

Request for Annexation Review

Wisconsin Department of Administration

WI Dept. of Administration
Municipal Boundary Review
PO Box 1645, Madison WI 53701
608-264-6102 Fax: 608-264-6104
wimunicipalboundaryreview@wi.gov
<http://doa.wi.gov/municipalboundaryreview>

Petitioner Information

Name: **J5B DEVELOPMENT LLC - BRUCE BLOHOWIAK**

Address: **P.O BOX 12524**

GREEN BAY, WI 54307

Email: **BRUCE@J5BDEV.COM**

Office use only:

RECEIVED

June 19, 2020

Municipal Boundary Review
Wisconsin Dept. of Admin.

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

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

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

4. Population of the territory to be annexed: **2**

5. Area (in acres) of the territory to be annexed: **63.005**

6. Tax parcel number(s) of territory to be annexed
(if the territory is part or all of an existing parcel): **D-124, D-126, D-126-1**

Petitioners phone:

920-562-1936

Town clerk's phone:

920-336-3360 X104

City/Village clerk's phone:

920-593-5511

Contact Information if different than petitioner:

Representative's Name and Address:

Surveyor or Engineering Firm's Name & Address:
MAU & ASSOCIATES, LLP

400 SECURITY BLVD STE 1

GREEN BAY, WI 54313

Phone:

Phone: **920-434-9670**

E-mail:

E-mail: **WWW.MAU-ASSOCIATES.COM**

Required Items to be provided with submission (to be completed by petitioner):

- ☒ 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 is included
- Indicate Statutory annexation method used:
 - ☒ Unanimous per [s. 66.0217 \(2\)](#), or,
OR
 - ☐ Direct by one-half approval per [s. 66.0217 \(3\)](#)
- ☒ Check or money order covering review fee [see next page for fee calculation]

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

\$1000 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

\$1350. TOTAL FEE DUE (Add the Filing Fee to the Review Fee)

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

**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 received: _____

Payee: _____ 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 adjoiners 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 \(4\)](#).
- ☐ If the lands being annexed are within a County of 50,000 or greater population, the petition must also be filed with the Department of Administration for review

[Note that no municipality within a County of 50,000 or greater population may enact an annexation ordinance prior to receiving a review determination from the Department of Administration.]

PETITION FOR DIRECT ANNEXATION
BY UNANIMOUS CONSENT
(Wis. Stats. § 66.0217(2))

TO:	Village of Bellevue	Town of Ledgeview
	Attn: Village Clerk	Attn: Town Clerk
	2828 Allouez Avenue	3700 Dickinson Road
	Bellevue, WI 54311	De Pere, WI 54115

The undersigned, being all of the electors residing in and owners of all of the real property in the Territory do hereby unanimously petition the Village of Bellevue for the purpose of annexing the Territory from the Town of Ledgeview to the Village of Bellevue.

The "Territory" proposed for annexation from the Town of Ledgeview to the Village of Bellevue is more particularly described, and shown on a scale map, on the attached Exhibit A. The Territory is located in Brown County, Wisconsin.

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

There are 2 electors residing in the Territory. The population of the Territory is 2.

This Petition for Annexation is filed pursuant to Wis. Stats. § 66.0217(2).

cc: Wisconsin Department of Administration

[SIGNATURES ON FOLLOWING PAGE]

Signatures of Owners of Territory to be Annexed by Unanimous Consent

J5B DEVELOPMENT, LLC

By: J5B Development, LLC, General Partner

Bruce Blohowiak 6/19/20
Bruce Blohowiak, Manager

Signatures of Electors of Territory to be Annexed by Unanimous Consent

Adam Blohowiak
Name

Adam Blohowiak
Signature

3251 CEDAR HEDGE Lane
Address
Green Bay, WI 54311

Kim Blohowiak
Name

Kim Blohowiak
Signature

3251 Cedar Hedge Ln, GB, WI 54311
Address

Overall Annexation

Part of the Southwest Quarter of the Northwest Quarter (SW¼ of NW¼) and part of the Southeast Quarter of the Northwest Quarter (SE¼ of NW¼), Section Twenty-six (26), Township Twenty-three (23) North, Range Twenty-one (21) East, in the Town of Ledgeview, Brown County, Wisconsin, described as follows:

Commencing at the Northwest corner of Section 26, Township 23 North, Range 21 East; thence S00°34'16"E, 1318.95 feet along the West line of said Section 26; thence S89°34'02"E, 92.86 feet along the North line of the SW¼ of the NW¼ to the East right of way line of Glenmore Road and point of beginning; thence continuing S89°34'02"E, 1983.14 to the West right of way line of U.S.H. 141, Main Street; thence S45°33'29"E, 452.00 feet along said right of way; thence S23°51'01"E, 374.7 feet along said right of way; thence S5°31'59"E, 170.55 feet along said right of way to the South right of way of Cedar Hedge Lane; thence S87°38'18"W, 70.38 feet along said right of way; thence S3°34'06"W, 440.08 feet along the West right of way of said Cedar Hedge Lane; thence N89°38'08"W, 1053.35 feet to the Northerly right of way of Interstate Highway 43; thence N62°13'04"W, 160.38 feet along said North right of way; thence N79°13'54"W, 310.48 feet along said North right of way; thence N64°08'54"W, 961.72 feet along said North right of way to the said East right of way line of Glenmore Road; thence N1°22'50"W, 775.26 feet along said East right of way to the point of beginning.

Annexation totals 63.005 acres more or less

Parcel D-124

Part of the Southwest Quarter of the Northwest Quarter (SW¼ of NW), Section Twenty-six (26), Township Twenty-three (23) North, Range Twenty-one (21) East, in the Town of Ledgeview, Brown County, Wisconsin, described as follows:

Commencing at the Northwest corner of Section 26, Township 23 North, Range 21 East; thence S00°34'16"E, 1318.95 feet along the West line of said Section 26; thence S89°34'02"E, 92.86 feet along the North line of the SW¼ of the NW¼ to the East right of way line of Glenmore Road and point of beginning; thence continuing S89°34'02"E, 1236.15 feet; thence S0°16'41"E, 1271.06 feet to the Northerly right of way of Interstate Highway 43; thence N62°13'04"W, 60.03 feet along said North right of way; thence N79°13'54"W, 310.48 feet along said North right of way; thence N64°08'54"W, 961.72 feet along said North right of way to the said East right of way line of Glenmore Road; thence N1°22'50"W, 775.26 feet along said East right of way to the point of beginning.

Parcel total s29.618 acres more or less

Parcel D-126

Part of the Southeast Quarter of the Northwest Quarter (SE¼ of NW¼), Section Twenty-six (26), Township Twenty-three (23) North, Range Twenty-one (21) East, in the Town of Ledgeview, Brown County, Wisconsin, described as follows:

Commencing at the Northwest corner of Section 26, Township 23 North, Range 21 East; thence S00°34'16"E, 1318.95 feet along the West line of said Section 26; thence S89°34'02"E, 92.86 feet along the North line of the SW¼ of the NW¼ to the East right of way line of Glenmore Road; thence continuing S89°34'02"E, 1236.15 feet to the point of beginning; thence continuing S89°34'02"E, 664.34 feet; thence S0°07'52"E, 1316.45 feet; thence N89°38'08"W, 572.40 feet to the Northerly right of way Interstate Highway 43; thence N62°13'04"W, 100.35 feet; thence N0°16'41":W, 1271.06 feet to the point of beginning.

Parcel totals 19.985 acres more or less

Parcel D-126-1

Part of the Southeast Quarter of the Northwest Quarter (SE¼ of NW¼), Section Twenty-six (26), Township Twenty-three (23) North, Range Twenty-one (21) East, in the Town of Ledgeview, Brown County, Wisconsin, described as follows:

Commencing at the Northwest corner of Section 26, Township 23 North, Range 21 East; thence S00°34'16"E, 1318.95 feet along the West line of said Section 26; thence S89°34'02"E, 92.86 feet along the North line of the SW¼ of the NW¼ to the East right of way line of Glenmore Road; thence continuing S89°34'02"E, 1900.49 feet to the point of beginning; thence continuing S89°34'02"E, 82.64 feet to the Western right of way of US Highway 141, also known as Main Street; thence S45°33'29"E, 452.00 feet along said West right of way; thence S23°51'01"E, 374.27 feet along said West right of way; thence S5°31'59"E, 170.55 feet along said right of way to the South right of way of Cedar Hedge Lane; thence S87°38'18"W, 70.38 feet along said right of way; thence S3°34'06"W, 440.08 feet along the West right of way of said Cedar Hedge Lane; thence N89°38'08"W, 480.96 feet; thence N0°07'52"W, 1316.45 feet to the point of beginning.

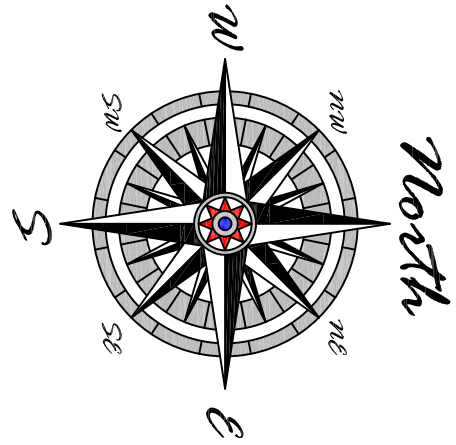
Parcel totals 13.402 acres more or less

Annexation Exhibit

Part of the Southwest Quarter of the Northwest Quarter (SW¼ of NW¼) and part of the Southeast Quarter of the Northwest Quarter (SE¼ of NW¼), Section Twenty-six (26), Township Twenty-three (23) North, Range Twenty-one (21) East, in the Town of Ledgerview, Brown County, Wisconsin

Parcels D-124, D-126, and D-126-1

show existing municipal boundary



TAX PARCEL NO. D-124, D-126, D-126-1

Annexation Exhibit

Mau & Associates, LLP
LAND SURVEYING & PLANNING
CIVIL & WATER RESOURCE ENGINEERING
Phone: 920-434-9670 Website: www.mau-associates.com
400 Security Blvd Ste 1, Green Bay, WI 54313-9712

J5B

PROJECT NO.
V-227/99

SHEET NO.
1 of 1

DRAWING NO.
S-3270

File: V-22799Site Plan 012720.dwg

Data File: -

Fieldwork Completed: 5.08.20

GLENMORE RD

29.618 AC
Parcel D-124
Owner J5B Development LLC

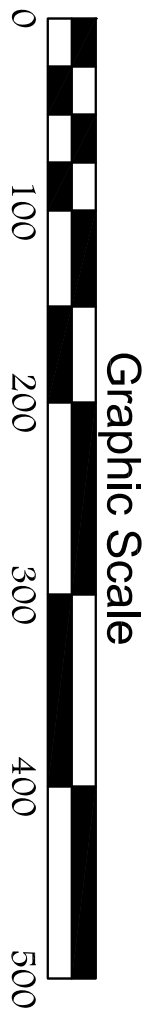
19.985 AC
Parcel D-126
Owner J5B Development LLC

13.402 AC
Parcel D-126-1
Owner J5B Development LLC

DUTCHMAN RD

CEDAR HEDGE LN

IH "43"





TONY EVERS

GOVERNOR

JOEL BRENNAN

SECRETARY

Municipal Boundary Review

PO Box 1645, Madison WI 53701

Voice (608) 264-6102 Fax (608) 264-6104

Email: wimunicipalboundaryreview@wi.gov

Web: <http://doa.wi.gov/municipalboundaryreview>

June 22, 2020

PETITION FILE NO. 14320

KAREN SIMONS, CLERK
VILLAGE OF BELLEVUE
2828 ALLOUEZ AVE
GREEN BAY, WI 54311-6644

CHARLOTTE NAGEL, CLERK
TOWN OF LEDGEVIEW
3700 DICKINSON RD
DE PERE, WI 54115-8797

Subject: J5B DEVELOPMENT LLC ANNEXATION

Section 66.0217 (6), Wis. Stats., provides that the annexation of lands to cities and villages within a county having a population of 50,000 or more shall be reviewed by the Department of Administration in order to determine if the proposed annexation is in the public interest or against the public interest. The proposed annexation from the TOWN OF LEDGEVIEW to the VILLAGE OF BELLEVUE (see attached description) must be reviewed pursuant to the statute.

