



AGENDA
City of Milton
Virtual Plan Commission
Tuesday March 15, 2022
4:00 pm

PLEASE NOTE: In response to COVID-19, this meeting is being held virtually only.
Members of the public may monitor this meeting
at: <https://us02web.zoom.us/j/83472586597?pwd=MWgyTEJCNFc5dEZkRVdlenNKaVh1dz09>

Any person who is unable to access the meeting via the internet link may call 1(312) 626-6799 to monitor the meeting via telephone.
Meeting ID: 834 7258 6597
Passcode: 094212

1. Call to Order
2. Approval of Agenda
3. Discussion and Possible Action Regarding Ordinance #2022-492 Annexation Petition for Park Place Investments from the Town of Milton

Documents:

[Memo - Annexation Request Park Place Investments.pdf](#)
[Request for Annexation Review - Park Place Investments.pdf](#)
[Ordinance 492 - Annexation - Park Place Investments.pdf](#)

4. General Items
5. Next Meeting Date - April 6, 2022
6. Motion to Adjourn

**Please note that upon reasonable notice, at least 48 hours in advance, efforts will be made to accommodate the needs to disabled individuals through appropriate aids and services. For additional information to request this service, please contact the City Clerk's office at 868-6900, 710 S. Janesville Street, Milton, WI 53563.

Posted by Jenny Salvo March 11, 2022 at Hometown Ace Hardware, Piggly Wiggly, Milton City Hall.

**Notice is hereby given that a majority of the Common Council may be present at this meeting at the above mentioned date and time to gather information about a subject over which they have decision-making responsibility. This constitutes a meeting of the City Council pursuant to State ex rel. Badke v. Greendale Village Bd., 173 Wis. 2d 553, 494 N.W. 2d 408 (1993) and must be noticed as such, although the City Council will not take any formal action at this meeting.



Plan Commission Report

Agenda Item: Discussion and Possible Action Regarding Ordinance #2022-492
Annexation Petition for Park Place Investments from the Town of Milton

Meeting Date: March 15, 2022

Presenter: Al Hulick, City Administrator

Department: City Hall

Conformance with Strategic Plan:

- Affordability & Financial Stability
- Safe, Inclusive, Welcoming Community
- Diverse Opportunities for Fun and Life-Long Learning
- High Performing Organization with Professional Staff
- Environment for Business Success with Thoughtful Growth and Development

Summary

Chris Roach, owner of Park Place Investments has submitted an annexation petition for his land consisting of 49.43 acres to be annexed into the City of Milton from the Town of Milton. The annexation has been petitioned as a direct annexation by unanimous approval subject to 66.0217(2) of Wisconsin State Statutes.

Analysis and Key Issues

Upon annexation, the parcel will be zoned R-2 Residential District Two and used for future one and two family home development. After annexation is effective, the properties shall be exempt from further taxation in the Town of Milton and henceforth shall be subject to taxation and assessments as part of the City of Milton. Pursuant to Sec. 66.0217 (14) (a), Wis. Stats., the City of Milton agrees to pay annually to the Town of Milton for five (5) years an amount equal to the amount of property taxes levied by the Town of Milton on the annexed territory, as shown by the tax roll, in the year in which the annexation is final. This will result in a total amount of \$6,139.20 being paid from the City of Milton to the Town of Milton for the parcel for the entire 5 year period. The Town of Milton has filed no objection to this annexation.

The new owner of the land has indicated that he may request a portion of the property to be rezoned PUD to accommodate a condominium development. However, that request and PUD plan will come forward at a future date.

Recommendation

The City of Milton Administration recommends Plan Commission forward a favorable recommendation to the Common Council for the approval of Ordinance #2022-492 annexing the subject lands in the City of Milton.



