



City of Appleton

100 North Appleton Street
Appleton, WI 54911-4799
www.appleton.org

Meeting Agenda - Final City Plan Commission

Wednesday, April 26, 2023

3:30 PM

Council Chambers, 6th Floor

1. Call meeting to order
2. Pledge of Allegiance
3. Roll call of membership
4. Approval of minutes from previous meeting

[23-0391](#) City Plan Minutes from 4-12-23

Attachments: [City Plan Minutes 4-12-23.pdf](#)

5. Public Hearing/Appearances

[23-0392](#) Rezoning #1-23 to rezone the Seville Properties Ballard & Werner Road Annexation, formerly in the Town of Center, consisting of approximately 39.913 acres located at 7051 N. Ballard Road (Tax Id #31-1-9316-00) [formerly N2751 County Road EE (Parcel #040098200)], including to the centerline of existing adjacent right-of-way, as shown on the attached maps, from Temporary AG Agricultural District to R-3 Multi-family District (Associated with Action Item #23-0393)

Attachments: [InformalPublicHearingNotice_SevillePropBallard-WernerRdAnnexation_Rezonir](#)

6. Action Items

[23-0393](#) Request to approve Rezoning #1-23 to rezone the Seville Properties Ballard & Werner Road Annexation, formerly in the Town of Center, consisting of approximately 39.913 acres located at 7051 N. Ballard Road (Tax Id #31-1-9316-00) [formerly N2751 County Road EE (Parcel #040098200)], including to the centerline of existing adjacent right-of-way, as shown on the attached maps, from Temporary AG Agricultural District to R-3 Multi-family District

Attachments: [StaffReport_SevillePropBallard-WernerRdAnnex_Rezoning_For4-26-23.pdf](#)

[23-0394](#) Request to approve the Future Providence Avenue and Baldeagle Drive (Right-of-Way) Annexation consisting of approximately 1.63 acres extending existing Baldeagle Drive and existing Providence Avenue to the future extension of Lightning Drive, north of East Edgewood Drive, currently in the Town of Grand Chute, as shown on the attached maps, subject to the stipulation in the attached staff report

Attachments: [StaffReport_FutureProvidenceandBaldeagle_Annexation_For4-26-23.pdf](#)

[23-0395](#) Elect Vice Chair

[23-0396](#) Set Meeting Date and Time

[23-0397](#) Designate Contact Person

7. Information Items

8. Adjournment

Notice is hereby given that a quorum of the Common Council may be present during this meeting, although no Council action will be taken.

Any questions about items on this meeting are to be directed to Kara Homan, Director, Community and Economic Development Department at 920-832-6468.

Reasonable Accommodations for Persons with Disabilities will be made upon Request and if Feasible.

**We are currently experiencing intermittent issues/outages with our audio/video equipment. Meeting live streams and recordings are operational but unreliable at times. This is due to delays in receiving necessary system hardware components. We continue to look for solutions in the interim and we hope to have these issues resolved soon.*



City of Appleton

100 North Appleton Street
Appleton, WI 54911-4799
www.appleton.org

Meeting Minutes - Final City Plan Commission

Wednesday, April 12, 2023

3:30 PM

Council Chambers, 6th Floor

1. Call meeting to order

Meeting called to order by Chair Mayor Woodford at 3:30 p.m.

2. Roll call of membership

Present: 7 - Palm, Robins, Mayor Woodford, Fenton, Dane, Uitenbroek and Neuberger

Others present:
Mikayla Jackson, Mr. Frogs
James Jackson, Mr. Frogs
Pat Branson, St. Joseph Congregation

3. Approval of minutes from previous meeting

[23-0330](#)

City Plan Minutes from 3-22-23

Attachments: [City Plan Minutes 3-22-23.pdf](#)

Fenton moved, seconded by Robins, that the Minutes be approved. Roll Call.

Motion carried by the following vote:

Aye: 7 - Palm, Robins, Mayor Woodford, Fenton, Dane, Uitenbroek and Neuberger

4. **Public Hearings/Apearances**

[23-0331](#)

Special Use Permit #2-23 to expand an existing outdoor patio with alcohol sales and service associated with a tavern (Mr. Frogs) located at 409 West College Avenue (Tax Id #31-3-1032-00), as shown on the attached maps, development plans, and per attached plan of operation, to run with the land subject to the conditions in the attached staff report and approve attached Resolution (Associated with Action Item #23-0332)

Attachments: [ClassIIPublicHearingNoticeNewspaper_409WCollegeAve_SUP#2-23.pdf](#)
[PublicHearingNoticeNeighborhood_409WCollegeAve_SUP#2-23.pdf](#)

This public hearing was held, and no one spoke on the item.

5. Action Items

[23-0332](#)

Request to approve Special Use Permit #2-23 to expand an existing outdoor patio with alcohol sales and service associated with a tavern (Mr. Frogs) located at 409 West College Avenue (Tax Id #31-3-1032-00), as shown on the attached maps, development plans, and per attached plan of operation, to run with the land subject to the conditions in the attached staff report and approve attached Resolution (2/3 vote of Common Council required for approval)

Attachments: [StaffReport_Mr.Frogs_409WCollegeAve_SUP_For4-12-23.pdf](#)

Fenton moved, seconded by Robins, that the Report Action Item be recommended for approval. Roll Call. Motion carried by the following vote:

Aye: 7 - Palm, Robins, Mayor Woodford, Fenton, Dane, Uitenbroek and Neuberger

6. Information Items

[23-0361](#)

Welcome new member, Peter Neuberger, Deputy Director DPW/City Engineer

Deputy Director DPW/City Engineer Peter Neuberger was introduced.

7. Adjournment

Uitenbroek moved, seconded by Robins, that the meeting be adjourned at 3:35 p.m. Roll Call. Motion carried by the following vote:

Aye: 7 - Palm, Robins, Mayor Woodford, Fenton, Dane, Uitenbroek and Neuberger

NOTICE OF INFORMAL PUBLIC HEARING

OF THE

APPLETON CITY PLAN COMMISSION

Dear property owner(s):

The City of Appleton Plan Commission will conduct an Informal Public Hearing on Wednesday, April 26, 2023, at 3:30 P.M., in Common Council Chambers, 6th Floor, City Hall, 100 North Appleton Street, or as soon thereafter as can be heard, for the following proposed rezoning request:

COMMON/LEGAL DESCRIPTION:

Seville Properties Ballard & Werner Road Annexation - N2751 County Rd EE - Appleton, WI 54913

The Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 36, Township 22 North, Range 17 East, City of Appleton, Outagamie County, Wisconsin, containing 39.913 Acres of land and being further described as follows: Commencing at the East Quarter (E $\frac{1}{4}$) corner of said Section 36 and being the point of beginning; Thence North $89^{\circ}36'25''$ West 1316.61 feet coincident with the South line of the NE $\frac{1}{4}$ of Section 36; Thence North $00^{\circ}08'57''$ East 1319.65 feet coincident with the West line of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 36; Thence South $89^{\circ}43'44''$ East 1315.59 feet coincident with the North line of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 36; Thence South $00^{\circ}06'21''$ West 1322.45 feet coincident with the East line of the Northeast $\frac{1}{4}$ of Section 36 to the point of beginning.

Purpose of the Request: To assign a zoning classification following the Seville Properties Ballard & Werner Road Annexation process

Rezoning Request: A rezoning request has been initiated by the City Plan Commission, in the matter of amending Chapter Twenty-three (Zoning Ordinance) of the Municipal Code of the City of Appleton, for the above-described real estate, which was zoned temporary AG Agricultural District following annexation. Pursuant to Sections 23-65(d)(1) and 23-65(e) of the Municipal Code, the City Plan Commission proposes to rezone the property to a zoning classification of R-3 Multi-Family District (see attached map). The property owner anticipates developing the property with a mix of residential uses, townhomes, apartments, two-family and single-family homes and possible public park.

