



## Legislation Details (With Text)

**File #:** 69517      **Version:** 3      **Name:** Rezone 2007 Roth Street  
**Type:** Ordinance      **Status:** Passed  
**File created:** 1/25/2022      **In control:** Attorney's Office  
**On agenda:** 6/21/2022      **Final action:** 6/21/2022  
**Enactment date:** 7/1/2022      **Enactment #:** ORD-22-00057

**Title:** SECOND SUBSTITUTE. Creating Section 28.022-00546 of the Madison General Ordinances to change the zoning of property located at 2007 Roth Street, 12th Aldermanic District, from IG (Industrial-General) District to CN (Conservancy) District; and creating Section 28.002-00547 of the Madison General Ordinances to change the zoning of the property located at 2007 Roth Street, 12th Aldermanic District, from IG (Industrial-General) District to TR-U2 (Traditional Residential-Urban 2) District; and creating Section 28.022-00548 of the Madison General Ordinances to change the zoning of the property located at 701-705 Ruskin Street, 2007 Roth Street, and 1810 and 1834 Commercial Avenue, 12th Aldermanic District from IL (Industrial-Limited) District to RMX (Regional Mixed-Use) District.

**Sponsors:** Syed Abbas

**Indexes:**

**Code sections:**

**Attachments:** 1. Revised Rezoning Exhibit (Version 3)\_05-03-22, 2. Aerial Photo.pdf, 3. Staff Comments.pdf, 4. OMSAP Rezoning STAFFRPT-Addendum\_06-13-22.pdf, 5. Public\_Comments\_02-25-22\_03-28-22.pdf, 6. Public\_Comments\_03-28-22\_06-14-22.pdf, 7. 061722-062522\_CC\_public\_comments, 8. 0522 CC public comments, 9. Public\_comments\_050622\_061522, 10. Public Comment 7-12-23.pdf

Date	Ver.	Action By	Action	Result
6/21/2022	3	COMMON COUNCIL	Adopt and Close the Public Hearing	Pass
6/13/2022	3	PLAN COMMISSION	RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING	Pass
5/10/2022	2	COMMON COUNCIL	Re-refer for Recessed Public Hearing	Pass
3/29/2022	2	COMMON COUNCIL	Refer to a future Meeting to Adopt	Pass
3/7/2022	2	PLAN COMMISSION	RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING	Pass
2/1/2022	1	COMMON COUNCIL	Refer For Public Hearing	Pass
1/25/2022	1	Attorney's Office	Referred for Introduction	

### Fiscal Note

No City appropriation is required with the approval of this rezoning ordinance. City costs associated with urban development in this area will be included in future operating and capital budgets subject to Common Council approval.

### Title

SECOND SUBSTITUTE. Creating Section 28.022-00546 of the Madison General Ordinances to change the zoning of property located at 2007 Roth Street, 12<sup>th</sup> Aldermanic District, from IG (Industrial-General) District to CN (Conservancy) District; and creating Section 28.002-00547 of the Madison General Ordinances to change the zoning of the property located at 2007 Roth Street, 12<sup>th</sup> Aldermanic District, from IG (Industrial-General) District to TR-U2 (Traditional Residential-Urban 2) District; and creating Section 28.022-00548 of the Madison General Ordinances to change the zoning of the property located at 701-705 Ruskin Street, 2007 Roth Street, and 1810 and 1834 Commercial Avenue, 12<sup>th</sup> Aldermanic District from IL (Industrial-Limited)

District to RMX (Regional Mixed-Use) District.

**Body**

DRAFTER'S ANALYSIS: This second substitute ordinance rezones various properties within the Oscar Mayer Special Area Plan area to RMX (Regional Mixed-Use), TR-U2 (Traditional Residential-Urban 2 District) and CN (Conservancy District) consistent with the land use recommendations in the Oscar Mayer Special Area Plan. See attached map for the exact configuration. Note that this substitute rezones same area as Leg. File 69517 version 2 also into RMX, TR-U2 and CN but in a different geographical boundaries as reflected in the attached map.

