
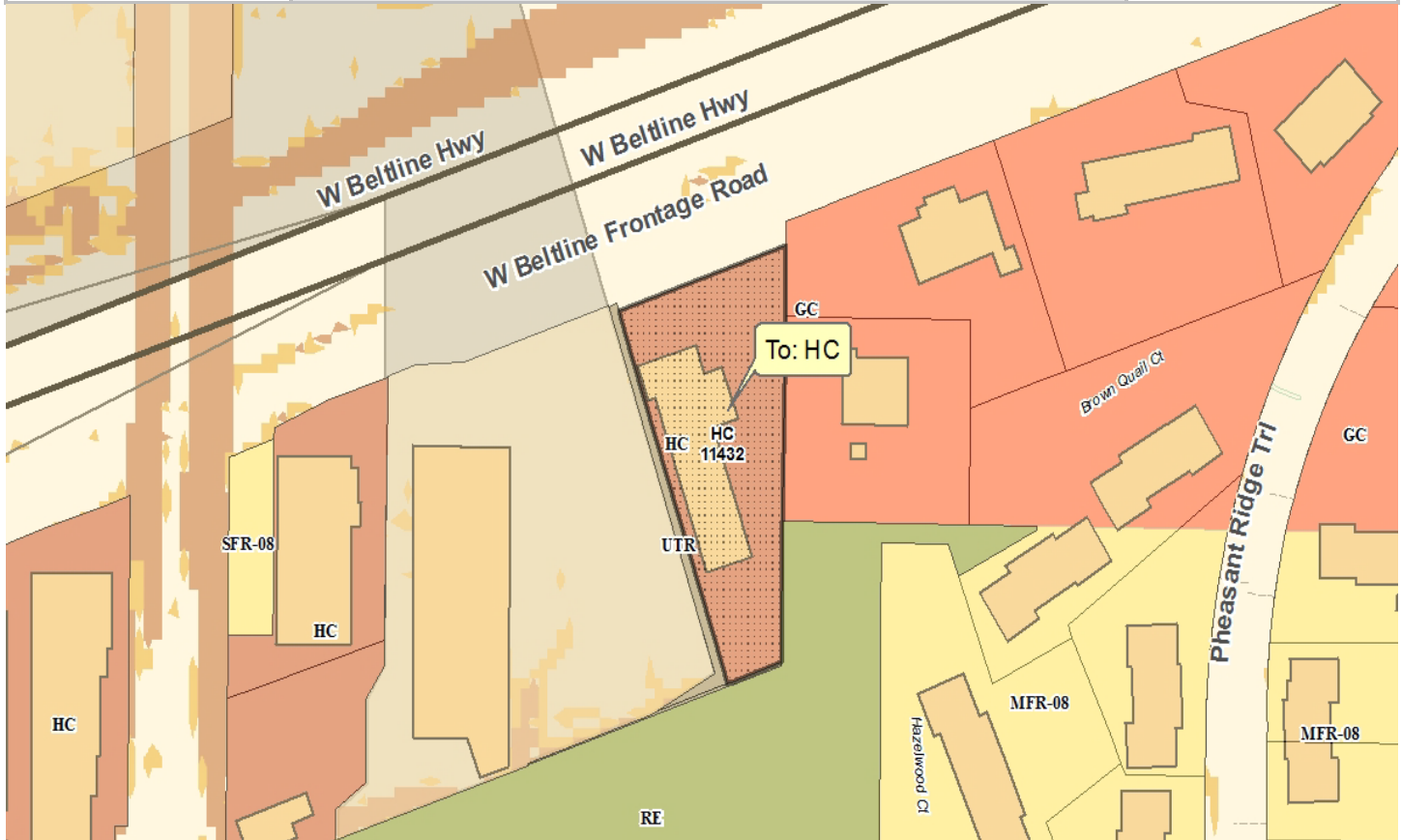


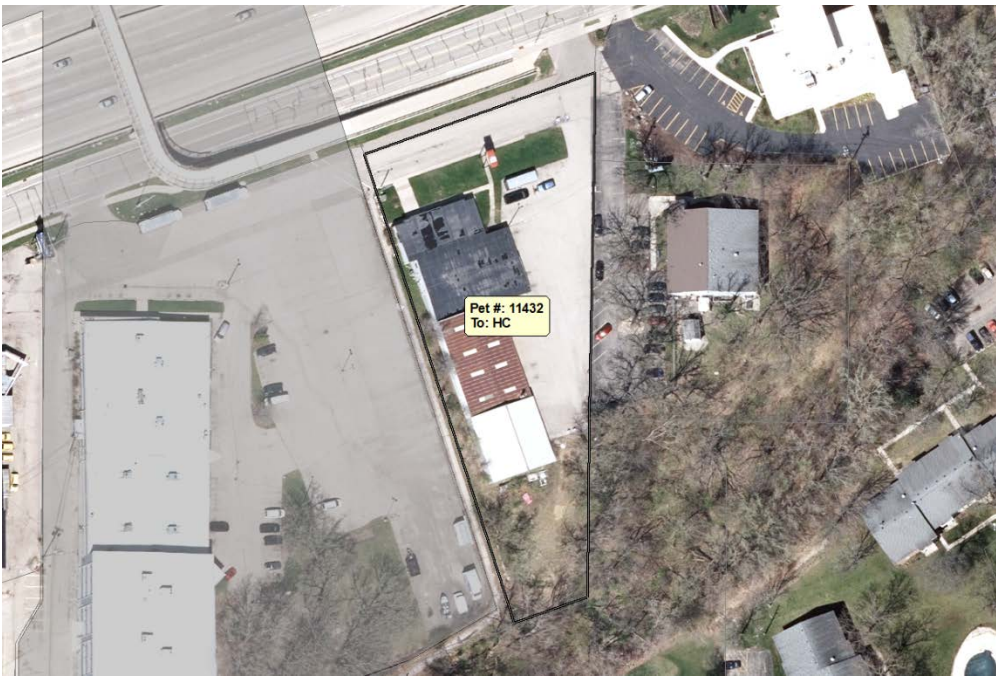
Staff Report  Zoning and Land Regulation Committee Questions? Contact: Pam Andros: 261-9780	Public Hearing: July 23, 2019	Petition 11432	
	Zoning Amendment Requested: HC (Heavy Commercial District) TO HC (Heavy Commercial District)	Town/Section: MADISON, Section 35	
	Size: 0.872 Acres	Survey Required. No	Applicant CHARLES L SIEWERT
	Reason for the request: Remove Deed Restrictions		Address: 301 WEST BELTLINE HIGHWAY



DESCRIPTION: The proposal is to remove the existing restricted use restriction associated with rezone #04707, to C-2, approved in 1990. The applicant intends to continue the existing use, and to lease or sell for commercial uses.

OBSERVATIONS: The subject property is located along the west beltline frontage road, and is surrounded by commercial and manufacturing uses. The neighboring parcel is in the City of Madison but will then become Fitchburg after a protected period. When the property was rezoned to C-2 commercial, conditions of approval were required. At that time there were neighboring residential uses. The use restrictions, recorded in 1990, are:

1. Use shall be limited to the restoration, manufacture, sales and service of antique, classic, collectible and special interest vehicles.
2. Outdoor display may not exceed more than 12 vehicles.
3. Outdoor display lighting shall not be incandescent light bulbs strung from pole to pole.



TOWN/CITY PLAN: This property will be attached to the City of Fitchburg as described in a 2002 cooperative plan between the town of Madison and cities of Madison and Fitchburg. Under that agreement, zoning and land use authority in this area was to be handled under extra-territorial zoning between the town and respective city. However, extraterritorial zoning was never established and so zoning authority remains with the town and Dane County.

Fitchburg's *Southdale Neighborhood Plan* shows the subject property to be in the *Urban Mixed Use TOD (Transit Oriented Design) District*. That plan designation notes the high visibility of properties along the beltline. Off premises signs are specifically prohibited in the Urban Mixed Use TOD district. County staff recommend that development proposals be reviewed by city staff to ensure consistency with adopted plans.

RESOURCE PROTECTION: There are no environmentally sensitive features on the property.

STAFF: County staff contacted city of Fitchburg staff to inform them of the proposal and to solicit input since the property will become attached to Fitchburg on October 31, 2022.

To ensure consistency with the adopted Southdale Neighborhood plan, Staff recommends the following condition of approval:

1. Require the recording of a deed restriction on the property prohibiting off premises (billboard) signage.

TOWN: Approved.