



## Report to the Plan Commission

April 15, 2009

Legistar I.D. #13964/14406 & 13966  
9414 & 9502-9602 Silicon Prairie Parkway  
Rezoning, Demolition Permit, Prelim. & Final Plats

Report Prepared By:  
Timothy M. Parks, Planner  
Planning Division

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### Requested Actions:

1. Approval of a request to rezone approximately 26.9 acres located at 9414 Silicon Prairie Parkway from A (Agriculture District) to RDC (Research and Development Center District) with a master plan to guide future development; approval of a demolition permit to allow a single-family residence to be razed, and; approval of a preliminary and final plat creating 8 lots for future commercial development and 1 outlot for stormwater management.
2. Approval of a request to rezone approximately 19.2 acres located at 9502-9602 Silicon Prairie Parkway and 101, 102 and 202 St. Philomena Way from RPSM (Research Park Specialized Manufacturing District) to RDC (Research and Development Center District) with a master plan to guide future development.

Note: Despite being two separate requests, the Planning Division prepared a single report given that the two projects share the same developer, will ultimately be governed by common restrictions, will be subjected to the same architectural review committee, will share the same zoning classification and will be located across South Point Road from one another.

**Applicable Regulations & Standards:** Section 28.12 (9) provides the process for zoning map amendments; Section 28.12 (12) provides the guidelines and regulations for the approval of demolition permits. The subdivision process is outlined in Section 16.23 (5)(b) of the Subdivision Regulations.

**Summary Recommendation:** The Planning Division recommends that the Plan Commission forward both Zoning Map Amendment 3427, rezoning 9414 Silicon Prairie Parkway to RDC, and the preliminary and final plats of Silicon Prairie Community Plat and Zoning Map Amendment 3428, rezoning 9502-9602 Silicon Prairie Parkway et al to RDC to the Common Council with recommendations of **referral** so that the Planning Division may continue to work with the applicant on additional refinements to the master plans.

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### Background Information

**Applicant & Property Owner:** Kurtis D. Welton, NEW WEI, LLC; 559 D'Onofrio Drive, Suite 222; Madison; Joanna Burish, representative.

**Surveyor:** Michelle Burse, Burse Surveying & Engineering, Inc.; 1400 E. Washington Avenue; Madison.

**Proposal:** The 9414 Silicon Prairie Parkway proposal calls for the subdivision of that 26.9-acre property into 8 lots and 1 public stormwater outlot and a master plan to allow the future development of 10 office buildings on the east side of South Point Road opposite the site at 9502-9602 Silicon Prairie Parkway and 101, 102 and 202 St. Philomena Way. That 19.2-acre site, on the west side of South Point Road, is proposed to be developed with 10 office buildings on previously platted lots in the Silicon Prairie Business Park plat.

**Parcel Location:** Approximately 47.2 combined acres of land located on both sides of South Point Road between Mineral Point Road and Silicon Prairie Parkway, Aldermanic District 9; Middleton-Cross Plains School District.

**Existing Conditions:** The project site on the west side of South Point Road is undeveloped. The project site on the east side of South Point is undeveloped with the exception of a single-family residence and various agricultural accessory buildings located along the eastern portion of the Mineral Point Road frontage.

**Surrounding Land Use and Zoning:**

North: Blackhawk Church Town Center development, zoned PUD-GDP & PUD-SIP; undeveloped lands in the Town of Middleton across Mineral Point Road;

South: West of South Point Road – Silicon Prairie Business Park, zoned SM (Specific Manufacturing District); east of South Point Road, existing and future single-, two- and multi-family residences in the Cardinal Glenn subdivision, zoned R2T/Y/Z (Single-Family Residence District) and PUD-GDP & PUD-SIP;

East: Undeveloped lands in the City of Madison, zoned Temp. A;

West: Full Compass Systems office/ warehousing complex in Silicon Prairie Business Park, zoned SM.

**Adopted Land Use Plan:** The Pioneer Neighborhood Development Plan identifies the site on the west side of South Point Road for light industrial uses. The site on the east side of South Point Road is recommended for employment uses with the exception of land at the southeastern corner of Mineral Point Road, which is recommended for neighborhood commercial development. Both project sites are identified in the Comprehensive Plan for employment uses.

**Environmental Corridor Status:** Both project sites are located outside mapped environmental corridors.

**Public Utilities and Services:** Both project sites will be served by a full range of urban services.

**Zoning Summary:** See the 'Project Review' section below.

### Previous Approvals

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On September 4, 2007, the Common Council approved a request to rezone the five lots located at 9502-9602 Silicon Prairie Parkway and 101, 102 and 202 St. Philomena Way from SM (Specific Manufacturing District) to RPSM (Research Park Specialized Manufacturing District). The five lots were created by the final plat of Silicon Prairie Business Park, which was approved by the Common Council on September 17, 2002 and recorded on March 5, 2003.

On January 18, 2005, the Common Council rezoned the 9414 Silicon Prairie Parkway project site from Temp. A (Agriculture District) zoning to (permanent) A zoning as part of the approval of requests to rezone and subdivide the Cardinal Glenn residential subdivision located south of Silicon Prairie Parkway. The subject property was designated as Outlot 15 with the understanding that the property would be developed with employment and neighborhood commercial uses on a future application.

