



# Staff Report

Zoning and Land Regulation  
Committee

Public Hearing: **November 27, 2018**

Petition: **Petition 11360**

Zoning Amendment:  
**C-2 Commercial District TO C-2  
Commercial District**

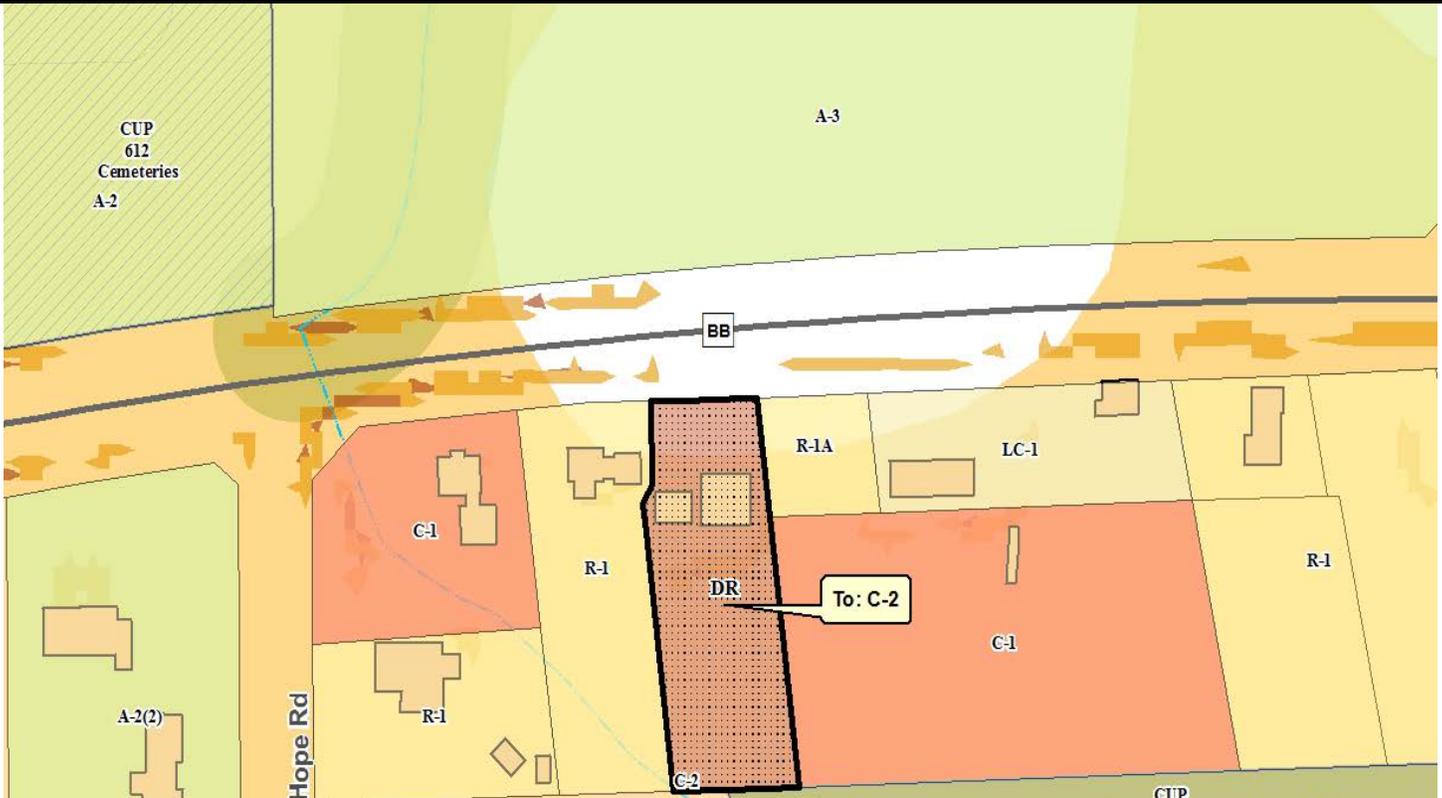
Town/sect:  
**COTTAGE GROVE, Section  
7**

Acres: 0.9  
Survey Req. No

Applicant  
**DANIEL GOFF**

Reason:  
**amend deed restriction to allow  
service of automobiles**

Location:  
**3019 COUNTY HIGHWAY  
BB**



**DESCRIPTION:** The applicant wishes to rezone in order to amend the deed restriction to allow for service of automobiles. The deed restriction of the current C-2 zoning (petition #10058) states that “The C-2 zoning District parcel shall be deed restricted to limit the land uses to sales of new and used vehicles”.

**OBSERVATIONS:** The subject property is surrounded by residential and commercial uses.

**TOWN PLAN:** The subject property is in the *Agricultural Preservation Area* of the town of Cottage Grove Comprehensive Plan.

**RESOURCE PROTECTION:** The property is not located in an environmental corridor. Soil with ‘hydric inclusions’ is noted to exist on a portion of the parcel.

**DANE COUNTY HIGHWAY:** County Highway BB is a controlled access highway. No new access points will be permitted.

**STAFF:** Because this is a pre-existing use, the proposal is considered consistent with the town and county comprehensive plans. The C-2 district allows a large range of uses, so it is most appropriate that a deed restriction remain as a condition of approval. The applicant needs to provide a site plan showing the location and number of vehicles anticipated. He is in the process of providing the plan he submitted to the town.

**TOWN:** The town approved with a deed restriction limiting use(s) in the C-2 zoning district to only the following:

1. C-2 permitted uses limited to DCCO 10.14(1)(b) *Major repairs of motor vehicles* and (c) *Sales of new and used motor vehicles*, with a maximum of 12 exterior displayed vehicles (this does not apply to occasional parking of up to 4 other vehicles related to the business, i.e. employee vehicles).

2. Hours of business open for sales and service is limited to 7 a.m. to 6 p.m., Monday through Friday, and 8 a.m. to 2 p.m. on Saturday. Repairs can be made outside of business hours as long as the doors are closed and it does not disturb the neighbors. No Sunday hours allowed.
3. All inoperable vehicles must be kept inside, all service work must be performed inside buildings, and all hazardous waste must be handled within State and Federal specifications. (Removal of the permission for *general, mechanical and landscape contracting businesses* currently allowed would be included under this motion).