

ORDINANCE O - 16 - 2016

AN ORDINANCE RELATING TO THE ANNEXATION OF CERTAIN PROPERTY TO THE CITY OF MENASHA, WISCONSIN (R. Lewis & R. Lewis, LLC.)

Introduced by Mayor Merkes at the recommendation of the Plan Commission.

The Common Council of the City of Menasha does ordain as follows:

SECTION 1: Territory Annexed. (Unanimous Annexation) In accordance with Sec. 66.0217(2) Wis. Stats., and the Petition for Annexation filed with the City Clerk on the 21st day of September, 2016, signed by the majority of owners of land in the following described territory in the Town of Menasha, Winnebago County, Wisconsin, is annexed to the City of Menasha, Winnebago County, Wisconsin.

Legal description:

All that part of the North Twenty-seven (27) acres of the Northeast ¼ of the Northeast ¼ of Section 11, Township 20 North, Range 17 East, in the Town of Menasha, Winnebago County, Wisconsin, described as follows:

Commencing at the Northeast corner of said Section 11; thence S89° 40' W along the North line of said Section 60.0 feet; thence S01° 39' E, 423.5 feet to the point of beginning; thence S89° 40' W, 150.0 feet; thence S01° 39' E, 220.0 feet; thence N89° 40' E, 150.0 feet; thence N 01° 39' W, 220.0 feet to the point of beginning. Said parcel containing 0.7500 acres.

Parcel No. 008-0337-01

SECTION 2: Effect of Annexation. From and after the date of this Ordinance, the territory described in Section 1 shall be a part of the City of Menasha for any and all purposes provided by law and all persons coming or residing within such territory shall be subject to all ordinances, rules and regulations governing the City of Menasha.

SECTION 3: Pursuant to the recommendation of the Plan Commission, the temporary zoning classification for the annexed territory is C-1 General Commercial.

SECTION 4: Aldermanic District Designation. The territory described in Section 1 of this Ordinance is hereby made a part of Aldermanic District 3, Ward 39, subject to the ordinances, rules and regulations of the City governing wards and aldermanic districts.

SECTION 5: Severability. If any provision of this Ordinance is invalid or unconstitutional, or if the application of this Ordinance to any person or circumstance is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid or unconstitutional provision or application.

SECTION 6: This Ordinance shall become effective upon its passage and publication as provided by law.

Passed and approved this ____ day of _____, 2016.

Donald Merkes, Mayor

ATTEST:

Deborah A. Galeazzi, City Clerk

PETITION FOR ANNEXATION

The undersigned, constituting 100 percent of the owners of the following described territory located in the Town of Menasha, Winnebago County, Wisconsin, lying contiguous to the City of Menasha, petition the Honorable Mayor and Common Council of said city to annex the territory described below and shown upon the attached map, as permitted by §66.0217 of the Wisconsin Statutes, to the City of Menasha, Winnebago County, Wisconsin.

A copy of the scaled maps of the territory proposed for annexation attached hereto as Exhibit A may be inspected at the office of the Clerk of the Town of Menasha, 2000 Municipal Drive, Neenah, Wisconsin and at the office of the Clerk of the City of Menasha, 140 Main Street, Menasha, Wisconsin.

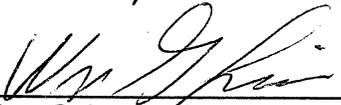
Parcel "A"

All that part of the North Twenty-seven (27) acres of the Northeast ¼ of the Northeast ¼ of Section 11, Township 20 North, Range 17 East, in the Town of Menasha, Winnebago County, Wisconsin, described as follows:

Commencing at the Northeast corner of said Section 11; thence S89° 40' W along the North line of said Section 60.0 feet; thence S01° 39' E, 423.5 feet to the point of beginning; thence S89° 40' W, 150.0 feet; thence S01° 39' E, 220.0 feet; thence N89° 40' E, 150.0 feet; thence N 01° 39' W, 220.0 feet to the point of beginning. Said parcel containing 0.7500 acres.

Parcel No. 008-0337-01

Dated this 16th day of September, 2016.