Attachments

- Request for Annexation Review – Park Place Investments
- Ordinance #2022-492

Request for Annexation Review

Wisconsin Department of Administration

WI Dept. of Administration
Municipal Boundary Review
PO Box 1645, Madison WI 53701
608-264-6102

wimunicipalboundaryreview@wi.gov
<https://doa.wi.gov/municipalboundaryreview>

Petitioner Information

Name: **Park Place Investments LLC**

Phone: **608-314-1624**

Email: **chris@janesvilletool.com**

Contact Information if different than petitioner:

Representative's Name: **Christopher Roach**

Phone: **608-931-3379**

E-mail: **chris@janesvilletool.com**

1. Town where property is located: **Milton**

2. Petitioned City or Village: **Milton**

3. County where property is located: **Rock**

4. Population of the territory to be annexed: **0**

5. Area (in acres) of the territory to be annexed: **49.43**

6. Tax parcel number(s) of territory to be annexed (if the territory is part or all of an existing parcel):
6-13-212A

Include these required items with this form:

- Legal Description meeting the requirements of s.66.0217 (1) (c) [see attached annexation guide]
- Map meeting the requirements of s. 66.0217 (1) (g) [see attached annexation guide]
- Signed Petition or Notice of Intent to Circulate [see attached annexation guide]
- Check or money order covering review fee [see next page for fee calculation]

(2021)

Annexation Review Fee Schedule

A Guide for Calculating the Fee Required by ss.16.53 (4) and 66.0217, Wis. Stats.

Required Fees

There is an initial filing fee and a variable review fee

\$350 **Initial Filing Fee** (required with the first submittal of all petitions)
\$200 – 2 acres or less
\$350 – 2.01 acres or more

\$800 **Review Fee** (required with all annexation submittals except those that consist ONLY of road right-of-way)
\$200 – 2 acres or less
\$600 – 2.01 to 10 acres
\$800 – 10.01 to 50 acres
\$1,000 – 50.01 to 100 acres
\$1,400 – 100.01 to 200 acres
\$2,000 – 200.01 to 500 acres
\$4,000 – Over 500 acres

\$1150 **TOTAL FEE DUE** (Add the Filing Fee to the Review Fee)

Include check or money order, payable to: **Department of Administration**

DON'T attach the check with staples, tape, ...

**THE DEPARTMENT WILL NOT PROCESS
AN ANNEXATION PETITION THAT IS NOT ACCOMPANIED
BY THE REQUIRED FEE.**

**THE DEPARTMENT'S 20-DAY STATUTORY REVIEW PERIOD
COMMENCES UPON RECEIPT OF THE PETITION AND REVIEW FEE**

Shaded Area for Office Use Only

Date fee & form received: _____

Payer: _____ Check Number: _____

Check Date: _____

Amount: _____

ANNEXATION SUBMITTAL GUIDE

s. 66.0217 (5) THE PETITION

- State the purpose of the petition: -Direct annexation by unanimous approval; OR
-Direct annexation by one-half approval; OR
-Annexation by referendum.
- Petition must be signed by: -All owners and electors, if by unanimous approval.
-See 66.0217 (3) (a), if by one-half approval.
-See 66.0217 (3) (b), if by referendum.
- State the population of the land to be annexed.

[It is beneficial to include Parcel ID or Tax numbers, the parcel area, and identify the annexee (Town) and annexor (Village or City) in the petition.]

s. 66.0217 (1) (c) THE DESCRIPTION

The annexation petition must include a legal description of the land to be annexed. The land must be described by reference to the government lot, private claim, quarter-section, section, town and range in which the land lies. The land must be further described by metes and bounds commencing from a monumented corner of the section or quarter-section, or the monumented end of a private claim or federal reservation, in which the land lies; OR

If the land is wholly and entirely within a lot or lots, or all of a block or blocks of a recorded subdivision plat or certified survey map, it must be described by reference to the lot (s) and/or block (s) therein, along with the name of the plat or the number, volume, page, and County of the certified survey map.

The land may NOT be described only by: -Aliquot part;
-Reference to any other document (plat of survey, deed, etc.);
-Exception or Inclusion;
-Parcel ID or tax number.

s. 66.0217 (1) (g) THE MAP

The map shall be an **accurate reflection** of the legal description of the parcel being annexed. As such, it must show:
-A tie line from the parcel to the monumented corner of the section or quarter-section, or the monumented end of a private claim or federal reservation, in which the parcel lies. The corner and monument must be identified.
-Bearings and distances along all parcel boundaries as described.
-All adjoining as referenced in the description.

