

Agenda Item 23-1240 (Lewis Kuhlman)

Resolution approving a partial vacation of the alley located between Maple Street and Weston Street.

General Location

Aldermanic District 9, about two blocks east of the intersection of South Ave. and West Ave as depicted in Map 23-1240. Adjacent land uses include residential and industrial.

Background Information

The alley was platted as part of the Shooting Parks Addition and not fully developed. One (of just two) adjacent landowner was interested in vacating the alley. The letter (in Legislative File 23-0134) does not state an intention for the vacation. In a phone call, the interested party just said it was right next to their garage and they want it to be part of their property. The other landowner does not need to approve but is notified of the request. The County would decide how to divide the ~20-foot-wide vacated alley between properties. The vacation would not include the easement for the VIP Trail, which would remain in the public right of way. The resolution states that the vacation is in the public interest but does state what that interest is. There is no attached council report with further information.

The interested party owns an R1-zoned, double-frontage parcel to the east of the alley. It appears additions have encroached within the current standard minimum side yard and rear yard setbacks. They also own two vacant adjacent parcels to the east, for a combined total of 16,646 ft²—more than double the minimum residential lot size.

Both adjacent landowners have built up to their current property line. If the vacation were approved, the adjacent landowners would have to meet the 6' side yard setbacks, leaving about 6' developable or potentially 3 ft. each.

Alleys are intended to provide access to the back and side of properties, including access to driveways, and garbage pickup. Alleys reduce the need for individual driveways, which have the potential to create conflicts for pedestrians, bicycles, and automobiles, as well as reduce on-street parking space.

Weston St. and Maple St. both have dead ends at this alley and no cul-de-sacs for service vehicle to turn around. Maple St. is over 250 ft. from 11th Place and Weston St. is over 350 ft. from the next nearest alley.

Recommendation of Other Boards and Commissions

The Board of Public Works approved the first step in the approval process on 9/5/23. Legislative file 23-1034 only included a letter from the adjacent landowners of 1101 Maple St., stating they are interested in vacating the alley. The video of the discussion didn't address the neighbor's motives for the vacation. It was unknown at the time whether waste haulers used the alley. CM Trost suggested the BPAC review the vacation due to the proximity to the VIP Trail. CM Schwarz recommended defining what problem we're trying to solve by vacating the alley.

Consistency with Adopted Comprehensive Plan

Alleys are not addressed in the comprehensive plan.

The approved 2015 Transportation Vision recommends retaining and restoring the street network (including alleys) to create an attractive and urban context. Seemingly slight vacations can become a “death by a thousand cuts.” It recommends protecting all streets and alleys.

The approved 2013 Joint PPH Neighborhood-Gundersen Campus Master Plan includes the extension of Benora Lee Ct to South Ave. Several route alternatives are proposed including Weston Ave. If Weston were selected, it would likely include improvements beyond its current gravel state.

Staff Recommendation

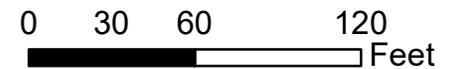
Denial – There isn’t much justification for why this is necessary. The interested party has plenty of land to the east, and the house’s proximity to the alley is not through the fault of the City, but through the additions to the home. Vacating a public right of way has the potential to eliminate any future, long-term use of land the City once controlled and should be carefully considered.

