



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: North Edgewood Estates Annexation

Case Manager: David Kress

GENERAL INFORMATION

Owner: Wisconsin Electric Power Company c/o James Raabe

Applicant: North Edgewood Estates Development, LLC c/o Kurt Coenen

Address/Parcel: Part of Town of Grand Chute Tax Id #101153600. The subject property is located east of North French Road, between East Edgewood Drive and East Broadway Drive.

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 allow for the future development of a subdivision, with approximately 129 single-family lots anticipated.

Population of Such Territory: 0

Annexation Area: 72.263 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 January 17, 2018, Common Council approved the North Edgewood Estates Development Agreement to set forth the City and developer duties and responsibilities with respect to development of the subject

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land. The Development Agreement is contingent upon the property being annexed to the City of Appleton.

A Certified Survey Map (CSM) was recently approved by the Town of Grand Chute for the subject area. The CSM, which creates two lots and dedicates public right-of-way within the subject area, is expected to be recorded before the annexation becomes effective. Upon annexation, City data will reflect the applicable information found in the CSM.

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 North French Road and adjacent properties located along East Paris Way.
- Annexation of the site in question is consistent with the Intermunicipal Boundary Agreement with the Town of Grand Chute.
- City sanitary sewer and water infrastructure is already installed along North French Road. The improvements needed to connect to City utilities are identified and described in the recently-approved North Edgewood Estates Development Agreement. Annexation to the City of Appleton is required before the subject property could connect to the City sewer and water.
- 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 R-1B Single-Family 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 uses to the north are currently agricultural.

South: R-3 Multi-Family District, P-I Public Institutional District, and Town of Grand Chute. The adjacent land uses to the south are currently a mix of multi-family residential and agricultural uses.

East: Town of Vandebroek. The adjacent land uses to the east are currently agricultural.

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West: R-1B Single-Family District, P-I Public Institutional District, and Town of Grand Chute. The adjacent land uses to the west are currently a mix of single-family residential and institutional uses, including an existing utility substation.

Appleton Comprehensive Plan 2010-2030: The City of Appleton *Comprehensive Plan 2010-2030* identifies this area for future One and Two-Family Residential and Public/Institutional uses. The proposed R-1B Single-Family District zoning classification is consistent with the *Comprehensive Plan 2010-2030* Future Land Use Map. Listed below are related excerpts from the City's *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 3 – Housing Quality, Variety, and Affordability

Appleton will provide a variety of rental and ownership housing choices in a range of prices affordable to community residents, and ensure that existing housing is adequately maintained in terms of physical quality and market viability.

OBJECTIVE 5.3 Housing and Neighborhoods:

Provide a range of housing options that meet the needs and appeal to all segments of the community and allows residents to age in place.

Policy 5.3.3 Plan for a supply of developable land suitable for residential development.

OBJECTIVE 10.1 Land Use:

Provide an adequate supply of suitable land meeting the demand for development of various land uses.

OBJECTIVE 10.4 Land Use:

Plan for compact, efficient, and fiscally responsible growth of residential, commercial, and industrial development in new neighborhoods in order to implement the principles of smart growth.

Policy 10.4.1 Continue to guide residential growth to locations either contiguous to or within presently urbanized areas. As peripheral development occurs, it should be at a compact, urban density to ensure new neighborhoods can be efficiently served by public infrastructure.

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

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

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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 R-1B Single-Family 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.

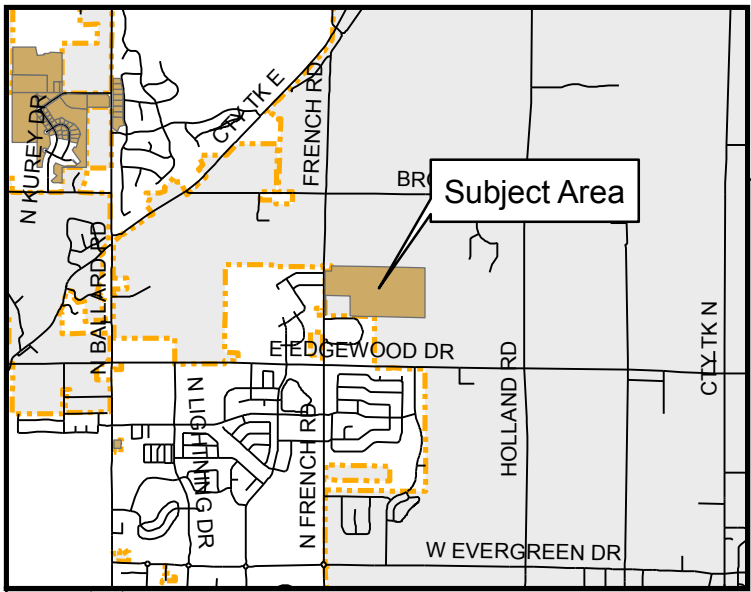
Review and approval of a Preliminary Plat and Final Plat will be needed to subdivide the property, as proposed in the North Edgewood Estates Development Agreement. Each of these items requires action by Plan Commission and Common Council.

