



PREPARED FOR THE PLAN COMMISSION

**Project Address:** 1-19 North Pinckney Street, 22 North Webster Street, and 120 East Washington Avenue (4<sup>th</sup> Aldermanic District – Ald. Verveer)

**Application Type:** Zoning Map Amendment, Conditional Use, and Demolition Permits

**Legistar File ID #** [61820](#) & [62137](#)

**Prepared By:** Colin Punt, Planning Division  
Report includes comments from other City agencies, as noted

**Reviewed By:** Kevin Firchow, Principal Planner

---

As noted in the Plan Commission staff report for this proposal, Block 101 currently contains an alley running through the block from East Washington Avenue toward East Mifflin Street. The applicant has engaged the City of Madison to vacate the southern two-thirds of the alley. The applicant has proposed a new enclosed loading dock and trash room at the northwest end of the site specifically to serve the adjacent properties that would otherwise lose access to the public alley. The City Engineering Division – Mapping Section has provided the following recommended condition of approval which is included in the original staff report:

33. The Developer shall petition for the discontinuance and vacation of a portion of the public alley that bisects Block 101 under 66.1003 (2). Provide a petition with the signatures of the adjacent owners of the alley as required by statute, legal description and sketch of the right of way to be vacated and all other required materials after first consulting with Engineering Mapping Staff. This information shall be provided for City Engineering Mapping staff for review and comment from City agencies prior to final submittal by the Applicant. It is strongly recommended all adjacent owners along the existing alley sign the petition. Any adopted discontinuance resolution effective date will be conditioned upon the conditions of approval for the project being satisfied to the satisfaction of the City Engineer. Applicant shall make contact with the utilities that are within the alley to coordinate any required release of rights from the utilities to allow the construction of the project.

The City Engineering Division – Mapping Section has also recommended conditions of approval related to a required CSM, which must include the vacated alleyway; loading dock and trash room agreements with adjacent properties necessitated by the vacation of the alley; and all proposed easements, encroachments, and acquisitions;

Planning staff advises that an additional condition is necessary to facilitate the rezoning alley right-of-way portion of the subject site. The proposed zoning for the alley portion of the property cannot formally be established until that right-of-way is vacated. As noted in the plans, the portion of the site containing the alleyway is clearly depicted as an integral part of the development. A resolution to vacate the right-of-way has not yet been introduced, though the applicant has begun discussions regarding a potential vacation with City staff. Accordingly, staff recommends that the proposed zoning ordinance contain a delayed effective date, so as not to take effect until the Common Council approves a resolution vacating the right-of-way. If the Common Council does not approve the vacation of the right-of-way, the zoning ordinance will not take effect, and the property will remain as currently zoned.

Staff recommend the following additional condition of approval:

**Planning Division** (Contact Colin Punt, 243-0455)

1. The Plan Commission recommends approval of a substitute ordinance which includes a delayed effective date for the proposed zoning map amendments. The intent of this condition is that if approved, the zoning ordinance shall not be effective until the Common Council approves the resolution vacating the right-of-way. If the Common Council does not approve the right-of-way vacation, the zoning ordinance shall not take effect, and the property will remain as currently zoned. The final language shall be drafted by the City Attorney's Office for inclusion in a substitute ordinance.