



REPORT TO CITY PLAN COMMISSION

Plan Commission Informal Public Hearing Date: February 12, 2019

Municipal Services Committee Meeting Date: February 11, 2019

Common Council Meeting Date-Initial Resolution: February 20, 2019
Public Hearing Date: April 3, 2019

Item: Street Discontinuance to vacate a portion of East Pacific Street, east of North Owaissa Street

Case Manager: Don Harp

GENERAL INFORMATION

Owner/Applicant: City of Appleton / Tom Kromm, City Surveyor - Department of Public Works

Street Name/Location: Portion of East Pacific Street, east of North Owaissa Street

Owner/Applicant's Request: The area being vacated is no longer needed for public street purposes by the City. This land is being used as a driveway entrance for Riverside Cemetery, including the stone structure housing a chapel and office space for cemetery operations.

BACKGROUND

The Harriman's Lawsburg Plat dated 1886 dedicated this land for a public street. This section of public right-of-way has not been improved as a public street.

As part of an on-going process to review and analyze dedicated public right-of-way in the City of Appleton that may no longer serve a right-of-way need, this unimproved section of East Pacific Street was identified for vacation.

STAFF ANALYSIS

Title to Vacated Street: As a result, when vacated, the land must revert to its original source, which in this case are the parcels located to the north and south of the proposed vacation. Consequently, title to the street being vacated will belong to the adjoining property owner(s) and will acquire an ownership interest in land vacated as shown on the attached map.

Public Utilities: No public utilities are buried within the vacated area.

Street Right-of-Way Width: This portion of East Pacific Street is approximately 46.7 feet wide.

Street Classification/Driveway Access: The City's Arterial Map identifies this portion of East Pacific Street as a local street.

Existing Conditions: The vacated area is being used as a driveway entrance for Riverside Cemetery, including the stone structure housing a chapel and office space for cemetery operations.

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Surrounding Zoning and Land Uses:

North: R-1B, Single Family District – Cemetery
South: R-1B, Single Family District – Cemetery
East: R-1B, Single Family District – Cemetery
West: R-1B, Single Family District – Non-profit recreational facility (green space and reflection/meditation garden) serving Riverside Cemetery and Single-family residential

