



Legislation Details (With Text)

File #: 09342 **Version:** 3 **Name:** Rezoning 9305-9347 Elderberry Road
Type: Ordinance **Status:** Passed
File created: 2/26/2008 **In control:** PLAN COMMISSION
On agenda: 5/20/2008 **Final action:** 5/20/2008
Enactment date: 6/7/2008 **Enactment #:** ORD-08-00056

Title: SECOND SUBSTITUTE - Creating Section 28.06(2)(a)3343. of the Madison General Ordinances rezoning property from Temp A Agriculture to R2T Single-Family Residence District and creating Section 28.06(2)(a)3344. of the Madison General Ordinances rezoning property from Temp A Agriculture to PUD(GDP) Planned Unit Development (General Development Plan) District. Proposed Use: Demolish 3 Houses and Plat 104 Residential Lots and 2 Outlots; 9th Aldermanic District: 9305-9347 Elderberry Road.

Sponsors: Common Council By Petition

Indexes:

Code sections:

Attachments: 1. 09342firstversion.pdf, 2. 09342SUB.pdf, 3. Maps&Plans.pdf, 4. Comments.pdf, 5. Hyperlink Plat File 09774, 6. Hyperlink UDC File 10055, 7. 09342 Notice of Public Hearing.pdf, 8. Approval Ltr 052108.pdf, 9. 09342 Registration Stmt.pdf

Date	Ver.	Action By	Action	Result
5/20/2008	3	COMMON COUNCIL	Adopt and Close the Public Hearing	Pass
5/5/2008	3	PLAN COMMISSION	RECOMMEND TO COUNCIL TO ADOPT - RECESSED PUBLIC HEARING	Pass
4/22/2008	2	COMMON COUNCIL	Re-refer for Recessed Public Hearing	Pass
4/7/2008	2	PLAN COMMISSION	RECOMMEND TO COUNCIL TO RE-REFER - PUBLIC HEARING	Pass
3/4/2008	1	COMMON COUNCIL	Refer For Public Hearing	
2/26/2008	1	Attorney's Office/Approval Group	Referred for Introduction	

Fiscal Note

No appropriation is required to approve this rezoning.

Title

SECOND SUBSTITUTE - Creating Section 28.06(2)(a)3343. of the Madison General Ordinances rezoning property from Temp A Agriculture to R2T Single-Family Residence District and creating Section 28.06(2)(a) 3344. of the Madison General Ordinances rezoning property from Temp A Agriculture to PUD(GDP) Planned Unit Development (General Development Plan) District. Proposed Use: Demolish 3 Houses and Plat 104 Residential Lots and 2 Outlots; 9th Aldermanic District: 9305-9347 Elderberry Road.

Body

DRAFTER'S ANALYSIS: 9305-9347 Elderberry Road.

The Common Council of the City of Madison do hereby ordain as follows:

1. Paragraph 3343. of Subdivision (a) of Subsection (2) of Section 28.06 of the Madison General Ordinances is hereby created to read as follows:

'28.06(2)(a)3343. The following described property is hereby omitted from the Temp A Temporary Agriculture

District and added to the R2T Single-Family Residence District:

Being a part of the NW 1/4 of the SE 1/4 and the NE 1/4 of the SW 1/4 of Section 21, T7N, R8E, City of Madison, Dane County, Wisconsin, described as follows:

Commencing at the east quarter corner of said Section 21; thence S89°42'40"W along the north line of the SE 1/4 of said Section 21, 2,570.26 feet to the center quarter corner of said Section 21; thence S89°42'50"W along the north line of the SW 1/4 of said Section 21, 32.53 feet; thence S01°14'47"W along the west line of Lot 1, Certified Survey Map, No. 3232 and the northerly extension thereof, 411.83 feet to the southwest corner of said Lot 1 and the point of beginning; thence N01°14'47"E along the west line of said Lot 1, 58.84 feet; thence N89°42'40"E, 120.56 feet; thence Southeasterly along a 15.00 foot radius curve to the right having a central angle of 91°54'20" and whose long chord bears S44°20'10"E, 21.56 feet; thence S01°37'00"W, 207.83 feet; thence S00°05'50"E, 216.72 feet; thence S89°46'30"W, 116.48 feet to a point in the west line of the SE 1/4 of said Section 21; thence N01°55'07"E along the west line of the SE 1/4 of said Section 21, 380.53 feet to a point in the south line of Lot 1, Certified Survey Map, No. 3232; thence N88°45'47"W along the south line of said Lot 1, 27.67 feet to the point of beginning. This parcel contains 50,185 square feet, (1.15 acres), more or less.