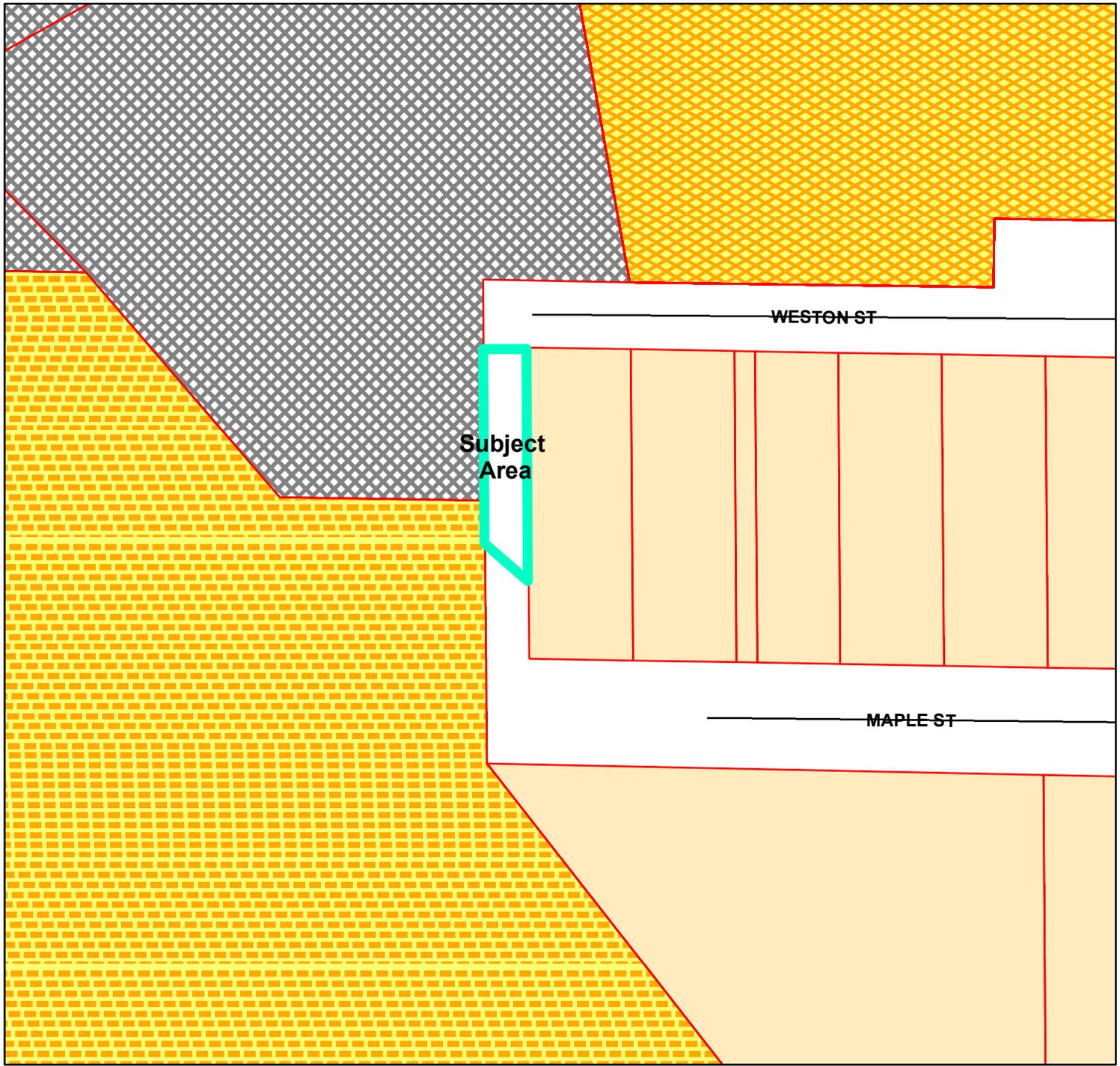
Routing J&A 1.2.24



BASIC ZONING DISTRICTS

-  R1 - SINGLE FAMILY
-  R2 - RESIDENCE
-  WR - WASHBURN RES
-  R3 - SPECIAL RESIDENCE
-  R4 - LOW DENSITY MULTI
-  R5 - MULTIPLE DWELLING
-  R6 - SPECIAL MULTIPLE
-  PD- PLANNED DEVELOP
-  TND - TRAD NEIGH DEV.
-  C1 - LOCAL BUSINESS
-  C2 - COMMERCIAL
-  C3 - COMMUNITY BUSINESS
-  M1 - LIGHT INDUSTRIAL
-  M2 - HEAVY INDUSTRIAL
-  PS - PUBLIC & SEMI-PUBLIC
-  PL - PARKING LOT
-  UT - PUBLIC UTILITY
-  CON - CONSERVANCY
-  FW - FLOODWAY
-  A1 - AGRICULTURAL
-  EA - EXCLUSIVE AG
-  City Limits
-  SUBJECT PROPERTY





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