ALDERMANIC DISTRICT: 13 – Alderperson Sheri Hartzheim

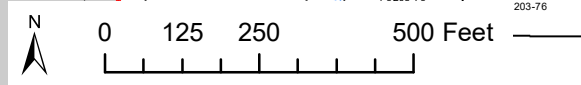
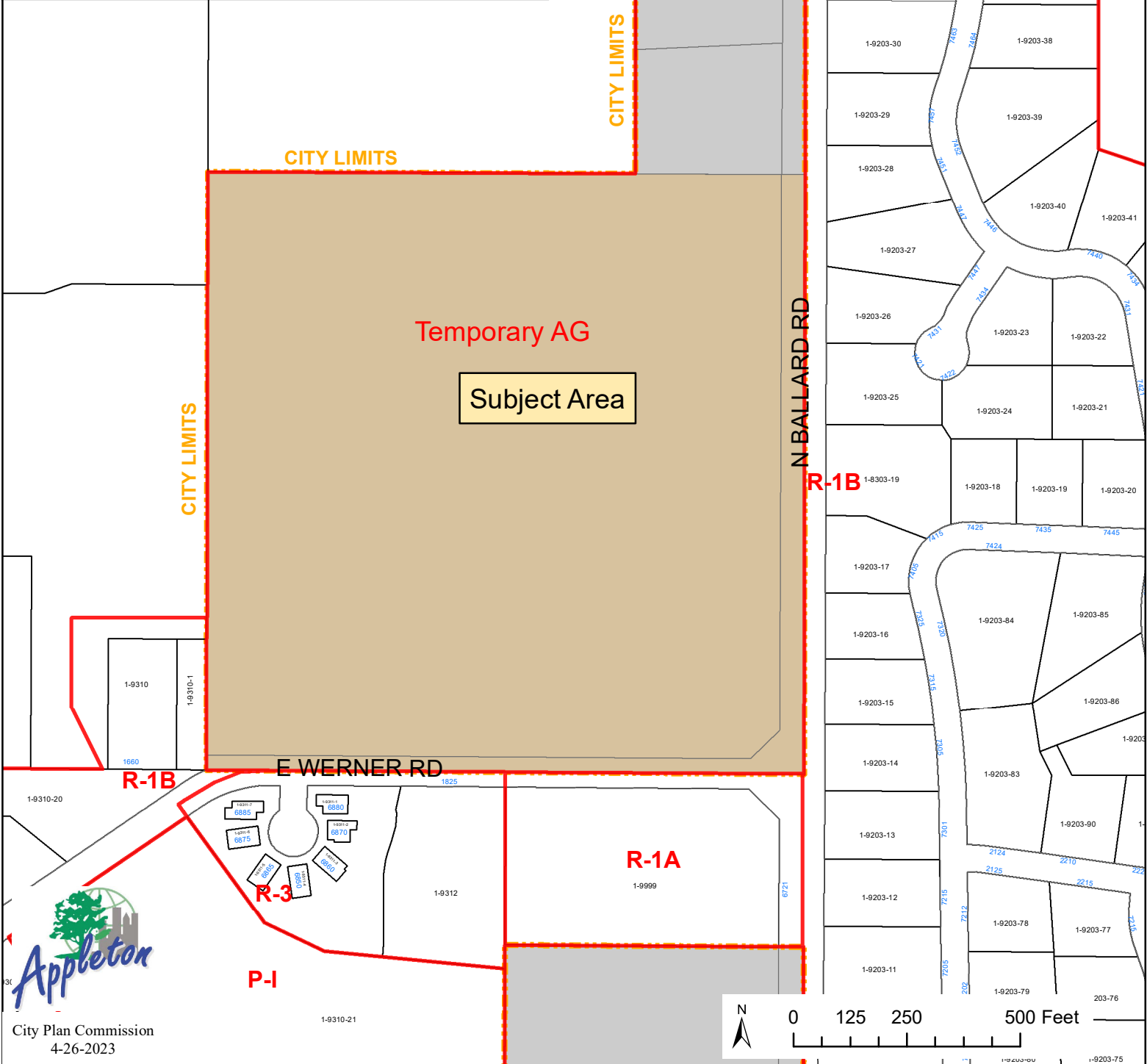
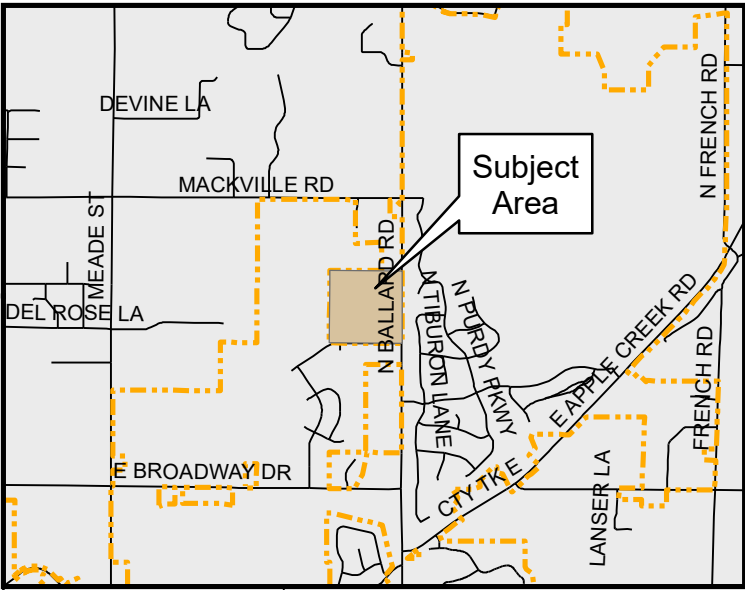
You are being notified as a policy of the City of Appleton Community and Economic Development Department. All persons interested are invited to attend this meeting and will be given an opportunity to be heard. Feedback can also be shared with Plan Commission members via written letter, email, or phone call. Any questions regarding this matter should be directed to Don Harp, Principal Planner, in the Community & Economic Development Department at 920-832-6466 or email at don.harp@appleton.org.

CITY PLAN COMMISSION

COMMUNITY & ECONOMIC DEVELOPMENT
CITY HALL - 100 NORTH APPLETON STREET
APPLETON, WISCONSIN 54911-4799
920-832-6468

Reasonable accommodations for persons with disabilities will be made upon request and if feasible.

Rezoning Seville Properties Ballard & Werner Road Annexation Temporary Ag Agricultural District to R-3 Multifamily District



Aerial
Seville Properties Ballard &
Werner Road Annexation
Temporary Ag Agricultural District
to R-3 Multifamily District





REPORT TO CITY PLAN COMMISSION

Plan Commission Informal Hearing Meeting: April 26, 2023

Common Council Public Hearing Meeting: May 17, 2023

Item: Rezoning #1-23 - Seville Properties Ballard & Werner Road Annexation, from temporary AG Agricultural District to R-3 Multi-family District

Case Manager: Don Harp, Principal Planner

GENERAL INFORMATION

Owner: Seville Properties, LLC - Ryan P. Radue, President/Chief Executive Officer

Petitioner: City of Appleton Plan Commission

Address/Tax Parcel Number: 7051 N. Ballard Road / #31-1-9316-00 (formerly N2751 County Rd EE / Parcel #040098200 in the Town of Center)

Petitioner's Request: To assign a zoning classification to newly annexed property, pursuant to Section 23-65(e) of the Zoning Ordinance and Annexation Petition, from temporary AG Agricultural District to R-3 Multi-family District. The proposed R-3 Multi-family District zoning classification is consistent with the current *Comprehensive Plan 2010-2030* Future Land Use Map and would allow the subject property to be developed in accordance the R-3 District regulations.

BACKGROUND

The subject property was included in the Seville Properties Ballard & Werner Road Annexation that was approved by the Plan Commission on March 22, 2023 and by the Common Council on April 5, 2023. The subject property was officially annexed to the City on April 11, 2023 at 12:01 a.m.

The subject property was annexed to the City with a Temporary AG Agricultural District zoning classification per Section 23-65(e) of the Municipal Code. The Plan Commission initiated the process to rezone the subject property from Temporary AG Agricultural District to R-3 Multi-family District at their March 22, 2023 meeting.

