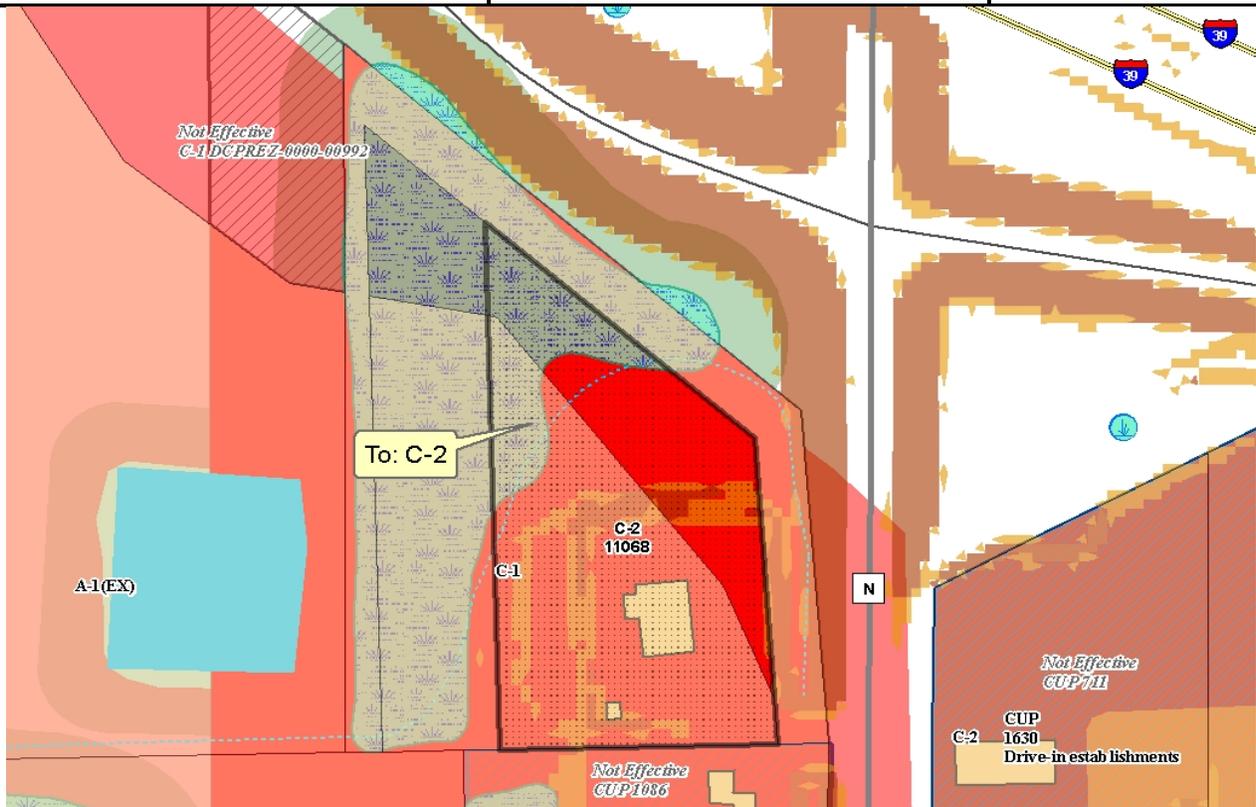




Staff Report

Zoning and Land Regulation Committee

Public Hearing: December 13, 2016	Petition: Rezone 11068
Zoning Amendment: C-1 Commercial District to C-2 Commercial District	Town/sect: Pleasant Springs Section 9
Acres: 3.2 Survey Req. No	Applicant Chad Catlin
Reason: Zoning to allow vehicle rental	Location: 2771 County Highway N



DESCRIPTION: Applicant requests approval to change the existing C-1 zoning to C-2 in order to correct a zoning violation on the property. Applicant was leasing space to U-Haul vehicle rental business which is not a permitted use under the C-1 Commercial zoning. Applicant is requesting C-2 zoning to allow vehicle storage / rental on the property and to expand the uses to allow the selling used vehicles.

OBSERVATIONS: The property is located at the intersection of County Highway N and I-39. This intersection is in the process of being totally reconstructed which would remove direct access to the property. The existing building is being used for fireworks sales and the sales of adult oriented paraphernalia. Dane County Zoning Division has responded to numerous violations on the property concerns illegal uses and illegal signs. A review of tax records for the property reveal over \$10,000 in delinquent property taxes from 2014 and 2015. The northern and western edge of the property contain wetlands.

TOWN PLAN: The property is located in the town's Highway Interchange planning area. The Town plan policies allow for some limited highway related commercial uses near the CTH N / I-39 interchange as long as adequate access can be provided.

STAFF: Staff is concerned that adequate access from the neighboring properties will need to be established in order to facilitate the increase in the intensity of the existing land use. An access agreement should be provided prior to any decision. In addition to the access agreement, staff is suggesting that the applicant provide additional information to ensure compliance with County ordinances and orderly development of the site. The information is as follows: 1) proof that all delinquent taxes are paid; 2) a site plan showing all buildings/structures, parking layout and display area, all exterior lighting, screening, landscaping, all signs that will be present on the property, and the storm water management areas that will protect protection of the wetland area.

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TOWN: The applicant has just submitted information to Town of Pleasant Spring for review. Town action is pending.

The request to increase the intensity of the site by adding the U-Haul rental business and used car sales appears to be inconsistent with a variety of town plan policies. For example, while town plan policies may support limited highway related commercial development, they do not support commercial zoning requests to bring zoning violations into compliance "after the fact". Any development in this area must meet town plan standards and criteria, including among other things, adequate and safe ingress/egress and design considerations (landscaping, signage, lighting, parking, etc.). The applicant has failed to provide information demonstrating that the proposal would satisfy those standards. In addition, to being inconsistent with town plan policies, it's unclear how all commercial activities could occur without sufficient and guaranteed public road access.