## Project Review

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The applicant is requesting approval of two zoning map amendments to rezone a combined 47.2 acres of land located on both sides of South Point Road between Mineral Point Road and Silicon Prairie Parkway to the Research and Development Center (RDC) zoning district. The combined property will be developed with approximately 1,141,200 square feet of primarily office space to be located in 20 buildings throughout the two project sites. In addition to the two zoning map amendments, the applicant is also requesting approval of preliminary and final plats to subdivide the property on the east side of South Point Road into 8 lots and 1 public stormwater outlot and a demolition permit to allow a single-family residence facing Mineral Point Road on the eastern project to be razed.

These two requests are being presented to the Plan Commission as a single report. Staff is also recommending that the 47.2 combined acres be governed by a common set of restrictive covenants with the same architectural review committee to review future developments within the two project sites.

### The Research and Development District (RDC)

The Common Council amended the Zoning Ordinance on November 8, 2005 to create the Research and Development Center zoning district as a fifth manufacturing district. The RDC district was developed to provide “an aesthetically attractive urban working environment intended primarily for high-technology, research and development, testing, and certain specialized manufacturing establishments, in addition to professional offices and business incubators” and many of the design standards and bulk and mass requirements in the district are influenced by the recommendations of the 2004 Pioneer Neighborhood Development Plan. The uses permitted in the RDC largely follow the uses permitted in the RPSM Research Park Specialized Manufacturing zoning district. However, the RDC district includes a number of design standards that are intended to create an office campus with more compact, urban development characteristics than are permissible in the O-Office or RPSM districts. The RDC district emphasizes buildings that are oriented toward the streets with parking on the street, to the side and behind buildings and includes standards that require at least 50% of buildings to be located within 10-30 feet of a street property line. The district includes a minimum floor area ratio (FAR) of 0.35 and does not set a maximum FAR.

The RDC district requires advance planning for individual sites to maximize on-site building expansion at the time of site plan approval to accommodate additional development on the site and structured parking at strategic locations. A master plan is required at the time RDC zoning is conferred on a property to demonstrate a unified and organized arrangement of buildings and service facilities within the district and to serve as a guide for how future development within the district may be implemented. An architectural review committee is also required for RDC-zoned developments to review each new development in the project against standards adopted as part of deed or plat restrictions approved by the Plan Commission prior to development occurring. (In the event no deed or plat restrictions have been approved establishing the architectural review committee prior to building construction being proposed, the Urban Design Commission will review new projects.)

In addition to establishing an architectural review committee to review new construction, the RDC district also includes specific design-related provisions for the treatment of accessory off-street parking and loading facilities, outdoor storage areas, landscaping and signage.

RDC zoning was primarily intended to be mapped on areas generally over 50 acres in size and was first conceived to provide a zoning framework to implement the specific recommendations in the Pioneer

Neighborhood Development Plan for the University Research Park's 231.75-acre Pioneer Addition on the west side of CTH M south of Mineral Point Road. One of the recommendations of the neighborhood development plan and conditions of its approval in 2004 was the requirement to prepare transportation demand management plans for the employment areas with the neighborhood. Specifically, RDC zoning requires the establishment of a transportation management association for the district and nearby employment centers. A Transportation Demand Management Plan approved by the City Traffic Engineer is required for the RDC district and individual lots are required to provide a Transportation Demand Management (TDM) Plan approved by the Traffic Engineer that is consistent with the Plan for the district.

#### Rezoning and Future Development West of South Point Road

The project site on the west side of South Point Road consists of 19.2 acres of property previously platted as Lots 1-5 of Silicon Prairie Business Park. The five lots were originally zoned SM (Specific Manufacturing District) at the time the industrial park was approved in 2001-2002. After expressing a desire to reorient the northeastern corner of the park to more office-type uses in an effort to create a more aesthetically pleasing gateway into the Silicon Prairie development, the applicant received approval in 2007 of a rezoning of these five lots to the RPSM Research Park Specialized Manufacturing zoning district. The RPSM district focuses on office, research and development, limited specialized manufacturing, and supporting commercial uses, while the SM district focuses primarily on non-noxious light manufacturing uses. At the time of the rezoning of these sites from SM to RPSM, it was determined that the new zoning classification was consistent with the employment land uses recommended for this site in the Comprehensive Plan and generally consistent with the light industrial uses identified for this site in the Pioneer Neighborhood Development Plan. Staff felt that rezoning these five lots to RPSM still left sufficient land area in the remainder of the Silicon Prairie development to achieve the neighborhood development plan's intent to promote complimentary production and light industrial uses while providing an attractive edge to the development to compliment planned commercial uses at the other three corners of the Mineral Point-South Point intersection.