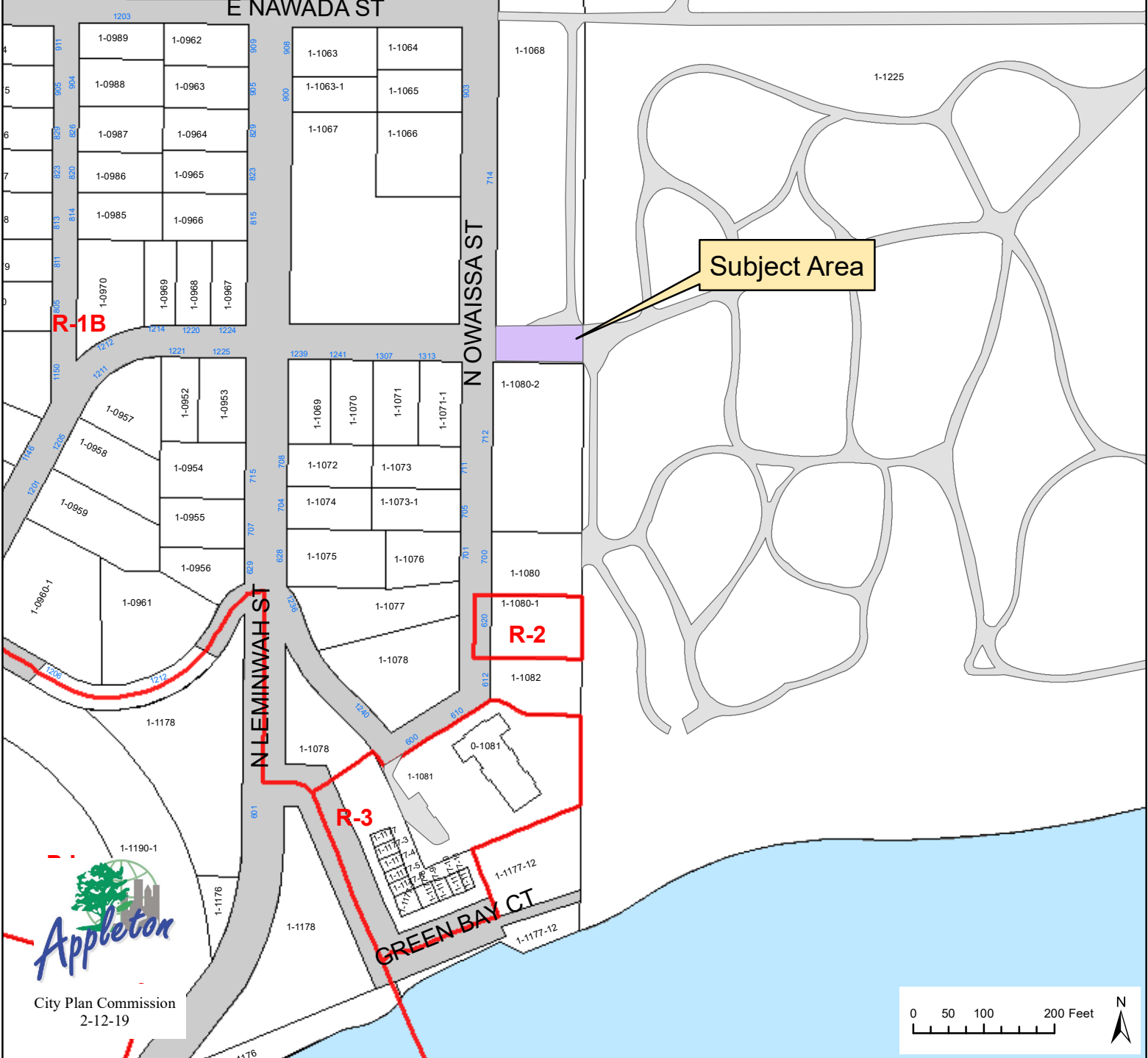
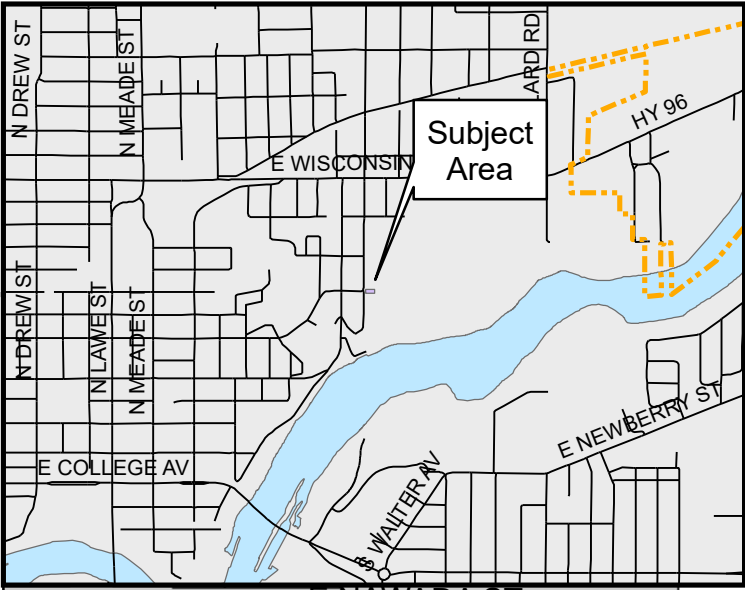
2010-2030 Comprehensive Plan: The City of Appleton 2010-2030 Comprehensive Plan identifies this area for future Public/Institutional. The current use of the subject area is consistent with the current Future Land Use Map.

Technical Review Group Report (TRG): This item was discussed at the January 22, 2019 Technical Review Group meeting. No negative comments were received from participating departments.

RECOMMENDATION

Staff recommends the Initial Resolution and exhibit map for the partial vacation of East Pacific Street public right-of-way, **BE APPROVED**.