STAFF ANALYSIS

Existing Conditions: The subject parcel is approximately 39.913 acres in size. The subject property is developed with the single-family residence and agricultural buildings/structures. It is anticipated these buildings will be demolished.

Rezoning #1-23 - Seville Properties Ballard & Werner Road Annexation
April 26, 2023
Page 2

Appleton Comprehensive Plan 2010-2030: The City of Appleton 2010-2030 Comprehensive Plan Map identifies the subject area as future Multi-family residential. The proposed zoning map amendment (Temporary AG Agricultural District to R-3 Multi-family residential District) 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.

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.

NOTE: On March 3, 2010, the City of Appleton Comprehensive Plan 2010-2030 and Future Land Use Map were adopted showing future multi-family land use for the subject property.

College North Neighborhood Plan – Chapter 4: Market Study 2020-2030: The average annual housing need is about 301 units per the market study. The zoning map amendment (Temporary AG Agricultural District to R-3 Multi-family residential District) will help to meet the demand for housing in Appleton as specified in the market study.

The Appleton Comprehensive Outdoor Recreation Plan (CORP) 2019-2023: Page 74 references the need to acquire and develop parkland in the “far northern areas of the city”. There are also recommendations in the CORP, Page 60, that state residents should not be more than ¼ to ½ mile away from neighborhood park amenities. The current City of Appleton proposed Park Acquisition Map has identified a need for the City to acquire land for a neighborhood park within or near the annexation area. Discussions about implementing the CORP recommendations will take place at the concept plan review stage between City staff and the property owner/developer.

Rezoning #1-23 - Seville Properties Ballard & Werner Road Annexation

April 26, 2023

Page 3

City of Appleton Trails Master Plan (January 2017): The City of Appleton Trails Master Plan proposed network map identifies a proposed trail along the west side of Ballard Road adjacent to subject site. In addition, a proposed on-street bike lane is proposed along the east side of Ballard Road. (See attached map)

City of Appleton On-Street Bike Lane Plan (September 15, 2010): The proposed bicycle network Map 7A identifies a proposed trail route along Werner Road which heads east to Ballard Road and west to Kurey Drive. (See attached map)

Surrounding Zoning Classification and Land Uses:

North: City of Appleton. AG Agricultural District, the adjacent land use to the north is currently agricultural land.

Town of Center. General Agricultural District, the adjacent land use to the north is currently developed as single-family residential.

South: City of Appleton. R-1A Single-family District and R-3 Multi-family District, the adjacent land uses to the south are currently City water tower, single-family residential and undeveloped land.

West: City of Appleton. AG Agricultural District and R-1B Single-family District, the adjacent land uses to the west are currently agricultural land and single-family residential.

East: City of Appleton. R-1B Single-family District, the adjacent land uses to the east are currently single-family residential and undeveloped single-family lots.

Zoning Ordinance Review Criteria: 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 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.

In this case, the Plan Commission initiated a rezoning for the subject property, from temporary AG Agricultural District to a zoning classification of R-3 Multifamily District. A rezoning initiated directly by Plan Commission is processed in accordance with Section 23-65(d), Zoning Map Amendments, which includes review and action by the Common Council. If approved, any future development would need to conform to the current R-3 District zoning regulations and other applicable sections of the Municipal Code.

Rezoning #1-23 - Seville Properties Ballard & Werner Road Annexation

April 26, 2023

Page 4

Proposed Zoning Classification: The R-3 District is intended to provide for and maintain residential areas characterized by multiple family dwellings, while maintaining the basic qualities of a dense residential neighborhood, which may include other housing types and institutional and limited non-residential uses.

Standards for Zoning Map Amendments: Per Section 23-65(d)(3) of the Municipal Code, all recommendations for Official Zoning Map amendments shall be consistent with the adopted plans, goals, and policies of the City and with the intent of the Zoning Ordinance. Related excerpts are listed below.

- a. Prior to making a recommendation on a proposed rezoning, the Plan Commission shall make a finding to determine if the following conditions exist. No rezoning of land shall be approved prior to finding at least one of the following:
 1. The request for a zone change is in conformance with the Comprehensive Plan for the City of Appleton. *The rezoning request is in conformance with the Comprehensive Plan 2010-2030 goals and objectives stated above and the Future Land Use Map, which identifies this site as future Multi-family residential land use.*
 2. A study submitted by the applicant that indicates that there has been an increase in the demand for land in the requested zoning district, and as a result, the supply of land within the City mapped as such on the Official Zoning Map, is inadequate to meet the demands for such development. *College North Neighborhood Plan – Chapter 4: Market Study 2020-2030: The average annual housing need is about 301 units per the market study. The zoning map amendment (Temporary AG Agricultural District to R-3 Multi-family residential District) will help to meet the demand for housing in Appleton as specified in the market study.*
 3. Proposed amendments cannot be accommodated by sites already zoned in the City due to lack of transportation, utilities or other development constraints, or the market to be served by the proposed use cannot be effectively served by the location of the existing zoning district(s).
 4. There is an error in the code text or zoning map as enacted.
- b. In addition to the findings required to be made by subsection (a), findings shall be made by the Plan Commission on each of the following matters based on the evidence presented:
 1. The adequacy of public facilities such as transportation, utilities and other required public services to serve the proposed site. *It was determined during the annexation process, the City can provide necessary services, including but not limited to, sanitary sewer, water, police, fire, and garbage/recycling to the subject property. However, City storm sewer main extensions would be required to serve this property. In addition, it is possible a new lift station and/or force main may also be needed, but this depends on how the property is developed. A development/feasibility plan has not been submitted for City review; cost estimates have not been calculated.*

Rezoning #1-23 - Seville Properties Ballard & Werner Road Annexation

April 26, 2023

Page 5

2. The effect of the proposed rezoning on surrounding uses. *Single-family residential uses, undeveloped agricultural land and a City Water are located adjacent to the subject site. The rezoning request is being made to accommodate a mix of residential uses such as townhomes, apartments, two-family and single-family homes and possible public park. Therefore, the proposed rezoning request is unlikely to create adverse impacts on the surrounding uses.*

