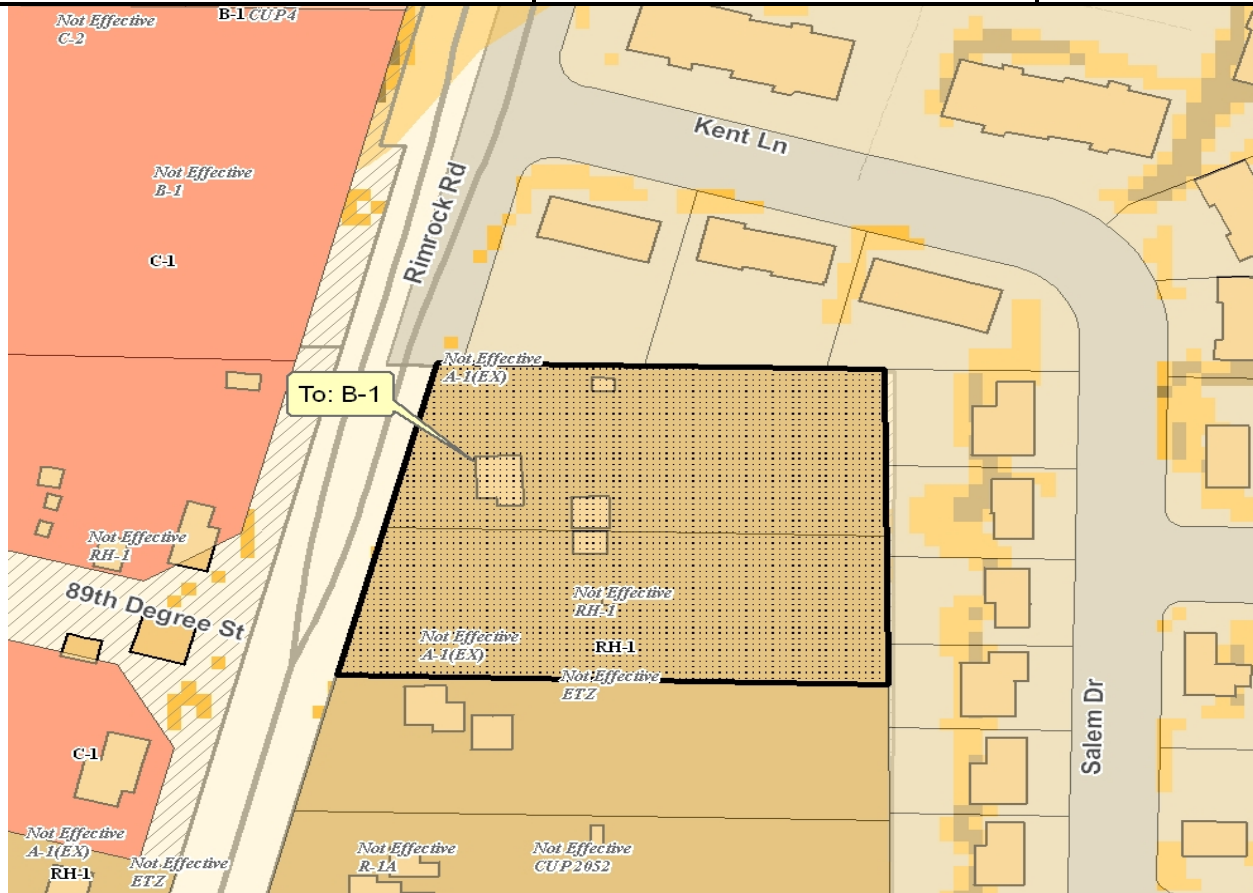




Staff Report

Zoning and Land Regulation Committee

Public Hearing: May 26, 2015	Petition: Rezone 10841
Zoning Amendment: RH-1 Rural Homes District to B-1 Local Business District	Town/sect: Madison Section 36
Acres: 2.046 Survey Req. No	Applicant Joann M Torke
Reason: Allow electrical contractor business	Location: 2701 Rimrock Road



DESCRIPTION: Applicant is requesting B-1 (Business) zoning to allow an electrical contractor business to be operated on the property. The existing residential dwelling on the site would continue to be rented.

OBSERVATIONS: The property is located just east of the Novation Campus Commercial Development. There are one and two family dwellings on the adjacent lots. The property is within the City of Madison Urban Service Area. No significant environmental features observed.

RESOURCE PROTECTION: No resource protection corridors located on the property.

DANE COUNTY HIGHWAY: Driveway access permit will be needed for any change of use.

TOWN/CITY PLAN: There is a cooperative plan that was adopted between the Town of Madison and the Cities of Madison and Fitchburg which details the eventual dissolution of the Town of Madison into the respective cities. This particular parcel will become part of the City of Fitchburg. Under the plan, extra-territorial zoning was to be established by the cities and the town, but this was never implemented.

The Town of Madison does not have an approved comprehensive plan as required by Wisc. Stats. 66.1001 (Wisconsin Comprehensive Plan Law) which would be a basis for land use decisions. However, The City of Fitchburg has an approved Comprehensive Plan which covers this area. The Southdale Neighborhood Plan, which is part of the Fitchburg Comprehensive Plan, shows the subject property planned for urban residential use. See attached. The proposal appears inconsistent with the City of Fitchburg's Southdale Neighborhood Plan.

5/26 ZLR: The Committee postponed action due to public opposition. The public explained that the area has been planned for residential use since 1985. The Southdale Neighborhood Plan has been approved showing this area as residential use. Approving the proposal would be inconsistent with the planning for the area.

TOWN: Approved with no conditions.

STAFF UPDATE: Staff has suggested it may be possible to amend the Southdale Neighborhood Plan. In speaking with Fitchburg Staff, no one has approached the city with regards to amending the plan. Given the length of the plan amendment process, it may prudent submit another rezoning petition after the plan change process.

Staff is suggesting that the petition be denied based on the following reason:

The area is covered by City of Fitchburg's Comprehensive Plan which is part of the Dane County Comprehensive Plan. The plan designates this area for Urban Residential Use. The proposed commercial development is inconsistent with the policies contained within the approved comprehensive plan covering this area.