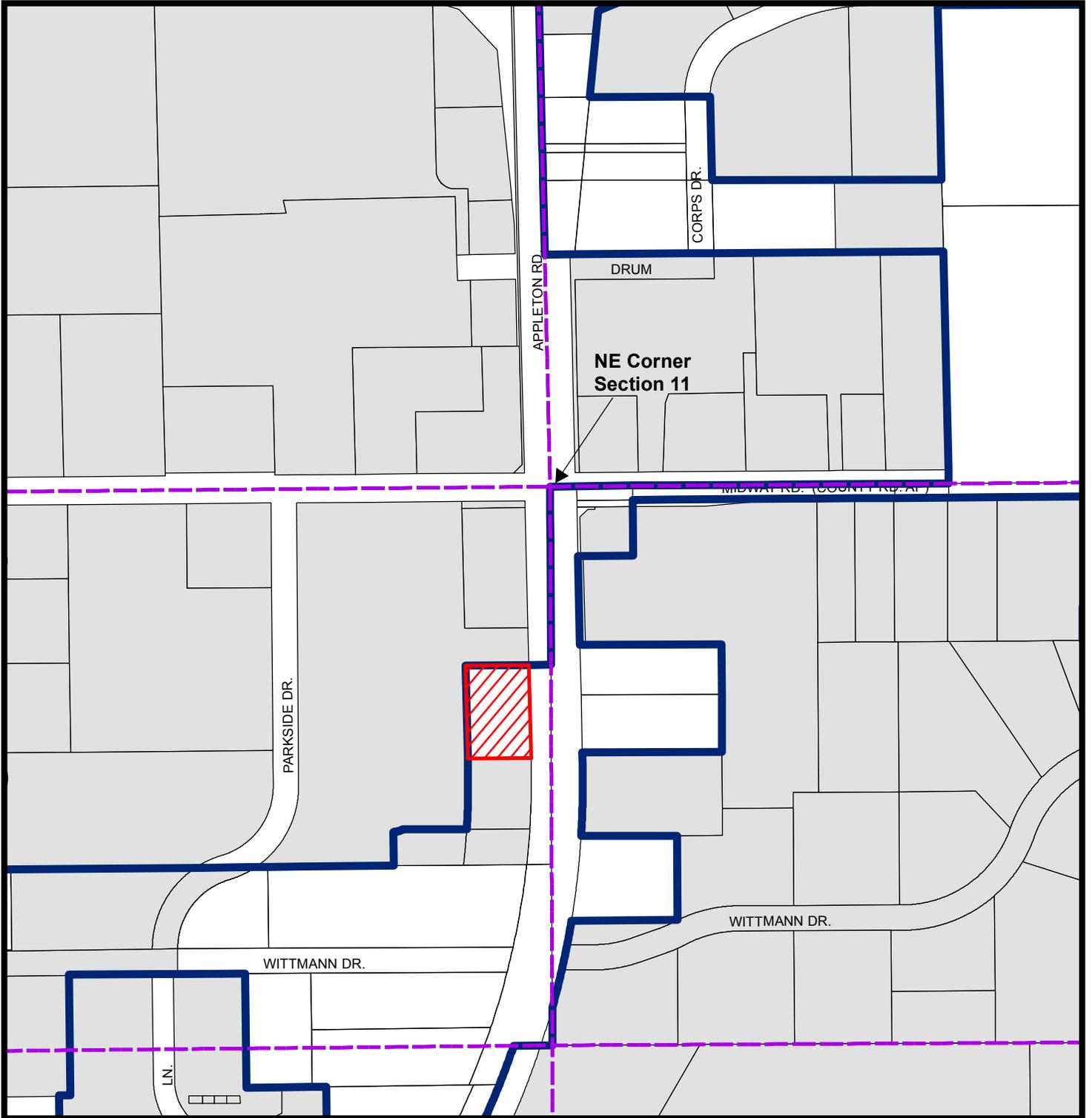
William G. Lewis, Owner/Member
R. Lewis & R. Lewis LLC
1702 Scheuring Road
De Pere, WI 54115



Rebecca Lewis, Owner/Member
R. Lewis & R. Lewis LLC
1702 Scheuring Road
De Pere, WI 54115

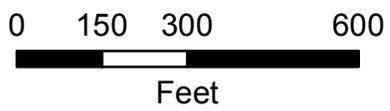
Exhibit A

Proposed Annexation



Legend

-  Parcel Proposed for Annexation
-  Section Lines
-  City of Menasha Corporate Limits





MEMORANDUM

Date: October 11, 2016
To: Common Council
From: David Buck, CDD
RE: Petition for Annexation – 1462 Appleton Road (Parcel # 008033701)

R. Lewis & R. Lewis LLC, property owner, is proposing direct annexation (by unanimous approval) of a single parcel of land that is 0.75 acres/32,670 square feet in size. The subject parcel is located at 1462 Appleton Road (STH 47), which is on the west side of Appleton Road approximately 400 feet south of Midway Road (County Road AP), in the Town of Menasha.

The property is currently vacant/undeveloped and has a Town of Menasha zoning designation of B-3 General Business District. Per the Intermunicipal Agreement between the City of Menasha and the Town of Menasha, the City of Menasha has the authority to annex unimproved properties in this area without detaching property equal in size to the Town of Menasha.

The City of Menasha Year 2030 Comprehensive Plan designates this area as appropriate for commercial use and the C-1 General Commercial District zoning designation is consistent with that recommendation. Additionally, the C-1 District designation is consistent with adjacent properties within the City on the north & west (supermarket) and south (vacant commercial).

The proposed annexation will not have a significant impact on the city's ability to provide services. Adding the parcel to the city will make additional land available for commercial development which will result in a slight increase in tax base when initially annexed with additional tax base when improved/developed.