The proposed rezoning of these sites from RPSM to RDC represents, in staff's opinion, a furthering of the uses first approved for this site with the 2007 rezoning. The applicant has submitted a master plan for the project site on the west side of South Point, which calls for the future construction of about 10 office buildings with an estimated floor area of approximately 582,480 square feet. The 10 buildings proposed will primarily be located on the perimeter of the 19.2-acre project site, which is bisected by St. Philomena Way, a north-south public street that extends one block between Mineral Point Road and Silicon Prairie Parkway. Two buildings and a shared parking lot are proposed west of St. Philomena Way, while the remaining eight buildings will be located between St. Philomena and South Point Road and will surround a central parking area. The master plan indicates that 9 of the 10 proposed buildings will be three stories each, with the last building proposed to be 4 stories. In addition, two of the buildings along the Mineral Point Road frontage, buildings A and E, will contain neighborhood retail uses in addition to the office uses otherwise envisioned.

The master plan shows two buildings, E and F, abutting a small home site on the west side of South Point Road just south of Mineral Point Road, which is not located within the development and is still in the Town of Middleton. The applicant has indicated a desire long-term to acquire this property and conceptually shows parking for Building F occupying the home site should it ever be acquired. Staff encourages the applicant to acquire this site and incorporate it into the larger development prior to proceeding with development of Building F so that the building can be placed along South Point Road and the cohesiveness of the development ensured. If the lot cannot be reasonably acquired, more information should be provided on the master plan on how the future building may be designed to relate to the residence or to another possible use on that property.

The master plan indicates that at least 6 of the 10 buildings will have parking within the structures. Overall, the 10 buildings will be served by approximately 2,332 surface and structured parking stalls. The 2,332 parking stalls equals approximately 4 stalls per 1,000 square feet, which is 1.5 stalls per 1,000 square feet more than the minimum required by the Zoning Ordinance for office uses. It is likely that the final number of stalls provided will vary during build-out and that the number of stalls required for a building containing neighborhood retail will be slightly higher.

The western project site was previously platted and most of the infrastructure to serve the 10 proposed buildings was previously installed. It is likely that development of these buildings could commence once a final master plan has been administratively approved and a new restrictive covenant is recorded against these five lots establishing the architectural review committee and development guidelines has been approved by the Plan Commission.

#### Rezoning, Subdivision and Future Development East of South Point Road

East of South Point Road, the applicant is proposing 10 office buildings to occupy the 26.9-acre project site, which as noted earlier in this report is an outlot created for future development with the Cardinal Glenn residential development located south of Silicon Prairie Parkway. As part of the development of this project site, the applicant has also submitted preliminary and final plats to subdivide the site into 8 development lots and 1 public stormwater outlot.

The development of the 26.9-acre site calls for the extension of Cross Oak Drive north and east through the site from its current terminus at Silicon Prairie Parkway. Cross Oak Drive will intersect Street A, which will extend south from Mineral Point Road as a north-south collector street along a portion of the eastern property line of the site. Approximately half of the future right of way needed for Street A can be provided on the subject site, and off-site right of way will be needed to allow construction of the street. The proposed street alignments generally follow the conceptual street pattern shown in the Pioneer Neighborhood Development Plan with the exception of an east-west street shown extending between South Point Road and extended Cross Oak Drive.

Unlike the development pattern proposed on the western project site across South Point Road, where all of the buildings were located along the perimeters of the two development blocks, the development pattern on the eastern project site appears to be less compact. The 10 buildings proposed on the eastern project site are more distributed throughout the site. The proposed master plan calls for three buildings, AA, BB and CC, to be constructed along the Mineral Point Road frontage, including Building AA, which will occupy the corner of South Point Road and may include first floor neighborhood retail uses. Each of these three buildings will include surface parking located generally to their south, and at least buildings AA and BB will include structured parking (a structured parking entrance was not shown at CC).

Moving south, two buildings, II and JJ, are proposed at the corner of South Point Road and Silicon Prairie Parkway, with a surface parking lot proposed to the north and east of these buildings. Under-building parking entrances are shown serving these buildings. To the east, three buildings, DD, EE and FF, will extend along the eastern and southern sides of Cross Oak Drive, with surface parking for the three buildings to be located to the south and east. Again, under-building parking is proposed for these buildings. Finally, two buildings, GG and HH, will be located in the southeastern corner of the project site generally fronting Silicon Prairie Parkway behind a surface parking lot. The remainder of the southern edge of the development will be occupied by a stormwater management basin to be located in the proposed public outlot.

In all, 558,720 square feet of building area is proposed for the eastern project site. Of the 10 buildings proposed, 5 will be three stories in height, while buildings BB, CC and FF will be four stories. The last two buildings in the southeastern corner of the site, GG and HH, however, will be two stories and one story in height, respectively. Like the project proposed west of South Point Road, parking will be provided at a ratio of approximately 4 stalls per 1,000 square feet of space, resulting in about 2,235 spaces. However, final parking counts and final built floor area may vary as part of project implementation and the final mix of office and retail uses in Building AA.

In order to implement the RDC zoning and proposed subdivision, the applicant is also requesting approval of a demolition permit to allow a single-family residence along the Mineral Point Road frontage to be demolished. The former farmhouse is a one and a half-story structure with a hip roof and dormers and white horizontal siding. Photos of the residence submitted with the application appear to show a house in average condition. The residence is surrounded by a handful of accessory buildings that will also be demolished to accommodate the proposed RDC-zoned development.

