
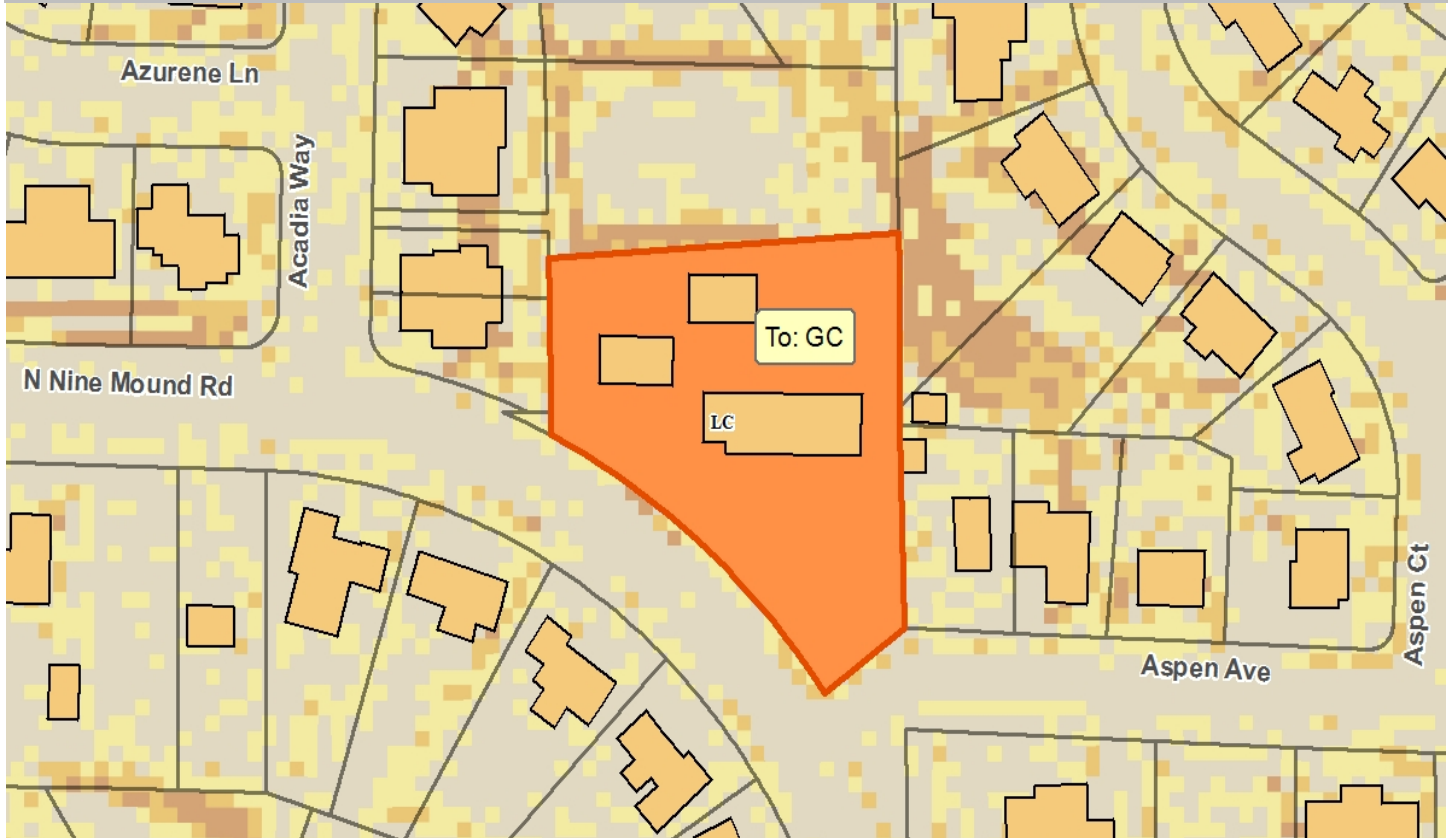


<b>Staff Report</b>    <b>Zoning and Land Regulation Committee</b>	<i>Public Hearing:</i> <b>November 15, 2022</b>		<b>Petition 11908</b>
	<i>Zoning Amendment Requested:</i> <b>LC Limited Commercial District TO GC General Commercial District</b>		<i>Town/Section:</i> <b>VERONA, Section 16</b>
	<i>Size:</i> <b>1.1 Acres</b>	<i>Survey Required:</i> <b>No</b>	<i>Applicant</i> <b>D SOMMERFELD PROPERTY LLC</b>
	<i>Reason for the request:</i> <b>Rezone to GC to allow a hair salon business tenant</b>		<i>Address:</i> <b>331-335 N. NINE MOUND RD</b>



**DESCRIPTION:** Applicant Doug Sommerfeld proposes to rezone the property from LC Limited Commercial to GC General Commercial to allow a small hair salon to rent one of the units in the building. A salon is a “personal or professional services” land use which is not allowed by the current LC zoning. No outdoor construction or other modifications to the site are proposed.