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

1. Map Amendment 00546 of Section 28.022 of the Madison General Ordinances is hereby created to read as follows:

"28.022-00546. The following described property is hereby rezoned to CN (Conservancy) District.

Lands located in the fractional NW ¼, fractional SW ¼, NE ¼ and SE ¼ of the SW 1/4 of Section 31, T 8 N, R 10 E, in the City Of Madison, Dane County, Wisconsin, described as follows:

Commencing at the West Quarter Corner of said Section 31; thence S 00°19'53" W, 972.24 feet along the west line of the NW ¼ to the intersection with the centerline of Roth Street; thence S 83°10'13" E, 244.19 feet along the centerline of Roth Street to the point of beginning; thence continuing S 83°10'13" E, 489.11 feet; thence 236.57 feet along the arc of a curve to the right having a radius of 250 feet, a central angle of 54°13'06" and a long chord bearing S 56°03'40" E, 227.84 feet; thence S 28°57'07" E, 222.74 feet; thence S 60°52'10" W, 101.65 feet; thence 172.69 feet along the arc of a curve to the left having a radius of 200 feet, a central angle of 49°28'18" and a long chord bearing S 36°08'01" W, 167.37 feet; thence S 11°23'52" W, 517.69 feet to the intersection with a line lying 600 feet north of and parallel with the north right of way of Commercial Avenue; thence Westerly, 22.4 feet, more or less parallel with the said north right of way of Commercial Avenue to the intersection with the northerly extension of the east line of Ruskin Street; thence Westerly, 66.7 feet, more or less, to a point of intersection of the northerly extension of the west line of Ruskin Street with a line lying 180 feet south of and parallel with the north line of lands described in Document No 5430417; thence Northerly, 180 feet along the said northerly extension of the west line of Ruskin Street; thence Westerly, 463.1 feet along the north line of lands described in Document No. 5430417 to the intersection with the WisDOT Railroad right of way; thence Northwesterly, 438 feet along said east railroad right of way to the intersection with the centerline of N. Sherman Avenue; thence Northerly, 89.5 feet (recorded as 85.2 feet), more or less, along the centerline of said N. Sherman Avenue; thence Easterly, 150 feet along the south line of lands described in Document No. 3777569; thence Northerly, 170 feet along the easterly line of said lands described in Document No. 3777569; thence Easterly, 93 feet along the south line of lands described in Document No 5725682; thence Northerly, 236.3 feet, more or less, along the east line and its northerly extension of said lands described in Document No. 5725682 to the point of beginning. Containing 15.1 acres, more or less.

Lands located in the Fractional Northwest Quarter, Fractional Southwest Quarter, Northeast Quarter and Southeast Quarter of the Southwest Quarter of Section 31, Township 08 North, Range 10 East, in the City of Madison, Dane County, Wisconsin, described as follows:

Commencing at the West Quarter Corner of said Section 31; thence S 00°19'53" W, 972.24 feet along the west line of the Southwest Quarter, aforesaid, to the intersection with the centerline of Roth Street; thence S 83°10'13" E, 244.19 feet along the centerline of Roth Street to the Point of Beginning; thence continuing S 83°10'13" E, 741.56 feet to a point of curve; thence Southeasterly 98.27 feet along the arc of a curve to the right, having a radius of 200.00 feet, the chord bears S 69°05'40" E, 97.28 feet; thence S 55°01'06" E, 62.25 feet; thence S 34°58'54" W, 138.26 feet to a point of curve; thence Southwesterly 123.65 feet along the arc of a curve to the left, having a radius of 500.00 feet, the chord bears S 27°53'50" W, 123.33 feet; thence S 20°