FUTURE ACTIONS

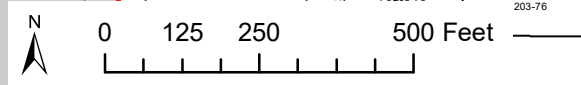
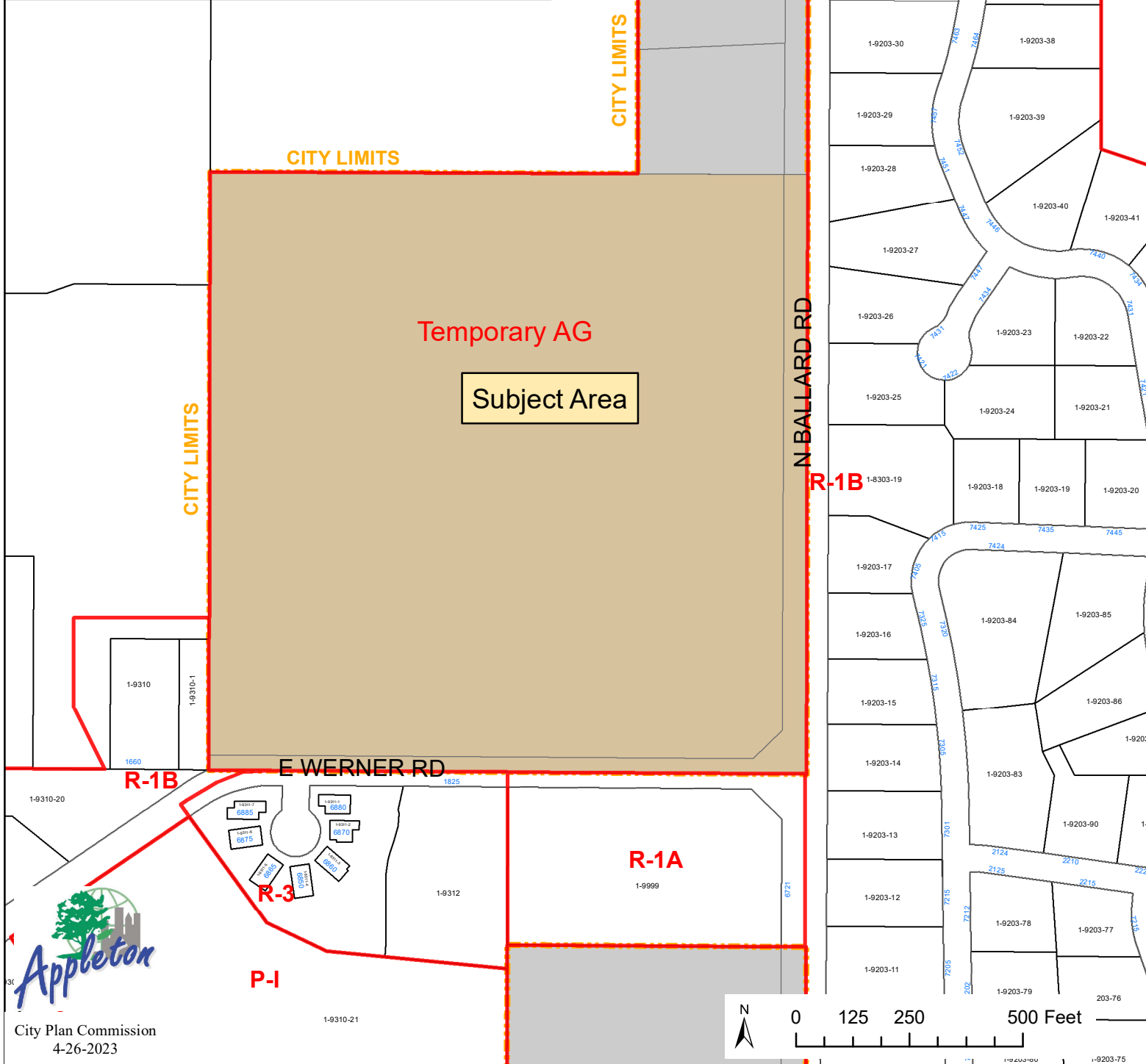
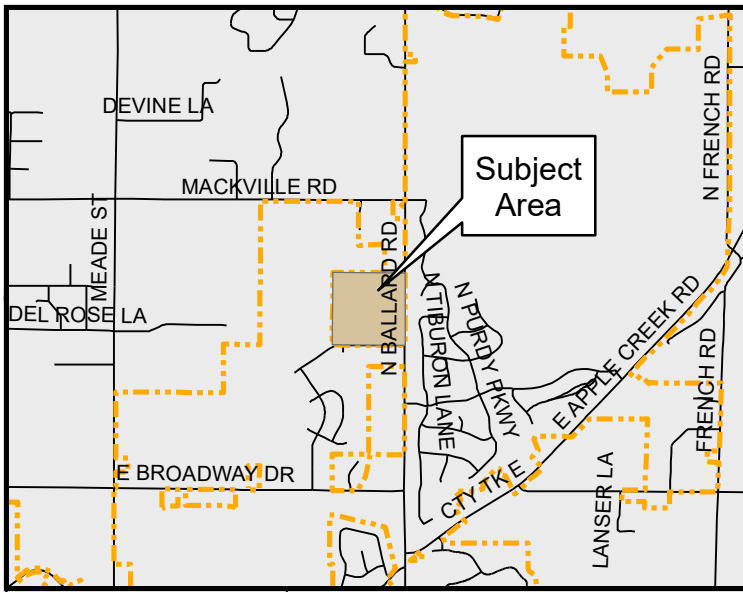
- Additional right-of-way dedication may be anticipated for Werner Road and Ballard Road to accommodate future plans to convert Ballard Road to an urbanized street with anticipated bike lanes, sidewalks, traffic lanes, center turn lane, and curb and gutter and Werner Road converted to an urbanized street with anticipated trail, sidewalks, traffic lanes, and curb and gutter.
- Concept plan/pre-plat conference will be required between City and the owner/developer prior to the submittal of a Certified Survey Map (CSM), Preliminary Plat and/or Final Plat.
 - The current Subdivision Ordinance requires a pre-plat conference between City staff and the property owner/developer prior to submittal of a CSM or preliminary plat. At the pre-plat conference, City staff will review and comment on the concept plan, including but limited to, the City's desire to acquire parkland on the subject site, extension/design of City storm sewer main, stormwater management, other civil engineering matters, road/driveway access to the property, review of City plans, zoning and future road/trail connectivity to adjacent properties, and emergency service regulations.

Technical Review Group (TRG) Report: This item appeared on the February 28, 2023 TRG Agenda. No negative comments were received from participating departments. The future action section captures relevant items discussed at this meeting, in addition to the staff analysis section.

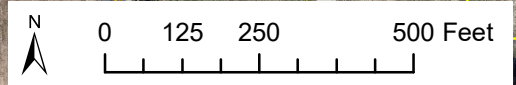
RECOMMENDATION

Staff recommends, based upon the standards for map amendments as required by Section 23-65(d)(3) of the Zoning Ordinance, that Rezoning #1-23 for 7051 N. Ballard Road / Tax Id. #31-1-9316-00 to rezone the subject site from Temporary AG Agricultural District to R-3 Multi-family District, including to the centerline of existing adjacent right-of-way, as shown on the attached maps, **BE APPROVED**.

Rezoning Seville Properties Ballard & Werner Road Annexation Temporary Ag Agricultural District to R-3 Multifamily District



Aerial
Seville Properties Ballard &
Werner Road Annexation
Temporary Ag Agricultural District
to R-3 Multifamily District



SEVILLE ANNEXATION






The Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 36, Township 22 North, Range 17 East, City of Appleton, Outagamie County, Wisconsin, containing 39.913 Acres of land and being further described as follows:
Commencing at the East Quarter (E $\frac{1}{4}$) corner of said Section 36 and being the point of beginning;
Thence North $89^{\circ}36'25''$ West 1316.61 feet coincident with the South line of the NE $\frac{1}{4}$ of Section 36;
Thence North $00^{\circ}08'57''$ East 1319.65 feet coincident with the West line of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 36;
Thence South $89^{\circ}43'44''$ East 1315.59 feet coincident with the North line of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 36;
Thence South $00^{\circ}06'21''$ West 1322.45 feet coincident with the East line of the Northeast $\frac{1}{4}$ of Section 36 to the point of beginning.

