



REPORT TO CITY PLAN COMMISSION

Municipal Services Committee Meeting Date: November 11, 2019

Plan Commission Informal Public Hearing Date: November 12, 2019

Common Council Meeting Date – Initial Resolution: November 20, 2019

Common Council Meeting Date – Public Hearing (40-day waiting period): January 8, 2020 TBD

Item: Vacate a portion of North McDonald Street public right-of-way

Case Manager: Jessica Titel

GENERAL INFORMATION

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

Street Name/Location: Portion of North McDonald Street, generally located north of East Northwood Drive.

Owner/Applicant's Request: The applicant is requesting to vacate a portion of North McDonald Street right-of-way, generally located north of East Northwood Drive.

BACKGROUND

This street vacation is being proposed to correct an oversight that occurred when East Northwood Drive was vacated in 1983. The subject area was inadvertently left out of the legal description at the time of the original vacation. An application for a Certified Survey Map has been filed and is currently under review. The CSM will combine the previously vacated Northwood Drive right-of-way and the subject area of the proposed vacation with the existing residential lot. This will eliminate historic lot lines.

STAFF ANALYSIS

Title to Vacated Street: When vacated, the land must revert to its original source, which in this case includes the parcel located adjacent to the proposed vacation area. Consequently, title to the street being vacated will belong to the adjoining property owner. The adjoining property owner will acquire an ownership interest in the land vacated, totaling approximately 47 square feet, as shown on the attached map.

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

Street Classification: The City's Arterial/Collector Plan Map identifies this portion of North McDonald Street as a local street.

Street Vacation – North McDonald Street

November 12, 2019

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Surrounding Zoning and Land Uses: The surrounding area is under the jurisdiction of the City of Appleton (north, south, east, and west). The uses are generally residential in nature.

North: PD/R-3 Planned Development Multi-Family District. The adjacent property to the north is currently multi-family residential.

South: PD/R-3 Planned Development Multi-Family District. The adjacent property to the south is currently multi-family residential.

East: PD/R-3 Planned Development Multi-Family District. The adjacent property to the east is currently multi-family residential.

West: PD/R-3 Planned Development Multi-Family District. The adjacent property to the west is currently McDonald Street right-of-way.