The map must include a **graphic scale**.

The map must show and identify the existing municipal boundary, in relation to the parcel being annexed.

[It is beneficial to include a North arrow, and identify adjacent streets and parcels on the map.]

s. 66.0217 FILING

The petition must be filed with the Clerk of the annexing City or Village and with the Clerk of the Town in which the land is located.

If the annexation is by one-half approval, or by referendum, the petitioner must post notice of the proposed annexation as required by s. 66.0217 (4).

PETITION FOR ANNEXATION – LAND DESCRIPTION

(Section 66.0217(2), Wis. Stats)

TO: Clerk, Town of Milton
23 First St
Milton, WI 53563

Clerk, City of Milton
710 S Janesville St
Milton, WI 53563

The undersigned, "Owners," being the sole owners of the Territory (described and defined below), hereby petition the Common Council of the City of Milton, a municipal corporation, located in Rock County, Wisconsin to annex the Territory from the Town of Milton, located in Rock County, Wisconsin, to the City of Milton. There are no persons residing in such Territory. The Territory is contiguous to the City of Milton

The territory proposed for direct annexation from the Town of Milton to the City of Milton is more particularly described on Exhibit A, and is shown on the scale map attached as Exhibit B (the Territory).

The undersigned request that this annexation be approved and take effect in the manner provided for by law.

By: Christopher Roach Date: 1-27-22

Christopher Roach, Member
Park Place Investments, LLC

Exhibit A

PART OF THE NE 1/4 OF THE NW ¼ AND PART OF THE SE 1/4 OF THE NE 1/4 OF SECTION 26, T.4N., R.13E., OF THE 4TH P.M., TOWN OF MILTON ROCK COUNTY, WISCONSIN

