



Welton Enterprises, Inc. Response to the Planning Division Staff Report Dated July 22, 2013

Project Address: 9414 Silicon Prairie Parkway

Prepared By: Joanna Burish, CEO
Welton Enterprises, Inc.

Prepared For: Steve Cover, Katherine Cornwell, Timothy Parks, Rob Phillips, Janet Dailey, David Dryer, Paul Skidmore, Steve King, Scott Resnick, Mike Verveer, Mark Clear & Carole Schaeffer

Dated: August 4, 2013

The total acres in the Cardinal Glenn Outlot 15 are 26.9 of which the proposed amendment would create 10 acres zoned for Traditional Residential-Urban 1 (TR-U1) District. Below is our response to the staff report and the issues presented for discussion and consideration as they are labeled in the specified staff report. With that, the total lands this response refers to is approximately the remaining 16.9 acres for those uses the Pioneer Neighborhood Plan would like to see for employment uses. Please refer to the attached Exhibit A for reference of this plat discussion.

A. 1 (a) Cross Oak Dr. Northern Extension & 1 (b) Cross Oak Dr. East-West Extension

THE ISSUE: Welton does not currently know exactly what will happen with the remaining lands of Outlot 15. In the interest of having *flexible* options to attract the types of corporate campus users that would greatly benefit the city, we believe the construction of this road today could encumber that ability. If constructed, this road would not lead anywhere until there is future development to the east and would only create additional roads to be maintained by the city. The proposed apartment development was planned to not need this road and to function with an internal private road system with access from two points on Silicon Prairie Parkway. Additionally, the applicant of this 10 acres proposed amendment for the multi-family use agrees that the developer may defer the road construction of Cross Oak Drive to a future time when the developer has a *secured employment user* for those lands in the adjacent proposed Outlot 1.

THE ASK: We do understand the need for good circulation for traffic and thus we propose that the condition of dedication with a note that says this road (and potentially others) will be constructed as necessary for future development of the remaining lands of Outlot 15.

B. 1 (C) North/South 80' Dedication Condition (Please refer to Exhibit A)

THE ISSUE: Welton's understanding is that the current Pioneer Neighborhood plan shows a North/South Road on the east portion of Outlot 15 of the Cardinal Glen Subdivision. The current plan calls for a 33' right of way that extends approximately half way down the eastern border of Outlot 15 (tapering near the end) for a future road that will be constructed across lot lines owned by two parties. The proposal from city staff moves the northern portion of this road to be completely constructed on Welton land on an 80' right of way dedicated from Welton. This causes an undue hardship on Welton based on the value of the land and the cost of road construction.

THE ASK: We request that the original neighborhood plan that calls for a 33' right of way on Welton land be used and Welton will dedicate this land as part of the CSM.

- The current Pioneer Neighborhood Plan shows the developer's portion of this future road to equal: $662 \text{ ft.} \times 33 = 21,846$ or .5 Acre
- The staff condition shows a change of: $662 \text{ ft.} \times 80 = 52,960$ or 1.22 Acres

C. 1 (d) and 10 - Temporary Turnaround

THE ISSUE: The applicant of the multi-family development has worked diligently with staff and other planning divisions to design the proposed internal roads of his development with consideration to accommodate user and Fire Department access needs. This road ends at the Theis land which is currently farm land leading nowhere.

THE ASK: This turnaround will not have to be constructed as the developer will construct the extension of Silicon Prairie Parkway to the edge of the North/South dedication allowing for the access needs.

D. 1(e) Cross Oak Dr. Western Right of Way Reservation

THE ISSUE: As mentioned, we do not know exactly what will happen with the remaining lands of Outlot 15; however, the best opportunity for Welton to secure the types of employment users that the Pioneer Neighborhood Plan calls for and that would most benefit the city is having a large contiguous piece of land available that has *flexible* options. We believe that a reservation of the road that would extend westerly from the proposed Cross Oak Drive would negatively impact the ability of the land owner to secure one large user. We also understand that there could potentially be the need for this type of road or other additional roads in the future.

THE ASK: We believe that the market and end users will influence the necessary roads and request that this reservation of the westerly extension be removed as a condition allowing the developer to have the flexibility to meet the needs of those larger users. . Alternatively, we propose adding a note to the CSM that future roads may need to be included on the remaining lands of Outlot 15.

The above roads requested by staff total 3.8 Acres or a 26% decrease in land available to use for employment use. Per the focus of the Pioneer Neighborhood Development Plan, this greatly contradicts and hinders this goal. These 3.8 acres does not account for land required for easements needed for water detention/retention usage which could be another 1-2 acres based on prior assessments.

Therefore we go from:

- 16.9 acres available for employment development,
- Less the storm water needs for the roads,
- To finally equaling less than approximately 11 acres available for a substantial user of a headquarter type of employment center.

E. 2. City/Developer Agreement

THE ISSUE: This condition stipulates that the developer will construct and pay for the all roads to serve this CSM. There is no mention of the timing of delivery or the current discussions of options on timing and costs that the city engineering department has suggested to the developer for consideration.

THE ASK: We ask that the roads be considered for construction at a future time when they are truly needed allowing for flexibility for our end user. Now is not that time. At the earliest it should be when Outlot 1 has a secured an employment user.

In conclusion, we ask that you work collaboratively with the developer in meeting the goals of the Pioneer Neighborhood Development Plan in a manner and timing that allows for the best outcome of this development, and in a manner that does not cause undue hardship onto this developer. We support the proposed amendment for the multi-family use, but ask for your help and consideration in the aforementioned above.

We look forward to meeting with you to discuss further the concerns presented. Should you have any questions prior to our meeting next Tuesday evening, please don't hesitate to contact me directly on my cell at (608)658-3482.

Very Kindly,



JOANNA BURISH
CEO,
WELTON ENTERPRISES, INC.

Cc: John McKenzie, Ryan Quam, Kurt Welton and Paul Molinaro



EXHIBIT A

Outlot 15, Cardinal Glen Plat
(As the developer purchased it)