

City of Madison
INTER-DEPARTMENTAL
Correspondence

DATE: September 11, 2008
TO: Madison Plan Commission
FROM: Michael Waidelich, Principal Planner
SUBJECT: Proposed Amendment to the *Nelson Neighborhood Development Plan*

One of the items on the September 15, 2008 Plan Commission agenda is consideration of a resolution amending the *Nelson Neighborhood Development Plan* to revise the land use recommendation for an area located south of the Nelson Road/High Crossing Boulevard intersection. This amendment has been prepared for consideration concurrently with a proposed ordinance amendment to rezone the parcel immediately south of Nelson Road from the C2 General Commercial District to the C3 Highway Commercial District to allow a Honda automobile dealership to be developed on that site. The proposed automobile dealership use would not be consistent with the current Office/Service land use recommendation for this property, and if the rezoning to allow the dealership is approved, a corresponding amendment to the neighborhood development plan would be required to maintain plan consistency. The proposed plan amendment would also revise the recommended alignment of future streets and street extensions to properly align with streets that have already been built. This memorandum provides additional information about the proposed neighborhood plan amendment.

Change to Recommend Land Uses

Background

When the *Nelson Neighborhood Development Plan* was adopted in 1992, the neighborhood was largely undeveloped, except for scattered uses and a concentration of primarily automobile-oriented businesses located between High Crossing Boulevard (previously called Burke Towne Drive) and East Washington Avenue (USH 151). These businesses, including several large automobile dealerships, were already established at the time this area was annexed from the Town of Burke in 1991. Lands on the south side of High Crossing Boulevard were undeveloped at that time.

The *Nelson Neighborhood Development Plan* recommended additional commercial and retail uses along most of both frontages of High Crossing Boulevard, but specifically recommended that future development on the south side not include large-scale or region-serving retail uses, but encouraged a step-down to less automobile-oriented uses that would support other planned neighborhood components---such as provision of goods and services valued by office workers or area residents. Office uses were recommended for the western part of the neighborhood adjacent to Interstate Highway 39-90-94, and also for an approximately 16-acre area located south of the new American Parkway interchange and High Crossing Boulevard. This area, located between Nelson Road and Cross Hill Drive, was seen as most appropriate for office-type uses that would be more compatible with the prominent “gateway to the neighborhood” location and the planned residential uses south and east of Cross Hill Drive.

As noted in the preamble to the plan amendment resolution, the recommended neighborhood- and employee-serving development has not occurred along the south side of High Crossing Boulevard, and this frontage has been primarily developed instead with a variety of highway-oriented uses. A 2005 amendment to the *Nelson Neighborhood Development Plan* removed the recommendation that highway-oriented uses not be located in the Retail/Service designated area, but retained the recommendation against large-scale region-serving retail development.

A 2001 neighborhood plan amendment changed the land use recommendation for lands north of Nelson Road from Distribution/Manufacturing to a combination of Retail/Service, Residential, and Distribution/Manufacturing to accommodate a proposed mixed-use development known as The Crossing. General Development Plan zoning for The Crossing was approved, but none of the retail or mixed-use elements, and only a small portion of the residential component, of that project has been developed at this time. There have been recent staff discussions with the Marcus Corporation, which is developing a plan to develop this property with a multiplex theatre and a mix of other retail and residential uses. This proposal will require changes to the approved general development plan.

Current Proposed Plan Amendment

The proposed amendment to the *Nelson Neighborhood Development Plan* currently being considered would change the land use recommendation for part of the area between Nelson Road and Cross Hill Drive from Office/Service to Retail/Service. As noted above, this amendment was prepared for concurrent consideration in the event that the Plan Commission recommends approval of the rezoning to allow a Honda automobile dealership on the property just south of Nelson Road. The proposed amendment would change the land use recommendation only for the parcel that is the site of the proposed automobile dealership, and a portion of the adjacent parcel to the south that has High Crossing Boulevard frontage. These lands are currently zoned C2 Commercial. The balance of the lands between Nelson Road and Cross Hill Drive would remain recommended for Office/Service land uses. These lands are currently zoned A Agriculture. In evaluating the proposed plan amendment, issues to consider include the potential effect of the proposed change on:

- the objective of establishing an attractive use at the gateway to the neighborhood
- the future development of the adjacent properties, and
- the compatibility of developments north of Cross Hill Drive with existing and planned residential areas located south and east of Cross Hill Drive.

