



REPORT TO CITY PLAN COMMISSION

Plan Commission Meeting Date: July 14, 2021

Common Council Meeting Date: July 21, 2021

Anticipated Date Annexation Effective: July 27, 2021 at 12:01 a.m.

Item: Petition for Direct Annexation by Unanimous Approval –
M&J Weyenberg Properties, LLC Annexation

Case Manager: Don Harp, Principal Planner

GENERAL INFORMATION

Owner: M&J Weyenberg Properties, LLC – Gerald M. Weyenberg

Town Where Property is Located: Town of Grand Chute

Parcel Number: 101157102 - Town of Grand Chute

Petitioner’s Request: Owners are 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 3 single-family lots.

Population of Such Territory: 0

Annexation Area: 1.696 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.

STAFF ANALYSIS

The Community and Economic Development Department staff has reviewed the annexation petition and identifies the following:

- The annexation petition for direct annexation by unanimous approval was received by the City Clerk's office on June 21, 2021. State Statutes does require that the Department of Administration (DOA) review all annexation petitions within a county having a population of 50,000 or more, to determine if the petition is in the public interest. 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 June 24, 2021, so this requirement will be satisfied prior to Common Council taking action at their July 21, 2021 meeting.
- Currently, the subject property is vacant/undeveloped land. No electors reside in the annexation area.
- The area proposed for annexation is contiguous to the existing City boundary located to the west of the annexation area. The subject property connects to the City of Appleton at the Ballard Road right-of-way.
- Annexation of the site in question is consistent with the Intermunicipal Boundary Agreement with the Town of Grand Chute.
- City sanitary sewer infrastructure is already installed along Ballard Road, and water infrastructure is already installed along Ballard and Ridge Haven Lane. Annexation to the City of Appleton is required before the subject property could connect to the City sewer and water.
- The City can provide Police and Fire services to the subject property.
- The owner is requesting the City Plan Commission initiate a rezoning application for the annexation area from temporary AG Agricultural District to a permanent zoning classification of R-1B Single-Family District. This request is anticipated to be scheduled for an informal public hearing at the July 28, 2021 Plan Commission meeting. 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 use to the north is currently developed as single-family residential.

South: Town of Grand Chute. The adjacent land use to the south is currently developed as single-family residential.

East: Town of Grand Chute. The adjacent land use to the east is currently developed as single-family residential.

West: City of Appleton. AG Agricultural District. The adjacent land use to the west is currently developed as single-family residential and Ballard Road.

Appleton Comprehensive Plan 2010-2030: The City of Appleton 2010-2030 Comprehensive Plan Map identifies the subject area as future One/Two-Family residential. 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.

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.

Technical Review Group (TRG) Report: This item appeared on the July 6, 2021 TRG Agenda. No negative comments were received from participating departments.

FUTURE ACTIONS

- Per Section 23-65(e) of the Municipal Code, a temporary zoning classification of AG Agricultural District is assigned to newly annexed territory, with the permanent rezoning process taking place after the subject site has been annexed to the City. All territory annexed to the City is assigned a zoning classification as recommended by Plan Commission.

