



Legistar I.D. #21604
402 Troy Drive
Rezoning

Addendum Prepared By:
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Planning Division Staff

Requested Action: Approval of a rezoning of vacant property from C (Conservancy) to M1 (Limited Manufacturing) for a new artifacts storage facility.

Applicable Regulations & Standards: Section 28.12 (9) provides the process and standards for zoning map amendments.

Summary Recommendation: The Planning Division recommends that the Plan Commission finds that the zoning map amendment standards can be met and forward the request to the June 21 Common Council meeting with a recommendation for **approval** to rezone this property for the construction of a storage and preservation facility for state artifacts.

Project Update

The State of Wisconsin Department of Administration proposes to build a new 96,000 square foot facility for climate controlled storage of artifacts and collections from the State Historical Society and Wisconsin Veteran's Museum on an 11-acre undeveloped site within the Mendota Mental Health Institute property. The facility will have approximately 25 employees and occasional visitors, but is not expected to generate significant traffic. **NOTE: No changes have been made to the submitted plans since they were last reviewed by the Plan Commission, but they have been included again for review.**

Project History

On April 11, 2011, the Plan Commission recommended that the Common Council approve a rezoning of the 11-acre site from C (Conservancy) to M1 (Limited Manufacturing) to allow the construction of the new storage and preservation facility subject to the conditions of approval recommended by staff (see April 11 staff report, attached).

Subsequently, on April 19, the Common Council referred the item at the request of Ald. Anita Weier, District 18, who wished to hold a neighborhood meeting focused on the proposal to ensure that area property owners and residents had adequate information about the proposed use, building, and site details. The May 5 neighborhood meeting was attended by approximately 50 people, many of whom had questions and concerns about the siting of the facility at this location and potential conflicts with nearby land uses (see enclosed list of 13 questions as recorded by Ald. Weier).

At the request of Ald. Weier, the Common Council on May 17 re-referred the item back to the Plan Commission for further review at its June 6 meeting. Ald. Weier requested that the State provide answers to the questions raised at the May 5 neighborhood meeting.

The applicant has provided a document for review by the Plan Commission that addresses the questions raised at the May 5 neighborhood meeting, explains their site selection process in greater detail, and provides construction and site details. The State will also present its answers to the Plan Commission at the June 6 meeting. A meeting to discuss the responses in the document occurred on May 31 and included representatives from the State project team, Ald. Weier, representatives of neighborhood and the adjacent Troy Gardens site, and Planning Division staff.

Neighborhood Notification

A second question was raised by Ald. Weier on June 1 regarding the notice provided to neighborhood associations near the proposed State project and zoning map amendment site.

Sec. 28.12(10)(c) of the Zoning Ordinance requires that "...30 days prior to filing an application for a map amendment, the applicant shall notify an Alderperson of the proposed map amendment in her/his district. In addition, the applicant shall notify any neighborhood association registered with the City that serves the area in which the property that is the subject of the proposed map amendment is located and any business association that serves the area and is listed by the City. Notification shall be by mail. Failure to provide such notification shall not invalidate any action taken on the application by the Plan Commission or Common Council. The notice requirement may be waived, if approved by the Alderperson, President of the Neighborhood Association, and Director of the Department of Planning and Community and Economic Development."

The State notified on two occasions then District 18 Ald. Michael Schumacher of their intent to seek a rezoning of the 11-acre subject site to M1 to facilitate the proposed preservation facility. The first of those notices occurred 11 months before the filing of their rezoning application on February 9, 2011; the second notification occurred approximately 3 weeks prior to the filing. However, the State did not provide notice to the North Lake Mendota Neighborhood Association, whose boundaries include the western half of the 11-acre site (as shown on the attached map). In discussions with City staff leading up to the submittal of their application, the need to notify this neighborhood association was not raised. (The Lehrdahl Park Neighborhood Association southeast of the site across Troy Drive and east of Harper Road is currently inactive.)

Shortly after submittal, staff typically provides neighborhood associations a copy of the application materials submitted for Plan Commission review with the scheduled public hearing date(s). However, because the address of the property to be rezoned was located outside the boundary of the North Lake Mendota Neighborhood Association, these materials were not provided.

Copies of the public hearing notice that are required to be sent to property owners and occupants 10 days prior to the Plan Commission hearing were not mailed to the North Lake Mendota Neighborhood Association. However, a number of property owners and occupants within that association were mailed notices of the April 11 and June 6 Plan Commission hearings. (The 200-foot perimeter notice area for this rezoning was based off of the entire Central Wisconsin Campus, which includes 2 parcels addressed as 402 Troy Drive and 4201 Green Avenue.) Many of these properties also received the informational mailing sent by the State about the preservation facility prior to the submittal of the formal rezoning application.

In addition, Ald. Weier has indicated that the two contacts for the North Lake Mendota Neighborhood Association were notified of the neighborhood meeting held on May 5.

As the Plan Commission considers making its recommendation to the Common Council on this request, the Commission should consider all of the above facts and determine if they feel adequate notice of this zoning map amendment application has been provided.

Recommendation

After careful consideration of questions raised at the May 5 neighborhood meeting and new information provided by the applicant, the staff recommendation in the April 11 staff report is unchanged. Staff believes that the standards for rezoning can be met, and recommends that the Plan Commission forward the request to the June 21 Common Council meeting with a recommendation for **approval**, subject to the conditions of approval recommended in the April 11 staff report.

Properties that received notices of Public Hearings

North Lake Mendota
Neighborhood Association

Town of
Westport

Property to
be Rezoned