Finally, the proposed development east of South Point Road will work around a single-family residence on an unrelated parcel similar to the condition present on the western project site. In this case, a single-family residence on a 260-foot wide and approximately 230-foot deep lot fronting Mineral Point Road will remain for the time being. The residence is located between the proposed AA and BB buildings on the master plan and no information has been provided for how that site might be incorporated into the eastern project site in the future. However, staff estimates there would be sufficient room for a building similar to the proposed adjacent buildings to be accommodated on this unrelated parcel should it ever develop in the future. Additionally, the applicant has indicated that he has a right of first refusal to purchase this parcel should it ever be sold.

## Analysis

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The Planning Division generally supports the applicant's proposal to rezone the two project sites totaling 47.2 acres to the RDC Research and Development Center zoning district. Staff feels that the enactment of RDC zoning on the east side of South Point Road will be in conformance with the land use recommendations of both the Comprehensive Plan and Pioneer Neighborhood Development Plan, which largely recommends the southern frontage of Mineral Point Road between South Point and Pleasant View roads, including the subject site, for employment uses. The Pioneer Neighborhood Development Plan generally recommends professional office, research and development, "clean" light industrial uses and technology processing in employment districts, and each of these uses is generally permissible in the RDC zoning district.

The enactment of RDC zoning should also begin to implement the physical design recommendations for employment districts in the Pioneer Neighborhood Development Plan. Among the urban design-related recommendations included in that plan for employment districts are the creation of compact, walkable job centers that include buildings with strong street orientations and parking primarily located in the side or rear.

Regarding the rezoning of the property on the west side of South Point Road from RPSM to RDC, staff considers this a furtherance of the rezoning approved for the same property in 2007. In that case, the Plan Commission and Common Council determined that it was appropriate for the northeastern corner of Silicon Prairie Business Park to take on more of an office orientation with the RPSM zoning instead of the light industrial orientation it previously had when it was zoned SM Specific Manufacturing. The Planning Division believes that the proposed rezoning of the 19.2-acre site to RDC will be as in keeping with the recommended employment uses in the Comprehensive Plan as the earlier request to establish

RPSM zoning on this site. Staff also feels that the RDC zoning may be in greater conformance with at least the physical development pattern recommended for employment areas in the Pioneer Neighborhood Development Plan than the RPSM rezoning of the property. The resulting development form on the site in RDC zoning will likely take on the urban form recommended in the neighborhood development plan, whereas RPSM zoning, which requires generous yards and limits the floor area ratio to 1.0, would likely have resulted in more of a traditional suburban office park development pattern not necessarily in keeping with the plan's physical development recommendations.

The proposal, however, to include neighborhood retail uses in buildings A and E along the Mineral Point Road frontage represents a modest departure from the land uses recommended for the western project site in the Pioneer Neighborhood Development Plan. However, RDC zoning permits limited retail uses intended to support the primary employment uses in the district. Retail uses located on the ground floor that do not exceed the smaller of 15,000 gross square feet or 25% of the gross area in any single building and contain no individual retail store exceeding 2,500 gross square feet are permitted. Such permitted uses include delicatessens, barbershops, office supply stores and coffee shops. Given the limited scope of retail uses permitted in the requested zoning, staff believes it is appropriate for such uses to be incorporated into the plans for buildings A and E, as well as Building AA across South Point Road, which will be located on a small area identified in the neighborhood development plan for neighborhood retail uses.

According to the data provided by the applicant, the developments proposed on both sides of South Point Road should comply with the minimum floor area ratio of 0.35 required in RDC zoning, though the development on individual sites will be reviewed more specifically at the time of architectural review committee review and site plan approval by City staff.

In reviewing the master plans submitted for the two project sites, staff believes that the developments proposed are beginning to reflect the development pattern required by RDC zoning. However, staff believes that both master plans require additional refinement before the requested RDC zoning can be approved. Most of the buildings shown on the site plans generally conform to the provisions in RDC zoning for building placement, though the plans have not been drawn to a specific enough level of detail at the current time. Staff also believes that the ultimate build-out of this area as reflected in the plan should incorporate structured parking and result in a more compact and walkable development pattern. Staff is recommending referral of the zoning map amendments and other related requests until such time as the applicant presents staff with more fully engineered master plans that contain the information required for master plans in the RDC district.

While the current conceptual master plans appear to suggest that most of the buildings proposed will have a minimum of 50% of their facades facing a street-facing property line located within 10 to 30 feet of the property line as required, more dimensions of building walls and setbacks are needed to make a complete determination. The two exceptions to building placement on the current plans are Building AA on the eastern project site, which is shown set back off of South Point Road, and Building GG, which is shown set back from Silicon Prairie Parkway. In the case of Building AA, staff believes that the proposed setback from South Point Road is generally acceptable given the applicant's desire to provide parking for retail tenants on the first floor. However, staff recommends that the amount of parking and corresponding setback be reduced to move the building somewhat closer to South Point, which will also provide additional space for the future development of a building to the east of Building AA should the unrelated residential parcel to the east be annexed and developed. In the case of Building GG, staff recommends that the building be pulled up to Silicon Prairie Parkway so that it may comply with the district's yard requirements. The surface parking currently shown should be moved to the rear of buildings GG and HH. Staff recommends that the master plan be revised during the proposed referral to accommodate these two building relocations.