To assist us in making this determination, we urge that you promptly supply the data requested on the enclosed questionnaire (where possible) and return the questionnaire to the department.

The purpose of this questionnaire is to assist the department in determining "Whether the governmental services, including zoning, to be supplied to the territory could clearly be better supplied by the town...." The statute further stipulates that the department shall study the "shape of the proposed annexation and the homogeneity of the territory with the annexing municipality." In addition, we would appreciate receiving from you any comments or information bearing on governmental services or shape and homogeneity that would indicate whether the annexation is in or against the public interest.

Please return the questionnaire as soon as possible so that the information can be reviewed prior to the department's statutory deadline of July 09, 2020. Direct any questions and comments to Erich Schmidtke at (608) 264-6102. Thank you for your cooperation.

For additional information on annexation or other land use issues, visit our web site at <http://doa.wi.gov/municipalboundaryreview/>.

Sincerely,

Erich Schmidtke

Enclosures

Annexation Review Questionnaire

Wisconsin Department of Administration

WI Dept. of Administration
Municipal Boundary Review
PO Box 1645
Madison WI 53701
608-264-6102 Fax: 608-264-6104
wimunicipalboundaryreview@wi.gov
<http://doa.wi.gov/municipalboundaryreview>

Petitioner: **J5B Development LLC**

Petition Number: **14320**

1. Territory to be annexed: From **TOWN OF LEDGEVIEW** To **VILLAGE OF BELLEVUE**

2. Area (Acres): 63.005

3. Pick one: ☒ Property Tax Payments

OR ☐ Boundary Agreement

a. Annual town property tax on territory to be annexed:

\$ 578.06

a. Title of boundary agreement _____

b. Total that will be paid to Town

(annual tax multiplied by 5 years): \$2,890.30

b. Year adopted _____

c. Participating jurisdictions _____

c. Paid by: ☐ Petitioner ☐ City ☒ Village

d. Statutory authority (pick one)

☐ s.66.0307 ☐ s.66.0225 ☐ s.66.0301

☐ Other: _____

4. Resident Population: Electors: 0 Total: 0

5. Approximate **present land use** of territory:

Residential: 0 % Recreational: 0 % Commercial: 0 % Industrial: 0 %

Undeveloped: 100 %

6. If territory is undeveloped, what is the **anticipated use**?

Residential: TBD % Recreational: TBD % Commercial: TBD % Industrial: TBD %

Other: TBD %

Comments: See supplemental information for further explanation.

7. Has a ☐ preliminary or ☐ final plat been submitted to the Plan Commission: ☐ Yes ☒ No

Plat Name: See supplemental information for further explanation.

8. What is the **nature of land use adjacent** to this territory in the city or village?

Vacant B-3 (see supplemental information for further explanation).

In the town?: undeveloped, gas station/convenience store

9. What are the **basic service needs** that precipitated the request for annexation?

☐ Sanitary sewer

☐ Water supply

☐ Storm sewers

☒ Police/Fire protection

☐ EMS

☒ Zoning

Other See supplemental information for further explanation.

10. Is the city/village or town capable of providing needed utility services?

City/Village ☒ Yes ☐ No Town ☐ Yes ☐ No

If yes, approximate timetable for providing service: City/Village Town

Sanitary Sewers immediately ☒ ☐
or, write in number of years. _____

Water Supply immediately ☒ ☐
or, write in number of years. _____

Will provision of sanitary sewers and/or water supply to the territory proposed for annexation require capital expenditures (i.e. treatment plant expansion, new lift stations, interceptor sewers, wells, water storage facilities)?

☐ Yes ☐ No

See attached.

If yes, identify the nature of the anticipated improvements and their probable costs: _____

11. Planning & Zoning:

a. Do you have a comprehensive plan for the City/Village/Town? ☒ Yes ☐ No

Is this annexation consistent with your comprehensive plan? ☒ Yes ☐ No

b. How is the annexation territory now zoned? Per Town of Ledgeview zoning; R-3 (Parcel D-124) and PDD BP (Parcels D-126 and D-126-1)

c. How will the land be zoned and used if annexed? See supplemental information for further explanation.

12. Elections: ☐ New ward or ☒ Existing ward? Will the annexation create a new ward or join an existing ward? For more information, please contact the Wisconsin Election Commission at (608) 266-8005, elections@wi.gov or see their annexation checklist here: <http://elections.wi.gov/forms/el-100>

13. Other relevant information and comments bearing upon the public interest in the annexation:

Prepared by: ☐ Town ☐ City ☐ Village

Name: Karen M. Simons

Email: karens@villageofbellevue.org

Phone: 920-593-5511-

Date: 7/2/2020

(March 2018)

Please **RETURN PROMPTLY** to:

wimunicipalboundaryreview@wi.gov

Municipal Boundary Review

PO Box 1645, Madison WI 53701

Fax: (608) 264-6104

6. If territory is undeveloped, what is the anticipated land use?

The Village would commit to work with the land owner and potential developer(s) to come up with a development plan that compliments the planning efforts undertaken previously in the Village of Bellevue for areas adjacent to the proposed annexation and with recommendations of the adopted Village of Bellevue Comprehensive Plan to ensure that the newly developed area fits into the vision of this region. As the area in question was not located within the Village of Bellevue municipal boundary at time of the Village of Bellevue Comprehensive Plan adoption, there is no specific Village of Bellevue plan for the proposed annexation area to determine an exact percentage of land uses.

A cursory review of the area leads the Village to anticipate a mixture of land-uses to include but not be limited to higher density residential (mixed-use), commercial/retail and light industrial benefitting from the proximity to Interstate 43, the future Eastern Arterial (Huron Road/County Highway EA), US Highway 141 (Main Street) and State Highway 29 (Kewaunee Road). In addition, open areas dedicated to possible recreational opportunities or stormwater management and protection of Environmentally Sensitive Areas (ESA)/flood hazard areas would be considered as well.

7. Has a preliminary plat been submitted to the Plan Commission?

The Village has extraterritorial jurisdiction over this area of the Town of Ledgeview and has not received a plat to provide comments on previously.

8. What is the nature of the land use adjacent to this territory in the Village?

Currently the land located within the Village of Bellevue directly adjacent to the proposed annexation area is vacant but is zoned B-3 – Intensive Business District and is consistent with the recommendations of the adopted Village of Bellevue Future Land Use Plan (FLUP) recommendations of Intensive Business. The B-3 - Intensive Business District is designed to accommodate large scale business and retail uses which provide merchandise and services and whose service areas are not confined to any one community. The general location may be nearer to other high intensive uses and districts, the uses may be more intensive than in the other business districts and thus, more motorists and customers may be attracted to these businesses.

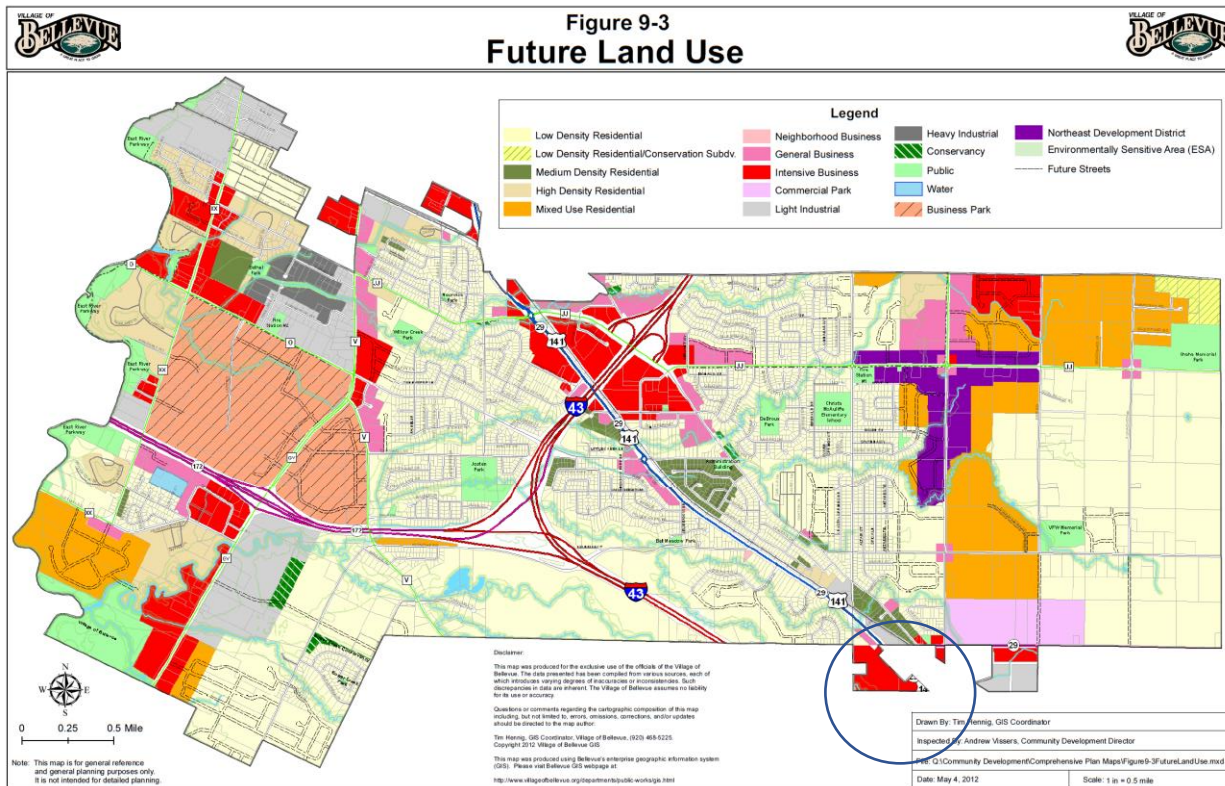


Figure 9-3 – Village of Bellevue Future Land Use Plan

The Village is actively working with the landowner and a developer to craft an overall development plan for Parcel B-D122 (approx. 4.69 acres) & B-D123 (approx. 28.68 acres) and would engage the landowner of the proposed annexation area to create a seamless cohesive development plan. Although the Village does have some municipal service agreements with the Town of Ledgeview, there is not a mutual development plan that has been agreed upon or initiated for this area regarding future development between the two municipalities. The parcels referenced above were a direct annexation from the Town of Ledgeview to the Village of Bellevue in 2007. We would envision internal roadway/utility connectivity between the two development projects with the major access point primarily geared towards Main Street (USH 141). There is limited land area that is developable adjacent to Glenmore Road as Parcel D-124 has a creek/drainageway that creates a small area of development. Most of the traffic would likely utilize access points through the Village of Bellevue development area.