Pacific Street (East of Owaissa Street) Street Vacation Zoning map



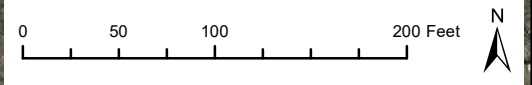
Pacific Street (East of Owaissa Street)
Street Vacation
Aerial Map



Subject Area



City Plan Commission
2-12-19



INITIAL RESOLUTION

WHEREAS, the public interest requires that a portion of East Pacific Street, east of North Owaissa Street, that has not previously been vacated, be vacated and discontinued,

BE IT RESOLVED, that the Common Council of the City of Appleton, Wisconsin, hereby determines that the public interest requires that a portion of East Pacific Street, east of North Owaissa Street, City of Appleton, Outagamie County, Wisconsin, as hereinafter described, is hereby vacated and discontinued pursuant to §66.1003 of the Wisconsin Statutes.

LEGAL DESCRIPTION:

All that part of Pacific Street (fka Brucke Street) described as follows: A strip of land 46.7 feet in width and 123.5 feet more or less in length, containing 5,767 square feet of land more or less, bounded on the West by the East line of Owaissa Street, bounded on the East by Riverside Cemetery, bounded on the North by Block 61 of **HARRIMAN'S LAWSBURG PLAT** and bounded on the South by Block 63 of **HARRIMAN'S LAWSBURG PLAT**, all according to the recorded Assessors Map of the City of Appleton, being located in Government Lot 2 lying North of the Fox River, Section 25, Township 21 North, Range 17 East, City of Appleton, Outagamie County, Wisconsin.
See also attached Exhibit "A" for illustration.

COMMON DESCRIPTION:

East Pacific Street, east of North Owaissa Street (Riverside Cemetery entrance)

FURTHER RESOLVED, that the City Clerk of the City of Appleton be authorized and directed to give notice required by §66.1003 of the Wisconsin Statutes.

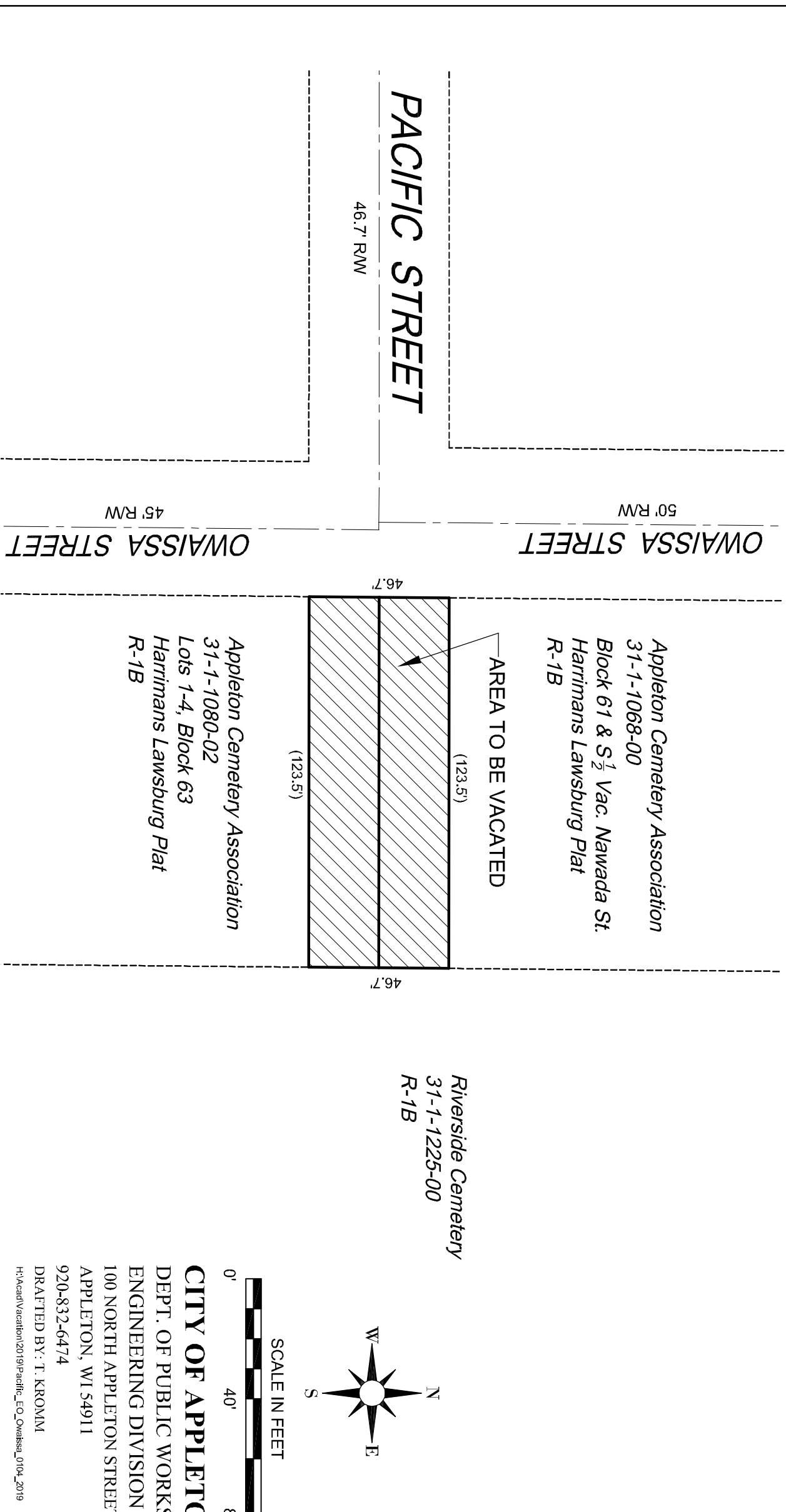
FURTHER RESOLVED, that according to §66.1005 of the Wisconsin Statutes, upon vacation and discontinuance of said portion of East Pacific Street, title to the above-described street shall belong to the adjoining property owners and shall acquire an ownership interest in the entire area being vacated as shown on the attached Exhibit Map.