Gateway Location

Staff continue to believe that, in general, the types of developments that would be consistent with an Office/Service land use recommendation may have a greater potential to create an attractive and engaging gateway to the neighborhood and the High Crossing Boulevard business district than the types of developments consistent with a Retail/Service recommendation (which now also acknowledges automobile- and highway-oriented uses as part of the mix). As a general case, uses such as a corporate office, a hotel, or a bank, for example, might reasonably be assumed to be more likely to feature larger buildings, higher-quality architecture, and more landscaping and amenities than most highway-oriented retail uses.

However, there is no guarantee that the Office/Service uses actually proposed here would necessarily

be attractive or high-quality, or that retail uses would not be. In the 16 years since the *Nelson Neighborhood Plan* was first adopted, several concepts for development of this and the adjacent parcel with uses that could be considered consistent with the Office/Service land use recommendation have been informally discussed, but none of these ideas has advanced to the level of a formal proposal, for one reason or another. The present proposal for a Honda automobile dealership is not an Office/Service use, but the proposed development does include a large main building with relatively attractive design for its purpose---although the development also exhibits the extensive surface parking and storage lots, relatively modest landscaping, and high level of site illumination typically associated with large automobile sales and service facilities.

There is already another automobile dealership opposite the site adjacent to Nelson Road on the north side of High Crossing Boulevard, and development trends along High Crossing generally would suggest that the demand for automobile- and highway-oriented sites is stronger than for most other types of commercial uses in this area---at least at the present time. Given the reality of how the area has been developing, and the absence of alternative proposals, it is reasonable to consider whether the current proposal may be an acceptable development on this parcel, compared to continuing to have a vacant property at the entry to the neighborhood.

Future Development of Adjacent Properties

The Office/Service use area where the plan amendment is proposed is comprised of three separate ownership parcels that were (or will be) separated from larger properties by the realignment of Nelson Road which occurred as part of the construction of the new American Parkway/USH 151 interchange, the subsequent vacation of the former Nelson Road right-of-way, and the extension of Cross Hill Drive south of High Crossing Boulevard. The two westernmost lots created as a consequence of these road alignments have awkward configurations and very limited access to the primary fronting streets, High Crossing Boulevard and Nelson Road. While the topography of the site creates additional challenges, staff have always believed that a better project could be developed on these two parcels if the lots were combined as a single development site (which would allow a fairly significant structure to be built closer to the High Crossing/Nelson Road corner), or at least if an overall site plan was in place to coordinate the development of the two lots separately. As noted above, however, none of the several development concepts that have been discussed over the years, some of which assumed coordinated development, have come to fruition.

The proposed automobile dealership would effectively preclude future consideration of developing a single project that would encompass both properties. Except for the proposed shared access drive onto Nelson Road (which reflects the limited access to these parcels), the development of the northern parcel will establish a hard edge along the southern property line which will include maintaining a significant grade difference between the two parcels through construction of retaining walls. As a consequence the southern property will have only limited visibility and (shared) access to High Crossing Boulevard, and no visibility or access to Nelson Road. This will necessarily shift larger-scale development farther east on the property and might encourage prospective developers to consider establishing Cross Hill Drive as the primary access point. For some types of Office/Service uses with limited traffic generation, this would not be a problem, but as described further below, the eastern portions of this parcel will be opposite existing and planned residential areas, and Cross Hill Drive is not intended as primarily a commercial-oriented street.

Otherwise, the difference in site elevation (the southern parcel being higher) and landscaping along the southern edge of the automobile dealership should create a fairly effective visual screening for future uses developed on the adjacent property.

