

**PLANNING DIVISION REPORT
DEPARTMENT OF PLANNING AND COMMUNITY
AND ECONOMIC DEVELOPMENT
Of August 6, 2007**

**RE: I.D. # 06960 Zoning Map Amendment I.D. 3280 To Rezone – 9502 & 9602 Silicon
Prairie Parkway; 101,102& 202 St. Philomena Way from SM to RPSM**

1. Requested Action: Approval to rezone five (5) properties from SM- Specific Manufacturing District to RPSM- Research Park Specialized Manufacturing District.
2. Applicable Regulations: Section 28.12 (10) provides the process for zoning map amendments.
3. Report Prepared By: Kevin Firchow, AICP, Planner

GENERAL INFORMATION

1. Applicant: Kurt Welton; New Wei, LLC' 567 D'Onofrio Dr / PO Box 44580; Madison, WI 53744

Agent: Michael R. Christopher; DeWitt Ross & Stevens SC; 2 E. Mifflin St. Suite 600; Madison, WI 53703
2. Development Schedule: No development schedule is specified.
3. Location: Approximately 21 acres located in the north-central portion of Silicon Prairie Business Park, at the intersection of South Point Road and Mineral Point Road, Aldermanic District 9; Middleton-Cross Plains Area School District.
4. Existing Conditions: The site is currently a platted and undeveloped business park.
5. Proposed Land Use: The applicant requests to rezone lots 1-5 in the Silicon Prairie Business Park to RPSM- Research Park Specialized Manufacturing District. There is no specific development proposal at this time.
6. Surrounding Land Use and Zoning: The site and surrounding area is largely undeveloped. One home site exists near the corner of Mineral Point and South Point. Other rural residences are found near the site on Mineral Point Road. A City public works facility is south of the subject area, within the Silicon Prairie Business Park.
7. Adopted Land Use Plan: The Comprehensive Plan identifies this location as E-Employment. The Pioneer Neighborhood Plan identifies the site as light industrial.
8. Environmental Corridor Status: The subject site is not located in a mapped environmental corridor.

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9. Public Utilities & Services: The property is served by a full range of urban services.

STANDARDS FOR REVIEW

This application is subject to the standards for zoning map amendments.

PLAN REVIEW

The applicant requests a zoning map amendment for five parcels within the Silicon Prairie Business Park. The rezoning would apply to approximately 20% of Silicon Prairie's 107 acres. The subject parcels are currently zoned SM- Specific Manufacturing District. This supports the area's original planned intent for clean, light-industrial uses. The applicant requests the parcels be rezoned to RPSM- Research Park Specialized Manufacturing District, to accommodate a wider range of employment-type uses, including office development.

The applicant makes this request in advance of any specific development proposal, but states such a change in zoning would allow for flexibility in marketing the property and facilitate the development of a more intensive and aesthetically attractive use at the highly-visible Mineral Point / South Point Road corner. The RPSM zoning designation is indeed more flexible in allowing a variety of office uses, however, the applicant has proposed restricting the property to prohibit several potential retail-service uses that otherwise would be allowed in this district. Specifically, the following would be prohibited on the subject property:

- Health clubs,
- Drive-up service windows for banks and financial institutions,
- Medical, dental, and optical clinics

The applicant has expressed the opinion that the RPSM zoning on a portion of the business park would help to create a more aesthetically pleasing development with a mixture of office and specialized manufacturing operations. To further promote building and site aesthetics, the applicant has included a summary of design criteria concepts with the application. These criteria would supplement the existing design covenants approved by the Urban Design Commission in 2001. Criteria include:

- The inclusion of multi-story buildings
- Minimal setbacks from Mineral Point and South Point Roads
- Underground parking, where feasible
- Surface parking behind buildings
- Pedestrian-friendly design
- "Green Building" and energy efficiency

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Additionally, the applicant states that allowing office uses will provide the opportunity to create more attractive buildings along Silicon Prairie's entryways and corners. Additionally, the applicant notes that only a more intensive, office-type use would make it financially feasible to acquire the remnant residential property that is currently surrounded by Silicon Prairie.

The applicant cites that after holding initial neighborhood meetings and a Plan Commission informational presentation, there has not been opposition raised to this proposed rezoning.

