



Legislation Text

File #: 53617, Version: 2

Fiscal Note

No City appropriation required.

Title

SUBSTITUTE - Amending the official map of the City of Madison to reduce the width of an Official Map Reservation located on the zoning property located at 222 N. Charter Street.

Body

WHEREAS, Stoppie Revocable Trust (hereinafter “the Developer”) has made an application with the Department of Planning & Community & Economic Development to change the zoning of a property located at 222 N. Charter Street being located in part of Lots 6 and 7, Block 8, Brook’s Addition to Madison, from TR-U2 (Traditional Residential - Urban 2) District to PD (GDP-SIP) (Planned Development) District for a redevelopment project (hereinafter “the Project”); and

WHEREAS, the City of Madison Common Council adopted Resolution No. 40,470, File No. 5035-78 on the September 4, 1984, establishing Official Map Reservations for Proposed Streets, Highways, and Parkways within and adjacent to the Wisconsin Department of Transportation owned Railroad Corridor (f.k.a. Milwaukee and Mississippi Railroad), the said reservation encumbering the southwesterly 17 feet of the Developer’s lands immediately adjacent to the said Railroad corridor (“the Reservation Area”); and

WHEREAS, the Project as proposed contemplates building improvements that would lie within the currently officially mapped Reservation Area as generally shown on Exhibit D, attached hereto and made part of this resolution; and

WHEREAS, under Wisconsin Statutes Sec. 62.26(6) and Section 16.25(7)(a) of Madison General Ordinances, the City of Madison cannot issue building permits for construction within an officially mapped Reservation Area and therefore agencies reviewing such proposals cannot recommend approval for a proposal that conflicts with the Official Map; and

WHEREAS, the Developer has requested the City of Madison consider a reduction of the width of the Reservation Area within the proposed Development lands as shown on Exhibit A and Described on Exhibit B, both attached hereto and made part of this Resolution; and

WHEREAS, as a condition of the approval of the proposed zoning for this Development, a Certified Survey Map must be approved by the City of Madison as required by MGO Section 16.23 (5)(g) and the Developer is required to then record the City of Madison approved Certified Survey Map of all of the lands included in the proposed Development; and

WHEREAS, the City of Madison Engineer and City of Madison Traffic Engineer, in coordination with other City of Madison Agencies and Staff, have reviewed the Developer’s request, and after consideration of the City’s needs for Streets, Highways and Parkways within this region of the City, recommend approval for the removal of the areas as shown on said Exhibit A and described on attached Exhibit B from the City of Madison Official Map for Proposed Streets, Highways, and Parkways. This removal shall be contingent upon the Developer granting an Easement to the City of Madison for Public Pedestrian and Bicycle Purposes on the face of the said Certified Survey Map as generally shown on Exhibit C attached hereto and made part of this Resolution;

and

NOW THEREFORE BE IT RESOLVED, the City Of Madison hereby conditionally amends the City of Madison Official map, removing those lands reserved for Proposed Streets, Highways, and Parkways as shown on attached map Exhibit A and described on the attached Exhibit B, under Section 16.25(6) of Madison General Ordinances and under Wis. Stats. ss. 62.23(6)(c). The Official Map Amendment shall be valid and effective upon the satisfaction of the following conditions:

1. The City of Madison approves a Certified Survey Map for the Project, which shall be recorded at the Dane County Register of Deeds by the Developer prior to the issuance of building permits for the project at 222 N. Charter Street. The Certified Survey Map shall acknowledge, show and label the Official Map Reservation for Proposed Streets, Highways, and Parkways as amended and reference this Resolution.
2. The Developer shall grant to the City of Madison, on the face of the recorded Certified Survey Map, a Public Easement for Pedestrian and Bicycle path purposes as generally shown on the attached Exhibit C. The conditions and restrictions set forth on the face of the Certified Survey Map for the easement shall be as approved by the City of Madison Engineer.