In the Town: Undeveloped land except for a gas station/convenience store. Overall surrounding area in a wider perspective is a mixture of vacant property, established residential/commercial/industrial uses.

9. What are the basic service needs that precipitated the request for annexation?

See letter below submitted from the property owner regarding the proposed annexation.



J5B Development LLC • P.O. Box 12524 • Green Bay, WI 54307

June 26, 2020

Erich Schmidtke
Municipal Boundary Review - DOA
101 East Wilson Street
PO Box 1645, Madison, WI 53701

Subject - Annexation request into Bellevue, WI

Erich,

Regarding our petition to annex our property into Bellevue, I would like to give you some of reasons for the request.

Proximity - Our property butts up to Robert Vander Kelen's property on the east border which is in Bellevue. We would like to partner up with him in a development, and our annexation into Bellevue and working with Bellevue makes the most sense to us to get tax money revenue generated.

Sections D-124 and D-126 have the most potential for us to develop to bring dollars to the tax rolls.

The Town of Ledgeview is accurate in stating we have been trying to develop the property, but their ideas and ours did not align. We kept getting declined. They also wanted us to GIVE them property just to make a deal work.

Ledgeview's response to the first residential project we brought them was that it was not appealing enough to fit into their long-range plan. We hired a firm to design a plan to align with what the town wanted, and had the Windward Group do a feasibility study to understand what the market would bear in that area. The revenue gap for a possible investment was significant and unrealistic to pursue. This proved that their expensive designs for the area were just fine as long as someone else made a risky investment to achieve it. No assistance from the town was available. Our investment in the market study did not help to change the mind of the Town Board.

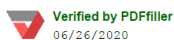
Fire and Safety Services - The Town of Ledgeview fire station is 4 miles away and provides volunteer-based fire protection. The Village of Bellevue is 3 miles away and is staffed 24x7. There is a plan to build approximately 200 apartments in this development. Having fire protection closer and staffed 24x7 will answer any safety concern for future tenants.

Dustin Wolff, Planner from the Town of Ledgeview is stuck on Big Box retail being located on our property. However, as these businesses are facing unprecedented challenges to even stay in business, this is proving to be an impractical direction.

It is our opinion that annexing with the Village of Bellevue will give us a lower tax rate, better services, and a new development direction from open minds.

Thank you for your consideration.

Bruce A Blohowiak



Bruce Blohowiak
Managing Member
920-562-1936
bruce@j5bdev.com

9. What are the basic service needs that precipitated the request for annexation? (continued)

Police services:

The Village of Bellevue contracts law enforcement services from the Brown County Sheriff's Office. Contracted services dedicated to the Village of Bellevue includes one 24-hour shift patrolled by five Brown County Sheriff's Deputies in rotating shifts, two full-time directed enforcement officers, and one full-time directed manpower shift. This results in 24-hour patrol plus 3 FTE law enforcement personnel dedicated to law enforcement within the Village of Bellevue municipal limits. The Village's main patrol station is located within the Village of Bellevue at the Public Safety Building/Village Hall in conjunction with the Fire Department.

The Town of Ledgeview is served by the Brown County Sheriff's Office general patrol division. Law enforcement services within the Town of Ledgeview is provided by one of six section cars. Each section car covers a region in the county across multiple municipalities.

Fire services:

Staffing: The Village of Bellevue Fire Department is a staffed 24 hours a day, 365 days per year with at least 3 fire personnel on staff at all time. Staff includes one Chief, nine full-time members, and 31 part-time members. Chapter 48-20 of the Municipal Code of Ordinances for the Town of Ledgeview establishes the Ledgeview Fire Department with volunteer membership.

Insurance Service Office (ISO): Bellevue is a class 2 ISO public protection classification (PPC) rating. The ISO PPC not only indicates exceptional fire protection service, but it also plays an important role in the underwriting process with insurance companies. A low ISO PPC rating means saved lives, property, and lower insurance rates for residents, businesses, and visitors to Bellevue.

Response time: The City of Green Bay completed a drive time analysis of coverage from Bellevue's Fire Station 1. This analysis shows that the property that is the subject of this annexation request has a drive time of 4-6 minutes from Bellevue Station 1. Because Bellevue Fire Station 1 is staffed 24/7, fire fighters from Bellevue would arrive on scene to this location faster than a volunteer fire department. See drive time analysis map below.

Emergency Medical Services (EMS):

Both the Village of Bellevue and the Town of Ledgeview is served by County Rescue for EMS services. This area would be served by County Rescue EMS regardless of annexation.

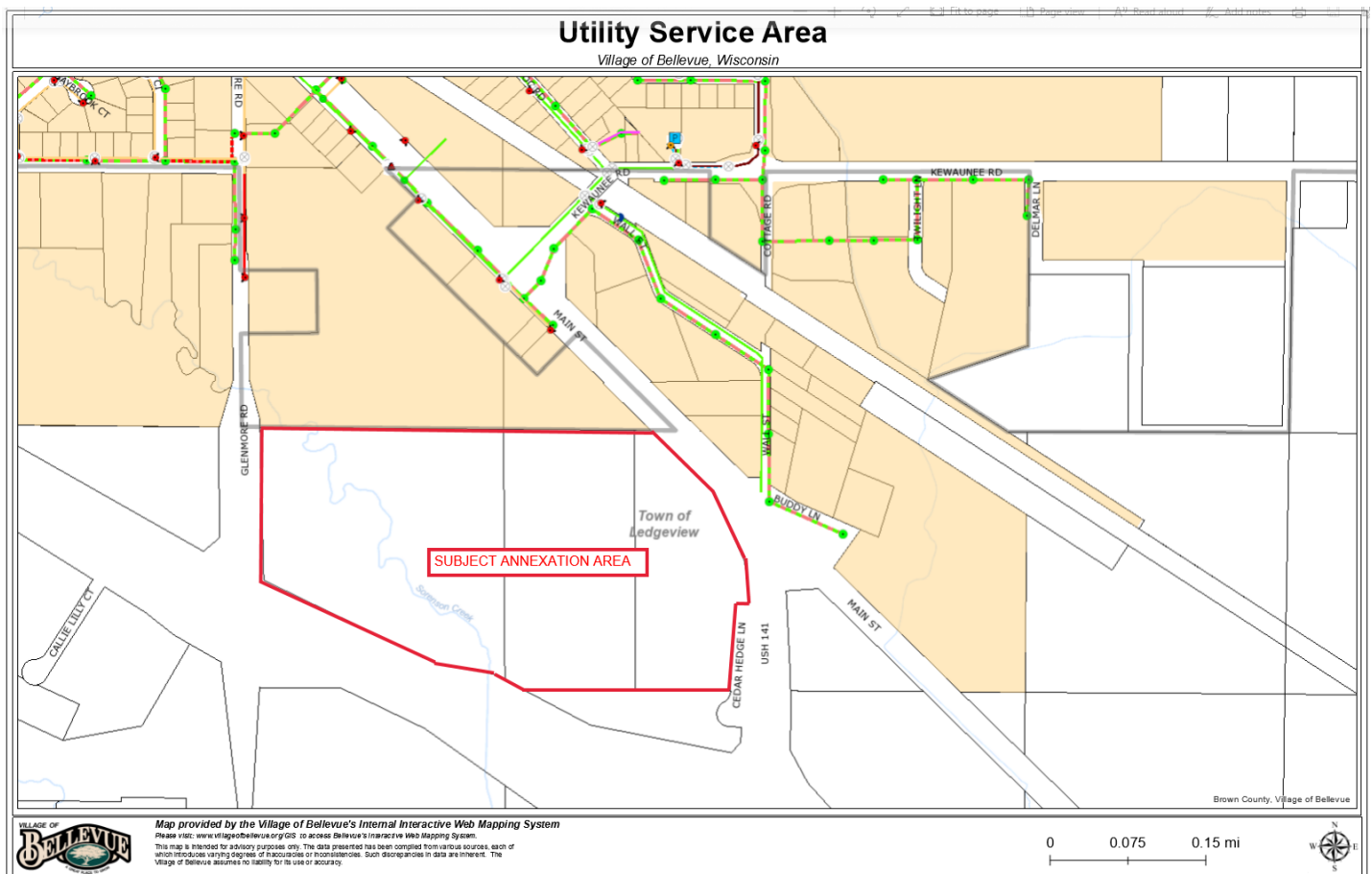
10. Is the city/village or town capable of providing needed utility services?

Water service is possible with an extension of a 10-inch watermain along Main St (USH 141) and/or an 8-inch watermain along Glenmore Rd. The watermain has been sized to handle development of this and surrounding areas in the northwest quadrant of the IH-43 and USH 141 interchange.

Sanitary service is possible with extensions of the 8-inch sanitary mains from USH 141 and Glenmore Rd. Different options have been studied. Gravity mains are possible with an easement through the undeveloped parcel to the north of the subject annexation area. It is believed that development of the annexation area and the neighboring parcels would occur around the same timeframe and an easement is attainable.

The far southwest portion of the annexation area is isolated due to the navigable streams and topography of the site. This area could still be served by sewer with a grinder pump and force main to the connection along Glenmore Rd. Estimated additional sanitary main installation costs is \$10,000. The sanitary system has sufficient capacity to handle development of the northwest quadrant of the IH-43 and USH 141 interchange.

The Village of Bellevue already serves many Ledgeview parcels in this general area with sewer and water. This includes approximately 37 parcels with an area of over 83.6 acres, not including public rights-of-way. There is no known plan to convert any of these properties to be serviced by Ledgeview. See map below.



Shaded properties indicate the existing Bellevue Sanitary District. The heavy gray lines show the municipal boundary, and the green line shows existing Bellevue sanitary infrastructure.