CITY OF APPLETON TRAILS MASTER PLAN

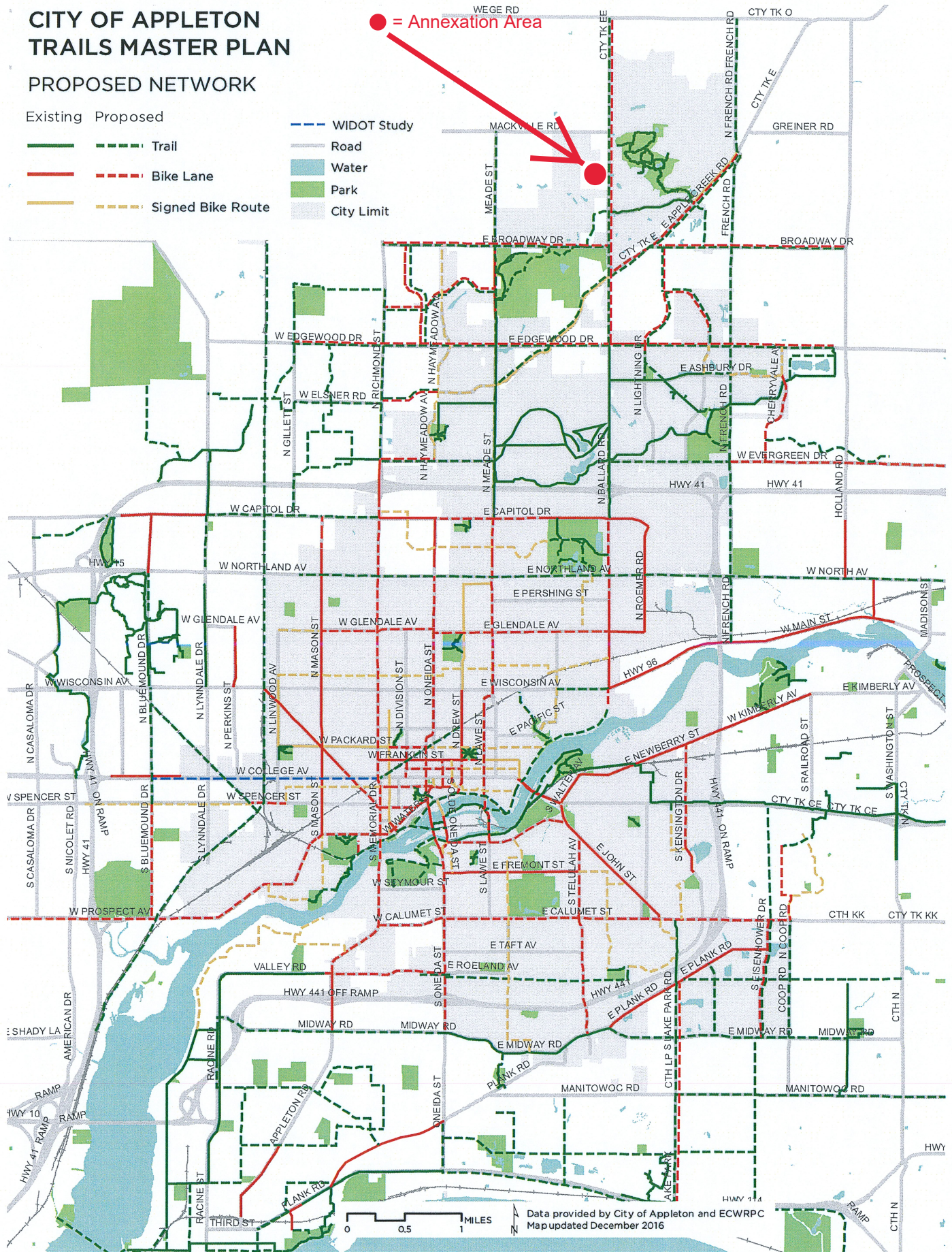
PROPOSED NETWORK

Existing Proposed

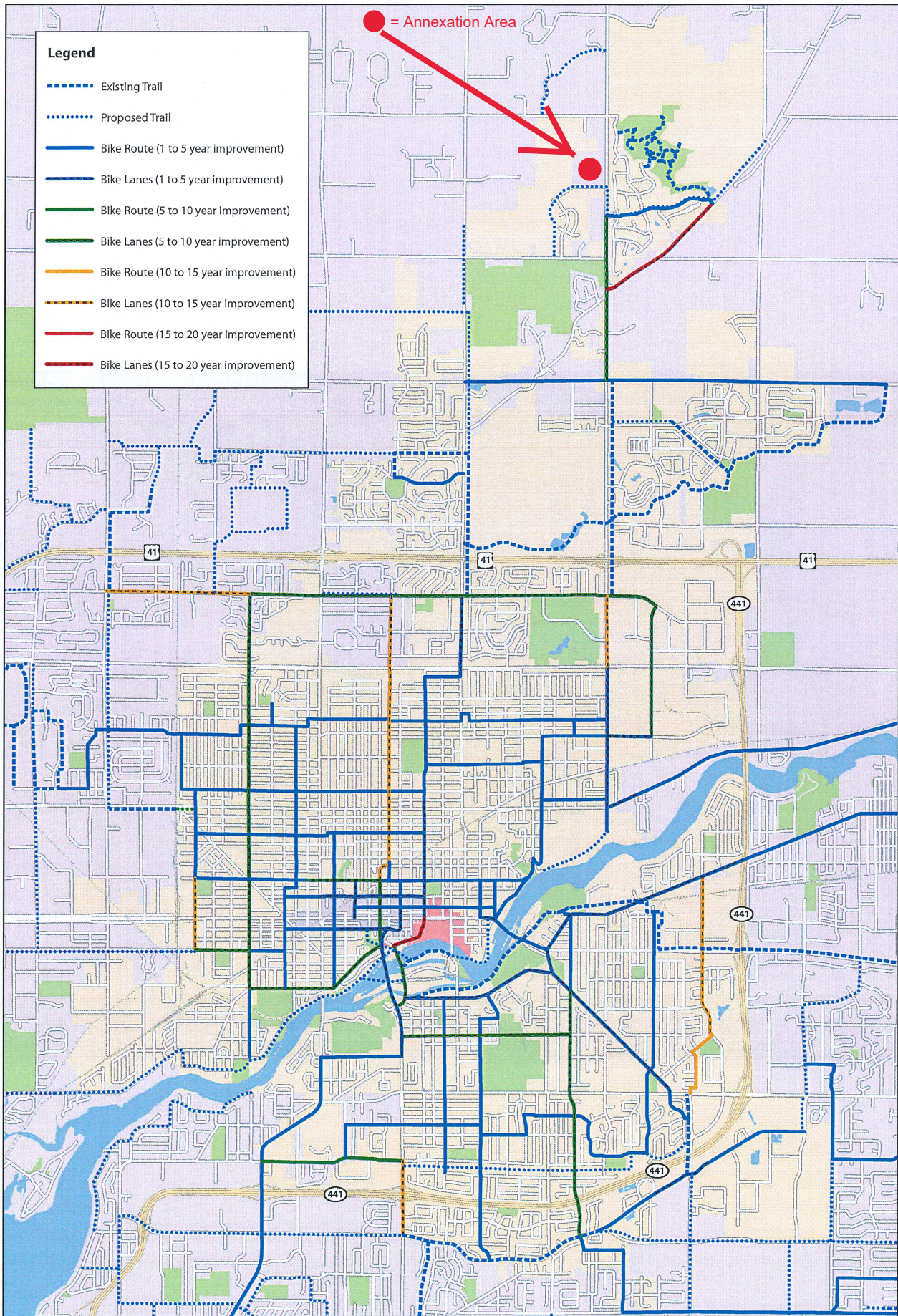
-  Trail
-  Bike Lane
-  Signed Bike Route

-  WIDOT Study
-  Road
-  Water
-  Park
-  City Limit

 = Annexation Area



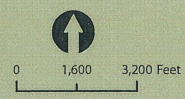
Data provided by City of Appleton and ECWRPC
Map updated December 2016



Proposed Bicycle Network

Appleton, Wisconsin

Map 7A



July 2010
Project 2377



REPORT TO CITY PLAN COMMISSION

Plan Commission Meeting Date: April 26, 2023

Common Council Meeting Date: May 3, 2023

Anticipated Date Annexation Effective: May 9, 2023 at 12:01 a.m.

Item: Petition for Direct Annexation by Unanimous Approval Where No Electors Reside – Baldeagle Drive & Providence Avenue (Right-of-Way) Annexation

Case Manager: Jessica Titel, Principal Planner

GENERAL INFORMATION

Owner: City of Appleton

Initiated by: Department of Public Works - Engineering Division

Town Where Property is Located: Town of Grand Chute

Parcel Numbers: 101158298 and Part of 101157000 - Town of Grand Chute

Petitioner's Request: The Owner is requesting direct annexation by unanimous approval where no electors reside 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 the City of Appleton to extend a public street, utilities and construct a stormwater pond within the territory proposed for annexation.

Population of Such Territory: 0

Annexation Area: 1.63 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.

Baldeagle Drive and Providence Avenue (Right-of-Way) Annexation

April 26, 2023

Page 2

Officially mapped Lightning Drive from East Edgewood Drive to Broadway Drive and officially mapped Providence Avenue from Lightning Drive to Broadway Drive went into effect on May 3, 2012 via Ordinance No. 36-12.

The southern portion of future Lightning Drive from East Edgewood Drive to approximately Providence Avenue was annexed to the City on November 9, 2021.

