



## REPORT TO CITY PLAN COMMISSION

**Plan Commission Meeting Date:** February 13, 2018

**Common Council Meeting Date – PC Report:** February 21, 2018

**Finance Committee Meeting Date – Resolution:** February 26, 2018

**Common Council Meeting Date – Resolution:** March 7, 2018

**Common Council Meeting Date – Ordinance:** March 21, 2018

**Item:** Leona Pond Annexation

### GENERAL INFORMATION

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**Owner/Applicant:** City of Appleton

**Address/Parcel:** Portion of 2136 E. Wisconsin Avenue (Town of Grand Chute Tax Id #102009900)

**Petitioner's Request:** Owner/applicant 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:** The City has plans to construct a stormwater management facility on this parcel.

**Population of Such Territory:** 0

**Annexation Area:** 11.3366 acres m/l

### BACKGROUND

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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.

### STAFF ANALYSIS

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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.
- Annexation of the site in question is consistent with the Boundary Agreement with the Town of Grand Chute.

- Sanitary sewer and water infrastructure exists in Richard Street and Leona Street. The petitioner's interest in annexing is to construct a stormwater management facility.
- The property is currently undeveloped.
- The owner is requesting 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.
- The *Comprehensive Plan 2010-2030* Future Land Use Map indicates future Business/Industrial for the majority of the land with a small area for One and Two Family Residential uses in this area. The proposed use of this land will be for a future, City owned, stormwater management pond and Staff would recommend the Plan Commission initiate the process to change the future land use designation to Public Institutional for this land. This would make the proposed zoning of P-I Public Institutional consistent with the Comprehensive Plan pursuant to the zoning map amendment standard listed in Section 23-65(d)(3)a.1.

#### **Surrounding Zoning Classification and Land Uses:**

North: M-2 General Industrial District. The adjacent land uses to the north are currently industrial.

South: Town of Grand Chute. The adjacent land use to the south are currently undeveloped and single-family residential.

East: Town of Grand Chute. The adjacent land uses to the east are currently undeveloped.

West: R-1A Single-Family District and R-2 Two-Family District. The adjacent land uses to the west are single-family residential.

**Appleton Comprehensive Plan 2010-2030:** The City of Appleton *Comprehensive Plan 2010-2030* identifies the majority of this area for future Business/Industrial uses with a small area for One and Two Family Residential uses. Listed below are related excerpts from the City's *Comprehensive Plan 2010-2030*.

#### *Goal 5 – Utilities and Community Services*

*Appleton will provide excellent public utility and community services at a reasonable cost, and will work with private utility companies to ensure quality service delivery.*

*OBJECTIVE 7.5: Implement effective stormwater management practices.*

*Policy 7.5.1 Continue to implement the City's Surface Water Management Plan and its WPDES Municipal Separate Storm Sewer System (MS-4) permit from the Wisconsin Department of Natural Resources.*

**Technical Review Group (TRG) Report:** This item was discussed at the January 23, 2018 Technical Review Group meeting. No negative comments were received from participating departments.

## **FUTURE ACTIONS**

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All territory annexed to the City is assigned a zoning classification as recommended by Plan Commission. Plan Commission considers criteria per Section 23-65(d), Zoning Map Amendments: 1. Existing land uses within the territory, 2. Land uses that exist on adjacent properties and 3. The Comprehensive Plan.

The owner is requesting the 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 owner is requesting the Plan Commission initiate a Future Land Use map amendment for the subject property, from Business/Industrial and One and Two Family Residential to Public Institutional.

With this in mind, permanent P-I Public Institutional zoning classification and the Future Land Use Map amendment will be initiated by the Plan Commission and will be reviewed and approved by the Common Council.