11. Planning & Zoning:

Do you have a Comprehensive Plan for the Villages? Yes

Is this annexation consistent with your Comp Plan? Yes

The Village of Bellevue borders two Towns (Ledgeview and Eaton) where annexations could occur. The Village has not included future possible annexation areas of other communities within our Comprehensive Plan as we have taken the approach that this action should be initiated by landowners or residents of those areas to follow the established procedure. The Village of Bellevue believes that the referenced future development would be consistent with the future land uses and development regulations that we have adopted adjacent to this area.

The Village has identified the near vicinity to the proposed annexation area within our Comprehensive Plan as target area number 9. Area Number 9 is the STH 29 Commercial Park Area is shown in the Village's future land use map as a commercial park. A commercial park in this area of the Village would take advantage of STH 29, future CTH EA, and the direct connection to I-43 that is planned to be built in the future. This area is also located immediately north of a portion of Ledgeview that is planned as a mixed-use business park, therefore, the land uses on both sides of the border will likely be compatible. The realignment and reconstruction of South Huron Road, which will then become a County Trunk Highway, is the likely catalyst for future development in this area. Discussions with the WDOT are ongoing to determine the final alignment of the future CTH EA.

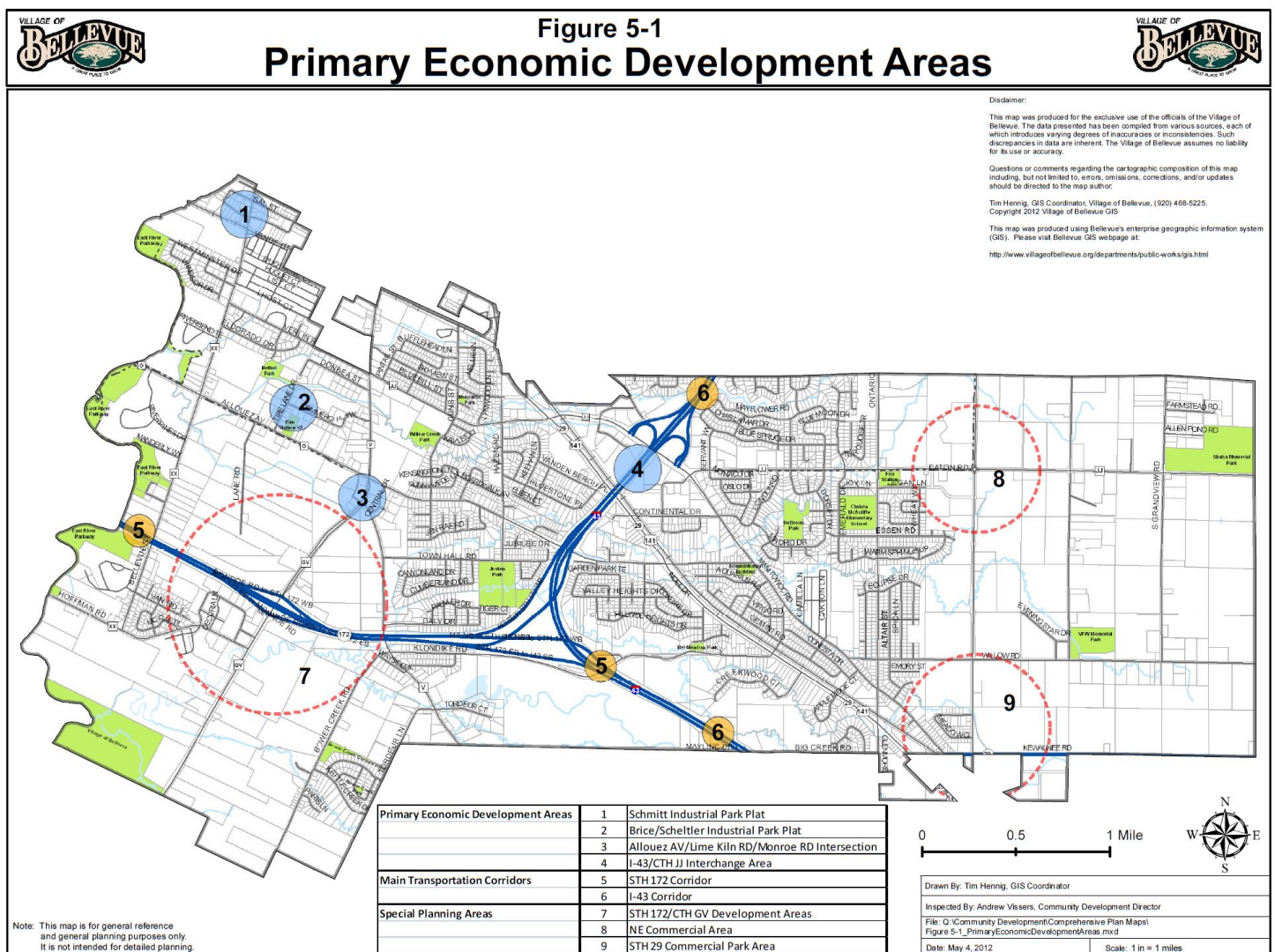
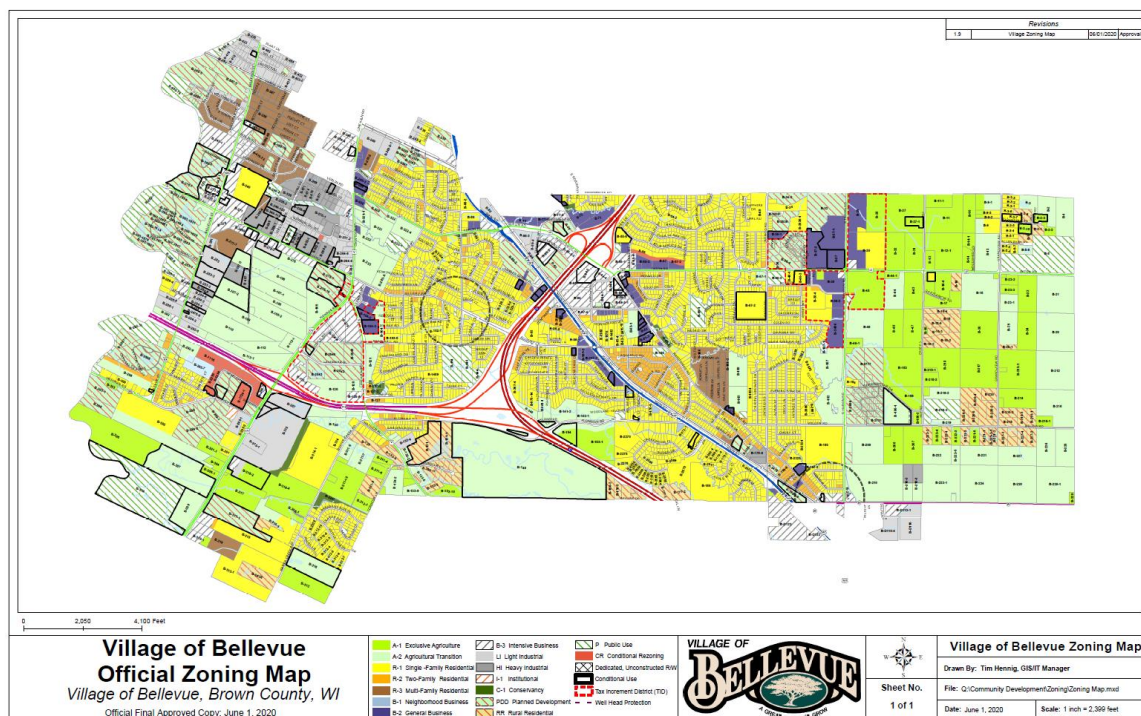


Figure 5-1 of the Village of Bellevue Comprehensive Plan; Village of Bellevue Economic Development Target Areas

11. Planning & Zoning (continued)

The Village, Brown County and the City of Green Bay have put considerable expense towards the urbanization of the Eastern Arterial (CTH EA/Huron Road) that will act as a bypass for Interstate 43 between State Highway 54/57 and I-43 at the MM Interchange (directly adjacent to the proposed annexation area). The most recent completed segment was finished in 2019 within the Village of Bellevue from approximately Willow Road to State Highway 29 where there is a roundabout, leaving the last segment between State Highway 29 and I-43 within the Town of Ledgeview to complete the corridor. The entire area (including the proposed annexation area) is primed for growth upon completion of that connection which in turn will be a regional benefit.

- a. **How is this annexation territory now zoned?** The most recent Town of Ledgeview Zoning map shows R-3 Multiple-Family (D-124) and PDD BP – Business Park (D-126 & D-126-1).
- b. **How will the land be zoned and used if annexed?** A mixed-use district including commercial/retail/light industrial and higher density residential. Based on the uniqueness of the likely development, the initial zoning would be B-3 – Intensive Business District and would need to be rezoned within a Planned Development District (PDD) as future plans are developed. The purpose of the Planned Development District and the regulations applicable to the same are to encourage and provide means for effecting desirable and quality development by permitting greater flexibility and design freedom than that permitted under the basic district regulations, and to accomplish a well-balanced, aesthetically satisfying Village and economically desirable development of building sites within a Planned Development District. These regulations are established to permit latitude in the development of the building site if such development is found to be in accordance with the purpose, spirit and intent of this chapter and is found not to be hazardous, harmful, offensive or otherwise adverse to the environment, property values or the character of the neighborhood or the health, safety and welfare of the community. It is intended to permit and encourage diversification, variation and imagination in the relationship of uses, structures, open spaces and heights of structures for developments conceived and implemented as comprehensive and cohesive unified projects. It is further intended to encourage more rational and economic development with relationship to public services, and to encourage and facilitate preservation of open space and other natural features, such as woodlands, floodplains and wetlands.



REAL PROPERTY LISTERS ANNEXATION REVIEW

1. Territory to be annexed: D-124, D-126 & D-126-1	From Town of: LEDGEVIEW	To City/Village of: BELLEVUE
------------------------------------------------------------------	-----------------------------------	----------------------------------------

2. Checklist: (Y) Yes; (N) No; (NA) Not applicable; (NC) Not checked

Location and Position

- Y (1) Location description by government lot, recorded private claim, ¼ - ¼ section, section, township, range and county
- Y (2) Contiguous with existing village/city boundaries
- N (3) Creates an island area in Township (completely surrounded by city)
- N (4) Creates an island area in City (completely surrounded by town)

Petition and Map Information

- Y (1) Identify owner(s) of annexed land
- Y (2) Identify parcel ID numbers included in annexation.
- NA (3) Identify parcel ID numbers being split by annexation
- Y (4) North arrow
- Y (5) Graphic Scale
- Y (6) Streets and Highways shown and identified
- N (7) Legend (NO MONUMENTS SHOWN ON MAP)
- Y (8) Total area/acreage of annexation

3. Other relevant information and comments:

- Overall boundary miscloses by 48.53 ft; error located near the vacated Old Cedar Ln on the westerly r/w line of CTH MM. Map incorrectly had extra angle point in r/w line
- Map distance shown (374.27 ft) does not match overall boundary distance used in description (374.7 ft) . Using map distance would increase overall misclosure to 48.94 ft. Description for D-126-1 does use map distance of 374.27 ft

Prepared by: TOM LESLIE
 Title: PROPERTY ANALYST
 Phone: 902-448-4495
 Date: 5-29-2020

Please **RETURN PROMPTLY** to:
 Municipal Boundary Review
 PO Box 1645
 Madison WI 53701
 (608) 264-6102 **FAX** (608) 264-6104
wimunicipalboundaryreview@wi.gov



June 15, 2020

Wisconsin Department of Administration
Municipal Boundary Review
ATTN: Erich Schmidtke
101 E. Wilson Street, 9th Floor
Madison, WI 53703

RE: J5B DEVELOPMENT ANNEXATION – ANNEXATION REVIEW QUESTIONNAIRE

Dear Mr. Schmidtke,

Included with this correspondence is the Annexation Review Questionnaire, along with supplementary information, that outlines several key reasons as to why the Town of Ledgeview requests the Department of Administration reject any notion that the J5B Development annexation is in the public interest and deny the petition for annexation.

