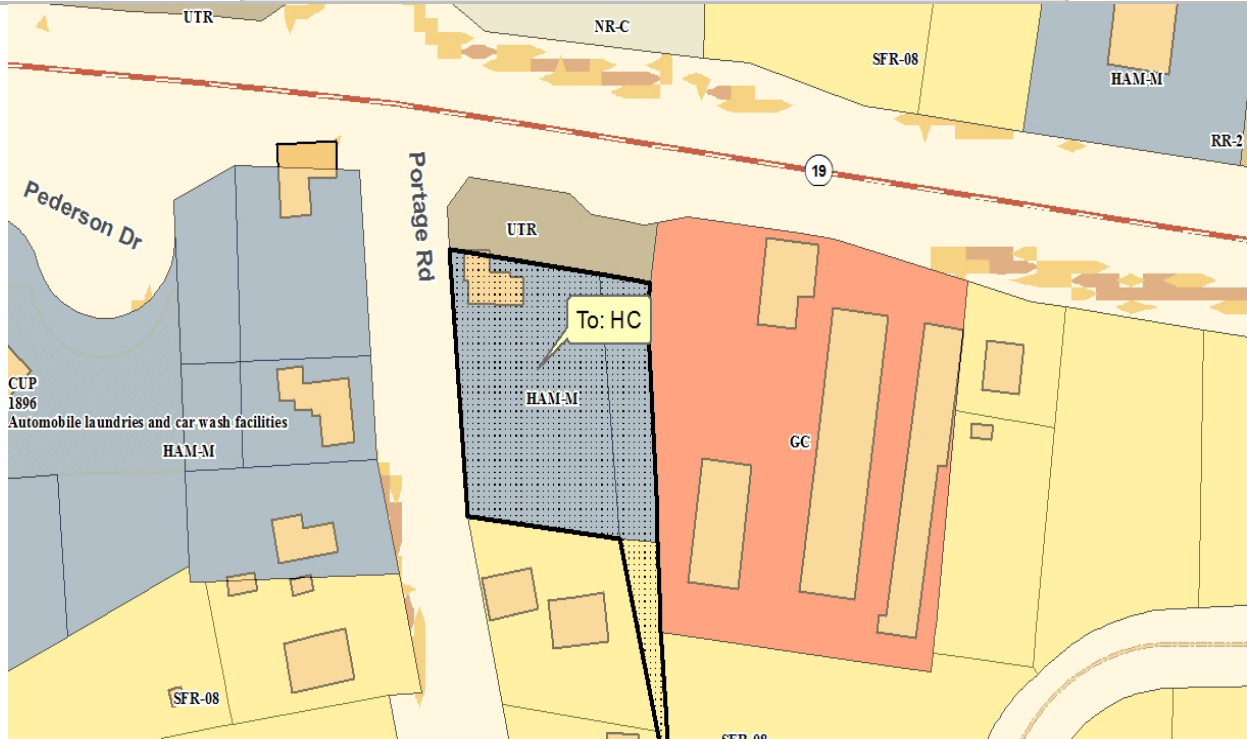


Staff Report  Zoning and Land Regulation Committee Questions? Please contact Roger Lane at 266-9078	<i>Public Hearing:</i> October 22, 2019	Petition 11484	
	<i>Zoning Amendment Requested:</i> HAM-M (Hamlet Mixed-Use) District TO HC (Heavy Commercial District), SFR-08 (Single Family Residential, small lots) District TO HC (Heavy Commercial District)	<i>Town/Section:</i> BURKE, Section 3	
	<i>Size:</i> .80,.08 Acres	<i>Survey Required:</i> Yes	<i>Applicant:</i> TOKEN PROPERTIES LLC
	<i>Reason for the request:</i> CREATE A COMMERCIAL LOT FOR MINI STORAGE UNITS		<i>Address:</i> 6332 PORTAGE ROAD



DESCRIPTION: The applicant would like to consolidate 3 existing parcels into one CSM lot in order to develop the lot into mini storage units and outdoor storage for boats and campers.

OBSERVATIONS: The subject property is surrounded by a mix of single family uses and commercial uses. There is an existing mini storage facility to the east of the property.

TOWN PLAN: The Town Comprehensive Plan designates this property as a *Commercial Retail and Services* planning area. This area is subject to the Town/Sun Prairie cooperative agreement which defers to the City of Sun Prairie Comprehensive Plan. The City’s Comprehensive Plan designates the property for future Neighborhood Residential development.

RESOURCE PROTECTION: There are no environmentally sensitive features on this site.

STAFF: The proposal appears to be consistent with the Burke Comprehensive Plan, however the City of Sun Prairie has determined that the proposal is inconsistent with the City Comprehensive Plan. The applicant is working with the City of Sun Prairie to amend the comprehensive plan to accommodate mini-warehouses.

TOWN: The Town has postponed action until November 20th to allow the City of Sun Prairie time to potentially amend their comprehensive plan.

OCTOBER 22nd ZLR MEETING: The Committee postponed action to allow time for the applicant to submit a request to the City of Sun Prairie to change their Comprehensive Plan to permit commercial use of the property.

STAFF UPDATE: The applicant has been working with the City of Sun Prairie and the Town of Burke in order to obtain the necessary changes and approvals in order to support the commercial development. The applicant has submitted additional information to clarify the proposed project. The project will consist of the construction of two buildings, one 100'x20' and another 96'x50', to be used for mini-storage spaces. There will be 50'x150' paved area to be used for the outdoor storage of recreational vehicles. The property will be enclosed with an 8-foot decorative fence with landscaping installed along the road frontage. The applicant is also proposing to place a deed restriction on the property to prohibit land uses that may not be suitable for the area (adult book stores, freight terminals, vehicle repair, etc.)

The City of Sun Prairie has reviewed the proposal and has agreed to change their comprehensive plan. Their plan was changed from Neighborhood Residential to Community Mixed Use to allow for commercial development of the site. The City was concerned regarding the potential incompatible land uses that may occur with commercial zoning, but the proposed deed restriction, offered by the applicant, addresses the City's concerns. Along with the deed restriction, the City has also requested that the landowner be required to install an 8-foot decorative fence including landscaping. See City's Staff Report.

TOWN: The Town Board has approved the rezoning conditioned upon a limitation of land uses and the installation of fencing and landscaping. See below.

RECOMMENDATION: County Staff recommends approval of the zoning change contingent upon the following conditions. The conditions incorporate the Town's requirements.

1. A deed restriction shall be recorded on the property. The deed restriction shall state the following:
 - a. There shall be no outdoor storage on the property until the principal buildings and fence are constructed.
 - b. Outdoor storage is limited to no more than ten (10) total of trailered boats and/or non-motorized campers, not to exceed 30 feet in length
 - c. The following uses of the property are prohibited: adult book store; cemeteries; colony houses; institutional residential; transient or tourist lodging; vehicle repair or maintenance services; contractor, landscaping or building trade operations; freight and bus terminals; outdoor sales, display or repair; and warehousing and distribution facilities
2. A copy of the recorded deed restriction shall be provided to the City within 30 days of approval by Dane County.
3. An 8-foot decorative fence shall be constructed along the west and north property lines. The fence shall be similar in nature to the rendering submitted as part of the request. Landscaping shall be installed to provide additional buffering of the outside storage area. A landscaping plan shall be approved the City of Sun Prairie Planning Department prior to the issuance a zoning permit for the development of the site.