48'47" W, 740.01 feet to the intersection with a line lying 600 feet north of and parallel with the north right of way of Commercial Avenue; thence Westerly, 8 feet, more or less parallel with the said north right of way of Commercial Avenue to the intersection with the northerly extension of the east line of Ruskin Street; thence Westerly, 66.7 feet, more or less, to a point of intersection of the northerly extension of the west line of Ruskin Street with a line lying 180 feet south of and parallel with the north line of lands described in Document No 5430417; thence Northerly, 180 feet along the said northerly extension of the west line of Ruskin Street; thence Westerly, 463.1 feet along the north line of lands described in Document No. 5430417 to the intersection with the WisDOT Railroad right of way; thence Northwesterly, 442 feet along said east railroad right of way to the intersection with the centerline of N. Sherman Avenue; thence Northerly, 85.1 feet (recorded as 85.2 feet), more or less, along the centerline of said N. Sherman Avenue; thence Easterly, 150 feet along the south line of lands described in Document No. 3777569; thence Northerly, 170 feet along the easterly line of said lands described in Document No. 3777569; thence Easterly, 93 feet along the south line of lands described in Document No 5725682; thence Northerly, 236.3 feet, more or less, along the east line and its northerly extension of said lands described in Document No. 5725682 to the point of beginning. Containing 16.5 acres, more or less.

2. Map Amendment 00547 of Section 28.022 of the Madison General Ordinances is hereby created to read as follows:

"28.022-00547. The following described property is hereby rezoned to TR-U2 (Traditional Residential-Urban 2) District.

Lands located in the fractional NW ¼, fractional SW ¼, NE ¼ and SE ¼ of the SW 1/4 of Section 31, T 8 N, R 10 E, in the City Of Madison, Dane County, Wisconsin, described as follows:

Commencing at the West Quarter Corner of said Section 31; thence S 00°19'53" W, 972.24 feet along the west line of the NW ¼ to the intersection with the centerline of Roth Street; thence S 83°10'13" E, 733.30 feet along the centerline of Roth Street to the point of beginning; thence 236.57 feet along the arc of a curve to the right having a radius of 250 feet, a central angle of 54°13'06" and a long chord bearing S 56°03'40" E, 227.84 feet; thence S 28°57'07" E, 222.74 feet; thence S 60°52'10" W, 101.65 feet; thence 172.69 feet along the arc of a curve to the left having a radius of 200 feet, a central angle of 49°28'18" and a long chord bearing S 36°08'01" W, 167.37 feet; thence S 11°23'52" W, 517.69 feet to the intersection with a line lying 600 feet north of and parallel with the north right of way of Commercial Avenue; thence N 89°21'33" E, 284.25 feet, parallel with the north right of way of Commercial Avenue; thence N 11°23'52" E, 373.12 feet; thence N 38°01'26" E, 167.40 feet; thence easterly 75.16 feet along the arc of a curve to the left having a radius of 300 feet, a central angle of 14°21'17" and a long chord bearing S 72°07'18" E, 74.96 feet; thence S 79°17'56" E, 100.19 feet to the intersection with the west right of way of the Canadian Pacific Railroad; thence Northerly, 476 feet, more or less along the said west right of way of the Canadian Pacific Railroad to the intersection with the centerline of said Roth Street; thence Westerly, 731 feet, more or less along the centerline of said Roth Street to the point of beginning. Containing 8.7 acres, more or less.

Lands located in the fractional NW ¼, fractional SW ¼, NE ¼ and SE ¼ of the SW 1/4 of Section 31, T 8 N, R 10 E, in the City Of Madison, Dane County, Wisconsin, described as follows:

Commencing at the West Quarter Corner of said Section 31; thence S 00°19'53" W, 972.24 feet along the west line of the NW ¼ to the intersection with the centerline of Roth Street; thence S 83°10'13" E, 733.30 feet along the centerline of Roth Street to the point of beginning; thence 236.57 feet along the arc of a curve to the right having a radius of 250 feet, a central angle of 54°13'06" and a long chord bearing S 56°03'40" E, 227.84 feet; thence S 28°57'07" E, 222.74 feet; thence S 60°52'10" W, 101.65 feet; thence 172.69 feet along the arc of a curve to the left having a radius of 200 feet, a central angle of 49°28'18" and a long chord bearing S 36°08'01" W, 167.37 feet; thence S 11°23'52" W, 517.69 feet to the intersection with a line lying 600 feet north of

