



Legislation Text

File #: 74140, **Version:** 1

Fiscal Note

No City appropriation required.

Title

Amending the City of Madison Official Map to remove mapped reservations for future public streets located in the Southwest Quarter of the Northeast Quarter of Section 30, Township 8 North, Range 10 East in the City of Madison, on land generally addressed as 2202-2320 Darwin Road.

Body

PREAMBLE

The City of Madison has used an Official Map since August 1966 to reserve areas for planned future streets/ highways, parks, parkways, and greenways in the existing and future City, as enabled by Wis. Stats. ss. 62.23 (6)(c) and Section 16.25(6) of Madison General Ordinances. Where the City has mapped a reservation, building permits may generally not be issued to construct new buildings within the reserved area, and if land with a mapped reservation is divided by plat or Certified Survey Map, the subdivider is required to dedicate the reservations to the public.

Since at least 1972, the Official Map has included various mapped reservations in the Northeast Quarter of Section 30, Town 8 North, Range 10 East (Town of Burke). The map sheet for this area includes two 60-foot wide reservations for future street purposes in the northeastern quadrant of the intersection of Packers Avenue (CTH CV) and Darwin Road to provide local street access to serve additional development of a series of large parcels located north of Darwin and south of the Oak Park mobile home community. The reservations for these future streets were affirmed as part of the creation of an outlot for future development in 2008, which divided the parcel now addressed as 2202 Darwin Road from the larger Oak Park development to the north (3901 Packers Avenue).

Recently, representatives for the current owner of 2202 Darwin Road have requested that the Official Map be amended to remove the mapped 60-foot wide reservations for future public streets from that parcel due to the implications that dedicating and constructing those streets would have on a planned development of 2102 and 2202 Darwin, citing both the cost of the street construction and the loss of developable land resulting from dedication of the two future streets. If the reservations are removed from the 2202 parcel, the reservations should also be removed from the abutting parcels to the north and east, as there would no longer be adequate room to construct the reserved streets once the reservations are removed from the 2202 parcel.

WHEREAS the Common Council adopted Ordinance 2091 on August 11, 1966 to establish the Official Map for the City of Madison for a part of the City of Madison located in the Northeast Quarter of Section 30, Township 8 North, Range 10 East to map various future streets/ highways, parkways, and greenways in the existing and future City generally bounded by Packers Avenue (CTH CV) on the west, Government Road on the north, Starkweather Creek on the east, and Darwin Road on the south; and

WHEREAS the Common Council adopted Resolution 23232 on March 28, 1972 to amend the Official Map sheet for said quarter section; and

WHEREAS said Official Map sheet shows a 60-foot wide reservation for future street purposes extending east from Packers Avenue to a point located approximately 525 feet due east to intersect a second 60-foot wide reservation for future street purposes to extend generally north from Darwin Road, with said described intersection to include a bulb on the northeastern, outside corner; and

WHEREAS the Common Council adopted Resolution 08-00042 (ID 08294) on January 8, 2008, approving a Certified Survey Map ("CSM") of the Oak Park MHC, LLC property located at 3901 Packers Avenue to create a 7.4-acre outlot for future development from the 63.8-acre "Oak Park" mobile home community to the north; said CSM having been approved by the Plan Commission at its December 3, 2007 meeting; and

WHEREAS approval of the outlot was conditioned upon the final CSM including notes that a future dedication of a 66-foot wide north-south right of way to run along and parallel to the entire eastern property line of the proposed outlot and a future dedication of a 66-foot wide east-west right of way between Packers Avenue and the new north-south right of way would be required at such future time as the outlot is re-divided into a developable lot, said future dedications consistent with the reservations shown on the Official Map sheet adopted by said Resolution 23232; and

WHEREAS said one-outlot CSM was recorded at the Dane County Register of Deeds on September 11, 2009 as Certified Survey Map 12769 with the required notes; and

WHEREAS representatives for the property owner of 2202 Darwin Road have requested that the Official Map be amended to remove the mapped 60-foot wide reservations for future public streets from that parcel, said reservations also affecting the western property lines of 2310 and 2320 Darwin Road and the southern property line of 3901 Packers Avenue;

NOW THEREFORE BE IT RESOLVED, the City Of Madison hereby amends the City of Madison Official Map to remove those lands reserved for Proposed Streets located in the Southwest Quarter of the Northeast Quarter of Section 30, Township 8 North, Range 10 East as shown on attached map Exhibit A, pursuant to Section 16.25(6) of Madison General Ordinances and Wis. Stats. ss. 62.23(6)(c).

BE IT RESOLVED that notice of this amendment has been provided pursuant to the requirements under Wisconsin Statutes Sec. 62.23(6) and Section 16.25(6) of Madison General Ordinances.