The Town of Ledgeview is better suited to supply the territory with all governmental services – sanitary sewer, water supply, storm sewer, police/fire protection, EMS and zoning. In addition, the shape of the proposed annexation creates an extremely irregular border for the Town which will result in the increasingly inefficient means to continue to provide public services. You will note from the supplementary information, that the Town has taken great care to plan for the future development and infrastructure needs of the territory in question as well as all of the surrounding areas.

Upon your review of the enclosed materials, please feel free to contact me if you have any additional questions or if you need further supplementary information.

Again, the Town of Ledgeview is vehemently opposed to the J5B Development Annexation and ask that the Department declare that this petition is not in the public interest.

Sincerely,

A handwritten signature in blue ink, appearing to read "Sarah K. Burdette", is written over a faint, larger version of the same signature.

Sarah K. Burdette, Administrator
Town of Ledgeview

cc: Ledgeview Town Board
Ledgeview Sanitary District No. 2

Annexation Review Questionnaire

Wisconsin Department of Administration

WI Dept. of Administration
Municipal Boundary Review
PO Box 1645
Madison WI 53701
608-264-6102 Fax: 608-264-6104
wimunicipalboundaryreview@wi.gov
<http://doa.wi.gov/municipalboundaryreview>

Petitioner: **J5B Development LLC**

Petition Number: **14312**

1. Territory to be annexed: From **TOWN OF LEDGEVIEW** To **VILLAGE OF BELLEVUE**

2. Area (Acres): 63

3. Pick one: ☒ Property Tax Payments

OR ☐ Boundary Agreement

a. Annual town property tax on territory to be annexed:

\$ 2890.30

a. Title of boundary agreement _____

b. Year adopted _____

b. Total that will be paid to Town

(annual tax multiplied by 5 years): 14,451.50

c. Participating jurisdictions _____

c. Paid by: ☐ Petitioner ☐ City ☒ Village

☐ s.66.0307 ☐ s.66.0225 ☐ s.66.0301

☐ Other: _____

4. Resident Population: Electors: _____ Total: _____

5. Approximate **present land use** of territory:

Residential: _____% Recreational: _____% Commercial: _____% Industrial: _____%

Undeveloped: _____%

6. If territory is undeveloped, what is the **anticipated use**?

Residential: 8.7 % Recreational: 9.4 % Commercial: 52.9 % Industrial: — %

Other: 29% %

Comments: _____

7. Has a ☐ preliminary or ☐ final plat been submitted to the Plan Commission: ☐ Yes ☒ No

Plat Name: _____

8. What is the **nature of land use adjacent** to this territory in the city or village?

In the town?: _____

9. What are the **basic service needs** that precipitated the request for annexation?

☐ Sanitary sewer ☐ Water supply ☐ Storm sewers

☐ Police/Fire protection ☐ EMS ☐ Zoning

Other Unknown

10. Is the city/village or town capable of providing needed utility services?

City/Village ☐ Yes ☐ No Town ☒ Yes ☐ No

If yes, approximate timetable for providing service:

Sanitary Sewers immediately

or, write in number of years.

City/Village

☐

Town

☐

Water Supply immediately

or, write in number of years.

☐

☐

Will provision of sanitary sewers and/or water supply to the territory proposed for annexation require capital expenditures (i.e. treatment plant expansion, new lift stations, interceptor sewers, wells, water storage facilities)?

☐ Yes ☐ No

If yes, identify the nature of the anticipated improvements and their probable costs: _____

11. Planning & Zoning:

a. Do you have a comprehensive plan for the City/Village/Town?

☒ Yes ☐ No

Is this annexation consistent with your comprehensive plan?

☐ Yes ☒ No

b. How is the annexation territory now zoned? _____

c. How will the land be zoned and used if annexed? _____

12. Elections: ☐ New ward or ☒ Existing ward? Will the annexation create a new ward or join an existing ward? For more information, please contact the Wisconsin Election Commission at (608) 266-8005, elections@wi.gov or see their annexation checklist here: <http://elections.wi.gov/forms/el-100>

13. Other relevant information and comments bearing upon the public interest in the annexation:

Please see supplementary information that provides further response to sections of this questionnaire.

Prepared by: ☒ Town ☐ City ☐ Village

Name: Sarah H. Burdette

Email: sburdette@lodgeview.wisconsin.gov

Phone: 920-336-3360, x.108

Date: June 15, 2020

(March 2018)

Please **RETURN PROMPTLY** to:

wimunicipalboundaryreview@wi.gov

Municipal Boundary Review

PO Box 1645, Madison WI 53701

Fax: (608) 264-6104

**J5B Development Annexation
Parcels D-124, D-126, and D-126-1
WDOA Annexation Review Questionnaire
Supplementary Information**

5. Approximate present land use of territory:

Residential: 0.0% Recreational: 0% Commercial: 0% Industrial: 0% Undeveloped: 100.0%

Parcel No.	Acres	Residential	Recreational	Commercial	Industrial	Undeveloped
D-124	29.6	-	-	-	-	29.6
D-126	20.0	-	-	-	-	20.0
D-126-1	13.4	-	-	-	-	13.4
TOTALS	63.0	-	-	-	-	63.0

6. If territory is undeveloped, what is the anticipated use?

Parcel No.	Acres	Residential	Recreational	Commercial	Industrial	Undeveloped
D-124	29.6	5.5	4.9	3.5	-	15.7
D-126	20.0	-	1.0	16.4	-	2.6
D-126-1	13.4	-	-	13.4	-	-
TOTALS	63.0	5.5	5.9	33.3	-	18.3

Residential: 8.7% Recreational: 9.4% Commercial: 52.9% Industrial: 0.0% Undeveloped: 29.0%

Comments:

If no annexation occurs, it is expected that long-term, the territory will develop as a mixed-use commercial area due to the adjacency to I-43 and US 141. The Town has carefully planned for a mixture of predominantly commercial development of varying scales combined with higher density residential housing. Parks and undeveloped environmental areas also intended along the unnamed creek running the parcels.

If annexed into the Village of Bellevue, the future use is unknown. The Village of Bellevue has not planned for growth into the Town of Ledgeview according to their adopted long-range plans. As such, it is difficult to anticipate how the Village might zone the properties.

Figure 1 illustrates the proposed annexation area in relation to surrounding properties. The abutting land in Bellevue is an undeveloped parcel that is currently farmed.

In the Town of Ledgeview, the lands to the east of the proposed annexation is highway serving commercial. A large agricultural parcel is also adjacent to the proposed annexation area. Much of the lands the northwest of the annexation area—along US 141—are a mix of residential and light industrial development.



2

10. Is the city/village or town capable of providing needed utility services?

The Ledgeview Sanitary District No. 2 completed a master sanitary sewer plan in 1999 (updated in 2013) to provide gravity service along the US 141 corridor (east edge of the proposed lands to be annexed) and Glenmore Road (west edge of the proposed lands to be annexed) to the north of I-43. No expenditures are necessary to serve parcels D-124, D-126, and the east half of D-126-1. A 400-foot extension of sewer and water under I-43 would be needed to serve the west half of parcel half of D-126-1. The expected cost would be \$80,000.

In order for the Village of Bellevue to service parcels D-216, D-126-1 and the east part of D-124 the Village would need to extend sewer and water from the intersection of Main Street (US 141) and Kewaunee Road (STH 29). This would require a sanitary lift station to serve this area.

The west part of parcel D-124 would require the Village of Bellevue to install a lift station for sanitary sewer back to the intersection of Big Creek Road and Glenmore Road. They would also extend water main from this intersection, a distance of about 1,500 feet.

Ledgeview has the capacity and facilities already installed to service this area. The Town has ensured the area is efficiently served by public infrastructure—sanitary sewer and water (See Figure 2)—in anticipation of commercial and industrial development at the interchange. The parcels are located within the Town's sewer service area, and the Town has extended public infrastructure to the areas of the properties to be annexed.

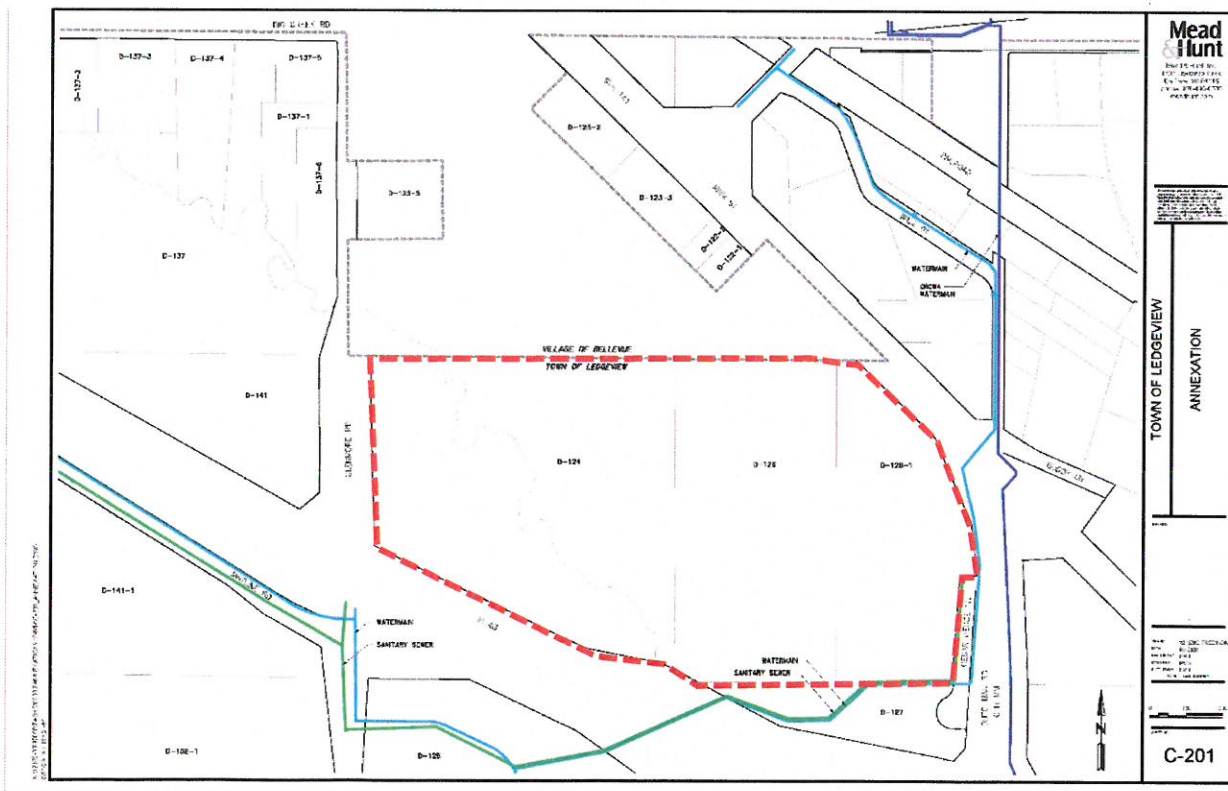


Figure 2: Town of Ledgeview Sanitary District No. 2 Service Area Detail Map. Sanitary sewer has been installed along Glenmore Road and County Road MM (US 141), adjacent to the proposed annexation area.