Along with lands commencing at the east quarter corner of said Section 21; thence S89°42'40"W along the north line of the SE 1/4 of said Section 21, 1,285.13 feet to the northeast corner of the NW 1/4 of the SE 1/4 of said Section 21; thence S01°23'29"W along the east line of the NW 1/4 of the SE 1/4 of said Section 21, 40.01 feet to the point of beginning; thence continuing S01°23'29"W along the east line of the NW 1/4 of the SE 1/4 of said Section 21, 895.03 feet; thence S89°47'24"W, 381.08 feet; thence N115.00 feet; thence S89°47'24"W, 90.00 feet; thence N233.03 feet; thence N01°37'00"E, 118.17 feet; thence N89°42'40"E, 90.04 feet; thence N01°37'00"E, 115.06 feet; thence N89°42'40"E, 388.58 feet to a point in the east line of the NW 1/4 of the SE 1/4 of said Section 21; thence N01°23'29"E along the east line of the NW 1/4 of the SE 1/4 of said Section 21, 60.03 feet; thence S89°42'40"W, 388.34 feet; thence N01°37'00"E, 253.00 feet; thence S89°42'40"W, 240.08 feet; thence S01°37'00"W, 253.00 feet; thence S89°42'40"W, 402.00 feet; thence N01°37'00"E, 253.00 feet; thence N89°42'40"East, 1,029.43 feet to the point of beginning. This parcel contains 456,273 square feet, (10.47 acres), more or less.

Along with lands commencing at the east quarter corner of said Section 21; thence S89°42'40"W along the north line of the SE 1/4 of said Section 21, 2,570.26 feet to the center quarter corner of said Section 21; thence S89°42'50"W along the north line of the SW 1/4 of said Section 21, 32.53 feet; thence S01°14'47"W along the west line of Lot 1, Certified Survey Map, No. 3232 and the northerly extension thereof, 352.99 feet; thence N89°42'40"E, 210.61 feet to the point of beginning; thence continuing N 89°42'40"E, 551.98 feet; thence southeasterly along a 15.00 foot radius curve to the right having a central angle of 91°54'20" and whose long chord bears S44°20'10"E, 21.56 feet; thence S01°37'00"W, 214.75 feet; thence S00°01'27"W, 121.58 feet; thence S214.39 feet; thence southwesterly along a 15.00 foot radius curve to the right having a central angle of 89°47'24" and whose long chord bears S44°53'42"W, 21.17 feet; thence S89°47'24"W, 545.60 feet; thence Northwesterly along a 15.00 foot radius curve to the right having a central angle of 87°10'12" and whose long chord bears N46°37'30"W, 20.68 feet; thence N03°02'24"W, 96.45 feet; thence N89°45'00"E, 132.42 feet; thence Southeasterly along a 377.00 foot radius curve to the right having a central angle of 06°59'56" and whose long chord bears S86°45'02"E, 46.02 feet; thence Northeasterly along a 905.00 foot radius curve to the left having a central angle of 13°59'52" and whose long chord bears N89°45'00"E, 220.55 feet; thence Northeasterly along a 377.00 foot radius curve to the right having a central angle of 06°59'56" and whose long chord bears N86°15'02"E, 46.02 feet; thence N89°45'00"E, 135.85 feet; thence North 23.00 feet; thence S89°45'00"W, 135.95 feet; thence Southwesterly along a 400.00 foot radius curve to the left having a central angle of 06°59'56" and whose long chord bears S86°15'02"W, 48.83 feet; thence Southwesterly along a 882.00 foot radius curve to the right having a central angle of 13°59'52" and whose long chord bears S89°45'00"W, 214.94 feet; thence Northwesterly along a 400.00 foot radius curve to the left having a central angle of 06°59'56" and whose long chord bears N86°45'02"W, 48.83 feet; thence S89°45'00"W, 133.03 feet; thence N00°05'50"W, 95.69 feet; thence Northeasterly along a 15.00 foot radius curve to the right having a central