The petition for annexation of 1462 Appleton Road (Parcel # 008033701) has been distributed to parties identified within the Zoning Ordinance for impact reports, which were forwarded to the Administration Committee on October 3, 2016 where the petition was then forwarded to the Common Council. The petition for annexation was brought before the Plan Commission on October 4, 2016 where it received a recommendation of approval with a temporary and permanent zoning classification of C-1 General Commercial District and findings that:

- The petition was submitted prior to the incorporation of the Town of Menasha into the Village of Fox Crossing;
- The annexation is a logical extension of the city's municipal boundary; and
- The annexation creates a favorable environment for future development of the lot and area.

Staff requests the Common Council approve Ordinance O-16-16 relating to the annexation of 1462 Appleton Road (Parcel # 008033701).



MEMORANDUM

To: Department Heads, Plan Commission, Park Board, Assessor, Menasha Utilities, Neenah-Menasha Fire Rescue and Menasha Joint School District

From: Kristi Heim, Community Development Coordinator

Date: September 27, 2016

RE: Annexation Impact Reports – Appleton Road

The Administration Committee will be considering the proposed Appleton Road annexation at its October 3, 2016 meeting, and if recommended for approval, an ordinance will be drafted for consideration by the Common Council at its October 17, 2016 meeting. **Please provide the City Clerk with your annexation impact report no later than Noon on Thursday, September 29, 2016.**

The parcel to be annexed is shown on the attached map. The total area of the annexation is .75 acres. The parcel will be zoned C-1, General Commercial District.



September 29, 2016

Memorandum

To: Debbie Galeazzi, City Clerk

From: Tim J. Montour – Engineering Supervisor

RE: Impact Report for the Proposed Appleton Road Annexation

There would be relatively minor street related costs and minor recycling and refuse costs associated with servicing the proposed Appleton Road annexation, but these costs would be easily supported by the expected added property value.

It is anticipated that no additional staffing will be needed to provide services for the proposed Appleton Road annexation area. The Department is in favor of the proposed annexation.



To: Debbie Galeazzi, City Clerk
Kristi Heim, Community Development Coordinator

From: Tim Styka, Police Chief 

Date: September 27, 2016

RE: Annexation Impact Reports – Appleton Rd.

As with any annexation by the City, the service area for the Police Department does increase. However, I do not anticipate where this annexation would have an adverse impact requiring additional staffing or equipment above our current levels.



MEMORANDUM

To: Administration Committee
From: PRD Tungate *BT*
Date: September 27, 2016
RE: Annexation Impact Report – Appleton Road

The .75 acre annexation along Appleton Road will not have any impact on City Parks and Recreation services.



Memorandum

TO: Debbie Galeazzi, City of Menasha Clerk

FROM: Kevin Kloehn, Fire Chief Neenah-Menasha Fire Rescue

DATE: September 28, 2016

RE: Impact on the .75 acre annexation on Appleton Road

In reviewing the proposed .75 acre annexation on Appleton Road, I found that the annexation would have no impact to the operations of Neenah-Menasha Fire Rescue as vacant property. However, if a structure were to be built on this property, the building would impact our inspection bureau. This would consist of up to 2 building inspections per year.

The property is well within our normal response time and protection capabilities that currently exist with Neenah-Menasha Fire Rescue.



MEMORANDUM

TO: Administration Committee

FROM: David Buck, CDD

DATE: September 28, 2016

RE: Annexation Impact Report – 1462 Appleton Road (Parcel # 008033701)

The Department of Community Development has considered potential impacts of the proposed 1462 Appleton Road (Parcel # 008033701) annexation as it relates to the duties and functions of the department as well as its relationship to the orderly growth and development of the community.

The single parcel included in this annexation request is 0.75 acres/32,670 square feet in size and is currently vacant. It is expected that this property will develop with general commercial uses.

There will be limited additional workload imposed upon the Community Development Department related to zoning, site plan review and building permit issuance and it is not anticipated that its addition to the community will have a significant impact on the capacity of the Community Development Department to complete its operational functions.

The proposed annexation is consistent with the City of Menasha Year 2030 Comprehensive Plan as well as the Intermunicipal Agreement between the City of Menasha and the Town of Menasha (boundary agreement). Adding this parcel to the city will make additional land area available for general commercial development and will result in a slight increase in tax base for the community when initially annexed with additional tax base when improved/developed.

The Community Development Department supports this annexation as a logical extension of the city's municipal boundary which is adjacent on the north, south and west sides of the subject parcel.



MEMORANDUM

To: David Buck, Community Development Director

From: Peggy Steeno, Administrative Services Director

Date: September 29, 2016

RE: Annexation Impact Report – Appleton Road Property - **REVISED**

Pursuant to City of Menasha Ordinance 13-1-123, I am providing the following report regarding the above noted proposed annexation:

- The Administrative Services Department will not require any additional full-time personnel, equipment, buildings, or other improvements if the annexation is approved.
- The Administrative Services Department will not incur any costs over and above those costs normally incurred in any annexation if the annexation is approved.
- Based upon an estimated assessed value of \$238,800, for the land only, as the building is no longer standing, at the City's current assessment rate of \$10.3383, the City would realize an increase in tax collections of approximately \$2,468.79 annually if the annexation is approved.

Due to my statements above, and the absence of any negative effects, I am recommending that the Common Council vote to approve the annexation.