11. Planning:

a. Do you have a comprehensive plan for the City/Village/Town? Yes

Is this annexation consistent with your comprehensive plan? No

Describe:

Annexation of the parcels into Bellevue would be contrary to the planning efforts for this area that the Town has expended considerable resources on to date. Ledgeview and Bellevue have worked well together for several years, and the intergovernmental agreements that currently exist between the two communities are evidence of this cooperation. The two communities meet as needed to discuss issues of mutual interest and have worked together on utility and stormwater projects along and near the Town's eastern boundary.

Town of Ledgeview Planning Efforts

Town of Ledgeview has planned for the parcels in question to be a key commercial and industrial growth area along Interstate 43. To this end, the Town developed and adopted the "Town of Ledgeview Business Park Master Plan" in 2006. The business park is focused at the US 141 interchange with Interstate 43, the Town's only interstate interchange. The business park (see Figure 3) will be a well-designed mixture of light industrial uses, corporate/support, a large-format retail site with outlots, and a pedestrian-scaled, mixed-use area. Preserved and enhanced natural areas – ravines, streams, a regional bike path, meandering trails, and a trailhead park – help to define a natural character for the business park. The lands in question lie at the heart of planned future commercial development on the interchange that the Town has expended considerable resources to serve with public sewer and water infrastructure.

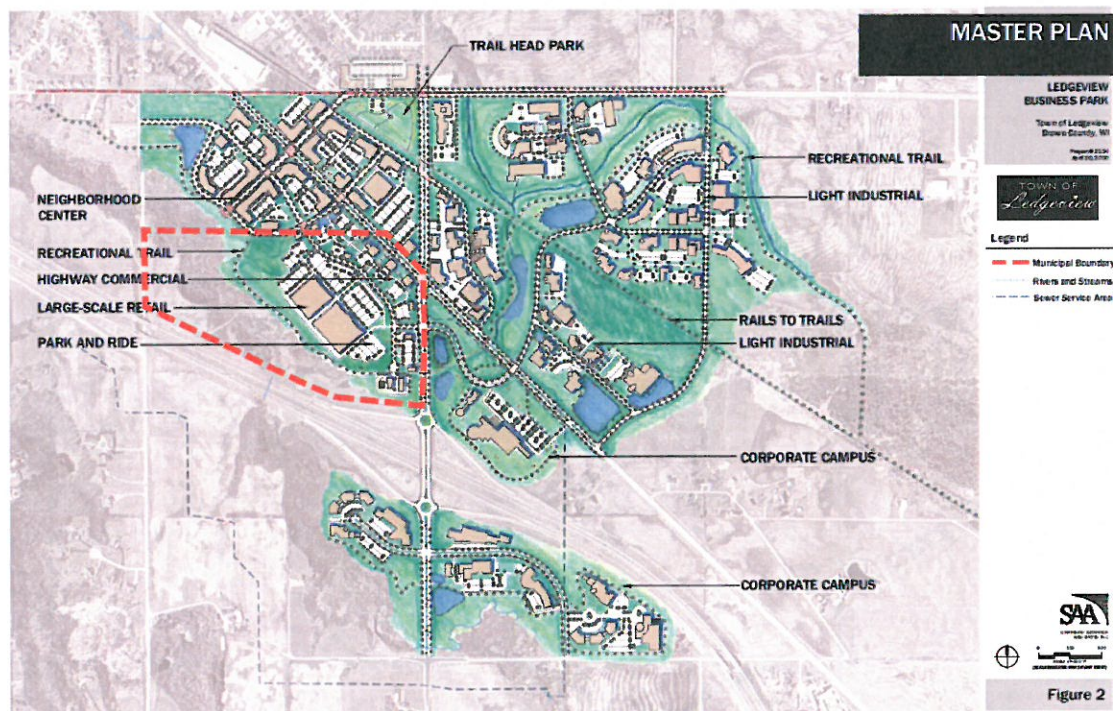


Figure 3: Layout plan from the 2006 Ledgeview Business Park Master Plan. Proposed lands for annexation are outlined by the red dashed line.

Adopted in 2015, the Town “Smart Growth” Comprehensive Plan has mapped the area for the “Planned Industrial/Business Park” future land use (See Figure 4). This land use designation is planned in expansion areas for the industrial/business parks along Interstate 43. It includes high-quality indoor manufacturing, warehousing, distribution, office, and support (e.g., day care, bank) uses with generous landscaping, screened storage areas, modest lighting, and limited signage. New development and major expansions should comply with the design standards included in the Ledgeview Business Park Master Plan.

Future development of the proposed annexation area would predominantly access Glenmore Road and Cedar Hedge Lane, which would require a full reconstruction to handle the expected traffic. This would result in the Town being responsible for the entirety of the improvement costs for the roadways that would serve a development in the Village of Bellevue, and not provide any revenue or assistance to the Town. Removal of the lands from the Town would have significant financial implications to the Town’s ability to provide necessary infrastructure to serve the area.

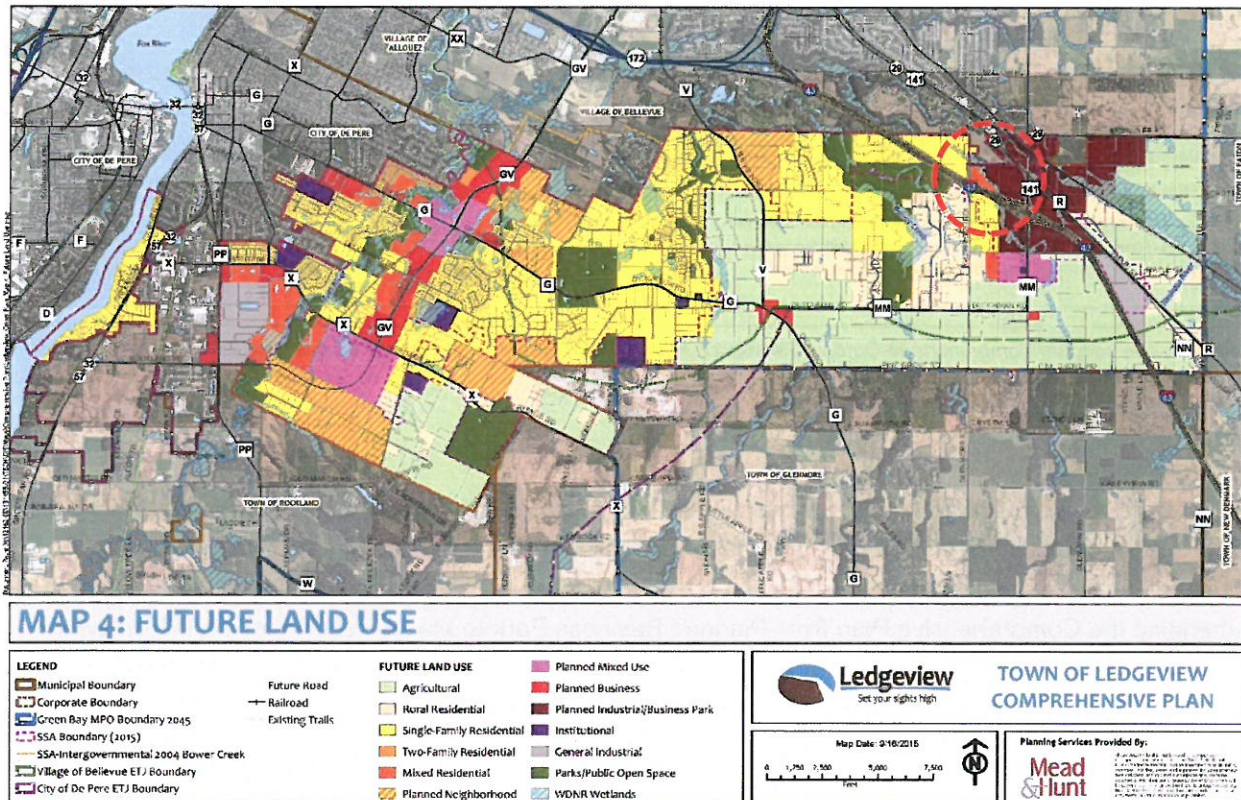


Figure 4: Town of Ledgeview 2015 Future Land Use Map. General Annexation Area planned for future Planned Industrial/Business Park within the Town of Ledgeview along the Interstate 43 and US 141 corridors.

To complement the 2015 Comprehensive Plan update, in 2019 the Town also adopted a Park & Recreation Plan (See Figure 5). The Park & Recreation Plan specifically recommends a future neighborhood park (N3) on the proposed annexation lands, and extension of a bicycle and pedestrian trail through the properties to connect Glenmore Road to US 141. Annexation of this territory would result in

the absence of service for future park and recreation needs within the Town as the development of park land in that area would be stifled.