angle of 89°52'20" and whose long chord bears N44°50'20"E, 21.19 feet; thence N89°46'30"E, 47.63 feet; thence Southeasterly along a 500.00 foot radius curve to the right having a central angle of 10°09'16" and whose long chord bears S85°08'52"E, 88.50 feet; thence Northeasterly along a 782.00 foot radius curve to the left having a central angle of 20°18'32" and whose long chord bears N89°46'30"E, 275.74 feet; thence Northeasterly along a 500.00 foot radius curve to the right having a central angle of 10°09'16" and whose long chord bears N84°41'52"E, 88.50 feet; thence N89°46'30"E, 51.90 feet; thence Southeasterly along a 15.00 foot radius curve to the right having a central angle of 90°13'30" and whose long chord bears S45°06'45"E, 21.25 feet; thence N00°01'27"E, 121.58 feet; thence Southwesterly along a 15.00 foot radius curve to the right having a central angle of 88°09'30" and whose long chord bears S45°41'45"W, 20.87 feet; thence S89°46'30"W, 52.83 feet; thence Northwesterly along a 500.00 foot radius curve to the right having a central angle of 10°07'47" and whose long chord bears N85°09'36.5"W, 88.28 feet; thence Southwesterly along a 782.00 foot radius curve to the left having a central angle of 20°15'34" and whose long chord bears S89°46'30"W, 275.07 feet; thence Southwesterly along a 500.00 foot radius curve to the right having a central angle of 10°07'47" and whose long chord bears S84°42'36.5"W, 88.28 feet; thence S89°46'30"W, 48.18 feet; thence Northwesterly along a 15.00 foot radius curve to the right having a central angle of 91°50'30" and whose long chord bears N44°18'15"W, 21.55 feet; thence N01°37'00"E, 95.24 feet; thence N89°43'40"E, 132.56 feet; thence Northeasterly along a 400.00 foot radius curve to the left having a central angle of 06°49'23" and whose long chord bears N86°18'58.5"E, 47.61 feet; thence Northeasterly along a 882.00 foot radius curve to the right having a central angle of 13°38'46" and whose long chord bears N89°43'40"E, 209.57 feet; thence Southeasterly along a 400.00 foot radius curve to the left having a central angle of 06°49'23" and whose long chord bears S86°51'38.5"E, 47.61 feet; thence N89°43'40"E, 144.82 feet; thence N01°37'00"E, 23.01 feet; thence S89°43'40"W, 145.58 feet; thence Northwesterly along a 377.00 foot radius curve to the right having a central angle of 06°49'23" and whose long chord bears N86°51'38.5"W, 44.87 feet; thence Southwesterly along a 905.00 foot radius curve to the left having a central angle of 13°38'46" and whose long chord bears S89°43'40"W, 215.03 feet; thence Southwesterly along a 377.00 foot radius curve to the right having a central angle of 06°49'23" and whose long chord bears S86°18'58.5"W, 44.87 feet; thence S89°43'40"W, 131.81 feet; thence N01°37'00"E, 95.88 feet; thence Northeasterly along a 15.00 foot radius curve to the right having a central angle of 88°05'40" and whose long chord bears N45°39'50"E, 20.86 feet; to the point of beginning. This parcel contains 246,967 square feet, (5.67 acres), more or less."

2. Paragraph 3344. of Subdivision (a) of Subsection (2) of Section 28.06 of the Madison General Ordinances is hereby created to read as follows:

'28.06(2)(a)3344. The following described property is hereby omitted from the Temp A Temporary Agriculture District and added to the PUD(GDP) Planned Unit Development (General Development Plan) District:

Being a part of the NW 1/4 of the SE 1/4 and the NE 1/4 of the SW 1/4 of Section 21, T7N, R8E, City of Madison, Dane County, Wisconsin, described as follows:

Commencing at the east quarter corner of said Section 21; thence S89°42'40"W along the north line of the SE 1/4 of said Section 21, 2,570.26 feet to the center quarter corner of said Section 21; thence S89°42'50"W along the north line of the SW 1/4 of said Section 21, 32.53 feet; thence S01°14'47"W, 40.01 feet to the point of beginning; thence N89°42'50"E, 33.60 feet; thence N89°42'40"E, 254.52 feet; thence S01°37'00"W, 253.00 feet; thence S89°42'40"W, 74.49 feet; thence Northwesterly along a 15.00 foot radius curve to the right having a central angle of 91°54'20" and whose long chord bears N44°20'10"W, 21.56 feet; thence N01°37'00"E, 213.31 feet; thence Northeasterly along a 25.00 foot radius curve to the right having a central angle of 88°05'40" and whose long chord bears N45°39'50"E, 34.76 feet; thence S89°42'40"W, 110.06 feet; thence Southeasterly along a 25.00 foot radius curve to the right having a central angle of 91°54'20" and whose long chord bears S44°20'10"E, 35.94 feet; thence S01°37'00"W, 212.65 feet; thence Southwesterly along a 15.00 foot radius curve to the right having a central angle of 88°05'40" and whose long chord bears S45°39'50"W, 20.86 feet; thence S89°42'40"W, 121.94 feet to a point in the west line of Lot 1, Certified Survey Map, No. 3232; thence N01°14'47"E along the west line of said Lot 1, 252.96 feet to the point of beginning. Containing 57,102 square feet, (1.31 acres), more or less.