RECOMMENDATION

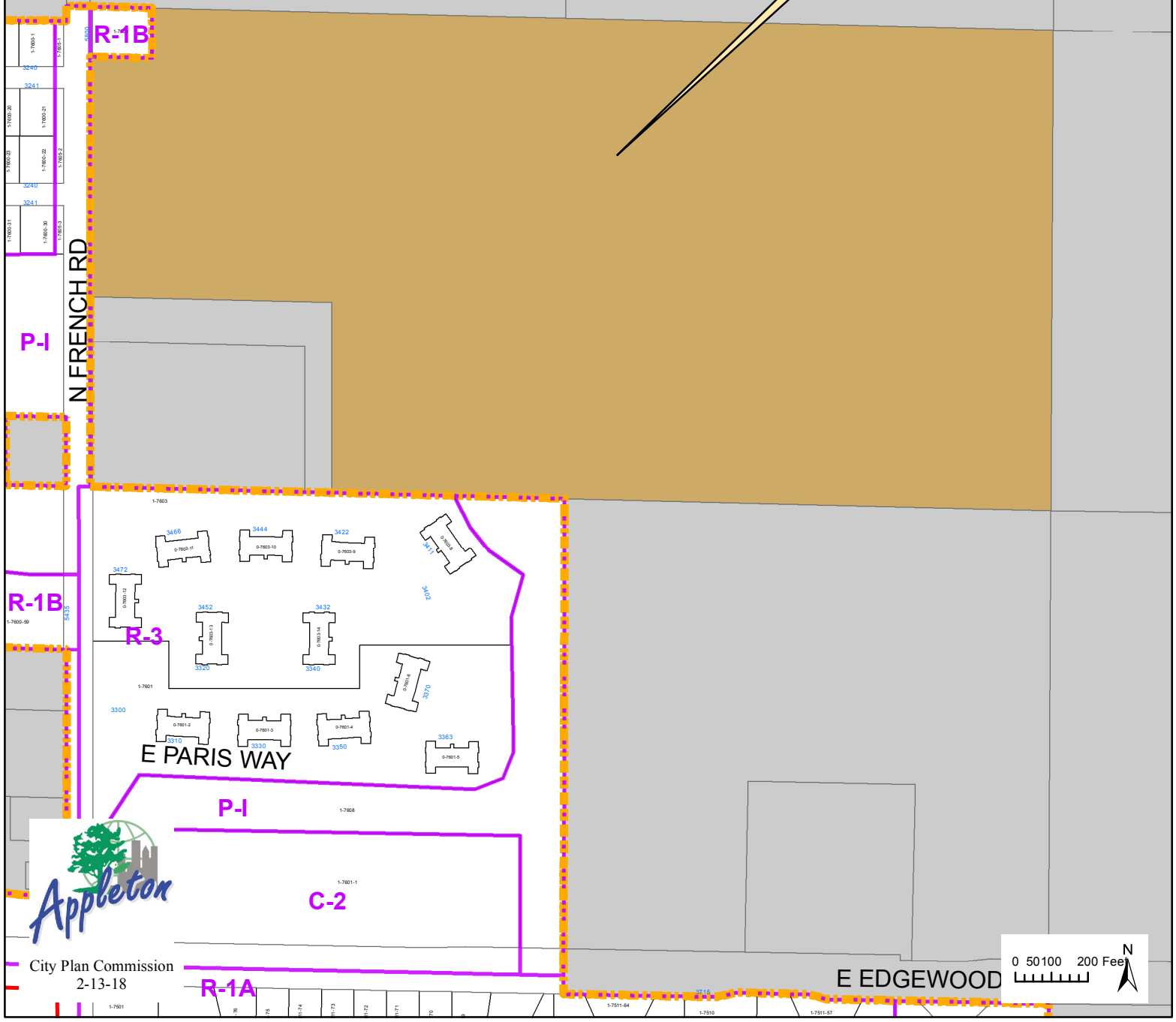
Staff recommends that the North Edgewood Estates Annexation, as shown on the attached maps, **BE APPROVED** with the following stipulation:

1. The Plan Commission initiate the rezoning for the subject property, from temporary AG Agricultural District to a permanent zoning classification of R-1B Single-Family District, pursuant to Section 23-65(d)(1) of the Municipal Code.

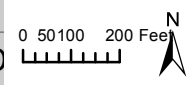
Annexation North Edgewood Estates Town of Grand Chute Zoning Map



Subject Area



City Plan Commission
2-13-18



Annexation
North Edgewood Estates
Town of Grand Chute
Aerial Map

Subject Area

City Limits

N FRENCH RD

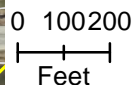
E PARIS WAY

City Limits

E EDGEWOOD DR



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 TERRITORY**

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 One (1) and part of Lot Two (2) of CERTIFIED SURVEY MAP NUMBER 4228 filed in Volume 23 of Certified Survey Maps on Page 4228 as Document Number 1448301 in the Outagamie County Register of Deeds Office, located in the North One-Half (N ½) of the Southwest Quarter (SW ¼) of Section 5, Township 21 North, Range 18 East, Town of Grand Chute, Outagamie County, Wisconsin, containing 72.263 Acres of land m/l and being described by:

Commencing at the Southwest corner of said Section 5;

Thence North 00° 02' 25" West 1325.97 feet along the West line of the SW ¼ of said Section 5 to the South line of Certified Survey Map No. 4228;

Thence South 88° 34' 21" East 33.01 feet coincident to the South line of said Certified Survey Map No. 4228 to the Point of Beginning;

Thence North 00° 02' 25" West 1185.99 feet to a North line of said Certified Survey Map No. 4228;

Thence South 88° 35' 21" East 171.05 feet coincident to a North line of said Certified Survey Map No. 4228;

Thence North 00° 02' 25" West 140.00 feet coincident to a West line of said Certified Survey Map No. 4228;

Thence South 88° 35' 21" East 2486.15 feet coincident to the North line of said Certified Survey Map No. 4228 to the East line of said Certified Survey Map No. 4228;

Thence South 00° 16' 55" West 1326.58 feet coincident to the East line of said Certified Survey Map No. 4228 to the South line of said Certified Survey Map No. 4228;

Thence North 88° 34' 21" West 1982.54 feet coincident to the South line of said Certified Survey Map No. 4228;

Thence North 00° 02' 25" West 525.18 feet;

Thence North 88° 34' 11" West 660.22 feet to a point 40.00 feet East of, as measured at a right angle to, the West line of the Southwest ¼ of said Section 5;

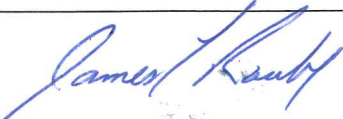
Thence South 00° 02' 25" East 525.21 feet to the South line of said Certified Survey Map No. 4228;

Thence North 88° 34' 21" West 7.00 feet coincident to the South line of said Certified Survey Map No. 4228 to the point of beginning.

The current population of such territory is 0.