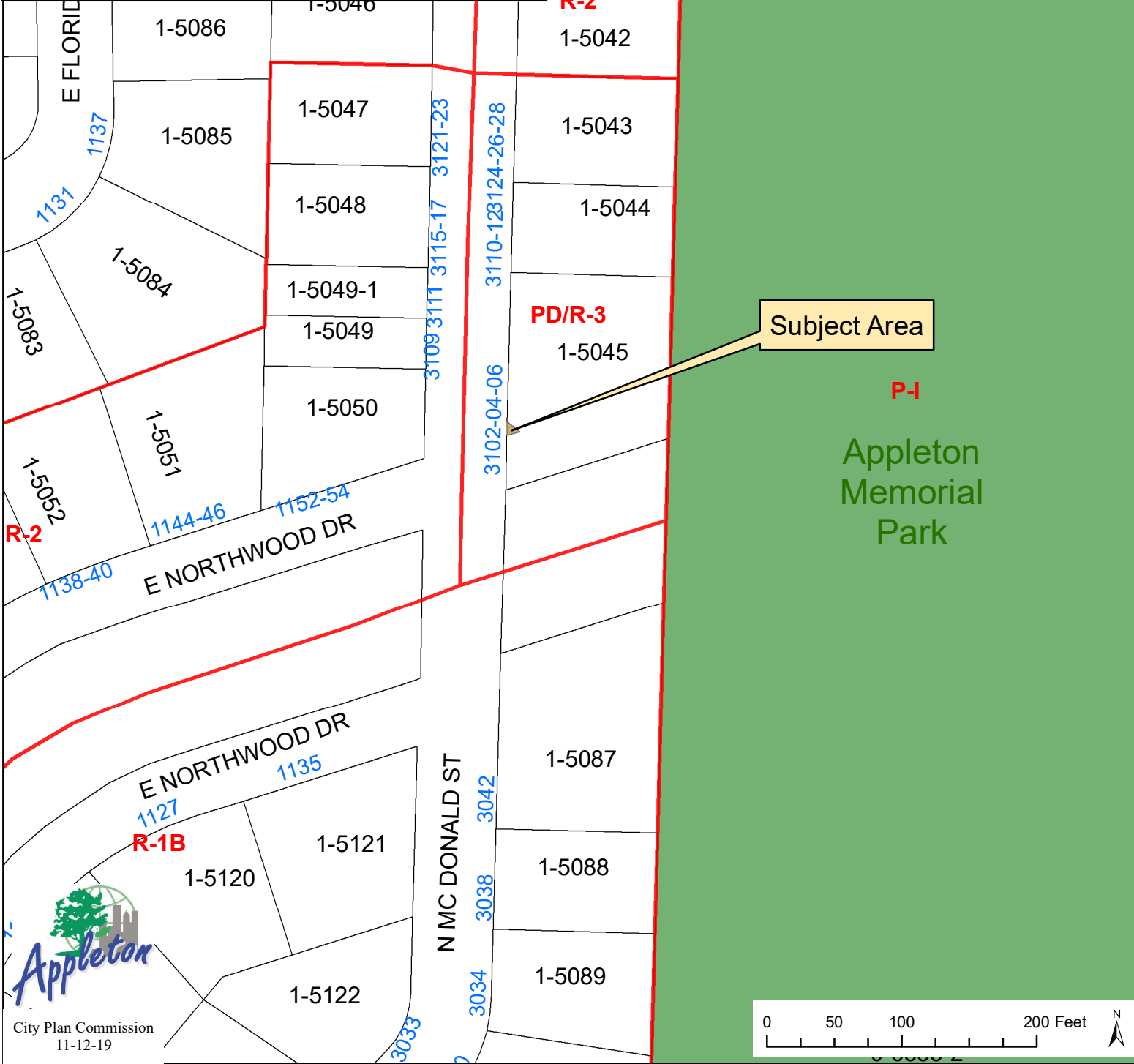
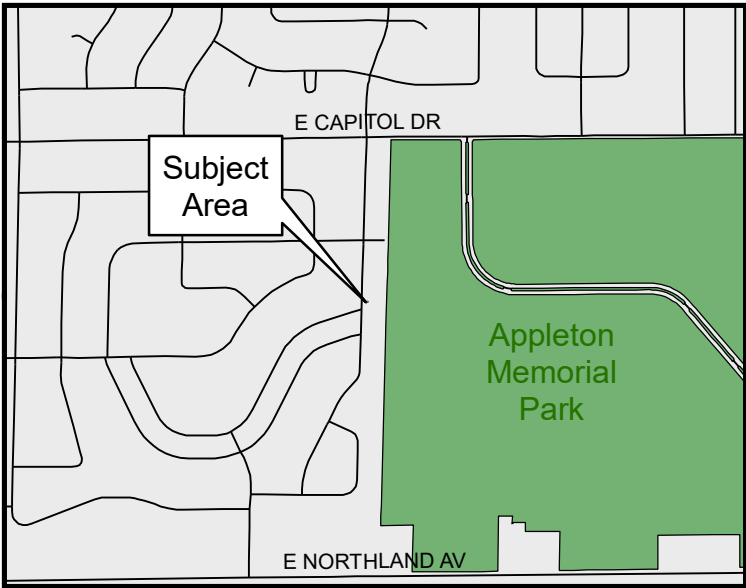
Comprehensive Plan 2010-2030: The City of Appleton *Comprehensive Plan 2010-2030* Future Land Use Map identifies this area with a future One & Two Family Residential designation. The current use of the subject area is consistent with the current Future Land Use Map.