and parallel with the north right of way of Commercial Avenue; thence Easterly, 227 feet, more or less, parallel with and 600 feet north of the north right of way of Commercial Avenue to the intersection with a line lying 250 feet east of and parallel with the east right of way line of Ruskin Street extended northerly; thence South, 350 feet, along said line lying 250 feet east of and parallel with the east right of way line of Ruskin Street extended northerly to the intersection with a line lying 250 feet north of and parallel with the north right of way of Commercial Avenue; thence East, 233 feet, more or less along said line lying 250 feet north of and parallel with the north right of way of Commercial Avenue to the intersection with the west right of way of the Canadian Pacific Railroad; thence Northerly, 1294 feet, more or less along the said west right of way of the Canadian Pacific Railroad to the intersection with the centerline of said Roth Street; thence Westerly, 731 feet, more or less along the centerline of said Roth Street to the point of beginning.

Containing 13.6 acres, more or less.

Lands located in the Fractional Northwest Quarter, Fractional Southwest Quarter, Northeast Quarter and Southeast Quarter of the Southwest Quarter of Section 31, Township 08 North, Range 10 East, in the City of Madison, Dane County, Wisconsin, described as follows:

Commencing at the West Quarter Corner of said Section 31; thence S 00°19'53" W, 972.24 feet along the west line of the NW ¼ to the intersection with the centerline of Roth Street; thence S 83°10'13" E, 985.75 feet along the centerline of Roth Street to a point of curve, also being the Point of Beginning; thence Southeasterly 98.27 feet along the arc of a curve to the right, having a radius of 200.00 feet, the chord bears S 69°05'40" E, 97.28 feet; thence S 55°01'06" E, 62.25 feet; thence S 34°58'54" W, 138.26 feet to a point of curve; thence Southeasterly 123.65 feet along the arc of a curve to the left, having a radius of 500.00 feet, the chord bears S 27°53'50" W, 123.33 feet; thence S 20°48'47" W, 740.01 feet to the intersection with a line lying 600 feet north of and parallel with the north right of way of Commercial Avenue; thence Easterly, 242 feet, more or less, parallel with and 600 feet north of the north right of way of Commercial Avenue to the intersection with a line lying 250 feet east of and parallel with the east right of way line of Ruskin Street extended northerly; thence South, 350 feet, along said line lying 250 feet east of and parallel with the east right of way line of Ruskin Street extended northerly to the intersection with a line lying 250 feet north of and parallel with the north right of way of Commercial Avenue; thence East, 233 feet, more or less along said line lying 250 feet north of and parallel with the north right of way of Commercial Avenue to the intersection with the west right of way of the Canadian Pacific Railroad; thence Northerly, 1294 feet, more or less along the said west right of way of the Canadian Pacific Railroad to the intersection with the centerline of said Roth Street; thence N 83°10'13" W, 478.48 feet, more or less along the centerline of said Roth Street to the point of beginning. Containing 12.3 acres, more or less.

3. Map Amendment 00548 of Section 28.022 of the Madison General Ordinances is hereby created to read as follows:

"28.022-00548. The following described property is hereby rezoned to RMX (Regional Mixed-Use) District.

Lands located in the fractional SW ¼ and the SE ¼ all of the SW 1/4 of Section 31, T 8 N, R 10 E, in the City Of Madison, Dane County, Wisconsin, described as follows:

Commencing at the South Quarter Corner of said Section 31; thence S 89°57'20" W, 1129.31 feet to the intersection with the west right of way of the Canadian Pacific Railroad and the point of beginning; thence N 10°37'24" E, 1108.66 feet; thence N 79°17'56" W, 100.19 feet; thence westerly 75.16 feet along the arc of a curve to the right having a radius of 300 feet, a central angle of 14°21'17" and a long chord bearing N 72°07'08" W, 74.96 feet; thence S 38°01'26" W, 167.40 feet; thence S 11°23'52" W, 373.12 feet to the intersection with a line that is 600 feet north of the north right of way of Commercial Avenue; thence Westerly 306.6 feet, more or less, parallel with and 600 feet north of the north right of way of Commercial Avenue to the intersection with the northerly extension of the east line of Ruskin Street; thence Westerly, 66.7 feet, more or

less, to a point of intersection of the northerly extension of the west line of Ruskin Street with a line lying 180 feet south of and parallel with the north line of lands described in Document No 5430417; thence Southerly, 357 feet, more or less along the northerly extension of the west line of Ruskin Street; thence Westerly, 282.5 feet parallel with and 250 feet north of the north right of way of Commercial Avenue to the intersection with the eastern WisDOT railroad right of way; thence Southerly, 286 feet, more or less to the intersection with the south line of the said SW ¼ of Section 31; thence Easterly, 710 feet more or less along the said south line of the SW ¼ of Section 31 to the point of beginning. Containing 12.4 acres, more or less.

