



BUILDING SAFETY & ZONING DIVISION
PLAN COMMISSION STAFF REPORT

TO: Plan Commission
DATE: March 10th, 2024
SUBJECT: Cole Street – Vacation/Discontinuance of a Public Way

A request by the City of Watertown to initiate the vacation/discontinuance of a portion of Cole Street.

SITE DETAILS:

Street: Cole Street west of the intersection with N Second St.

BACKGROUND & APPLICATION DESCRIPTION:

The City of Watertown is proposing to vacate/discontinue a public way for a portion of Cole Street located west of the intersection with North Second Street. This vacation/discontinuance will remove a portion of the north half of the Cole Street ROW and will narrow the remainder of the north half of the ROW to 20ft. The remaining portion of Cole Street ROW west of the intersection with North Second Street will be 50ft in width after the vacation/discontinuance. The purpose of this vacation/discontinuance is to foster redevelopment of the adjacent parcel in the public interest.

STAFF EVALUATION:

Wisconsin Statutes

Per the Wisconsin Statutes it is the role of the Plan Commission to review and recommend to Council any Vacation/Discontinuance of a Public Way.

Per Wisconsin State Statute § 62.23(5):

(5) **Matters referred to city plan commission.** *The council, or other public body or officer of the city having final authority thereon, shall refer to the city plan commission, for its consideration and report before final action is taken by the council, public body or officer, the following matters: The location and architectural design of any public building; the location of any statue or other memorial; the location, acceptance, extension, alteration, **vacation**, abandonment, change of use, sale, acquisition of land for or lease **of land for any street, alley or other public way**, park, playground, airport, area for parking vehicles, or other memorial or public grounds; the location, extension, abandonment or authorization for any public utility whether publicly or privately owned; all plats of lands in the city or within the territory over which the city is given platting jurisdiction by ch. 236; the location, character and extent or acquisition, leasing or sale of lands for public or semipublic housing, slum clearance, relief of congestion, or vacation camps for children; and the amendment or repeal of any ordinance adopted pursuant to this section. Unless such report is made within 30 days, or such longer period as may be stipulated by the common council, the council or other public body or officer, may take final action without it.*

Per the Wisconsin Statutes the Common Council may initiate any Vacation/Discontinuance of a Public Way that is determined to be in the public interest.

Per Wisconsin State Statute § 66.1003(4)(a):

(a) *Notwithstanding subs. (2) and (3), proceedings covered by this section **may be initiated by the common council** or village or town board **by the introduction of a resolution declaring that since the public interest requires it, a public way or an unpaved alley is vacated and discontinued.** No discontinuance of a public way under this subsection may result in a landlocked parcel of property.*

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Opportunity Runs Through It

PLAN COMMISSION OPTIONS:

The following possible options for the Plan Commission:

1. Negative recommendation of the Discontinuance of a Public Way to Common Council.
2. Positive recommendation of the Discontinuance of a Public Way to Common Council.
3. Positive recommendation of the Discontinuance of a Public Way to Common Council, with conditions identified by the Plan Commission:

ATTACHMENTS:

- Application materials.