
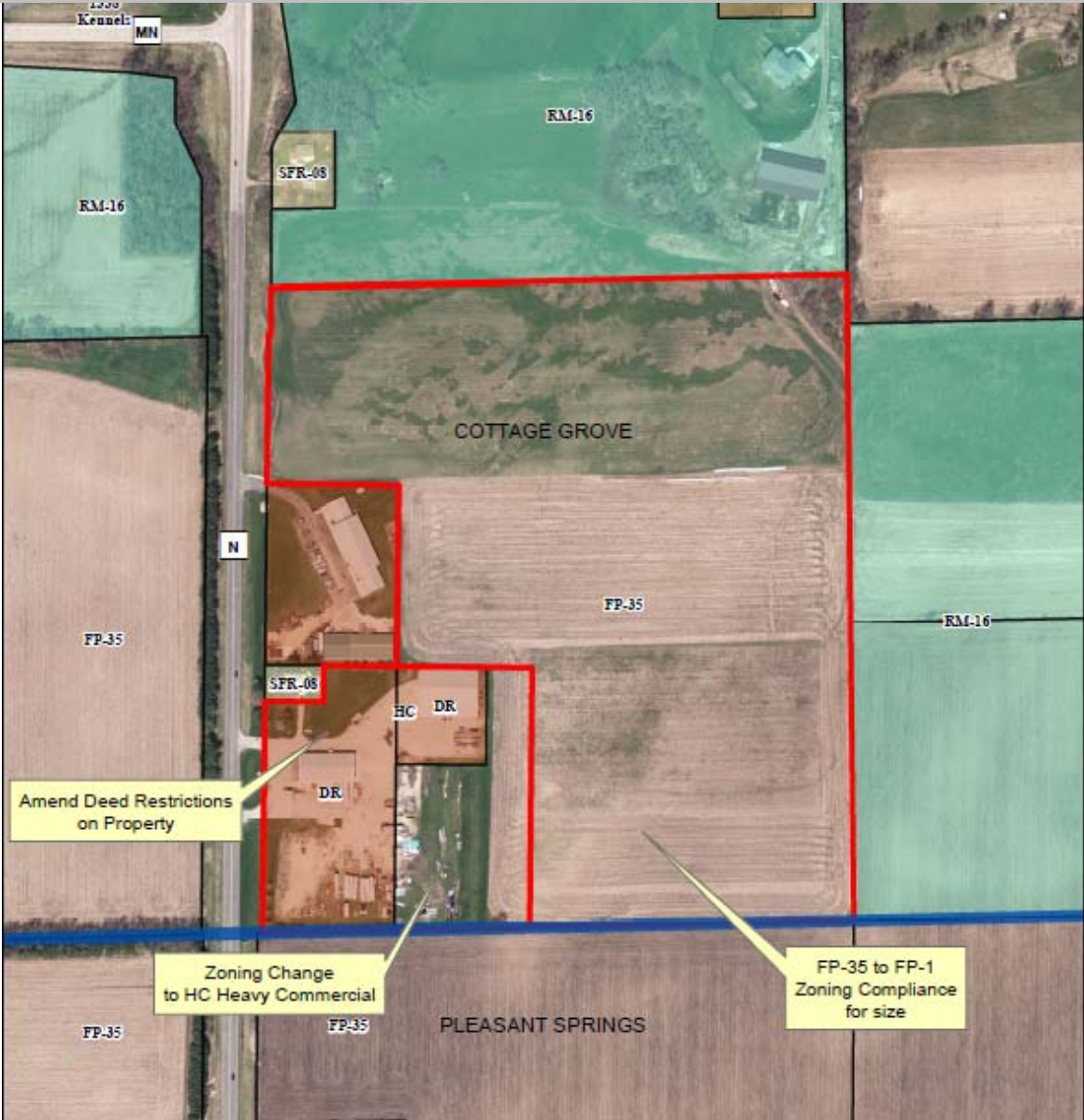


<b>Staff Report</b>    <b>Zoning and Land Regulation Committee</b>	<i>Public Hearing:</i> <b>May 12, 2020</b>	<b>Petition 11535</b>	
	<i>Zoning Amendment Requested:</i> <b>HC (Heavy Commercial District) TO HC (Heavy Commercial District),  FP-35 (Farmland Preservation) TO HC (Heavy Commercial District),  FP-35 (Farmland Preservation) TO FP-1 (Farmland Preservation)</b>		<i>Town/Section:</i> <b>COTTAGE GROVE,  Section 33</b>
	<i>Size:</i> <b>4.755 Acres</b>	<i>Survey Required:</i> <b>Yes</b>	<i>Applicant:</i> <b>REGIME INVESTMENTS LLC</b>
	<i>Reason for the request:</i> <b>AMEND CURRENT DEED RESTRICTIONS ON PROPERTY</b>		<i>Address:</i> <b>3190 COUNTY HIGHWAY N</b>



