30'29" East 36.18 feet to the point of beginning.

AREA "D"

A part of the Southeast ¼ of the Southwest ¼ of Section 2, Township 21 North, Range 17 East, Town of Grand Chute, Outagamie County, Wisconsin, containing 27.7395 Acres (1,208,333 sq. ft.) of land and being all those lands of the owner within the following described traverse:

Commencing at the S ¼ corner of said Section 2;
Thence North 89°01'08" West 214.20 feet coincident with the South line of the SW ¼ of said Section 2 to the Point of Beginning;
Thence continue North 89°01'08" West 701.87 feet coincident with the South line of the SW ¼ of said Section 2;
Thence North 00°15'16" East 1327.18 feet to the South line of Lot 1 of Certified Survey Map No. 4225;
Thence South 89°29'24" East 916.01 feet coincident with the South line of Lot 1 of said Certified Survey Map No. 4225 to the East line of the SW ¼ of said Section 2;
Thence South 00°15'16" West 1283.40 feet coincident with the East line of the SW ¼ of said Section 2 to the North line of Edgewood Drive (C.T.H. "JJ");
Thence Westerly 214.19 feet along the arc of a curve to the right having a radius of 22,868.31 feet and the chord of which bears North 89°21'54" West 214.19 feet and being coincident with the North line of Edgewood Drive (C.T.H. "JJ");



Thence South 00°15'19" West 50.02 feet to the South line of the SW ¼ of said Section 2 and being the point of beginning.

Area of lands to be annexed contains 31.8498 acres m/l.

Tax Parcel numbers of lands to be annexed: 101009803, 101009802, and 101009801 and part of 101008901

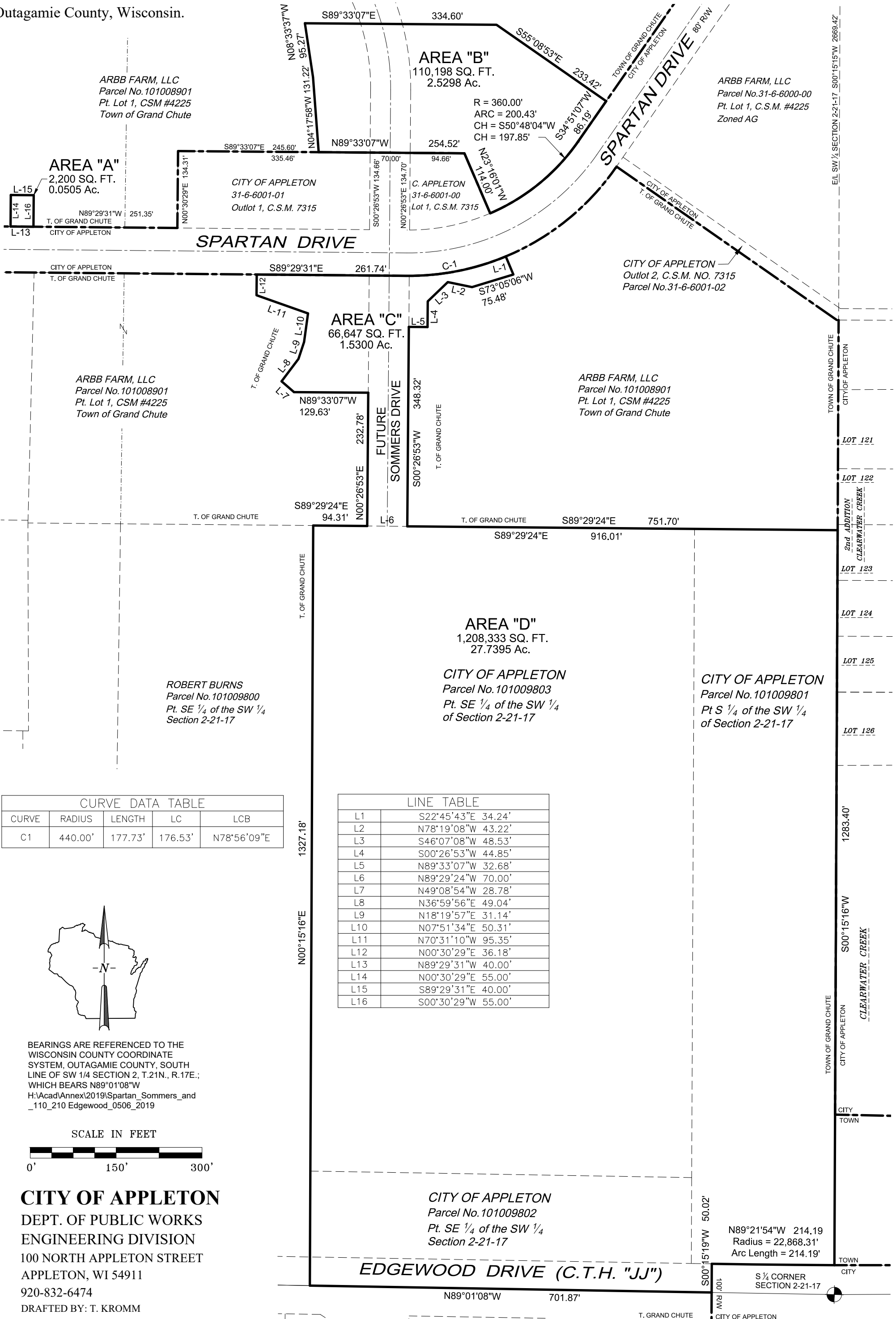
The current population of such territory is 2. The number of electors that reside on the lands to be annexed is 1.