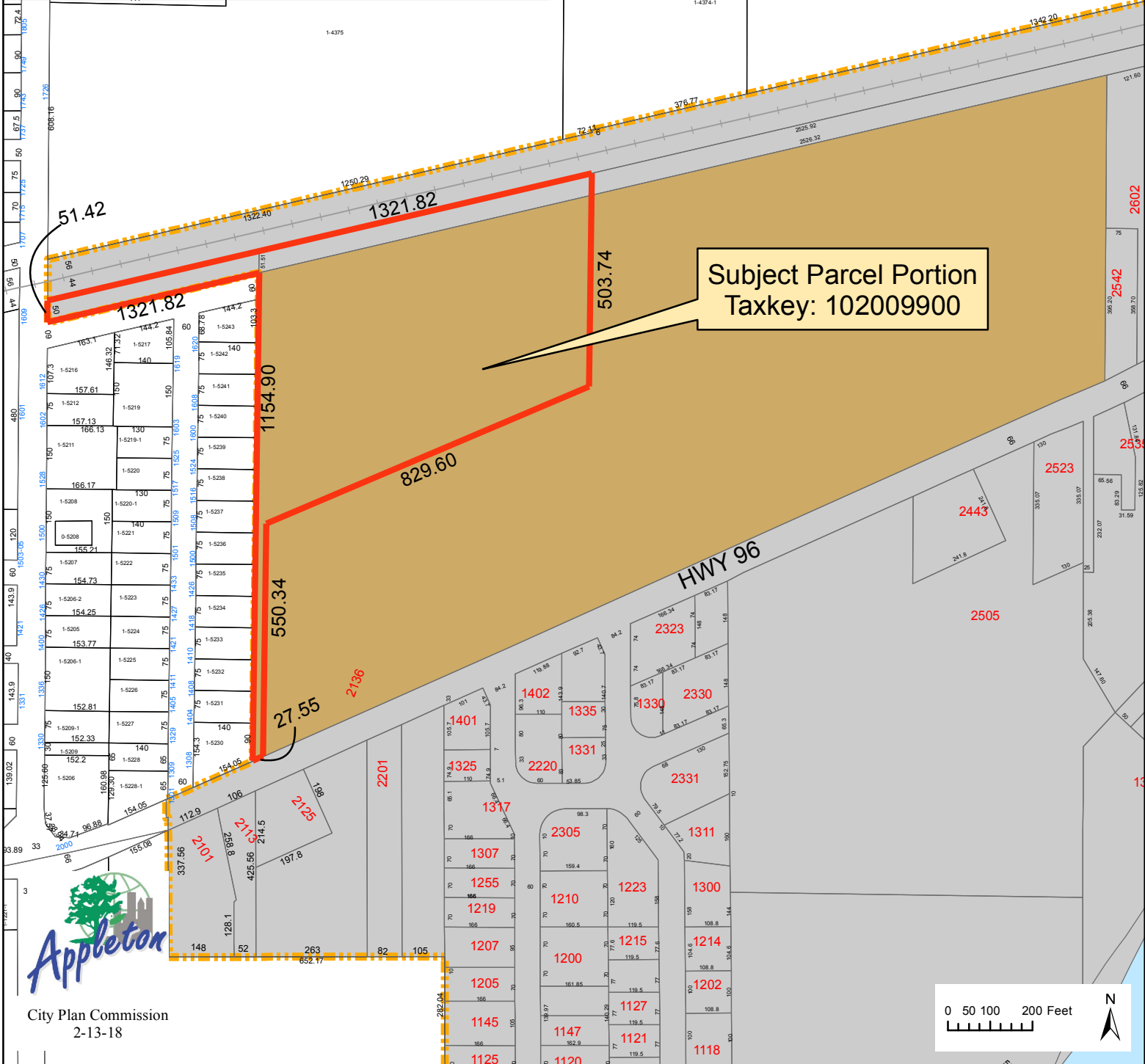
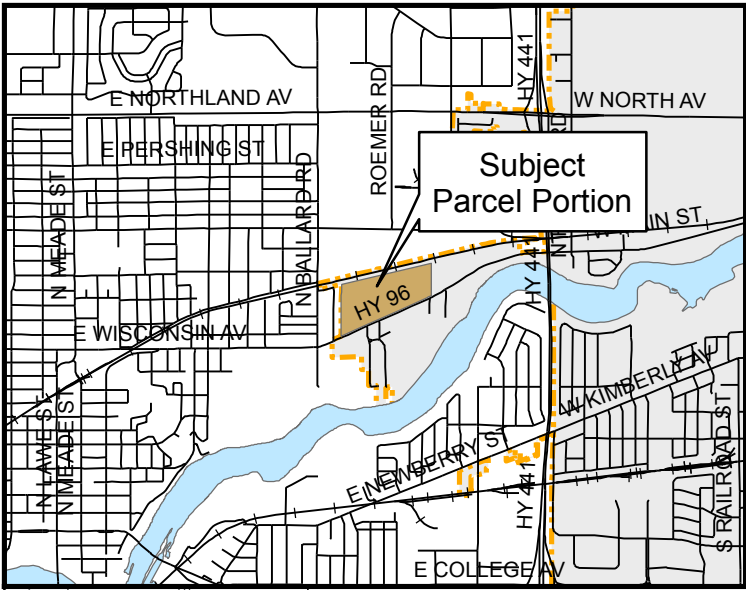
## **RECOMMENDATION**