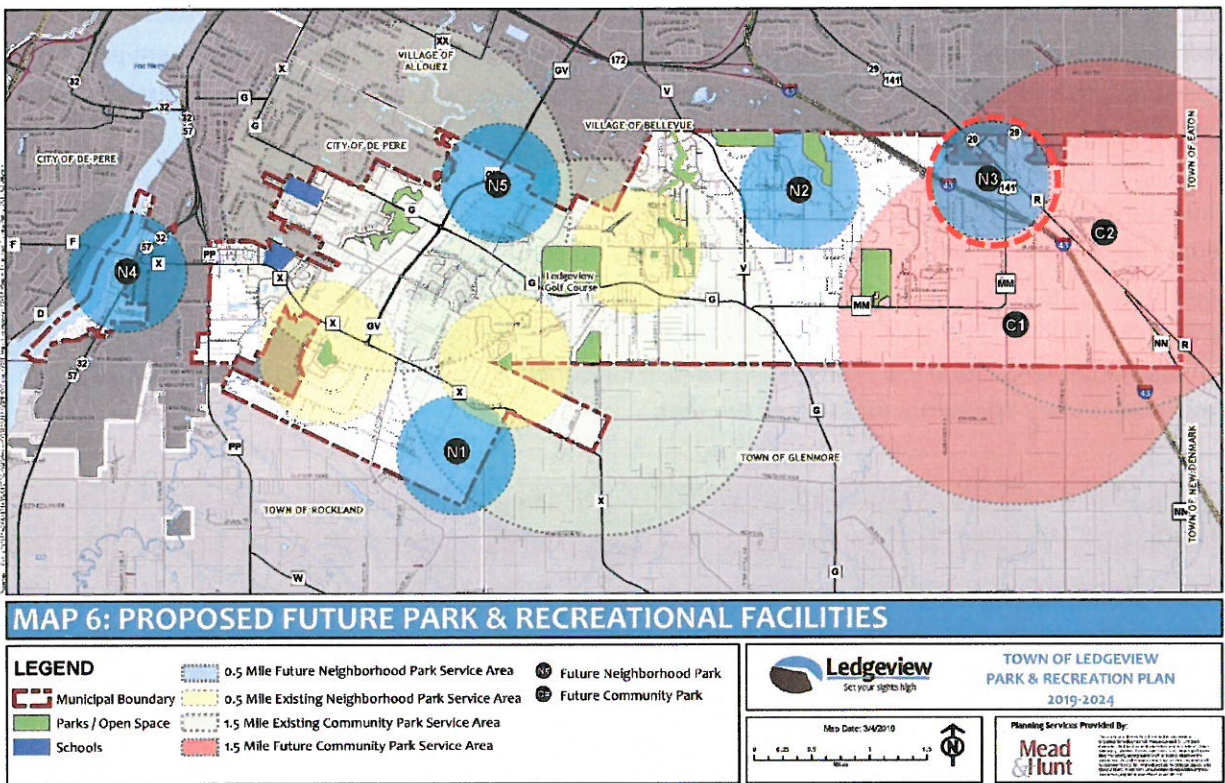


Figure 5: The adopted Comprehensive Outdoor Recreation Plan for the Town of Ledgeview illustrates a future neighborhood park (N3) on the lands of the proposed annexation.

Town Cooperation with the Property Owner

As far back as 2015 – 2016, the Town has worked with the property owner on the development of Parcel D-124. The Town approved a rezoning of the property from the A-2, Agriculture District to the R-3, Multiple Family District, to accommodate two (2), 24-unit three-story apartment buildings. This included amending the Comprehensive Plan from Planned Business Park to Mixed Residential (Multi-Family) to align with the R-3 zoning district. A two-lot certified survey map was also approved by the Town to enable the property owner the separate the multi-family lands from the lands expected to development as commercial.

The property owner spent considerable time and resources to create a series of layouts and development concepts for the site. The Town worked diligently with the property owner to enable the development of the land in accordance with existing adopted plans. See Figure 6.



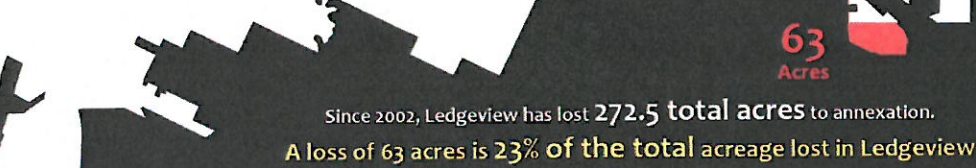
Figure 6: Rendering of the concept apartment development that was approved by the Town in 2016 for the proposed annexation property. The development was 48 units in two (2) three-story buildings.

Village of Bellevue Planning Efforts

The Village of Bellevue Comprehensive Plan was adopted in October 2012 and included a multi-jurisdictional planning effort with Brown County, the City of Green Bay, the Village of Allouez, and the Towns of Ledgeview and Eaton. The stated intent of the multi-jurisdictional effort was, “to promote coordinated and consistent planning across governmental boundaries and through governmental layers.”

The 2012 – 2032 Village of Bellevue Comprehensive Plan does not plan for the parcels in question to be a part of the Village (See Figure 7). The City Plan indicates that their 10- to 20-year growth is south into the Town of Rockland and does not include any lands currently in the Town of Ledgeview.

The Village’s Plan specifically states, “Bellevue has several cooperative arrangements with Ledgeview that include snow plowing, road maintenance (both in areas along or near its boundary), a sewer and water agreement, and equipment sharing. There are also opportunities to discuss methods of developing compatibly along and near their border (particularly near the I-43/CTH MM interchange and along the CTH GV corridor). Bellevue and Ledgeview should continue to discuss issues that could arise and should consider developing additional agreements in the future...” The Plan further states a primary objective is to “Work with the surrounding communities to resolve boundary issues, coordinate municipal services, and address other issues of mutual concern.”

[illegible]A map of Ledgeview, Texas, with a large black silhouette representing the area lost to annexation. The silhouette is irregular and covers a significant portion of the map. In the top right corner of the map, there is a red circle with the number '63' inside it, and the word 'Acres' written below it.

63
Acres

Since 2002, Ledgeview has lost **272.5 total acres** to annexation.
A loss of 63 acres is **23% of the total acreage** lost in Ledgeview
in the past 18 years.

11.

c. How is the annexation territory now zoned?

R-3, Multi-Family Residential and PDD-BP, Planned Development District—Business Park. The lands are currently an active family farm. Permitted uses include agriculture, forestry, general farming and livestock raising, single-family dwellings, and various utilities. More information can be found in the Town of Ledgeview Ordinance, Chapter 135: Zoning, Article XXVIII: PDD-BP, Planned Development District—Business Park. <https://www.ecode360.com/8437971>

d. How will the land be zoned and used if annexed?

The Town has Village powers, and accordingly, full zoning authority. Should the properties remain in the Town they will be zoned for multi-family residential and business park consistent with the planned land use to enable development.

Future zoning of the parcels if annexed into the Village of Bellevue is unknown. Again, the Village of Bellevue has not planned for growth into the Town of Ledgeview according to their adopted long-range plans. As such, it is difficult to anticipate how the Village might zone the properties.

12. Other relevant information

Elections: See attached Annexation Checklist/Information Document

WISCONSIN ELECTIONS COMMISSION

212 EAST WASHINGTON AVENUE, 3RD FLOOR
POST OFFICE BOX 7984
MADISON, WI 53707-7984
(608) 261-2028
ELECTIONS@WI.GOV
ELECTIONS.WI.GOV



COMMISSIONERS

DEAN KNUDSON, CHAIR
BEVERLY R. GILL
JULIE M. GLANCEY
ANN S. JACOBS
JODI JENSEN
MARK L. THOMSEN

INTERIM ADMINISTRATOR MEAGAN WOLFE

Annexation Checklist/ Information

The Wisconsin Elections Commission (WEC) must be advised of any new annexations. Please use the checklist on the first page to guide you through this process and the second page should be sent to WEC along with the annexation ordinance. Annexations must be represented within WisVote regardless of whether there are registered voters in the area to be annexed. Ward boundary updates are generally done through County Land Information Office (LIO). Please see the Election Administration Manual "Wards, Reporting Units and Annexations" Chapter for more information.

The clerk of the annexing municipality shall:

- ☐ **Step 1:** Notify the County Clerk & Wisconsin Elections Commission of annexation. (State Law also requires the annexation to be filed with the County Register of Deeds and the Wisconsin Department of Administration.)
- ☐ **Step 2:** Send completed EL-100 Form & copy of signed ordinance authorizing the annexation to the Wisconsin Elections Commission.
 - Annexed territory may be added to an existing ward **only** if the territory is comprised of the same Assembly, Congressional and County Supervisory district boundaries and contiguous to that ward, unless it is an island territory as defined in Wis. Stat. § 5.15(2)(f)3. If any of these districts are different and/or not contiguous to an existing ward, a new ward must be created. *(Note - Some counties have ordinances that relate to updating County Supervisory boundaries due to annexations, so check with the county if special rules apply)*
 - Area of annexation must be accounted for within WisVote regardless of population
- ☐ **Step 3:** Obtain the applicable original EL-131 forms and any valid absentee ballot applications from the clerk of the municipality losing territory.

The clerk of the municipality losing territory shall:

- ☐ **Step 1:** Retain photocopies of the EL-131 forms.
 - Mark the EL-131 forms for final disposition four years from the effective date of the annexation and Absentee Ballot Applications. Each photocopied EL-131 and Absentee Ballot Application is marked "transferred."
- ☐ **Step 2:** Retain photocopies of the Absentee Ballot Applications.
 - Mark the Absentee Ballot Applications for final disposition per the Destructions of Materials chart or Wis. Stat. § 7.23(1)(f), (k), using the date of the last election to which the application applied.

If the municipality has adopted a longer retention period than those specified in Wis. Stats. Sec. 7.23, the absentee ballot applications are marked for final disposition consistent with such other specified retention policy.

No registered
voters

Annexation

Ward & Voter Information

The information below is to be completed by the annexing municipality and sent to the Wisconsin Elections Commission with a copy of the signed ordinance authorizing the annexation.