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/Elector	Date of Signing	Address of Petitioner (Include Zip Code)
	Owner (City of Appleton)	7-31-2019	100 N. Appleton Street Appleton, WI 54911
Timothy Hanna, Mayor, City of Appleton			
	Elector	7.31.2019	110 W. Edgewood Drive Appleton, WI 54913
Sarah Pierre			

ANNEXATION EXHIBIT

Part of Lot 1 of Certified Survey Map No.4225 recorded in Volume 23 of Certified Survey Maps on Page 4225 as Document No. 1447327 and a part of the Southeast Quarter (SE 1/4) of the Southwest Quarter (SW 1/4) of Section 2, Township 21 North, Range 17 East, Town of Grand Chute, Outagamie County, Wisconsin.



AREA "A"
2,200 SQ. FT.
0.0505 Ac.

AREA "B"
110,198 SQ. FT.
2.5298 Ac.

AREA "C"
66,647 SQ. FT.
1.5300 Ac.

AREA "D"
1,208,333 SQ. FT.
27.7395 Ac.

ARBB FARM, LLC
Parcel No.101008901
Pt. Lot 1, CSM #4225
Town of Grand Chute

ARBB FARM, LLC
Parcel No.31-6-6000-00
Pt. Lot 1, C.S.M. #4225
Zoned AG

ARBB FARM, LLC
Parcel No.101008901
Pt. Lot 1, CSM #4225
Town of Grand Chute

ARBB FARM, LLC
Parcel No.101008901
Pt. Lot 1, CSM #4225
Town of Grand Chute

ROBERT BURNS
Parcel No.101009800
Pt. SE 1/4 of the SW 1/4
Section 2-21-17

CITY OF APPLETON
Parcel No.101009803
Pt. SE 1/4 of the SW 1/4
of Section 2-21-17

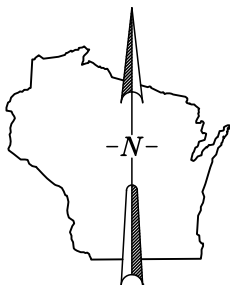
CITY OF APPLETON
Parcel No.101009801
Pt S 1/4 of the SW 1/4
of Section 2-21-17

CITY OF APPLETON
Parcel No.101009802
Pt. SE 1/4 of the SW 1/4
Section 2-21-17

N89°21'54"W 214.19
Radius = 22,868.31'
Arc Length = 214.19'

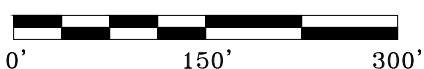
CURVE	RADIUS	LENGTH	LC	LCB
C1	440.00'	177.73'	176.53'	N78°56'09"E

L1	S22°45'43"E 34.24'
L2	N78°19'08"W 43.22'
L3	S46°07'08"W 48.53'
L4	S00°26'53"W 44.85'
L5	N89°33'07"W 32.68'
L6	N89°29'24"W 70.00'
L7	N49°08'54"W 28.78'
L8	N36°59'56"E 49.04'
L9	N18°19'57"E 31.14'
L10	N07°51'34"E 50.31'
L11	N70°31'10"W 95.35'
L12	N00°30'29"E 36.18'
L13	N89°29'31"W 40.00'
L14	N00°30'29"E 55.00'
L15	S89°29'31"E 40.00'
L16	S00°30'29"W 55.00'



BEARINGS ARE REFERENCED TO THE WISCONSIN COUNTY COORDINATE SYSTEM, OUTAGAMIE COUNTY, SOUTH LINE OF SW 1/4 SECTION 2, T.21N., R.17E.; WHICH BEARS N89°01'08"W
H:\Acad\Annex\2019\Spartan_Sommers_and_110_210 Edgewood_0506_2019

SCALE IN FEET



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

EDGEWOOD DRIVE (C.T.H. "JJ")

N89°01'08"W 701.87'

S 1/4 CORNER SECTION 2-21-17

T. GRAND CHUTE CITY OF APPLETON