The annexation petition for direct annexation by unanimous approval where no electors reside was filed with the City Clerk's office on March 30, 2023. 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 April 3, 2023, so this requirement will be satisfied prior to Common Council taking action at their May 3, 2023 meeting.

STAFF ANALYSIS

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

- The City of Appleton does have a boundary agreement with the Town of Grand Chute.
- The subject property is undeveloped agricultural land.
- The subject property is located within the City's Growth Area Boundary.
- The City is planning to install sanitary sewer, storm sewer, and water infrastructure and extend Baldeagle Drive and Providence Avenue to connect with future Lightning Drive. The City is also planning to construct a stormwater pond within the annexation area. This will be a multi-year project starting in 2024.
- The area proposed for annexation is contiguous to the existing City boundary.
- Future Providence Avenue is classified as a collector street on the City's Arterial/Collector Plan. Future Baldeagle Drive is classified as a local street on the City's Arterial/Collector Plan.
- The owner is requesting the City Plan Commission initiate a rezoning application for the annexation area from temporary AG Agricultural District to a zoning classification of P-I Public Institutional District.

Surrounding Zoning Classification and Land Uses:

North: Town of Grand Chute. AGD – General Agricultural District. The adjacent land use to the north is currently agricultural land.

South: City of Appleton. P-I Public Institutional District and Town of Grand Chute. AGD – General Agricultural District. The adjacent land use to the south is currently agricultural land.

Baldeagle Drive and Providence Avenue (Right-of-Way) Annexation

April 26, 2023

Page 3

West: City of Appleton. P-I Public Institutional District and R-1B Single-family District. The adjacent land use to the west is currently public right-of-way.

East: City of Appleton. P-I Public Institutional District, AG Agricultural District and Town of Grand Chute. AGD – General Agricultural District. The adjacent land use to the east is currently agricultural land and public right-of-way.

Appleton Comprehensive Plan 2010-2030: The City of Appleton 2010-2030 Comprehensive Plan Map identifies the annexation area as Officially Mapped Providence Avenue, One/Two Family Residential and Mixed Use. The proposed annexation is consistent with the following goals and objectives of the *Comprehensive Plan 2010-2030*. The next time staff initiates amendments to the future land use map, the City limit line will be amended to reflect the exterior boundary line of this annexation.

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 4 – Transportation

Appleton will support a comprehensive transportation network that provides viable options for pedestrian, bicycle, highway, rail, and air transportation, both locally and within the region.

OBJECTIVE 6.1 Transportation:

Plan for the safe and efficient movement of vehicles on local and regional roads.

OBJECTIVE 6.8 Transportation:

Implement transportation improvements which also support the City's desired land use, housing and neighborhood goals, objectives, and policies.

OBJECTIVE 7.5 Utilities and Community Facilities:

Implement effective stormwater management practices.

Technical Review Group (TRG) Report: This item appeared on the March 21, 2023 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 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;

Baldeagle Drive and Providence Avenue (Right-of-Way) Annexation

April 26, 2023

Page 4

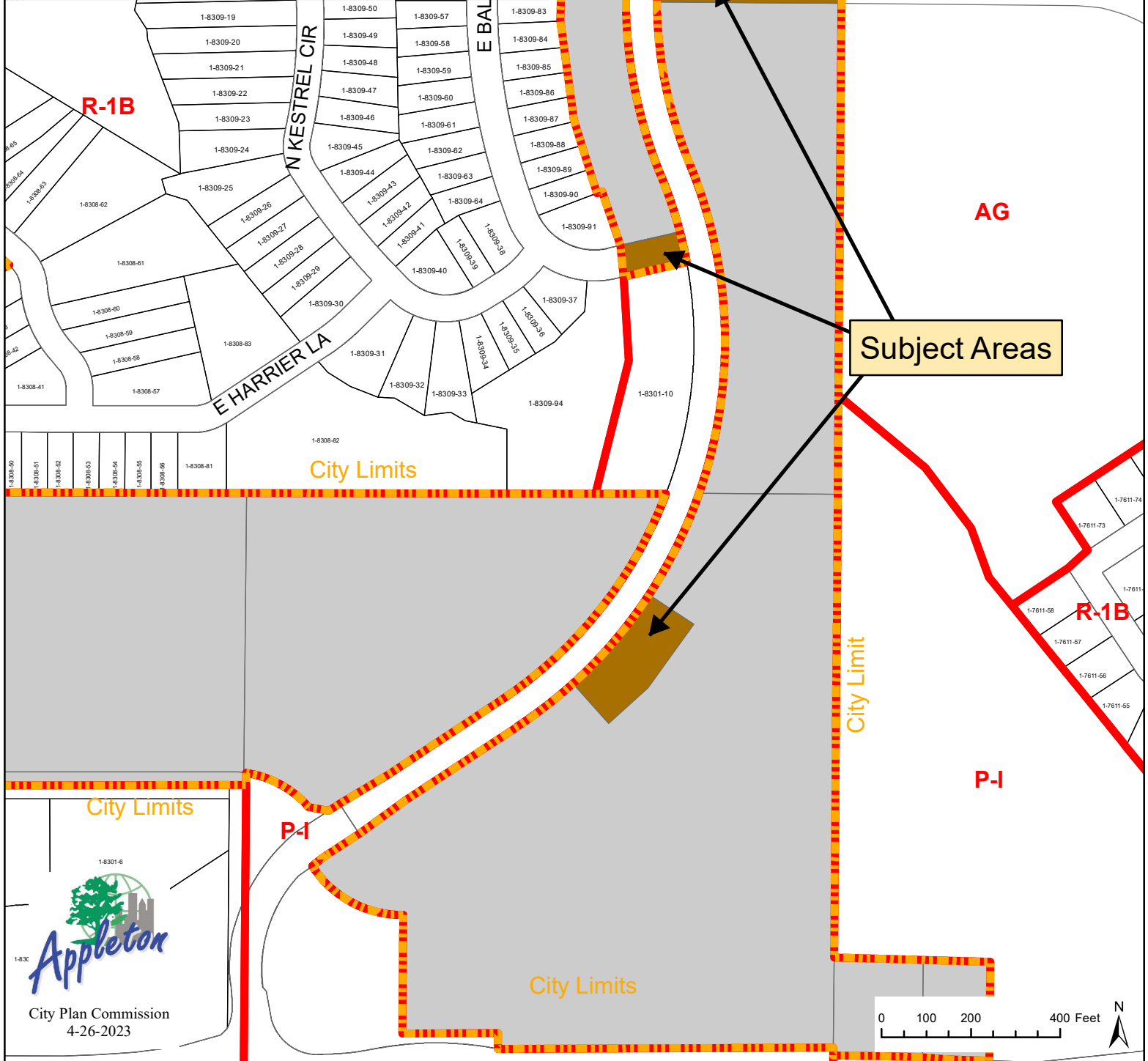
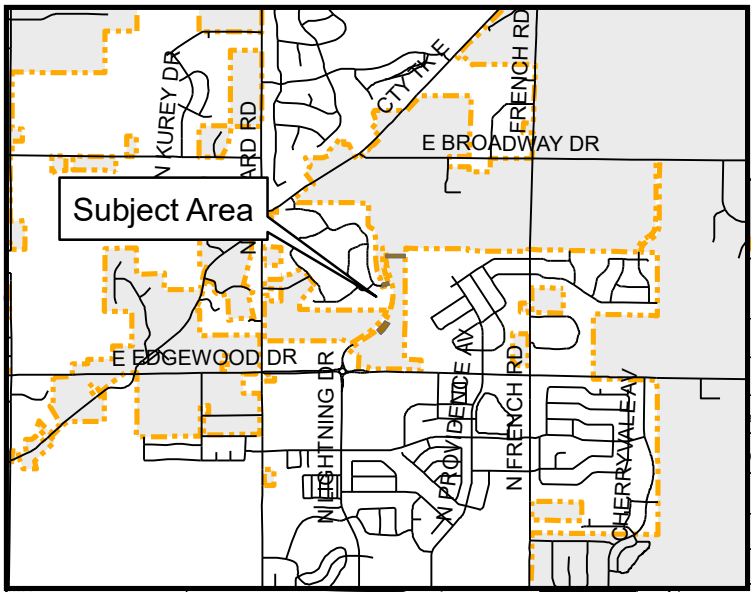
- The surrounding land uses that exist on adjacent properties regardless of municipal boundary lines;
- The Comprehensive Plan of the City.
- The owner is requesting that Plan Commission initiate a rezoning for the subject property from temporary AG Agricultural District to the zoning classification of P-I Public Institutional 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. This request is anticipated to be scheduled for an informal public hearing at the May 24, 2023 Plan Commission meeting.
- It is anticipated that a Certified Survey Map (CSM) will be prepared to reconfigure lot lines and dedicate public right-of-way. The dedication of land for public right-of-way for Baldeagle Drive and Providence Avenue requires action by Plan Commission and Common Council. CSMs are administratively reviewed and approved by City staff.