More information is also needed in order to make a determination that the parking facilities depicted will implement the RDC district's statement of purpose, which encourages parking to be located to the side or rear of buildings, shared and structured to the extent possible in an effort to create compact, walkable developments. The master plan for the project site on the west side of South Point Road appears to closer to achieving this requirement. The project site on the east side of South Point, however, is far less compact as currently proposed and may need additional work. The eastern master plan differs from the western plan in that it will create two relatively large parking fields visible from extended Cross Oak Drive, which would seem to deviate somewhat from the intent of the RDC district and Pioneer Neighborhood Development Plan. Staff, however, acknowledges that the eastern master plan does make a reasonable effort to frame the perimeter streets, especially Mineral Point Road, which is a more significant roadway than Cross Oak Drive. Staff also feels that additional information needs to be provided about pedestrian circulation within the two project sites. Currently, staff does not feel that the two project master plans have good internal circulation that would facilitate non-vehicular movements between buildings and future uses.

Finally, staff is recommending that the 47.2 combined acres be governed by a common set of restrictive covenants with the same architectural review committee to review future developments within the two RDC-zoned project sites. Staff recommends that prior to the requested RDC zoning of the two project sites taking effect, the applicant submit a joint restrictive covenant for approval by the Plan Commission following review by staff. The restrictive covenant would, at a minimum, include specific details on the architectural review committee, any proposed use restrictions, adherence with the approved Transportation Demand Management Plan(s) for the district and details about the specific design criteria that will govern the RDC-zoned lots. Staff feels that a separate restriction from the restrictive covenants governing the SM-zoned portions of the Silicon Prairie Business Park is warranted for the 47.2 subject acres because of the nature of development envisioned and the differences between the RDC and SM zoning districts. Staff also feels that a joint restriction for the entire 47.2 acres will result in a more cohesive development on both sides of South Point Road.

The Transportation Demand Management Plan shall, at a minimum, also be approved by the Traffic Engineering Division prior to the RDC zoning taking effect.

## Conclusion

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The applicant is requesting approval to rezone two sites totaling 47.2 acres to the Research and Development Center zoning district. The Planning Division has reviewed these requests and believes that both will be able meet the standards for approval for zoning map amendments once the master plans for the two project sites are further revised and refined. In particular, staff feels that the proposed RDC zoning of these properties will implement the recommendations of both the Comprehensive Plan and Pioneer Neighborhood Development Plan. In the case of the Pioneer NDP, staff feels that the proposed zoning may better implement the physical design recommendations of the plan better than the RPSM zoning of the western site and that overall the RDC zoning should result in the development forms anticipated by the plan.

The applicant has submitted two master plans that staff feels will largely implement the specific design requirements of the RDC zoning. Staff will note that the master plan requirement in the RDC zoning district is intended to guide future development within the district, and it is likely that there will be some deviations from the two approved master plans over the course of build-out of the 47.2 acres. However, additional information on the buildings and parking proposed as well as more information on pedestrian



circulation is required in the master plans before staff can fully recommend that the Plan Commission and Common Council confer the requested RDC zoning on these properties.

In order for the applicant to begin using the RDC zoning of the two properties, he will be required to submit a unified restrictive covenant for the 47.2 acres for approval by the Plan Commission. Staff feels that the joint restriction can better deliver a cohesive development for these two sites in light of the design standards in RDC zoning versus an expansion of the existing restrictions in place for Silicon Prairie Business Park, which were first conceived to address development in the more industrial SM zoning district. The applicant will also be required to receive approval of the joint restrictive covenant and a Transportation Demand Management Plan for the overall development from the Traffic Engineering Division prior to the RDC zoning of these two project sites taking effect.

Lastly, once the master plans have been refined and a determination can be made regarding the RDC zoning, staff believes that the Plan Commission will be able to find the standards of approval met for the proposed residential demolition permit and the proposed subdivision on the east side of South Point Road. In the case of the demolition permit, while the existing structure generally appears to be in average condition, the residential use of the property is incongruous with the land use recommended for this area in two adopted City plans.

#### Recommendations and Proposed Conditions of Approval

Major/Non-Standard Conditions are shaded

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#### **Planning Division Recommendation** (Contact Timothy M. Parks, 261-9632)

The Planning Division recommends that the Plan Commission forward both Zoning Map Amendment 3427, rezoning 9414 Silicon Prairie Parkway to RDC, and the preliminary and final plats of Silicon Prairie Community Plat and Zoning Map Amendment 3428, rezoning 9502-9602 Silicon Prairie Parkway et al to RDC to the Common Council with recommendations of **referral**. Staff requests that both requests be referred for a sufficient time to allow the applicant to continue to work with the Planning Division on revisions and refinements to the proposed master plans. At a minimum, staff believes that conditions 1-7 below be addressed in discussions with staff and reflected on revised master plans prior to these requests being brought back to the Plan Commission.