Along with lands commencing at the east quarter corner of said Section 21; thence S89°42'40"W along the north line of the SE 1/4 of said Section 21, 1,285.13 feet to the northeast corner of the NW 1/4 of the SE 1/4 of said Section 21; thence S01°23'29"W along the east line of the NW 1/4 of the SE 1/4 of said Section 21, 40.01 feet; thence S89°42'40"W, 387.35 feet to the point of beginning; thence S01°37'00"W, 428.10 feet; thence S89°42'40"W, 90.04 feet; thence N01°37'00"E, 100.55 feet; thence Northeasterly along a 15.00 foot radius curve to the right having a central angle of 88°05'40" and whose long chord bears N45°39'50"E, 20.86 feet; thence N89°42'40"E, 75.54 feet; thence N01°37'00"E, 60.04 feet; thence S89°42'40"W, 74.55 feet; thence Northwesterly along a 15.00 foot radius curve to the right having a central angle of 91°54'20" and whose long chord bears N44°20'10"W, 21.56 feet; thence N01°37'00"E, 213.32 feet; thence Northeasterly along a 25.00 foot radius curve to the right having a central angle of 88°05'40" and whose long chord bears N45°39'50"E, 34.76 feet; thence S89°42'40"W, 110.06 feet; thence Southeasterly along a 25.00 foot radius curve to the right having a central angle of 91°54'20" and whose long chord bears S44°20'10"E, 35.94 feet; thence S01°37'00"W, 212.65 feet; thence Southwesterly along a 15.00 foot radius curve to the right having a central angle of 88°05'40" and whose long chord bears S45°39'50"W, 20.86 feet; thence S89°42'40"W, 75.49 feet; thence N01°37'00"E, 253.00 feet; thence N89°42'40"E, 240.08 feet to the point of beginning. This parcel contains 55,473 square feet, (1.27 acres), more or less.

Along with lands commencing at the east quarter corner of said Section 21; thence S89°42'40"W along the north line of the SE 1/4 of said Section 21, 1,285.13 feet to the northeast corner of the NW 1/4 of the SE 1/4 of said Section 21; thence S01°23'29"W along the east line of the NW 1/4 of the SE 1/4 of said Section 21, 995.06 feet to the point of beginning; thence continuing S01°23'29"W along the east line of the NW 1/4 of the SE 1/4 of said Section 21, 285.12 feet; thence S89°47'24"W, 1,045.52 feet; thence N81°19'58"W, 157.76 feet; thence Northwesterly along a 25.00 foot radius curve to the right having a central angle of 75°39'26" and whose long chord bears N43°30'15"W, 30.67 feet; thence N05°40'32"W, 199.41 feet; thence Northeasterly along a 25.00 foot radius curve to the right having a central angle of 87°49'26" and whose long chord bears N38°14'11"E, 34.68 feet; thence N09°01'23"W, 60.01 feet; thence Northwesterly along a 25.00 foot radius curve to the right having a central angle of 83°52'11" and whose long chord bears N55°55'00.5"W, 33.41 feet; thence Northwesterly along a 490.00 foot radius curve to the left having a central angle of 09°06'00" and whose long chord bears N18°31'55"W, 77.74 feet to a point in the west line of the SE 1/4 of said Section 21; thence N01°55'07"E along the west line of the SE 1/4 of said Section 21, 60.98 feet; thence N89°46'30"E, 116.48 feet; thence S00°05'50"E, 17.93 feet; thence S03°02'24"E, 112.25 feet; thence Southwesterly along a 15.00 foot radius curve to the right having a central angle of 85°11'18" and whose long chord bears S39°33'15"W, 20.30 feet; thence S82°08'54"W, 59.75 feet; thence S09°01'23"E, 60.01 feet; thence N82°08'54"E, 95.30 feet; thence N89°47'24"E, 588.68 feet; thence Southeasterly along a 15.00 foot radius curve to the right having a central angle of 90°12'36" and whose long chord bears S45°06'18"E, 21.25 feet; thence South 240.06 feet; thence southwesterly along a 30.00 foot radius curve to the right having a central angle of 89°47'24" and whose long chord bears S44°53'42"W, 42.35 feet; thence N89°47'24"E, 120.00 feet; thence Northwesterly along a 30.00 foot radius curve to the right having a central angle of 90°12'36" and whose long chord bears N45°06'18"W, 42.50 feet; thence North 429.90 feet; thence N89°47'24"E, 90.00 feet; thence South 115.00 feet; thence S89°47'24"W, 74.94 feet; thence Northwesterly along a 15.00 foot radius curve to the right having a central angle of 90°12'36" and whose long chord bears N45°06'18"W, 21.25 feet; thence South 90.00 feet; thence Northeasterly along a 15.00 foot radius curve to the right having a central angle of 89°47'24" and whose long chord bears N44°53'42"E, 21.17 feet; thence N89°47'24"E, 454.68 feet to the point of beginning. This parcel contains 358,017 square feet, (8.22 acres), more or less."