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Staff recommends that the Leona Pond Annexation (portion of 2136 E. Wisconsin Avenue), as shown on the attached maps, **BE APPROVED** with the following stipulations:

1. The Plan Commission initiating 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 Zoning Ordinance.
2. The Plan Commission initiating a Future Land Use Map amendment for the subject property, from Business/Industrial and One and Two Family Residential to Public Institutional pursuant to Chapter 12 of the City's *Comprehensive Plan 2010-2030* and Section 23-65(d)(3)a.1 of the Zoning Ordinance.

# Leona Pond Annexation



City Plan Commission  
2-13-18



Leona Pond  
Annexation

City Limits

E RICHARD ST

N BALLARD RD

N LEONA ST

ALLEY

HWY 96

E WISCONSIN AV

City Limits

Subject Parcel Portion  
Taxkey: 102009900



City Plan Commission  
2-13-18





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

I/We, 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 scale map to the City of Appleton, Outagamie County, Wisconsin.

Part of Lot Nine (9), Lot Ten (10) and Lot Eleven (11) of **ROWE'S SUBDIVISION**, and part of Lot One (1) of **CERTIFIED SURVEY MAP NUMBER 6101** filed in Volume 36 of Certified Survey Maps on Page 6101 as Document Number 1866751 in the Outagamie County Register of Deeds Office, located in the Fractional Southwest Quarter (SW ¼) of Section 19, Township 21 North, Range 18 East, Town of Grand Chute, Outagamie County, Wisconsin, containing 11.3366 Acres of land m/l and being described by:

Commencing at the Southwest corner of said Section 19;

Thence North 00° 22' 42" East 1353.51 feet along the West line of the SW ¼ of said Section 19;

Thence North 76° 51' 35" East 33.94 feet to the Northwest corner of Lot 1 of said Certified Survey Map No.6101 and being coincident with the Southerly line of the Wisconsin Central Ltd. Railroad right of way and being the Point of Beginning;

Thence continue North 76° 51' 35" East 1321.82 feet along the Southerly line of the Wisconsin Central Ltd. Railroad right of way and being coincident with the Northerly line of Lot 1 of said Certified Survey Map No.6101;

Thence South 00° 44' 00" West 503.74 feet;

Thence South 66° 58' 00" West 829.60 feet;

Thence South 00° 47' 05" West 550.34 feet to the Northwesterly line of Wisconsin Avenue (a.k.a. S.T.H. 96);

Thence South 65° 57' 11" West 27.55 feet and being coincident to the Northwesterly line of Wisconsin Avenue to the East line of Bell Air Subdivision;

Thence North 00° 47' 05" East 1154.90 feet and being coincident to the East line of said Bell Air Subdivision to the Northerly line of Richard Street;

Thence South 76° 51' 35" West 514.22 feet and being coincident with the Northerly line of Richard Street to the East line of Ballard Road;

Thence North 00° 22' 42" East 51.42 feet and being coincident with the East line of Ballard Road to the Point of Beginning.


The current population of such territory is 0.

I/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.

I/We further respectfully request 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.

Area of lands to be annexed contains 11.3366 acres m/l.

Tax Parcel number of lands to be annexed: 102009900

Signature of Petitioner	Owner/Elector	Date of Signing	Address of Petitioner (Include Zip Code)
	<b>Owner</b>	1-19-18	100 N. Appleton Street Appleton, WI 54911
Mayor Timothy Hanna			

# ANNEXATION EXHIBIT

Part of Lot 9, Lot 10 and Lot 11 of Rowe's Subdivision and Part of Lot 1 of Certified Survey Map No.6101, being located in the Southwest 1/4 of Section 19, Township 21 North, Range 18 East, Town of Grand Chute, Outagamie County, Wisconsin.