The conditions from other City agencies listed below are for information purposes only at this time and will become effective upon approval of the requests.

1. That both master plans be revised per Planning Division approval into engineered plan drawings that include basic setback dimensions for buildings and parking areas, the square-footage of proposed building footprints, the number of floors proposed, the minimum and maximum floor areas that may be developed, the general layout with basic dimensions of the proposed parking areas (including identifying proposed parking structures), and a pedestrian circulation plan that shows pedestrian movement within the project sites. Once the master plans have been revised and approved by the Plan Commission as part of the zoning amendments, they shall be made part of the restrictive covenants approved by the Plan Commission and recorded against both project sites prior to the issuance of building permits.
2. That the applicant provide additional information for Building F regarding its relationship with the single-family residence at 3741 South Point Road in the Town of Middleton. In the event the property is ever acquired by the applicant, the building should be moved closer to South Point Road

to continue the street wall formed by other proposed building on the western project site. If it is not acquired and incorporated into the Silicon Prairie development, information on how Building F will be sited in relation to the residence or another possible structure on that site should be provided on the master plan and in the restrictive covenants.

3. The master plans both sites shall show the relocation of the buildings adjacent to Mineral Point Road to within five feet of the edge of the 40-foot landscaping buffer and bike path easement.
4. That the amount of parking conceptually shown between Building AA and South Point Road be reduced so that the building may be shift further west per Planning Division approval.
5. That Building GG on the eastern project site be relocated to comply with RDC district yard requirements and that the surface parking facility for buildings GG and HH be relocated to the rear of those buildings per Planning Division approval.
6. That existing and proposed topography with two-foot contours be provided for review and that any existing or proposed site features to be retained be identified.
7. That information be provided on any proposed shared parking, including any draft agreements that may be incorporated in the future restrictive covenants.
8. That the applicant submit a Transportation Demand Management (TDM) Plan for the RDC district(s) to the Traffic Engineering Division for approval prior to the rezoning of the 47.2 combined acres taking effect. Prior to the issuance of building permits for individual buildings or lots, the builder shall be required to submit a Transportation Demand Management Plan for that project consistent with the Plan for the district to the Traffic Engineering Division for approval.
9. That prior to the rezoning of the 47.2 combined acres taking effect for development on Lots 1-5 of Silicon Prairie Business Park or Lots 1-8 of the proposed Silicon Prairie Community Plat, the developer shall submit a restrictive covenant for approval by the Plan Commission following review by the Planning Division. The restrictive covenant shall include specific details on the architectural review committee that will be responsible for reviewing projects on all lots to be offered for development on the applicant's RDC-zoned parcels and shall be a separate document from the restrictive covenants governing the SM-zoned portions of the Silicon Prairie Business Park. The new restrictive covenant shall include any proposed use restrictions, reference to adherence with the approved master plans and Transportation Demand Management Plan(s) and annual reporting requirements for the RDC-zoned parcels, and details about the specific design criteria that will govern the RDC-zoned lots.

10. Note: The proposed development on Lots 1-5 of Silicon Prairie Business Park may require future re-subdivision by plat or Certified Survey Map in order for the buildings shown to be constructed.
11. A reuse and recycling plan approved by the Recycling Coordinator is required by ordinance prior to the issuance of a wrecking permit for the single-family residence at 9414 Silicon Prairie Parkway.

The following conditions of approval have been submitted by reviewing agencies:

**City Engineering Division** (Contact Janet Dailey, 261-9688)

*Comments for 9414 Silicon Prairie Parkway and Silicon Prairie Community Plat*

12. This plat subject to Stormwater Impact Fee charges for the proposed Lower Badger Mill Creek Impact Fee District.
  13. The developer shall be responsible for a portion of the cost to reconstruct South Point Road. The developer shall construct the improvements or shall pay the City for the cost to construct the improvements.
  14. The portion of Street "A" dedicated to the public by this plat shall be given the street name of Redan Drive.
  15. The developer shall construct sidewalk along "A" Street/ Redan Drive at a minimum, prior to the release of building permits for Lot 4.
  16. Depending on the time of construction, development will either be subject to the South Point Lift Station Sewer Area Charges or the proposed Lower Badger Mill Creek Impact Fee District. The developer shall provide projected sewer flows. The South Point Lift Station has a limited amount of remaining capacity.
  17. The demolition of the existing house requires a permit from the Madison-Dane County Public Health Department to properly abandon the on-site sewerage disposal system.
  18. Cross Oak Drive street name will have to change at the common line between Lots 2 and 3. Submit proposed street names to the Engineering Mapping Section ([Izenchenko@cityofmadison.com](mailto:Izenchenko@cityofmadison.com)) for approval.
19. The developer shall enter into a City/Developer agreement for the installation of public improvements required to serve this plat. The developer shall be required to provide deposits to cover City labor and materials and surety to cover the cost of construction. The developer shall meet with the City Engineer to schedule preparation of the plans and the agreement. The City Engineer will not sign off on this plat without the agreement executed by the developer.
  20. The developer is required to pay Impact Fees for this development. The developer shall put the following note on the face of the plat:

"Lots/ buildings within this subdivision/ development are subject to impact fees that are due and payable at the time building permit(s) are issued."
  21. It is anticipated that the improvements on A Street/ Redan Drive required to facilitate ingress and egress to the plat will require additional right of way and/or grading easements located outside the plat boundary. The developer shall acquire the right of way and/or sloping easements as required by the City at the developer's expense. In the event that the developer is unable to acquire the right of way and/or sloping easements required, the City shall assist the developer in acquiring the property and the developer shall pay the City for all costs associated with the acquisition.
  22. The developer shall construct Madison standard street improvements for all streets within the plat and approximately one half of Silicon Prairie Parkway and South Point Road.
  23. The developer shall construct sidewalk/bike path to a plan approved by the City Engineer and complete ditching as required by the City Engineer along South Point Road and Mineral Point Road.

24. The developer shall make improvements to South Point Road and Silicon Prairie Parkway to facilitate ingress and egress to the plat.
25. An erosion control plan and land disturbing activity permit shall be submitted to the City Engineering Division for review and approval prior to grading or any other construction activities. The Pre-construction Meeting for Public Improvements shall not be scheduled prior to issuance of this permit. The applicant shall demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. The erosion control plan shall include Universal Soil Loss Equation (USLE) computations for the construction period. Measures shall be implemented in order to maintain a soil loss rate below 7.5-tons per acre per year.
26. The following notes shall be included on the final plat:
- 26a.) All lots within this plat are subject to public easements for drainage purposes which shall be a minimum of 6-feet in width measured from the property line to the interior of each lot except that the easements shall be 12-feet in width on the perimeter of the plat. For purposes of two (2) or more lots combined for a single development site, or where two (2) or more lots have a shared driveway agreement, the public easement for drainage purposes shall be a minimum of six (6) feet in width and shall be measured only from the exterior property lines of the combined lots that create a single development site, or have a shared driveway agreement, except that the easement shall be twelve (12) feet in width along the perimeter of the plat. Easements shall not be required on property lines shared with greenways or public streets. No buildings, driveways, or retaining walls shall be placed in any easement for drainage purposes. Fences may be placed in the easement only if they do not impede the anticipated flow of water.
- 26b.) The intra-block drainage easements shall be graded with the construction of each principle structure in accordance with the approved storm water drainage plan on file with the City Engineer and the Zoning Administrator, as amended in accordance with the Madison General Ordinances.
27. Prior to the issuance of building permits, the developer shall submit a master stormwater drainage plan to the City Engineering Division for review and approval which shows lot corner elevations to the nearest 0.25-foot. For purposes of the plan, it shall be assumed that grading shall be done on a straight line grade between points unless other information is provided. The proposed slope between points shall always be greater than or equal to .0075 ft/ft. If a break in grade is required between lot corners a shot shall be taken at that break in grade to provide the Engineer with enough information to interpret the plan. The Developer shall also show proposed drainage arrows on the plan to indicate the proposed direction of drainage. The master storm water drainage plan shall be submitted to City Engineering in digital format with elevations/grades/contours shown on the recorded plat map of the development. The digital record shall be provided using the state plane coordinate system – NAD 27. No building permits shall be issued prior to City Engineering's approval of this plan.

The following note shall accompany the master storm water drainage plan:

*"For purposes of this plan, it is assumed that grading shall be a straight line grade between points unless otherwise indicated. All slopes shall be 0.75% or steeper. Grade breaks between lot corners are shown by elevation or through the use of drainage arrows."*

28. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to detain the 2, 10 & 100-year storm events; control 80% TSS (5 micron particle); provide substantial thermal control,

and; provide infiltration in accordance with NR-151. Stormwater management plans shall be submitted and approved by City Engineering prior to signoff.

29. This site is greater than one acre and the applicant is required by State Statute to obtain a Notice of Intent Permit (NOI) from the Wisconsin Department of Natural Resources.
30. A minimum of two working days prior to requesting City Engineering signoff on the plat, the applicant shall contact Janet Dailey to obtain the final stormwater utility charges that are due and payable prior to sub-division of the properties. The stormwater utility charges (as all utility charges) are due for the previous months of service. All charges shall be cleared prior to the land division (and subsequent obsolesces of the existing parcel).
31. All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Janet Dailey (261-9688) to obtain the final MMSD billing a minimum of two working days prior to requesting City Engineering signoff.
32. Wisconsin Administrative Code A-E 7.08 identifies when Public Land System (PLS) tie sheets must be filed with the Dane County Surveyor's office. The Developer's Surveyor and/or Applicant must submit copies of required tie sheets or condition reports for all monuments, including center of sections of record, used in this survey, to Eric Pederson, City Engineering. If a new tie sheet is not required under A-E 7.08, Engineering requests a copy of the latest tie sheet on record with Dane County Surveyor's office. The Applicant shall identify monument types on all PLS corners included on the Plat or CSM. Note: Land tie to two PLS corners required.
33. In accordance with Section s. 236.18(8), Wisconsin Statutes, the Applicant shall reference City of Madison WCCS Dane Zone, 1997 Coordinates on all PLS corners on the Plat or Certified Survey Map in areas where this control exists. The surveyor shall identify any deviation from City Master Control with recorded and measured designations. City of Madison has established WCCS, Dane Zone Coordinates on all PLS corners within its corporate boundary. Visit the City of Madison Engineering Division website for current tie sheets and control data. If a surveyor encounters an area without a published WCCS Dane Zone 1997 value, contact the Engineering Division for this information.
34. The applicant shall submit to Eric Pederson, prior to Engineering sign-off of the subject plat, two (2) digital and one (1) hard copy of the final plat to the Mapping/GIS Section of the Engineering Division. The digital copies shall be submitted in both NAD27 & WIDOT County Coordinate System, Dane County Zone datums in either Auto CAD Version 2001 or older, MicroStation Version J or older or Universal DXF Formats and contain the minimum of the following, each on a separate layer name/level number: right of way lines (public and private); lot lines; lot numbers; lot/plat dimensions; street names, and; easement lines (i.e. street, sanitary, storm (including wetland & floodplain boundaries) water, pedestrian/bike/walkway, or any public and/or private interest easement except **local service** for Cable TV, gas, electric and fiber optics).