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

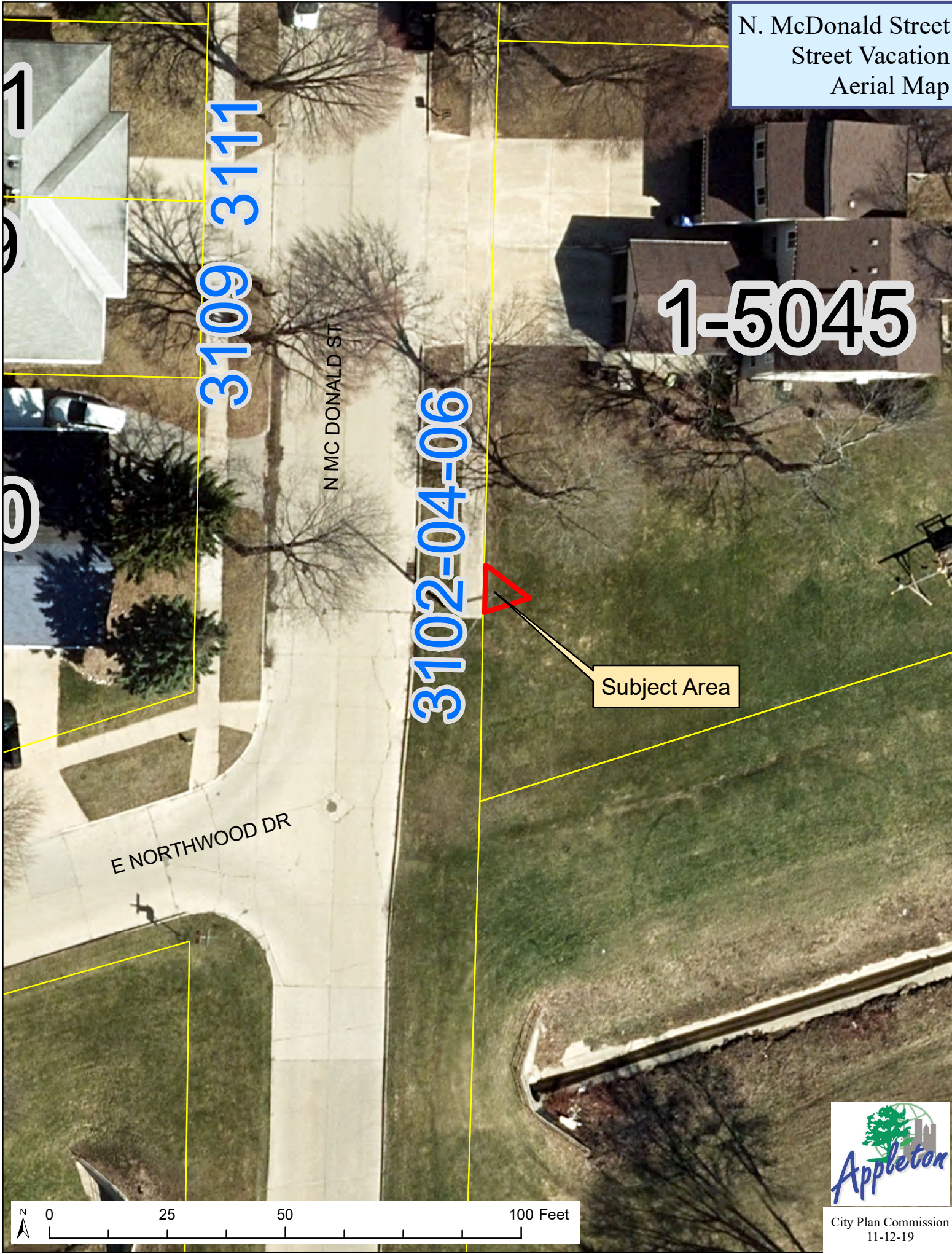
RECOMMENDATION

Staff recommends the discontinuance of a portion of North McDonald Street public right-of-way, as shown on the attached map and legal description, pending approval by the Municipal Services Committee, and the adoption of the Initial Resolution, **BE APPROVED**.

N. McDonald Street
Street Vacation
Zoning Map



N. McDonald Street
Street Vacation
Aerial Map



INITIAL RESOLUTION

WHEREAS, the public interest requires that a portion of North McDonald Street, north of East Northwood Drive, 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 North McDonald 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 Lot 4, Block 11, **Northwood Park Plat**, described in a Quit Claim Deed recorded in Volume 749 Page 399-400 as Document #601333 of the Outagamie County Register of Deeds Office, located in the Northeast Quarter of the Southwest Quarter of Section 13, Township 21 North, Range 17 East, City of Appleton, Outagamie County, Wisconsin.
See also attached Exhibit "A" for illustration.

COMMON DESCRIPTION:

A portion of North McDonald Street, north of East Northwood Drive

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.