Lands located in the fractional SW ¼ and the SE ¼ all of the SW 1/4 of Section 31, T 8 N, R 10 E, in the City Of Madison, Dane County, Wisconsin, described as follows:

Commencing at the South Quarter Corner of said Section 31; thence S 89°57'20" W, 1129.31 feet to the intersection with the west right of way of the Canadian Pacific Railroad and the point of beginning; thence Northerly, 291 feet, more or less along the said west right of way to the intersection with a line lying 250 feet north of and parallel with the north right of way of Commercial Avenue; thence West, 233 feet, more or less, to the intersection with a line lying 250 feet east of and parallel with the east right of way line of Ruskin Street extended northerly; thence North, 350 feet along said line lying 250 feet east of and parallel with the east right of way line of Ruskin Street to the intersection with a line lying 600 feet north of and parallel with the north right of way of Commercial Avenue; thence Westerly, 250 feet, more or less, parallel with and 600 feet north of the north right of way of Commercial Avenue to the intersection with the northerly extension of the east line of Ruskin Street; thence Westerly, 66.7 feet, more or less, to a point of intersection of the northerly extension of the west line of Ruskin Street with a line lying 180 feet south of and parallel with the north line of lands described in Document No 5430417; thence Southerly, 357 feet, more or less along the northerly extension of the west line of Ruskin Street; thence Westerly, 282.5 feet parallel with and 250 feet north of the north right of way of Commercial Avenue to the intersection with the eastern WisDOT railroad right of way; thence Southerly, 286 feet, more or less to the intersection with the south line of the said SW ¼ of Section 31; thence Easterly, 710 feet more or less along the said south line of the SW ¼ of Section 31 to the point of beginning.

Containing 7.5 acres, more or less.

Lands located in the Fractional Southwest Quarter and the Southeast Quarter all of the Southwest Quarter of Section 31, Township 08 North, Range 10 East, in the City of Madison, Dane County, Wisconsin, described as follows:

Commencing at the South Quarter Corner of said Section 31; thence S 89°57'20" W, 1129.31 feet to the intersection with the west right of way of the Canadian Pacific Railroad and the point of beginning; thence Northeasterly, 291 feet, more or less along the said west right of way to the intersection with a line lying 250 feet north of and parallel with the north right of way of Commercial Avenue; thence West, 233 feet, more or less, to the intersection with a line lying 250 feet east of and parallel with the east right of way line of Ruskin Street extended northerly; thence Northwesterly, 350 feet along said line lying 250 feet east of and parallel with the east right of way line of Ruskin Street to the intersection with a line lying 600 feet north of and parallel with the north right of way of Commercial Avenue; thence Westerly, 250 feet, more or less, parallel with and 600 feet north of the north right of way of Commercial Avenue to the intersection with the northerly extension of the east line of Ruskin Street; thence Westerly, 66.7 feet, more or less, to a point of intersection of the northerly extension of the west line of Ruskin Street with a line lying 180 feet south of and parallel with the north line of lands described in Document No 5430417; thence Southerly, 357 feet, more or less along the northerly extension of the west line of Ruskin Street; thence Westerly, 282.5 feet parallel with and 250 feet north of the north right of way of Commercial Avenue to the intersection with the Eastern WisDOT railroad right of way line; thence Southerly, 286 feet, more or less to the intersection with the south line of the said Southwest Quarter of Section 31; thence Easterly, 710 feet more or less along the said South line of the Southwest Quarter of Section 31 to the point of beginning. Containing 7.5 acres, more or less.