ANALYSIS AND CONCLUSION

The applicant requests the rezoning of five (5) parcels within the Silicon Prairie Business Park to RPSM- Research Park Specialized Manufacturing, to accommodate a variety of objectives. In reviewing this rezoning request, Section 28.12 (10) states the Plan Commission will need to consider whether the request is in the public interest and not solely in the interest of the applicant. Further, the Plan Commission shall not recommend a proposed amendment without due recognition of the City's Comprehensive Plan.

The RPSM zoning designation is intended to "provide an aesthetically attractive working environment exclusively for and conducive to the development and protection of offices, research and development institutions, and certain specialized manufacturing establishments, all of a non-nuisance type." The existing zoning, SM- Specific Manufacturing district, is primarily a light-industrial district promoting "clean" uses such as assemblage, processing, storage, and distribution of goods. Commercial uses are not permitted under this existing zoning category.

Planning Division staff believe the rezoning request is generally consistent with the City's Comprehensive Plan. That Plan identifies the subject area under the broad "Employment" category. This category can encompass a variety of uses including corporate offices, business offices, research facilities, hospitals, as well as some types of light industrial activity. The Plan draws a distinction between its "Employment" and "Commercial" districts. In contrast to commercial districts, "Employment" districts are not intended to emphasize or support general retail development. However, limited retail and service establishments are allowed within an "Employment" district with the intent of serving area employees. Such commercial uses are generally not intended to serve wider community markets. Staff believe the RPSM rezoning district is very much compatible with the plan's "Employment" designation.

The 2004 Pioneer Neighborhood Development Plan identifies the subject area specifically for "Light Industrial" and makes specific mention to this applicant's original development plans. This Plan's intent for this area was to link the Silicon Prairie development "physically and programmatically to the Research and Development Center and the Employment District". As research and employment areas are designated elsewhere in the neighborhood development plan, the proposed area was intended to complement them with production, assemblage, and light processing uses.

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While no specific users have been named, the rezoning would allow for more office and supporting commercial uses in the area. The neighborhood development plan has already identified nearly 80 acres for employment uses and six (6) acres for a commercial and employment mix. While Planning staff do not see the proposed rezoning creating an inherent land use conflict, the proposed zoning district could allow the introduction of inconsistencies with the Pioneer Neighborhood Development Plan. This is dependent on what specific tenants are brought to the area.

The applicant has proposed placing a restriction on the rezoned property to prohibit three RPSM uses that may be most problematic in maintaining the focus of Silicon Prairie development on clean light industrial uses with a limited amount of office-employment uses. Prohibiting health clubs; medical, dental and optical clinics; and drive-up windows for banks and financial institutions would eliminate several potential consumer retail/service uses that might create a “commercial character” if established within the Silicon Prairie development. While restaurants and limited other retail uses would still be allowed in the RPSM district, these uses are limited to small percentages of mixed-use buildings and are consistent with the concept of providing on-site services to employees of the district.

Staff believe that the Plan Commission can find that there is sufficient evidence to support this rezoning. Included in this evidence is that the uses permitted in the RPSM zoning designation would be consistent with the Comprehensive Plan’s recommendation for this site. Further supporting this is the applicant’s willingness to prohibit the commercial uses described above.

While there are concerns over consistency with the “Light Industrial” designation in the neighborhood development plan, staff believe that there is still sufficient land area to meet the Plan’s intent to promote complementary production and light-industrial uses on the site’s remaining 86 acres. Staff strongly recommend that the remaining area maintain its current zoning to preserve areas for industrial uses. Further, staff agree that the increased flexibility in uses may provide greater opportunities to develop a more “urban” multi-story building at the Mineral Point / South Point corner to create a more attractive edge to the development to complement planned land uses on the other three corners of this major intersection. The design criteria proposed by the applicant would help to ensure that this potential is realized.

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RECOMMENDATION

The Planning Division recommends that the Plan Commission forward Zoning Map Amendment 3280, rezoning 9502 & 9602 Silicon Prairie Parkway; and 101,102 & 202 St. Philomena Way from SM- Specific Manufacturing District to RPSM- Research Park Specialized Manufacturing District, to the Common Council with a recommendation of **approval**, subject to input at the public hearing and the following conditions:

1. Comments from reviewing agencies.
2. That a deed restriction be placed on the rezoned parcels prohibiting the following uses: a) health clubs; b) drive-up service windows for banks and financial institutions; and c) medical, dental and optical clinics.
3. That the revised design covenants be approved by the Urban Design Commission.