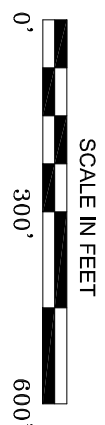
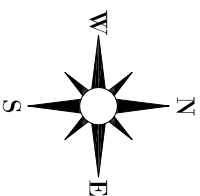
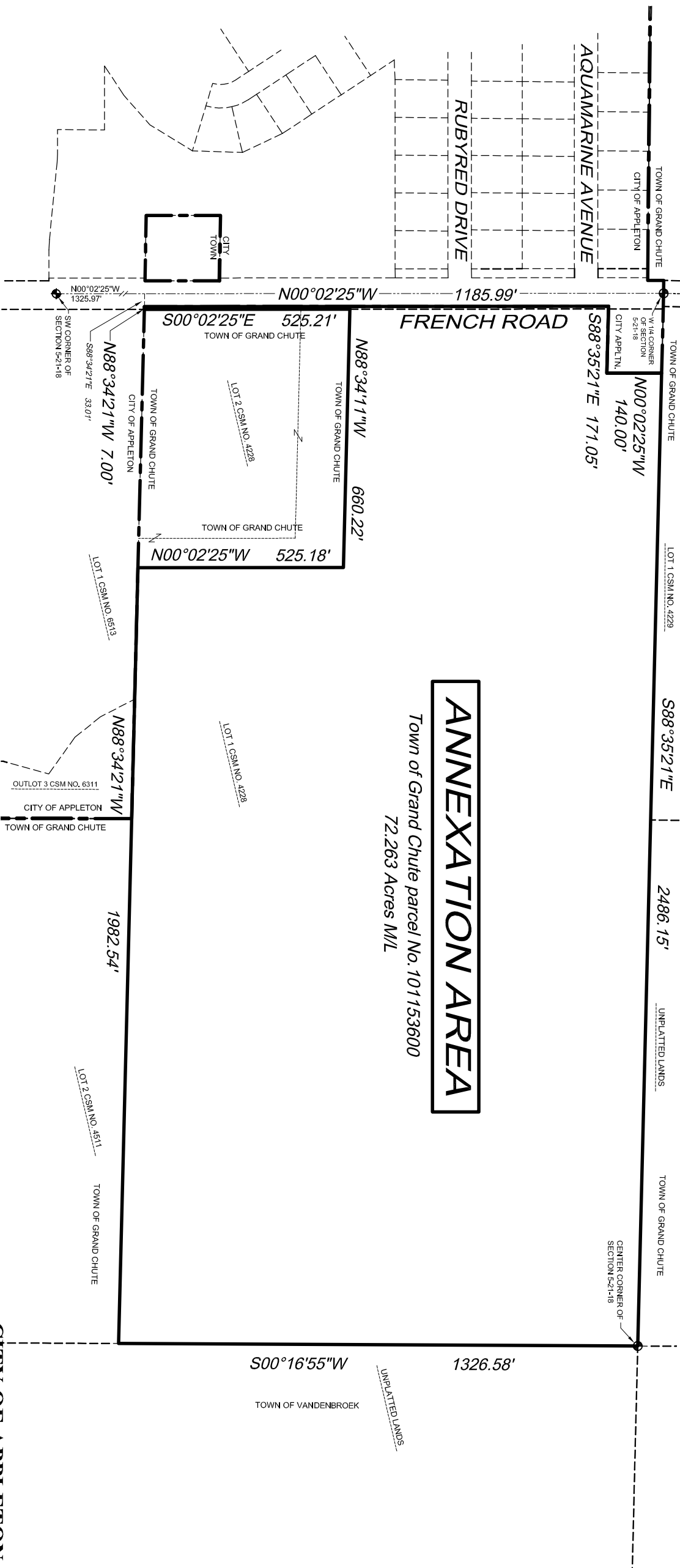
We, the undersigned, elect that this annexation shall take effect to the full extent consistent with outstanding priorities of other annexation, incorporation, or consolidation proceedings, if any.

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 R-1B Single-Family District.

| Signature of Petitioner | Owner | Date of Signing | Address of Petitioner (Include Zip Code) |
|---|--|-----------------|--|
|  | Wisconsin Electric Power Company | 1/22/18 | P.O. Box 2046 Milwaukee, WI 53201 |
| James T. Raabe, Manager of Property Management, Wisconsin Electric Power Company | | | |

ANNEXATION EXHIBIT

Part of Lot One (1) and part of Lot Two (2) of **CERTIFIED SURVEY MAP NUMBER 4228** filed in Volume 23 of Certified Survey Maps on Page 4228 as Document Number 1448301 in the Outagamie County Register of Deeds Office, located in the North One-Half (N 1/2) of the Southwest Quarter (SW 1/4) of Section 5, Township 21 North, Range 18 East, Town of Grand Chute, Outagamie County, Wisconsin.



CITY OF APPLETON
 DEPT. OF PUBLIC WORKS
 ENGINEERING DIVISION
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 APPLETON, WI 54911
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