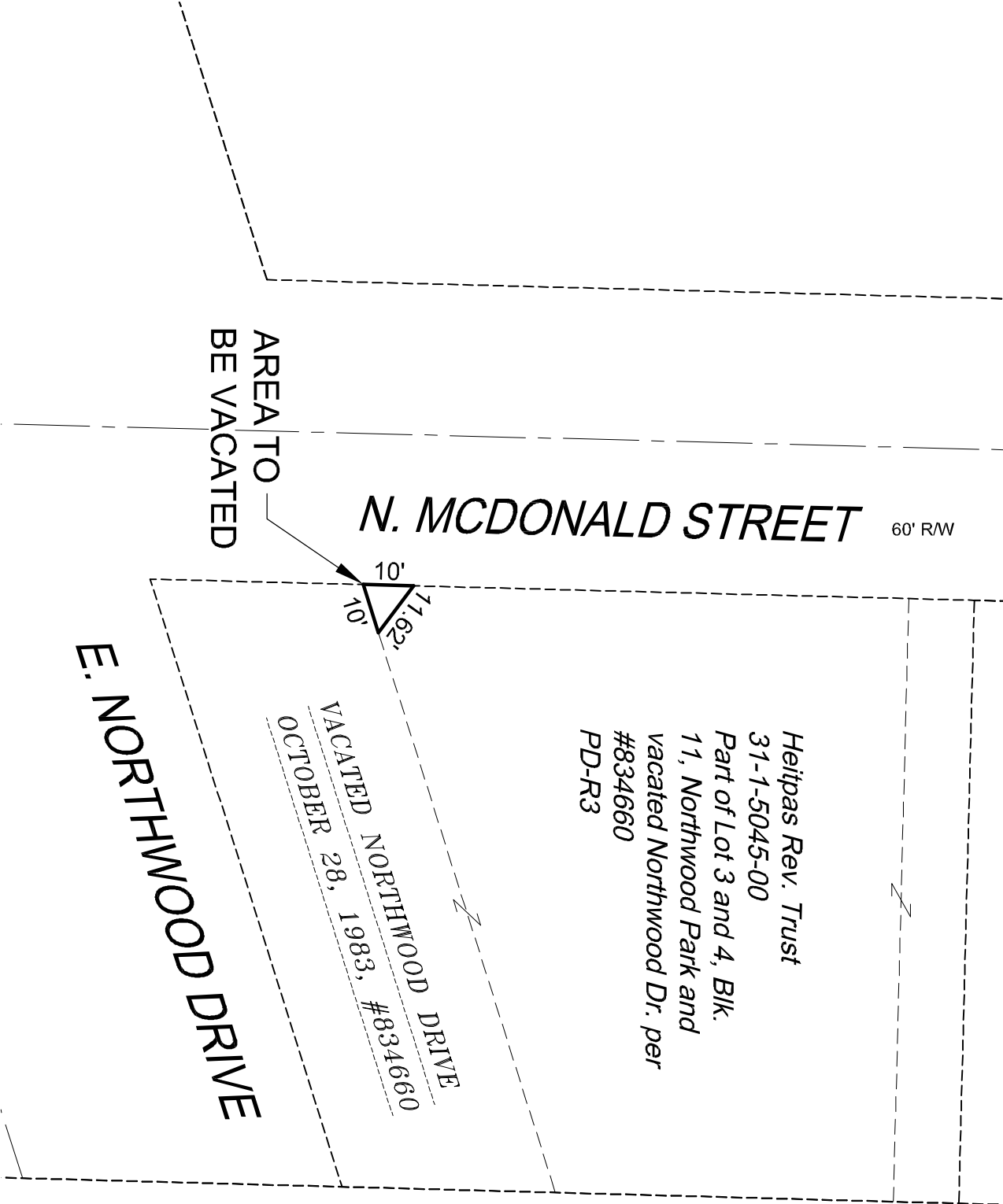
FURTHER RESOLVED, that according to §66.1005 of the Wisconsin Statutes, upon vacation and discontinuance of said portion of North McDonald Street, title to the above-described street shall belong to the adjoining property owners and shall acquire an ownership interest in the entire area being vacated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

Date

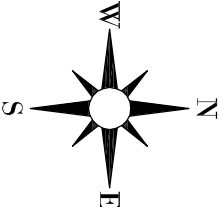
City Law A19-1065
10/29/2019

EXHIBIT "A"

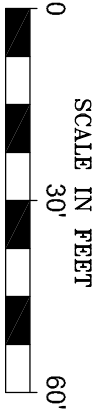
ALL THAT PART OF LOT 4, BLOCK 11, **NORTHWOOD PARK PLAT**, DESCRIBED IN A QUIT CLAIM DEED RECORDED IN VOLUME 749 PAGE 399-400 AS DOCUMENT #601333 OF THE OUTAGAMIE COUNTY REGISTER OF DEEDS OFFICE, LOCATED IN THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 13, TOWNSHIP 21 NORTH, RANGE 17 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN.



Appleton Memorial Park
31-1-6535-01
Lot 2, CSM 6396
P-1



BEARINGS ARE REFERENCED TO WISCONSIN
COUNTY COORDINATES, OUTAGAMIE COUNTY
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