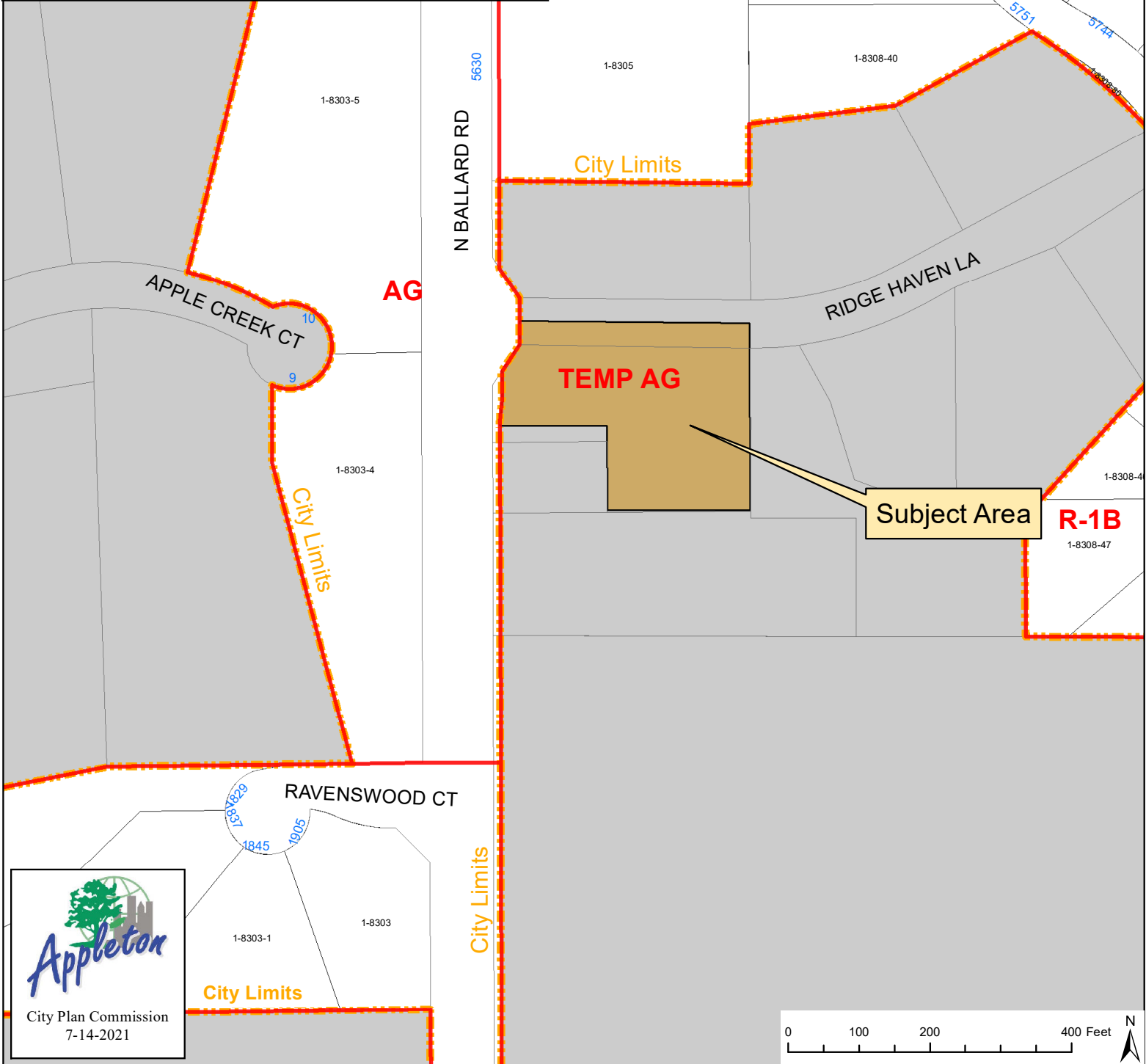
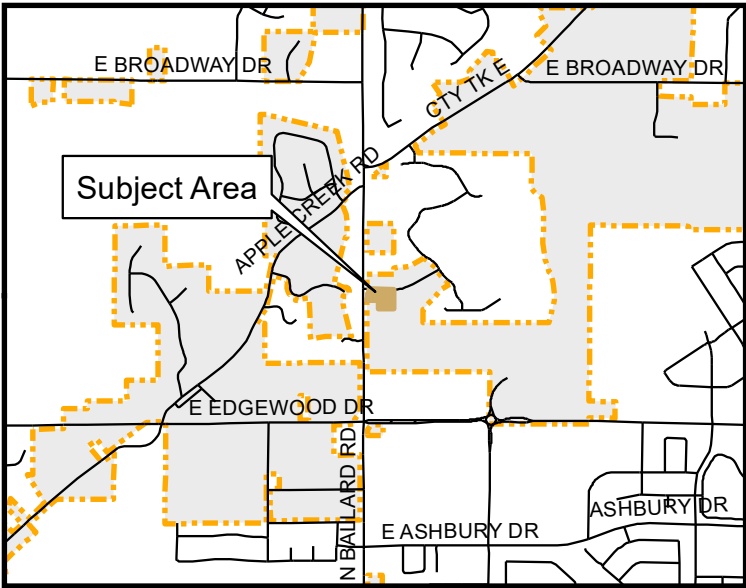
- The Plan Commission shall consider the following criteria in selection of an appropriate zoning district for the annexed land:
 - The existing land uses within the territory to be annexed;
 - The surrounding land uses that exist on adjacent properties regardless of municipal boundary lines;
 - The comprehensive plan of the City.
- The owners are 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 Certified Survey Map will be needed to subdivide the subject site. Certified Survey Maps are reviewed and approved by City staff.

RECOMMENDATION

Staff recommends that the M&J Weyenberg Properties, LLC 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.