RECOMMENDATION

Staff recommends that the Baldeagle Drive and Providence Avenue (Right-of-Way) 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 the zoning classification of P-I Public Institutional District, pursuant to Section 23-65(d)(1) of the Municipal Code.

Annexation Providence Avenue & Baldeagle Drive Annexation - Town of Grand Chute Zoning Map

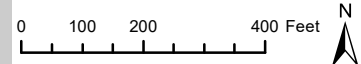


City Limits

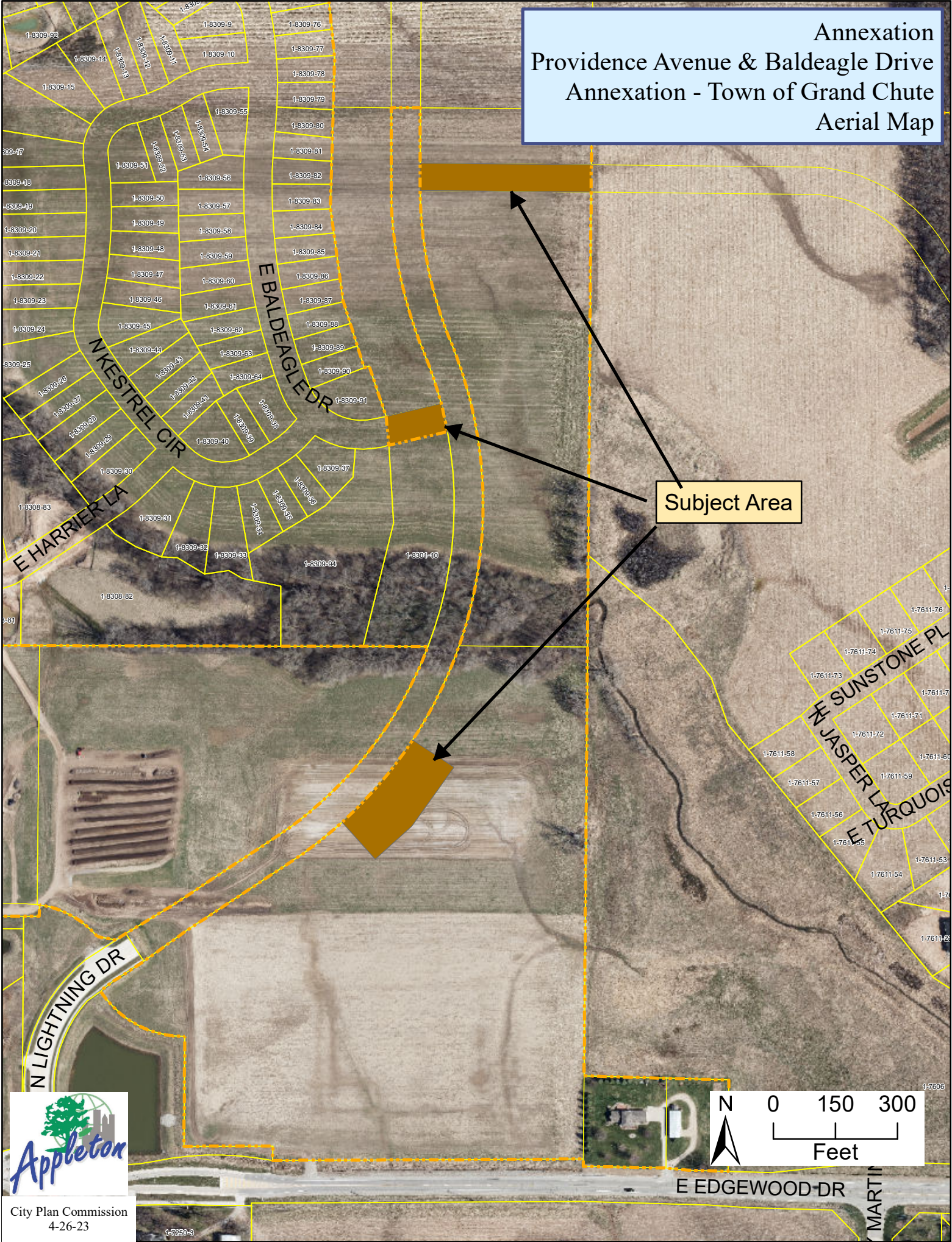
Appleton
City Plan Commission
4-26-2023

City Limit

Subject Areas



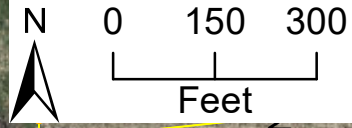
Annexation
Providence Avenue & Baldeagle Drive
Annexation - Town of Grand Chute
Aerial Map



Subject Area



City Plan Commission
4-26-23



E EDGEWOOD-DR



**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.

Pond

PARCEL: Part of 101158298

Owner: City of Appleton

A part of the East 80 Rods of the South 45 Acres of the Fractional Southwest $\frac{1}{4}$ of Section 6, Township 21 North, Range 18 East, Town of Grand Chute, Outagamie County, Wisconsin, containing 33,825 Square Feet (0.7765 Acres) of land and being further described as follows:

Commencing at the South $\frac{1}{4}$ corner of said Section 6;

Thence South $89^{\circ}44'38''$ West 1059.68 feet along the South line of the Fractional SW $\frac{1}{4}$ of said Section 6;

Thence North $00^{\circ}15'22''$ West 544.45 feet to point number 185 of Transportation Project Plat No: 0000-0G-17-4.02 recorded as document number 2070341 of the Outagamie County Register of Deeds Office;

Thence North $54^{\circ}21'43''$ East 127.60 feet;

Thence North $56^{\circ}36'28''$ East 300.625 feet;

Thence Northeasterly 157.26 feet along the arc of curve to the left having a radius of 1,035.00 feet and the chord of which bears North $52^{\circ}15'18''$ East 157.10 feet to the point of beginning;

Thence continue Northeasterly 263.34 feet along the arc of a curve to the left having a radius of 1035.00 feet and the chord of which bears North $40^{\circ}36'48''$ East 262.63 feet;

Thence South $56^{\circ}40'32''$ East 120.00 feet;

Thence South $35^{\circ}39'52''$ West 175.42 feet;

Thence South $47^{\circ}54'08''$ West 119.28 feet;

Thence North $42^{\circ}05'52''$ West 120.00 feet to the point of beginning.