Date
City Law: A18-0936

Christopher W. Croatt, Chair

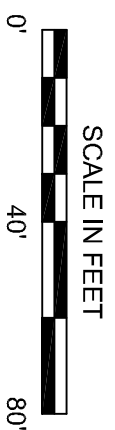
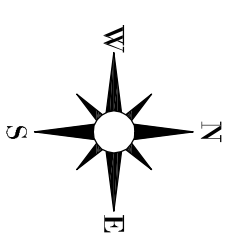
EXHIBIT

ALL THAT PART OF PACIFIC STREET (FKA BRUKE STREET) DESCRIBED AS FOLLOWS: A STRIP OF LAND 46.7 FEET IN WIDTH AND 123.5 FEET MORE OR LESS IN LENGTH, CONTAINING 5,767 SQUARE FEET OF LAND MORE OR LESS, BOUNDED ON THE WEST BY THE EAST LINE OF OWAISSA STREET, BOUNDED ON THE EAST BY RIVERSIDE CEMETERY, BOUNDED ON THE NORTH BY BLOCK 61 OF HARRIMAN'S LAWSBURG PLAT AND BOUNDED ON THE SOUTH BY BLOCK 63 OF HARRIMAN'S LAWSBURG PLAT. ALL ACCORDING TO THE RECORDED ASSESSORS MAP OF THE CITY OF APPLETON, BEING LOCATED IN GOVERNMENT LOT 2 LYING NORTH OF THE FOX RIVER, SECTION 25, TOWNSHIP 21 NORTH, RANGE 17 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN.



Riverside Cemetery
31-1-1225-00
R-1B

Appleton Cemetery Association
31-1-1080-02
Lots 1-4, Block 63
Harrimans Lawsburg Plat
R-1B



CITY OF APPLETON
DEPT. OF PUBLIC WORKS
ENGINEERING DIVISION
100 NORTH APPLETON STREET
APPLETON, WI 54911
920-832-6474

DRAFTED BY: T. KROMM
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