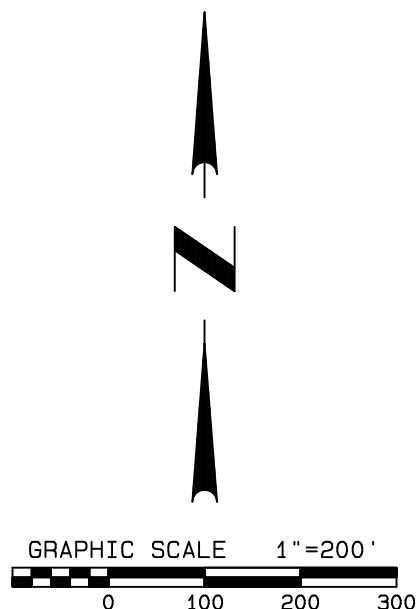
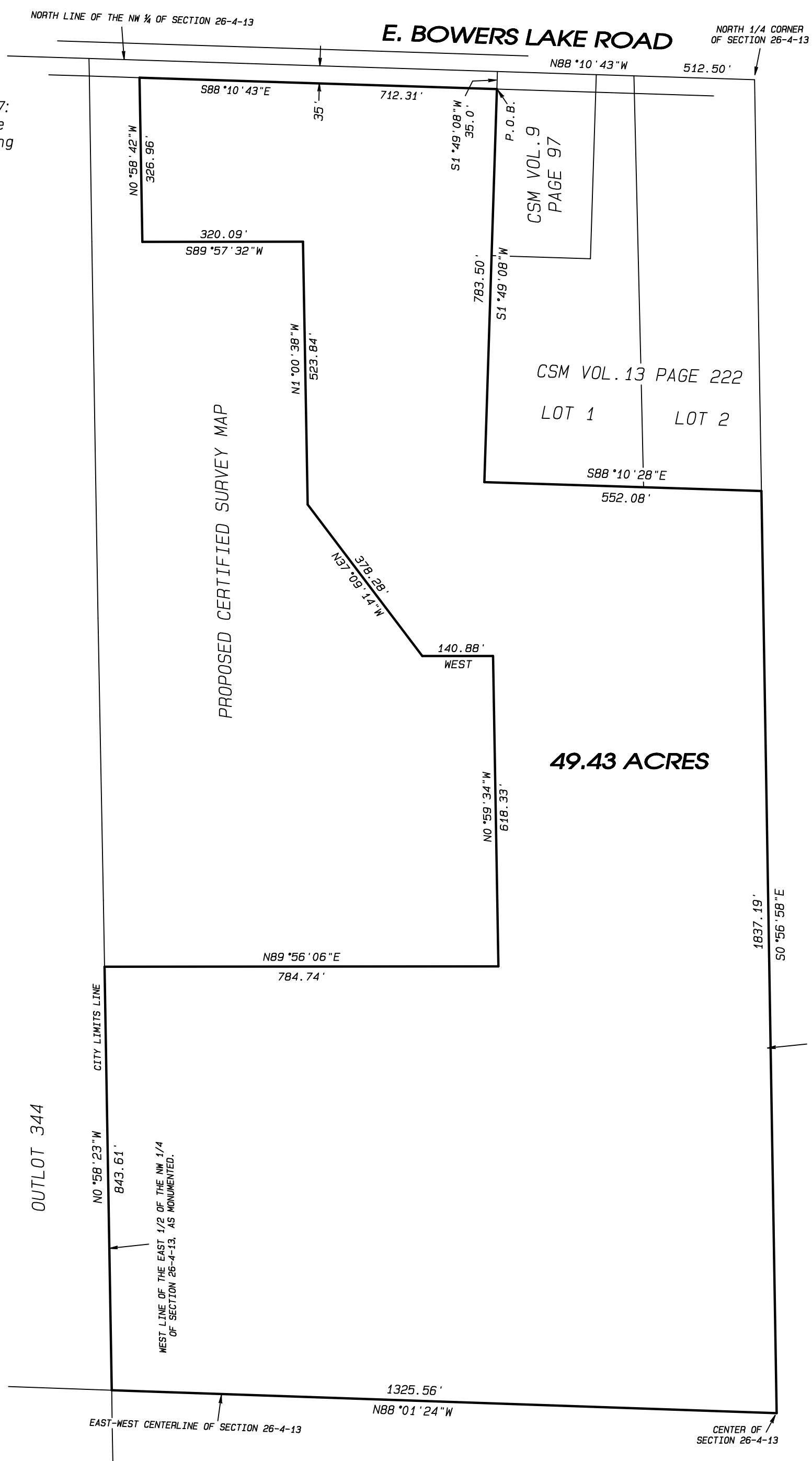
DESCRIBED AS FOLLOWS: Commencing at the North 1/4 Corner of said Section 26; thence N88° 10' 43" W along the North Line of the NW 1/4 of said Section, 512.50 feet to the NW Corner of a Certified Survey Map recorded in Volume 9, Page 97: thence S1° 49' 08" W along the West Line of said Certified Survey Map, 35.0 feet to the NW Corner of Lot 1 of said Certified Survey Map, also being at the place of beginning for the land to be herein described; thence S1° 49' 08" W continuing along said West Line and along the West Line of Lot 1 of a Certified Survey Map recorded in Volume 13, Page 222, a distance of 783.50 feet to the SW Corner of said Lot 1; thence S88° 10' 28" E along the South Line of said Lot 1 and of Lot 2 of said Certified Survey Map (Vol. 13, Pg. 222) a distance of 552.08 feet to the SE Corner of said Lot 2; thence S0° 56' 58" E along the North-South Centerline of said Section, 1837.19 feet to the Center of said Section; thence N88° 01' 24" W along the East-West Centerline of said Section 1325.56 feet to the West Line of the East 1/2 of the NW 1/4 of said Section; thence N0 58' 23" W along said West Line, 843.61 feet; thence N89° 56' 06" E 784.74 feet; thence N0° 59' 34" W 618.33 feet; thence WEST 140.88 feet; thence N37° 09' 14" W 378.28 feet; thence N1° 00' 38" W 523.84 feet; thence S89° 57' 32" W 320.09 feet; thence N0° 58' 42" W 326.96 feet to a line 35 feet South of and parallel to said North Line of the NW 1/4 of said Section; thence S88° 10' 43" E along said parallel line, 712.31 feet to the place of beginning.