M & J Weyenberg Annexation Ridge Haven Lane Town of Grand Chute Zoning Map



M & J Weyenberg Annexation
Ridge Haven Lane
Town of Grand Chute
Aerial Map



City Limits

Subject Area

City Limits

City Limits



City Plan Commission
7-14-2021



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

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 scaled map to the City of Appleton, Outagamie County, Wisconsin.

ALL OF LOT 2, CERTIFIED SURVEY MAP NO. 8075 AND PART OF RIDGE HAVEN LANE, ALL BEING LOCATED IN THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4, SECTION 6, TOWNSHIP 21 NORTH, RANGE 18 EAST, TOWN OF GRAND CHUTE, OUTAGAMIE COUNTY, WISCONSIN, MORE FULLY DESCRIBED AS FOLLOWS:


COMMENCING AT THE WEST 1/4 CORNER OF SAID SECTION 6; THENCE SOUTH 00 DEGREES 09 MINUTES 08 SECONDS EAST, ALONG THE WEST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION, A DISTANCE OF 1144.19 FEET; THENCE NORTH 89 DEGREES 58 MINUTES 04 SECONDS EAST, 50.00 FEET; THENCE NORTH 00 DEGREES 09 MINUTES 08 SECONDS WEST, ALONG THE EAST RIGHT-OF-WAY LINE OF N. BALLARD ROAD (C.T.H. "E"), A DISTANCE OF 119.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 00 DEGREES 09 MINUTES 08 SECONDS WEST, CONTINUING ALONG THE EAST RIGHT-OF-WAY LINE OF N. BALLARD ROAD (C.T.H. "E"), A DISTANCE OF 7.44 FEET; THENCE NORTH 05 DEGREES 33 MINUTES 30 SECONDS EAST, CONTINUING ALONG THE EAST RIGHT-OF-WAY LINE OF N. BALLARD ROAD (C.T.H. "E"), A DISTANCE OF 30.17 FEET; THENCE NORTH 00 DEGREES 09 MINUTES 08 SECONDS WEST, CONTINUING ALONG THE EAST RIGHT-OF-WAY LINE OF N. BALLARD ROAD (C.T.H. "E"), A DISTANCE OF 40.11 FEET; THENCE NORTH 33 DEGREES 46 MINUTES 42 SECONDS EAST, CONTINUING ALONG THE EAST RIGHT-OF-WAY LINE OF N. BALLARD ROAD (C.T.H. "E"), A DISTANCE OF 44.77 FEET; THENCE NORTH 00 DEGREES 03 MINUTES 39 SECONDS EAST, 33.00 FEET TO THE CENTERLINE OF RIDGE HAVEN LANE; THENCE SOUTH 89 DEGREES 21 MINUTES 49 SECONDS EAST, ALONG THE CENTERLINE OF RIDGE HAVEN LANE, A DISTANCE OF 324.91 FEET; THENCE SOUTH 00 DEGREES 09 MINUTES 08 SECONDS EAST, ALONG THE EAST LINE OF LOT 2 OF CERTIFIED SURVEY MAP NO. 8075 AND ITS NORTHERLY EXTENSION, A DISTANCE OF 262.98 FEET; THENCE SOUTH 89 DEGREES 58 MINUTES 04 SECONDS WEST, ALONG A SOUTH LINE OF SAID LOT 2, A DISTANCE OF 201.50 FEET; THENCE NORTH 00 DEGREES 09 MINUTES 08 SECONDS WEST, ALONG A WEST LINE OF SAID LOT 2, A DISTANCE OF 119.00 FEET; THENCE SOUTH 89 DEGREES 58 MINUTES 04 SECONDS WEST, ALONG A SOUTH LINE OF SAID LOT 2, A DISTANCE OF 151.50 FEET TO THE POINT OF BEGINNING. CONTAINING A TOTAL OF 73,859 SQUARE FEET [1.696 ACRES].

Tax Parcel number of lands to be annexed: 101157102.

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.