**OBSERVATIONS:** The subject property is unique in that it is the site of the former Town of Verona Town Hall, and the property is currently surrounded by a residential neighborhood in the City of Verona, after the Town Hall was relocated in 2017. GC zoning allows a wide range of land uses, many of which are not desirable in a residential neighborhood. The GC district is intended for retail, sales, service, lodging, and office uses, where primary commercial activity occurs indoors and the operations are of moderate scale and intensity and appropriate to a developed area. Community plans do not specifically address the future of this property (see below). County Staff consulted with staff at the Town of Verona and the City of Verona after receiving this application, to verify the municipalities’ long-range plans and expectations with regard to this property.

There are no environmentally sensitive features on the site. The site plan provided conforms with zoning ordinance requirements for the GC district, and parking and loading. The site is currently screened on the north and west sides by a combination of fencing and landscape plantings; on the east side the pavement appears to extend to the lot boundary. See below for staff recommendations on visual screening.

**TOWN PLAN:** The property is the site of the old town hall, and is not specifically identified in the Planned Land Use map in the town/county comprehensive plan. The site was zoned LC in 2019 as part of the comprehensive revision of the zoning ordinance, to accommodate the existing office and garage. The parcel is surrounded on all sides by the City of Verona, which has the area designated as alternately “High Intensity Urban Area” or “Current City” in the *City of Verona Comprehensive Plan*. This parcel is **not** subject to joint city/town review under the *Town of Verona/City of Verona Intergovernmental Agreement*. Both the town/county plan and the City of Verona plan are silent about future commercial, retail or service uses for this particular area. Under the City of Verona Zoning Ordinance, the surrounding area is predominately zoned either Neighborhood Residential or Mixed Residential, neither of which allow for personal service use (see excerpt from City of Verona Zoning Ordinance, attached). (For questions about the town plan, contact Senior Planner Brian Standing at (608) 267-4115 or [standing@countyofdane.com](mailto:standing@countyofdane.com))

**RESOURCE PROTECTION:** There are no resource protection corridors mapped on site.

**TOWN ACTION:** On November 1, 2022 the Town Board recommended approval of the petition subject to a deed restriction limiting the uses to the following:

1. Contractor, landscaping or building trade operations
2. Undeveloped natural resource and open space areas
3. Office uses
4. Indoor sales
5. Indoor storage and repair
6. Personal or professional service
7. A Transportation, utility, communication or other use required by law
8. Utility services associated with a permitted use

**STAFF RECOMMENDATION:** Staff believes the rezoning is suitable if the land uses are limited to ones that would be compatible with the surrounding neighborhood. The new proposed tenant business appears to be compatible. In commercial zoning districts, the Town or ZLR Committee may require visual screening per s. 10.102(12) of Zoning Code, unless they find the proposed use will have no significant visual impact or no negative impact on the neighborhood. The site appears to have screening already where it is feasible to install it. However, the dumpster location shown on the plans and photos is not adequately screened from view of the road and neighboring residences. We recommend the dumpster be either relocated behind the buildings or enclosed in order to minimize visual impact of the businesses to neighboring properties.

Pending any comments at the public hearing, staff recommends approval subject to the owner recording a deed restriction for the property with the Register of Deeds with the following restrictions:

1. Land uses on the property shall be limited exclusively to the following:
  - a. Contractor, landscaping or building trade operations
  - b. Undeveloped natural resource and open space areas
  - c. Office uses
  - d. Indoor sales
  - e. Indoor storage and repair
  - f. Personal or professional service
  - g. A transportation, utility, communication or other use required by law
  - h. Utility services associated with a permitted use
2. Any dumpsters kept outdoors shall be screened from view of the public and surrounding residences.

Any questions about this petition or staff report please contact Rachel Holloway at (608) 266-9084 or [holloway.rachel@countyofdane.com](mailto:holloway.rachel@countyofdane.com)