**DESCRIPTION:**

The applicant wishes to amend the current deed restrictions on this property, and to add 3.0 acres to the existing commercial development. The acreage being added is owned by the county. The applicant, Regime Investments (R.G. Huston), has been storing equipment, rent free, on the county-owned parcel for a number of years. The county will be selling 3 acres to add to applicant’s existing business. The applicant reviewed the uses permitted in the Heavy Commercial (HC) district, crossing out those uses they do not want, as follows:

## HC Heavy Commercial Zoning District

Zoning district for commercial land uses – [CH. 10-Zoning 10.273](#)

### **Permitted Uses 10.273(2)**

- |                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"><li>▫ <del>Undeveloped natural resource and open space areas</del></li><li>▫ Agriculture and accessory uses (livestock not permitted)</li><li>▫ <del>Adult book stores, subject to s.10.103(2).</del></li><li>▫ <del>Cemeteries</del></li><li>▫ <del>Colony house</del></li><li>▫ Contractor, landscaping, or building trade operations</li><li>▫ <del>Day care centers</del></li></ul> | <ul style="list-style-type: none"><li>▫ Freight and bus terminals</li><li>▫ <del>Governmental, institutional, religious, or nonprofit community uses</del></li><li>▫ <del>Indoor entertainment or assembly</del></li><li>▫ Indoor sales</li><li>▫ Indoor storage and repair</li><li>▫ <del>Institutional residential</del></li><li>▫ Light industrial</li><li>▫ Off-site parking</li><li>▫ Office uses</li><li>▫ Outdoor sales, display or repair</li></ul> | <ul style="list-style-type: none"><li>▫ Outdoor storage</li><li>▫ Personal or professional service</li><li>▫ Personal storage facilities (mini-warehouse)</li><li>▫ <del>Transient or tourist lodging</del></li><li>▫ A transportation, utility, communication, or other use required by law</li><li>▫ Utility services</li><li>▫ Vehicle repair or maintenance service</li><li>▫ Veterinary clinics</li><li>▫ Warehousing and distribution facilities</li></ul> |
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**OBSERVATIONS:** The surrounding land uses include agricultural and commercial uses and a few single-family residences.

**TOWN PLAN:** The subject property is located in the *Agricultural Preservation* area of the Town Comprehensive Plan. Because there is no substantial change in land use, this proposal is considered consistent with the town and county comprehensive plans.

**RESOURCE PROTECTION:** There are no sensitive environmental features on site.

**DANE COUNTY HIGHWAY DEPT:** CTH N is a controlled access highway. Not enough information to determine traffic projections. Any changes in use to existing access requires permit and may require driveway improvements such as turn lanes and passing lanes. No new access will be granted due to rezone.

**STAFF:** Staff recommends approval with Town conditions (included in the recommended staff conditions, below). The applicant shall record a deed restriction on the HC zoned parcel prohibiting the installation of off-premises (billboard) signage and limiting the allowable land uses exclusively to the following:

Agriculture and accessory uses (livestock not permitted), Contractor, landscaping or building trade operations, Indoor Sales, Light Industrial, Off-site parking, Office uses, Outdoor sales, display or repair, Outdoor storage A transportation, utility or communication or other use required by law, Utility services, Vehicle repair or maintenance service, Veterinary clinics, Warehousing and distribution services.

**TOWN:** The town approved with the following conditions: “REMOVE CURRENT DEED RESTRICTIONS AND REPLACE WITH:

Agriculture and accessory uses (livestock not permitted)  
Contractor, landscaping or building trade operations  
Indoor Sales  
Light Industrial  
Off-site parking  
Office uses  
Outdoor sales, display or repair  
Outdoor storage  
A transportation, utility or communication or other use required by law  
Utility services  
Vehicle repair or maintenance service  
Veterinary clinics

Warehousing and distribution services”

**QUESTIONS?** Call Pam at 608-261-9780, or email [andros@countyofdane.com](mailto:andros@countyofdane.com)