*Comments for 9502-9602 Silicon Prairie Parkway & 101, 102 and 201 St. Philomena Way*

35. The developer shall construct the infrastructure improvements in accordance with the plat approval requirements of Silicon Prairie Business Park. The developer shall enter into a Subdivision Contract for the completion of the public improvements prior to the development of the rezoned lots.
36. A City licensed contractor shall perform all work in the public right of way.

**Traffic Engineering Division** (Contact John Leach, 267-8755)

*Comments for 9414 Silicon Prairie Parkway and Silicon Prairie Community Plat*

37. Prior to approval, the applicant shall prepare and provide a master ped-bike plan for the plat that is consistent with the City's area wide plans and the plat's specific provisions, to be reviewed and approved by the Traffic Engineer. The applicant may need to modify the right of way to accommodate the ped-bike plan.

38. The applicant shall execute and return declaration of conditions and covenants for streetlights and traffic signals prior to sign off. The applicant will need to provide a deposit for their reasonable and proportionate share of traffic signal costs.

39. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.

*Comments for 9502-9602 Silicon Prairie Parkway & 101, 102 and 201 St. Philomena Way*

40. Traffic Signal/Street Light declaration of conditions and covenants shall be executed and returned with site plans. The development shall acknowledge on their proportionate share of traffic signal assessments. The development shall further agree in writing to not oppose their proportionate share of the traffic signal assessments as part of the City's Special Assessment districts for traffic signals.

**Zoning Administrator** (Contact Pat Anderson, 266-5978)

41. For 9414 Silicon Prairie Parkway, Sec 28.12(12)(e) of the Madison Zoning Ordinance requires the submittal of documentation demonstrating compliance with the approved reuse and recycling plan. Please note, the owner must submit documentation of recycling and reuse within 60 days of completion of demolition.

42. For future development, parking lot plans with greater than twenty (20) stalls, landscape plans must be stamped by a registered landscape architect. Provide a landscape worksheet with the final plans that shows that the landscaping provided meets the point and required tree ordinances. In order to count toward required points, the landscaping shall be within 15' and 20' of the parking lot depending on the type of landscape element. (Note: The required trees do not count toward the landscape point total.)

43. Lighting is not required for the future development. However, if it is provided, it must comply with City of Madison outdoor lighting standards and. (See parking lot packet). Lighting will be limited to .10 watts per square foot.

44. The Plan Commission does not grant signage approvals. Signage must be reviewed for compliance with Chapter 31 of the Madison General Ordinances. The Zoning Section of the Department of Planning and Community and Economic Development must issue sign permits prior to sign installations.

**Parks Division** (Contact Tom Maglio, 266-6518)

This agency did not submit comments for either request.

**Fire Department** (Contact Scott Strassburg, 261-9843)

*Comments for 9414 Silicon Prairie Parkway and Silicon Prairie Community Plat*

45. All fire lane access shall be provided on each site from the public way to any building or structure when built.

*Comments for 9502-9602 Silicon Prairie Parkway & 101, 102 and 201 St. Philomena Way*

46. All fire lane access shall be provided on each site from the public way to any building or structure when built.

47. Lot 8 will need approved access built to withstand 8,500 lbs. provided prior to any building construction on site.

**Water Utility** (Contact Dennis Cawley, 261-9243)

*Comments for 9414 Silicon Prairie Parkway and Silicon Prairie Community Plat*

48. All public water mains and water service laterals shall be installed by a standard City subdivision contract. All operating private wells shall be identified and permitted by the Water Utility in accordance with MGO 13.21. All unused private wells shall be abandoned in accordance with MGO 13.21. The Water Utility will not need to sign off on the final plans, but will need a copy of the approved plans.

*Comments for 9502-9602 Silicon Prairie Parkway & 101, 102 and 201 St. Philomena Way*

This agency submitted a response with no conditions of approval for this request.

**Metro Transit** (Contact Tim Sobota, 261-4289)

This agency did not submit a response for the either request.