Baldeagle right of way

PARCEL: Part of 101157000

Owner: City of Appleton

A part of the Northeast $\frac{1}{4}$ of the Fractional Southwest $\frac{1}{4}$ of Section 6, Township 21 North, Range 18 East, Town of Grand Chute, Outagamie County, Wisconsin, containing 9,882 Square Feet (0.2269 Acres) of land and being further described as follows:

Commencing at the South $\frac{1}{4}$ corner of said Section 6;

Thence South $89^{\circ}44'38''$ West 1059.68 feet along the South line of the Fractional SW $\frac{1}{4}$ of said Section 6;

Thence North $00^{\circ}15'22''$ West 544.45 feet to point number 185 of Transportation Project Plat No: 0000-0G-17-4.02 recorded as document number 2070341 of the Outagamie County Register of Deeds Office;

Thence North $33^{\circ}23'32''$ West 80.00 feet;

Thence North 58°51'13" East 127.60 feet;
Thence North 56°36'28" East 300.63 feet;
Thence Northeasterly 1130.48 feet along the arc of curve to the left having a radius of 965.00 feet and the chord of which bears North 23°02'50" East 1066.94 feet to the point of beginning;
Thence South 77°06'07" West 145.09 feet to the Southeast end of Baldeagle Drive according to Apple Ridge 2;
Thence North 03°30'35" West 0.06 feet coincident with the East line of Apple Ridge 2;
Thence North 05°31'46" West 70.52 feet coincident with the East line of Apple Ridge 2 to the Northeast end of Baldeagle Drive;
Thence North 77°06'07" East 136.41 feet;
Thence Southerly 70.02 feet along the arc of a curve to the right having a radius of 965.00 feet and the chord of which bears South 12°35'31" East 70.00 feet to the point of beginning.

Providence right of way

PARCEL: Part of 101157000

Owner: City of Appleton

A part of the Northeast ¼ of the Fractional Southwest ¼ of Section 6, Township 21 North, Range 18 East, Town of Grand Chute, Outagamie County, Wisconsin, containing 27,293 Square Feet (0.6266 Acres) of land and being further described as follows:

Commencing at the South ¼ corner of said Section 6;

Thence South 89°44'38" West 1059.68 feet along the South line of the Fractional SW ¼ of said Section 6;

Thence North 00°15'22" West 544.45 feet to point number 185 of Transportation Project Plat No: 0000-0G-17-4.02 recorded as document number 2070341 of the Outagamie County Register of Deeds Office;

Thence North 54°21'43" East 127.60 feet;

Thence North 56°36'28" East 300.63 feet;

Thence Northerly 1429.04 feet along the arc of a curve to the left having a radius of 1,035.00 feet and the chord of which bears North 17°03'12" East 1318.20 feet;

Thence Northerly 373.38 feet along the arc of a curve to the right having a radius of 965.00 feet and the chord of which bears North 11°25'01" West 371.05 feet to the point of beginning;

Thence continue Northerly 7.83 feet along the arc of a curve to the right having a radius of 965.00 feet and the chord of which bears North 00°05'59" West 7.83 feet;

Thence North 00°07'58" East 58.17 feet;

Thence South 89°27'33" East 413.71 feet to the East line of the Fractional Southwest ¼ of said Section 6;

Thence South 00°27'14" West 66.00 feet coincident with the East line of the Fractional Southwest ¼ of said Section 6;

Thence North 89°27'33" West 413.31 feet to the point of beginning.

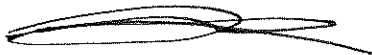
I/We, the undersigned, elect that this annexation shall take effect to the full extent consistent with outstanding priorities of other annexation, incorporation, or consolidation proceedings, if any.

I/We further respectfully request that the City Plan Commission initiate a rezoning for the subject property, from temporary AG Agricultural District to a zoning classification of P-I Public Institutional.

Area of lands to be annexed contains 1.63 acres m/l.

Tax Parcel number of lands to be annexed: 101158298 and part of 101157000.

The current population of such territory is 0.

Signature of Petitioner	Owner	Date of Signing	Address of Petitioner (Include Zip Code)
	City of Appleton		100 N. Appleton Street Appleton, WI 54911
Jacob A. Woodford, Mayor City of Appleton			

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

ANNEXATION EXHIBIT "A"

Part of the Fractional Southwest 1/4 of Section 6, Township 21 North, Range 18 East, Town of Grand Chute, Outagamie County, Wisconsin.

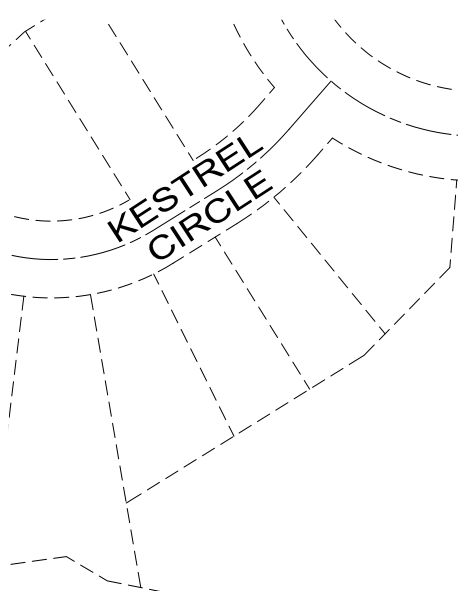
CURVE DATA TABLE				
CURVE	RADIUS	LENGTH	LC	LCB
C1	1035.00'	263.34'	262.63'	N40°36'48"E
C2	965.00'	70.02'	70.00'	S12°35'31"E
C3	965.00'	7.83'	7.83'	N00°05'59"W

SCALE IN FEET



0' 150' 300'

BEARINGS ARE REFERENCED TO THE WISCONSIN COUNTY COORDINATE SYSTEM, OUTAGAMIE COUNTY, SOUTH LINE OF THE FRACTIONAL SW 1/4 SECTION 6, T.21N., R. 18E.; WHICH BEARS N89°44'38"E
H:\Acad\Annex\2023\Providence_Baldeagle_Pond_2023



Outlot 4
Apple Ridge

Outlot 10
Apple Ridge 2

CITY OF APPLETON
TOWN OF GRAND CHUTE

Lynn Wenzel, Steven Petersen,
Karen Petersen and Mark Petersen
Parcel No. 101158200
Unplatted Lands
E. 80 rods of the S.45 Ac of SW
1/4 less lands sold, Section 6,
T21N, R18E, Town of Grand Chute

Lynn Wenzel, Steven Petersen,
Karen Petersen and Mark Petersen
Parcel No. 101158200
Unplatted Lands
E. 80 rods of the S.45 Ac of SW
1/4 less lands sold, Section 6,
T21N, R18E, Town of Grand Chute

DRIVE

LIGHTNING

SW CORNER OF SECTION
6, T21N, R18E
CHISEL X, MH

S 1/4 COR. SECTION
6, T 21 N, R 18 E
MAG NAIL

South line of the Fractional SW 1/4, Section 6, T21N, R18E, S89°44'38"W 2996.27'

TOWN OF GRAND CHUTE
CITY OF APPLETON

CENTER OF SECTION 6,
T 21 N, R 18 E, TOP OF
MON. GONE, FOUND BASE

OFFICIALLY
MAPPED
PROVIDENCE
AVENUE

**FUTURE
PROVIDENCE
AVENUE**
27,293 Sq. Ft.
0.6266 Ac.

Apple Tree Appleton Four LLC
Parcel No. 101157000
Unplatted Lands
NE/SW, less lands annexed to
City of Appleton,
Section 6, T21N, R18E,
Town of Grand Chute

**FUTURE
BALDEAGLE
DRIVE**
9,882 Sq. Ft.
0.2269 Ac.

N77°06'07"E
136.41'

N05°31'46"W
70.52'

S77°06'07"W
145.09'

N03°30'35"W
0.06'

Apple Tree Appleton
Four LLC
Parcel No.
31-1-8301-10
Unplatted Lands

**FUTURE
POND**
33,825 Sq. Ft.
0.7765 Ac.

N56°40'32"E
120.00'

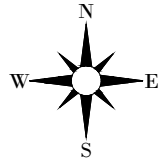
N42°54'08"W
120.00'

S47°54'08"W
119.28'

S33°39'52"W
175.42'

East line of the Fractional SW 1/4, Section 6, T21N, R18E, N00°27'14"E 2599.64'

TOWN OF GRAND CHUTE
CITY OF APPLETON



CITY OF APPLETON
DEPT. OF PUBLIC WORKS
ENGINEERING DIVISION
100 NORTH APPLETON STREET
APPLETON, WI 54911
920-832-6474
DRAFTED BY: T. KROMM