Said parcel contains 49.3 acres with a population of zero.

ANNEXATION MAP

PART OF THE NE 1/4 OF THE NW 1/4 AND PART OF THE SE 1/4 OF THE NW 1/4 OF SECTION 26, T.4N., R.13E., OF THE 4TH P.M., TOWN OF MILTON, ROCK COUNTY, WISCONSIN.

DESCRIBED AS FOLLOWS: Commencing at the North 1/4 Corner of said Section 26; thence N88°10'43"W along the North Line of the NW 1/4 of said Section, 512.50 feet to the NW Corner of a Certified Survey Map recorded in Volume 9, Page 97; thence S1°49'08"W along the West Line of said Certified Survey Map, 35.0 feet to the NW Corner of Lot 1 of said Certified Survey Map, also being at the place of beginning for the land to be herein described; thence S1°49'08"W continuing along said West Line and along the West Line of Lot 1 of a Certified Survey Map recorded in Volume 13, Page 222, a distance of 783.50 feet to the SW Corner of said Lot 1; thence S88°10'28"E along the South Line of said Lot 1 and of Lot 2 of said Certified Survey Map (Vol. 13, Pg. 222) a distance of 552.08 feet to the SE Corner of said Lot 2; thence S0°56'58"E along the North-South Centerline of said Section, 1837.19 feet to the Center of said Section; thence N88°01'24"W along the East-West Centerline of said Section 1325.56 feet to the West Line of the East 1/2 of the NW 1/4 of said Section; thence N0°58'23"W along said West Line, 843.61 feet; thence N89°56'06"E 784.74 feet; thence N0°59'34"W 618.33 feet; thence WEST 140.88 feet; thence N37°09'14"W 378.28 feet; thence N1°00'38"W 523.84 feet; thence S89°57'32"W 320.09 feet; thence N0°58'42"W 326.96 feet to a line 35 feet South of and parallel to said North Line of the NW 1/4 of said Section; thence S88°10'43"E along said parallel line, 712.31 feet to the place of beginning.




NOTES:

THIS MAP IS SUBJECT TO ANY AND ALL EASEMENTS AND AGREEMENTS, RECORDED AND UNRECORDED.

THE BASIS OF BEARINGS IS ASSUMED.

REVISED: FEBRUARY 28, 2022

 <p>109 W. Milwaukee St. Janesville, WI 53548 www.combsurvey.com</p>	<ul style="list-style-type: none"> LAND SURVEYING LAND PLANNING CIVIL ENGINEERING 	DATE 01/10/2022
		BY s11
		PROJECT NO. 121-467
		CLIENT PARK PLACE

**ORDINANCE NUMBER 2022-492
ANNEXATION ORDINANCE: PARK PLACE INVESTMENTS, LLC**

**AN ORDINANCE ANNEXING TERRITORY IN PART OF THE NE 1/4 OF THE NW 1/4 AND PART
OF THE SE 1/4 OF THE NW 1/4 SECTION 26, T. 4N., R. 13E., OF THE 4TH P.M., TOWN OF
MILTON, ROCK COUNTY, WISCONSIN**

WHEREAS, the owners of all of the real property described below, there being no qualified electors residing in the territory, having filed a Petition for Direct Annexation by unanimous approval pursuant to Sec. 66.0217 (2), Wis. Stats., together with the scale map and legal description of the property involved in the Office of the Clerk for the City of Milton, and

WHEREAS, a copy of said Petition for Direct Annexation along with the scale map and legal description having been filed with the Clerk for the Town of Milton and a copy of the petition, scale map and legal description having also been filed with the State of Wisconsin Department of Administration; and

WHEREAS, there having been no objection to said Petition for Direct Annexation having been filed by the Town of Milton; and

WHEREAS, the Wisconsin Department of Administration having found that the proposed annexation is in the public interest and the Common Council of the City of Milton having considered the findings of the Department of Administration; and

WHEREAS, the notice requirements of Sec. 66.0217 (4), Wis. Stats., do not apply to annexation of property pursuant to Sec. 66.0217 (2), Wis. Stats.; and