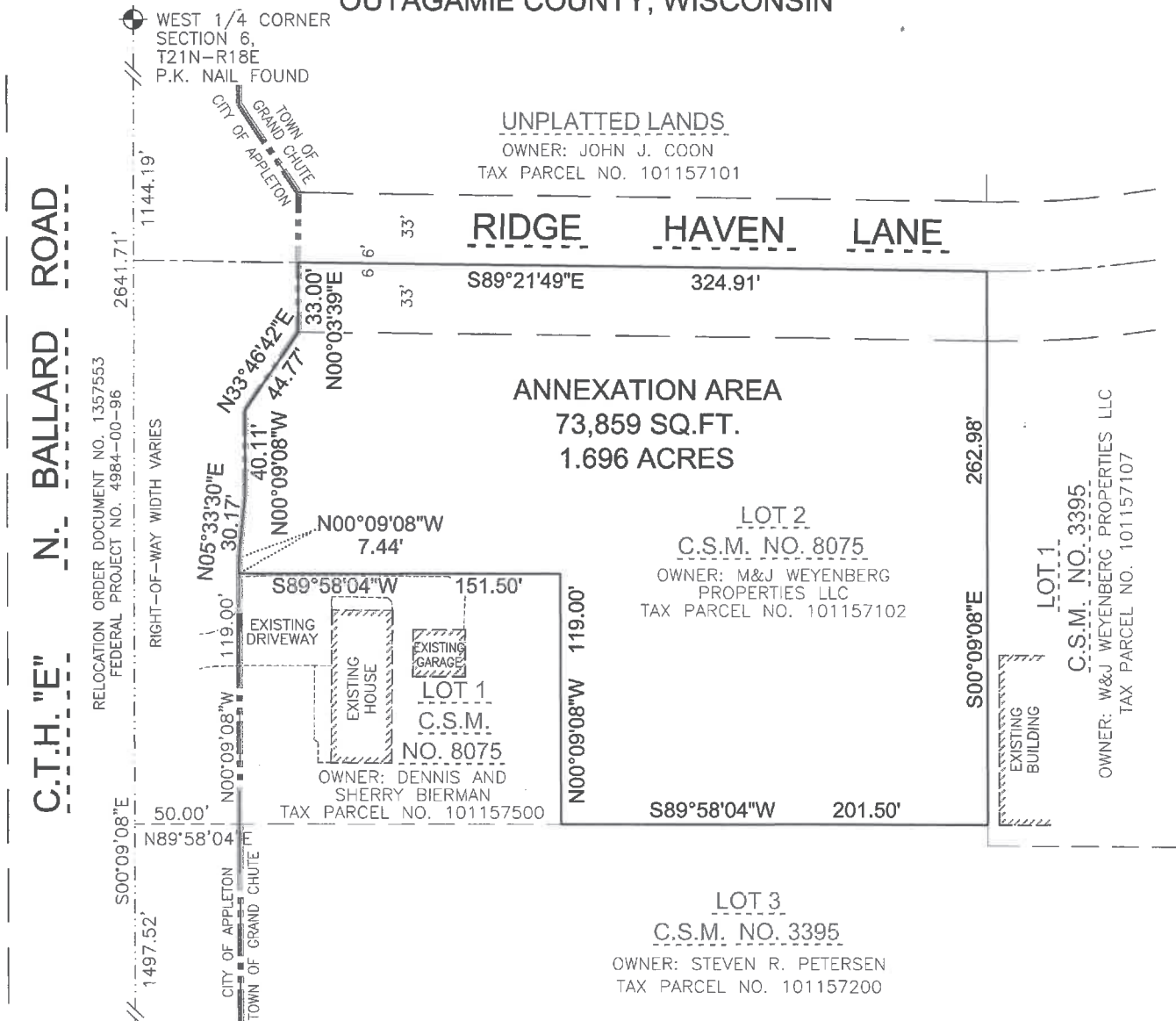
I/We further respectfully request that the City Plan Commission initiate a rezoning for the subject property, from temporary AG Agricultural District to a permanent zoning classification of R-1B Single-family District.

Signature of Petitioner	Owner	Date of Signing	Address of Petitioner (Include Zip Code)
 Gerald M. Weyenberg, Agent	M&J Weyenberg Properties, LLC – Gerald M. Weyenberg, Agent	6/15/2021	2113 Ridge Haven LN Appleton, WI 54913

N:\PLANNING\Word\Applications\Annexations\Application Materials for Direct Annexation - No Electors Reside\Petition - Unanimous - No electors.doc

ANNEXATION MAP

ALL OF LOT 2, CERTIFIED SURVEY MAP NO. 8075 AND PART OF RIDGE HAVEN LANE,
ALL BEING LOCATED IN THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4,
SECTION 6, TOWNSHIP 21 NORTH, RANGE 18 EAST, TOWN OF GRAND CHUTE,
OUTAGAMIE COUNTY, WISCONSIN



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Planning
Environmental
Surveying
Engineering
Architecture

DATED: JUNE 8, 2021

PROJECT NO. 1-1425-001
FILE 1-1425-001Annex.dwg
THIS INSTRUMENT WAS DRAFTED BY: A.Sedlar