Effective Date _____ County Brown

Municipality Annexed From Town of Ledgerwood Municipality Annexed To Village of Bellevue

Clerk of Gaining Municipality or other Contact Person Karen Simons

New Ward Created? Yes ☐ No ☐* **Ward #** _____

Annexed territory may be added to an existing ward **only if the territory is comprised of the same Congressional, Assembly and County Supervisory district boundaries **and** contiguous to that ward, unless it is an island territory as defined in Wis. Stat. § 5.15(2)(f)3. If any of these districts are different and/or the annexed territory is not contiguous to the existing ward, a new ward must be created.*

Annexed Territory Comprised of:

Congressional District Number 3

State Senate District Number 30

Assembly District Number 88

Court of Appeals District Number 3

Multi-Jurisdictional Judge yes Delere / Ledgview

County Supervisory District 16

Aldermanic District N/A

School District (Code) GBPS

Sanitary District N/A

Technical College N.WTC

Impacted Voter Information

[illegible]



Surface Water Data Viewer Map



Legend

- Township
- Section
- Quarter-Quarter
- County Boundary
- Cities, Towns & Villages
 - City
 - Village
 - Civil Town
- Municipality
- State Boundaries
- County Boundaries
- Major Roads
 - Interstate Highway
 - State Highway
 - US Highway
- County and Local Roads
 - County HWY
 - Local Road
- Railroads
- Tribal Lands
- Rivers and Streams
- Intermittent Streams
- Lakes and Open water

0.3 0 0.13 0.3 Miles

NAD_1983_HARN_Wisconsin_TM

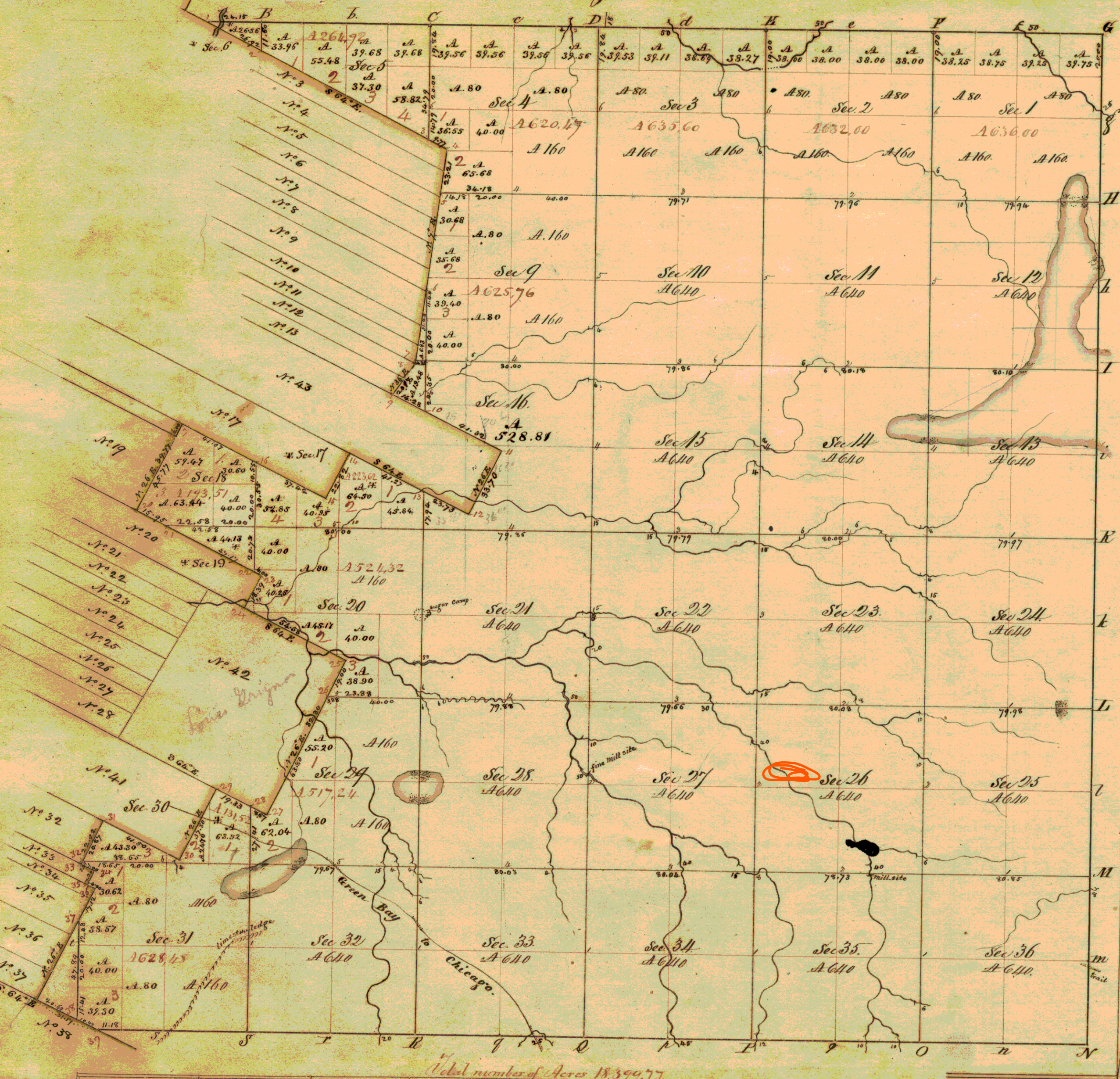
1: 7,920

DISCLAIMER: The information shown on these maps has been obtained from various sources, and are of varying age, reliability and resolution. These maps are not intended to be used for navigation, nor are these maps an authoritative source of information about legal land ownership or public access. No warranty, expressed or implied, is made regarding accuracy, applicability for a particular use, completeness, or legality of the information depicted on this map. For more information, see the DNR Legal Notices web page: <http://dnr.wi.gov/legal/>

Notes

Township No XXIII Range No XXI E. 4th Mer. (Wis. Ter.)

26-14



Total number of Acres 18,399.77

Survey Designated	By Whom Surveyed	Date of contract	Am't. of Survey	When Surveyed	When Surveyed in
Subdivision	A. G. Ellis	17 th March 1834	57.46.45	3 rd of 1834	1 st of 1835
Town Lines	Mullet & Brent	9 th July 1833	17.67.81	1 st of 1834	3 rd of 1834

The above Map of Township No XXIII North of Range No XXI E. of the 4th Principal Meridian (N.W.S.) is strictly conformable to the field notes of the survey thereof on file in this Office, which have been examined and approved.

Surveyor General's Office,
Cincinnati, Mar. 30. 1855

A. T. Williams
Surr. Gen.



TONY EVERS

GOVERNOR

JOEL BRENNAN

SECRETARY

Municipal Boundary Review

PO Box 1645, Madison WI 53701

Voice (608) 264-6102 Fax (608) 264-6104

Email: wimunicipalboundaryreview@wi.gov

Web: <http://doa.wi.gov/municipalboundaryreview>

July 10, 2020

PETITION FILE NO. 14320

KAREN SIMONS, CLERK
VILLAGE OF BELLEVUE
2828 ALLOUEZ AVE
GREEN BAY, WI 54311-6644

CHARLOTTE NAGEL, CLERK
TOWN OF LEDGEVIEW
3700 DICKINSON RD
DE PERE, WI 54115-8797

Subject: J5B DEVELOPMENT LLC ANNEXATION

The proposed annexation submitted to our office on June 19, 2020, has been reviewed and found to be against the public interest.

In determining whether an annexation is in the public interest, s. 66.0217 (6), Wis. Stats. requires the Department to examine the shape of the proposed annexation and the homogeneity of the territory with the annexing village, and also whether governmental services to the proposed annexation could clearly be better supplied by the town.

In this case, the shape of the proposed annexation territory is regular and connection to the Village exists along the territory's northern boundary. The landowners' intention for the territory is high intensity land uses such as commercial, industrial, office park, or mixed-use residential. Because both Ledgeview and Bellevue also intend these same land uses, homogeneity of the territory is found equally with the Town and Village. However, as described below, the Department finds that Ledgeview can better provide services to the annexation territory, in particular sanitary sewer service.

Lands adjacent to the annexation territory are largely undeveloped farmland, in both the Town and Village. Because of the annexation territory's location along the State Highway 29, US Highway 141, and Interstate Highway 43 interchange, Ledgeview has planned extensively for this area via the *Town of Ledgeview Business Park Master Plan* (2006), *Town of Ledgeview Comprehensive Plan* (2015), *Town of Ledgeview Park & Recreation Plan* (2019), and *Ledgeview Sanitary District No. 2 Master Plan* (2013). Ledgeview states that it has already begun implementing these plans.

Bellevue's planning documents do not address the proposed annexation territory, nor recommend or anticipate its eventual inclusion as part of the Village. However, vacant lands in Bellevue which are immediately to the north of the proposed annexation territory are currently designated as 'Intensive Industrial' by Bellevue's *Future Land Use Map* in its comprehensive plan. Furthermore, Bellevue states that it will work with the landowner to develop both the annexation territory and the vacant territory already within Bellevue in a manner agreeable to the landowner, most likely as intensive commercial, industrial, business park uses, or higher density residential.

From the questionnaires submitted by the Village and Town, it appears that services such as police and fire protection, EMS service, and zoning are similar. However, regarding sewer and water service, which is

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necessary for the intensive nature of the anticipated land uses, it appears that Ledgeview is better able to provide service. Specifically, the annexation territory is located within Ledgeview's approved *Sewer Service Area*, and Ledgeview has already installed sanitary sewer infrastructure along the southern and eastern boundaries of the annexation territory. This means that Ledgeview can extend service immediately. Meanwhile, Bellevue would need to obtain an amendment to the approved sewer service area from Brown County before it can provide service. Because the proposed annexation is greater than 5-acres in size Brown County would consider it a "major" amendment to the *2040 Brown County Sewage Plan* and it would need to meet numerous criteria. Additionally, from the Village's submitted questionnaire it appears that the Village's existing sewer and water infrastructure is further away to the northeast, less proximate to the annexation territory than Ledgeview's existing infrastructure.

Because the Communities' shared boundary line intersects at the State Highway 29, US Highway 141, and Interstate Highway 43 interchange area, which is such a key area for future land use development, the Department recommends that the Town and Village cooperate to develop a boundary agreement under ss. 66.0307 or 66.0301, Wis. Stats. to coordinate how this interchange area will be developed, served, and governed, as well as the boundary lines between the Communities. Department staff is available to provide technical assistance in developing a boundary agreement, including information about the process for developing agreements, examples of agreements developed elsewhere in Wisconsin, and mediators who can assist the Communities in resolving disagreements. Ledgeview and Bellevue already cooperate on other issues and to date have developed at least six intergovernmental agreements that share services. Furthermore, both Communities' comprehensive plans recommend cooperation and development of a boundary agreement. Doing so could provide greater efficiency and predictability in how this interchange develops and less resources expended on potential litigation.

Should the Village choose to adopt an ordinance accepting this petition, the Department recommends several changes to the scale map and legal description. Specifically, the scale map should show the existing Village of Bellevue municipal boundary, which is required by s. 66.0217(1)(g), Wis. Stats. Furthermore, the legal description and scale map both share a 48.7' misclosure which should be corrected.

The Department reminds clerks of annexing municipalities of the requirements of s. 66.0217 (9)(a), Wis. Stats., which states:

"The clerk of a city or village which has annexed shall file immediately with the secretary of administration a certified copy of the ordinance, certificate and plat, and shall send one copy to each company that provides any utility service in the area that is annexed. The clerk shall record the ordinance with the register of deeds and file a signed copy of the ordinance with the clerk of any affected school district..."

State and federal aids based on population and equalized value may be significantly affected through failure to file with the Department of Administration. Please file a copy of your annexing ordinance, including a statement certifying the population of the annexed territory. **Please include your MBR number 14320 with your ordinance.** Ordinance filing checklist available at <http://mds.wi.gov/>, click on "Help on How to Submit Municipal Records". Email scanned copy of required materials (color scan maps with color) to mds@wi.gov or mail to: Wisconsin Department of Administration, Municipal Boundary Review, PO Box 1645, Madison WI 53701-1645.

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The petition file is available for viewing at: <http://mds.wi.gov>

Please call me at (608) 264-6102, should you have any questions concerning this annexation review.

Sincerely,

A handwritten signature in black ink, appearing to read "Erich Schmidtke", with a stylized flourish at the end.

Erich Schmidtke, Municipal Boundary Review

cc: petitioner