WHEREAS, the Common Council of the City of Milton has determined that the annexation is in the public interest; and

WHEREAS, the Plan Commission of the City of Milton has reviewed and recommended for approval the temporary zoning district classification of the property described below;

NOW, THEREFORE, the Common Council of the City of Milton do ordain:

(1) Territory Annexed. In accordance with Wis. Stat. Sec. 66.0217 (2), and the petition for annexation of owned property filed with the City Clerk of the City of Milton on the 27th day of January 2022, with no electors residing in the territory, Park Place Investments LLC being owner of all of the land in this territory, the following described property in the Town of Milton, Rock County, Wisconsin shall be annexed to the City of Milton, to-wit:

PART OF THE NE 1/4 OF THE NW 1/4 AND PART OF THE SE 1/4 OF THE
NE 1/4 OF SECTION 26, T.4N., R.13E., OF THE 4TH P.M., TOWN OF MILTON
ROCK COUNTY, WISCONSIN

DESCRIBED AS FOLLOWS: Commencing at the North 1/4 Corner of said Section 26; thence N88° 10' 43" W along the North Line of the NW 1/4 of said Section, 512.50 feet to the NW Corner of a Certified Survey Map recorded in Volume 9, Page 97; thence 51° 49' 08" W along the West Line of said Certified Survey Map, 35.0 feet to the NW Corner of Lot 1 of said Certified Survey Map, also being at the place of beginning for the land to be herein described; thence S1° 49' 08" W continuing along said West Line and along the West Line of Lot 1 of a Certified Survey Map recorded in Volume 13, Page 222, a distance of 783.50 feet to the SW Corner of said Lot 1; thence S88° 10' 28" E along the South Line of said Lot 1 and of Lot 2 of said Certified Survey Map (Vol. 13, Pg. 222) a distance of 552.08 feet to the SE Corner of said Lot 2; thence S0° 56' 58" E along the North-South Centerline of said Section, 1837.19 feet to the Center of said Section; thence N88° 01' 24" W along the East-West Centerline of said Section 1325.56 feet to the West Line of the East 1/2 of the NW 1/4 of said Section; thence N0° 58' 23" W along said West Line, 843.61 feet; thence N89° 56' 06" E 784.74 feet; thence N° 59' 34" W 618.33 feet; thence WEST 140.88 feet; thence N37° 09' 14" W 378.28 feet; thence N1° 00' 38" W 523.84 feet; thence S89° 57' 32" W 320.09 feet; thence N0° 58' 42" W 326.96 feet to a line 35 feet South of and parallel to said North Line of the NW 1/4 of said Section; thence S88° 10' 43" E along said parallel line, 712.31 feet to the place of beginning.

Said parcel contains 49.3 acres with a population of zero.

(2) Temporary Zoning Classification. The territory annexed to the city of Milton by this ordinance is temporarily assigned the Residential District Two (R-2) zoning district classification and shall be designated as such on the city zoning map.

(3) Ward Designation. The territory described in subsection (1) of this ordinance is hereby made a part of Ward 10 of the City of Milton.

(4) Future Taxation. After annexation is effective, the property described in subsection (1) shall be exempt from further taxation in the Town of Milton and henceforth shall be subject to taxation and assessments as part of the City of Milton.

(5) Tax Reimbursement. Pursuant to Sec. 66.0217 (14) (a), Wis. Stats., the City of Milton agrees to pay annually to the Town of Milton for five (5) years an amount equal to the amount of property taxes levied by the Town of Milton on the annexed territory, as shown by the tax roll, in the year in which the annexation is final.

(6) Effect on School District. The annexed territory, being currently a part of the School District of Milton, will have no effect upon the size or shape of said school district.

(7) Effective Date of Annexation. This ordinance shall take effect upon enactment.

Approved by the Common Council of the City of Milton this 15th day of March, 2022.

CITY OF MILTON

Anissa Welch, Mayor

Attest:

Jenny Salvo, Clerk

1st Reading: _____
2nd Reading: _____
3rd Reading: _____

Date Adopted: _____
Date Published: _____
Effective Date: _____