Compatibility of Future Development North of Cross Hill Drive with Adjacent Residential Uses

As noted above, the Office/Service land use recommendation for the area between Nelson Road and Cross Hill Drive was partially based on the goal of establishing uses here that would be compatible with the existing and proposed residential areas located south and east of Cross Hill Drive. It was recognized that due to the unusual configuration of the parcels, Cross Hill Drive might need to help provide access to future uses along the north frontage, but it was not intended that Cross Hill become characterized as a “commercial” street, except at the western end near High Crossing Boulevard. While not specified in any detail in the neighborhood plan, an underlying assumption was that more-intensive uses would be located toward High Crossing, with relatively low-traffic, low-impact uses, such as smaller offices, located farther east. The proposed neighborhood plan amendment reemphasizes this distinction by changing only the High Crossing Boulevard frontage of the southern parcel from Office/Service to Retail/Service. The amendment recognizes that if the plan is amended to support the proposed Honda vehicle dealership, also allowing general retail uses on the remaining short segment of High Crossing frontage is only reasonable. However, there is no reason to expand the potential retail district eastward along Cross Hill Drive toward the residential areas.

The proposed Honda dealership on the parcel immediately south of Nelson Road should have little if any direct impact on the residential areas south of Cross Hill Drive. However, it is not unlikely that a change to the *Nelson Neighborhood Development Plan* land use recommendation for that property to Retail/Service might be cited by a prospective developer at some future time as a reason to also consider retail uses appropriate on other lands north of Cross Hill Drive. Staff believe that the current Office/Service recommendation continues to be appropriate for these lands, and would not support retail development here. The potential that a future developer might seek to claim the current proposed neighborhood plan amendment, if approved, as a relevant precedent for further changes to the plan is not necessarily a reason not to approve the present amendment; but the Plan Commission should be aware that this claim may be made, and may wish to clarify that the amendment is not intended to imply that additional future expansions to the Retail/Service area will be supported.

Staff would also note that if it continues to prove difficult to develop the properties north of Cross Hill Drive with the types of Office/Service uses that would be compatible with the adjacent residential neighborhood, it might be worth considering the possibility of re-designating a portion of this area to also allow some types of residential uses. This alternative seems at least as likely to have the potential to create an environment compatible with residential uses south and east of Cross Hill Drive as many types of commercial development. This is not being proposed at this time, however.

Proposed Changes to Future Street Alignments

The proposed amendment the *Nelson Neighborhood Development Plan* would also revise the recommended alignments of the future eastward extension of Cross Hill Drive and the planned future north-south street through the neighborhood east of existing Congress Avenue. The alignments illustrated in the current neighborhood plan show Cross Hill Drive looping northward to connect with Nelson Road; and the future north-south street has a T-intersection with Cross Hill Drive. This

alignment was designed to have Cross Hill Drive intersect Nelson Road directly opposite the intersection of Nelson Road with an existing street named Degenhardt Road. Degenhardt Road was built by the Wisconsin Department of Transportation to provide access to the Degenhardt property north of Nelson Road when its access to USH 151 was eliminated as part of the American Parkway interchange project.

In 2001, major changes in the proposed land uses north of Nelson Road were approved as part of the commercial/mixed-use/residential project known as The Crossing. The Morgan Plat approved in conjunction with that project substantially reconfigured the street alignments north of Nelson Road to better-serve the proposed development. Degenhardt Road was vacated, and primary access into the commercial/mixed-use portion of the development was provided by a new public street, Crossing Place, which intersects with Nelson Road farther to the west than the former Degenhardt intersection.

The proposed neighborhood plan amendment would revise the recommended alignments of future neighborhood streets so that the new north-south street intersects Nelson Road opposite Crossing Place, and Cross Hill Drive has a T-intersection with the new north-south street. Please note that the alignments are still somewhat conceptual, and may be revised as part of future detailed engineering when these streets are actually constructed.