



MEMORANDUM

Date: April 23rd, 2026
To: City of Madison City Council [April 27th, 2026 Meeting]
From: Matt Lonnerstater, AICP – City Planner
Subject: Ingres/Egress Easement – Bubbas 33 – 611 W. 12 Mile Road

Introduction and History

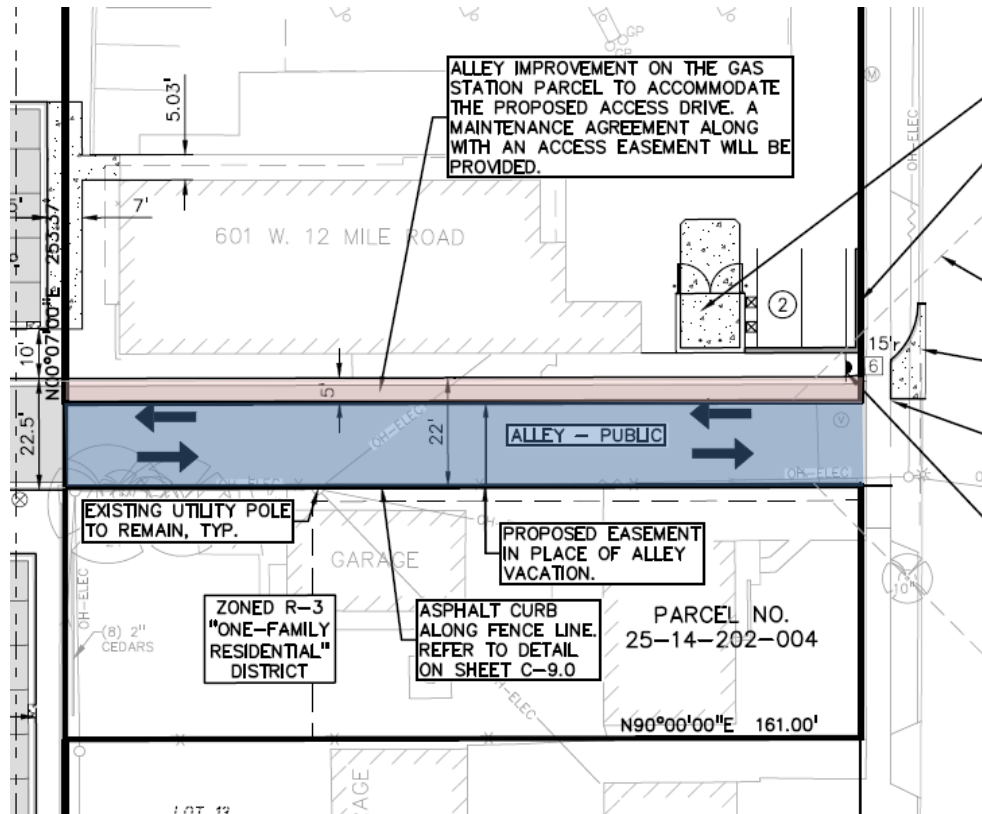
The Community & Economic Development Department has received a request from the property owner of 611 W. 12 Mile Road (611 Madison Property, LLC) to dedicate and record a non-exclusive ingress/egress easement over the existing public city alley denoted in the image below. The existing public alley is seventeen feet (17') wide and currently provides for vehicular access between Dartmouth Street and the property at 611 W. 12 Mile Road.

The property owner intends to redevelop the property at 611 W. 12 Mile Road with a family-friendly sports restaurant called “Bubba’s 33”. **This restaurant/bar use is permitted by right within the underlying B-2, Community Business zoning district.** Primary access to the site is provided off 12 Mile Road, but the recently-completed diverging diamond interchange at 12/I-75 limits access to and egress from the subject property. The intent of this easement is to allow for a secondary vehicular access point for two-way ingress/egress between Bubba’s 33 and Dartmouth Street. **While the property owner of 611 W. 12 Mile has the right to use the existing public alley for ingress/egress, the current width of 17 feet does not allow for adequate or safe two-way access.** To remedy this, the applicant proposes an additional five-foot (5') wide private ingress/egress easement over a portion of the gas station property directly to the north of the alley; this 5 foot portion would act as a de facto widening of the alley to a total width of twenty-two feet (22') to permit adequate and safe two-way ingress/egress, but would remain under private ownership. The gas station property owner has agreed to dedicate this 5-foot-wide easement.

Existing 17-foot-wide Public Alley (dashed line)



Proposed Easements (taken from Bubba's 33 Site Plan)



- Public Ingress/Egress Easement over Existing Alley (17 ft.)
- Private Ingress/Egress Easement (5 ft.)

Easement Provisions

The proposed easement agreement includes provisions for reconstructing and maintaining the public alley and other stipulations regarding repairs, snow removal, monetary donations and site improvements. The 17-foot wide portion of the alley would remain under City ownership, but the City would not be liable for reconstruction, maintenance, or repair. Staff highlights the following provisions of the easement; the property owner (611 Madison LLC) will be required to:

- Resurface the entire alley, including the 5’ private portion, with new concrete pavement and concrete curbs; repair any damage or potholes that develop after resurfacing; clean and maintain stormwater improvements within the alley; and maintain the easement area including snow removal.
- Construct a 30-inch (30”) tall decorative masonry knee wall along the north side of the easement area adjacent to the gas station site.
- Replace the chain link fence on the south side of the public alley with a decorative wood fence.
- Reorient the parking spaces on the gas station parcel to bring the site into better compliance with Zoning Ordinance standards.
- Pay the city a one-time payment of twenty-thousand dollars (\$20,000) which may be used by the City for any purposes including, but not limited to, the cost of future vehicular, pedestrian, and non-motorized safety and efficiency improvements within City neighborhoods.

The Easement language contains: additional provisions for remedying the property owner’s failure to maintain or repair the alley; assurances that the alley will remain open for public infrastructure and safety uses such as Police, Fire, EMS, and DPS; and processes for amending or vacating the easement.

Recommendation and Next Step

Because the proposed restaurant/bar use at 611 W. 12 Mile Road is permitted by right, and the property owner currently has the right to utilize the 17-foot wide public alley for ingress/egress, staff is supportive of the easement and the provisions of the easement agreement in that it provides for safer vehicular circulation and will result in physical improvements to the alley and adjacent sites.

Therefore, staff advises that City Council approve the Non-Exclusive Ingress/Egress Easement over the 17-foot-wide public alley located between 611 W. 12 Mile Road and Dartmouth Street subject to the provisions of the Easement agreement.

Attachments

- Easement document
- Easement exhibits