



City of Waukesha
 201 Delafield St. Waukesha, WI 53188
 Tel: 262.542.3700
 waukesha-wi.gov

Committee: Plan Commission	Date: 3/23/2022
Common Council Item Number: PC22-0215	Date: 3/23/2022
Submitted By: Doug Koehler, Principal Planner	City Administrator Approval: Click here to enter text.
Finance Department Review: Click here to enter text.	City Attorney's Office Review: Click here to enter text.
Subject: Rezoning – 2315 Badger Dr. – Request to amend zoning from M-2 to MM-1	

Details: 2315 Badger Dr. is occupied by a business condominium building with five small office/warehouse spaces. The occupants include a wholesale business, an auctioneer, storage space for a tile flooring business, and a construction design company. The property is currently zoned M-2 General Manufacturing, along with all of the other businesses in the immediate vicinity. However, the applicants have noted that many heavy manufacturing businesses which are Permitted in the M-2 district would be inappropriate for their spaces. The building is designed for office and warehouse space, not heavy manufacturing, and separation between the units is fairly minimal. The applicants would like to add a State Farm insurance office as an additional owner-occupant. Insurance agencies are not allowed as either a Permitted or Conditional Use in the M-2 district, but they are Permitted in the MM-1 district, so they have requested rezoning to allow it.

The property itself fits all of the criteria for the MM-1 district. It is located on an arterial street and has significantly more potential for use as an office or similar commercial location. It is across the street from residential, and serves as a transition into the more heavily industrial areas further into the Badger Drive manufacturing district. As noted before, all of the building's occupants are small scale office and warehouse users, and larger scale or heavier manufacturing would not be appropriate there.

The neighboring properties are either inappropriate for MM-1 zoning or are uninterested in rezoning from M-2. Typically staff would recommend against rezoning a single property to a different classification from the surrounding district, which is known as Spot Zoning. However, spot zoning is not illegal. In this case, staff feels that the rezoning is the best solution for the property, due to its unusual circumstances. While MM-1 is a different zoning classification from M-2, it is still a manufacturing class, so the property will share many Permitted Uses with its neighbors in the M-2 district, and no Land Use Plan amendment is necessary.

The Engineering Department would like to note that this property is listed as Medium Priority for addition of sidewalk along Sunset Drive in the Sidewalk Plan. Sidewalk cannot be required as a condition for Rezoning, but it is recommended that the applicants add sidewalk to city standards at their earliest convenience and it will be required as a condition for any Conditional Use Permit or Site Plan approval for the property.

Options & Alternatives:
[Click here to enter text.](#)

Financial Remarks:

No financial impact to the City.

Staff Recommendation:

Staff recommends approval of Rezoning the property from M-2 to MM-1 Mixed Use Manufacturing.