
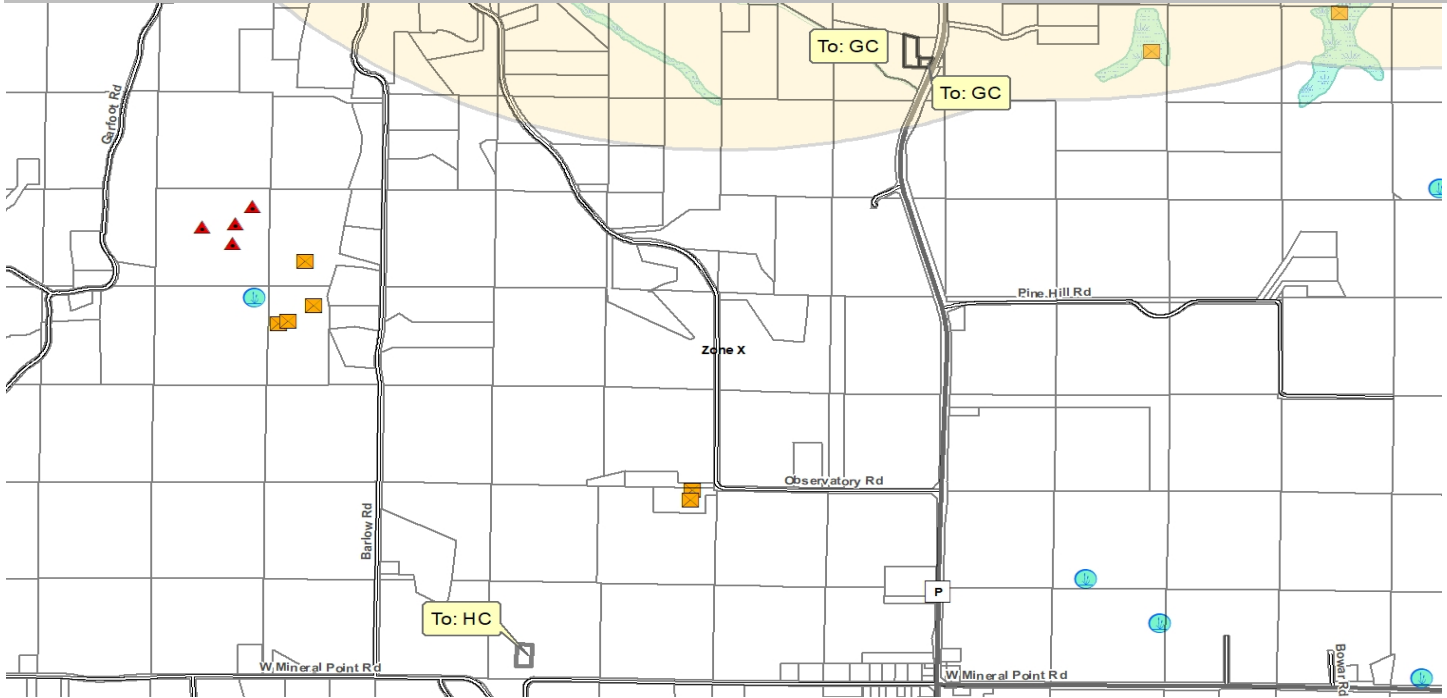


Staff Report  Zoning and Land Regulation Committee	Public Hearing: September 28, 2021		Petition 11745
	<u>Zoning Amendment Requested:</u> LC Limited Commercial District TO GC General Commercial District, RR-2 Rural Residential District TO GC General Commercial District, FP-35 Farmland Preservation District TO HC Heavy Commercial District		<u>Town/Section:</u> CROSS PLAINS, Section 21
	<u>Size:</u> .5,.5,1.2 Acres	<u>Survey Required:</u> Yes	<u>Applicant:</u> Town of Cross Plains
	<u>Reason for the request:</u> Town blanket rezone petition to correct minor changes in zoning map to ensure consistency with plan		<u>Address:</u> 8878 W MINERAL POINT RD



DESCRIPTION: This petition by town of Cross Plains proposes to correct the zoning designation on two properties: GC (General Commercial) zoning would be assigned to the property at 4173 County Highway P and HC (Heavy Commercial) zoning would be applied to a ~1 acre portion of property at 8878 West Mineral Point Road. The property on County Highway P is the site of the Hilltop Restaurant, and the property on West Mineral Point Road is the site of a small auto dealer. Both properties were slated to be zoned to the appropriate categories subsequent to the 2019 comprehensive zoning code update, conditioned on the owners of the property recording deed restrictions that would limit the allowable commercial uses. The restrictions were never recorded so the zoning changes became null and void.

OBSERVATIONS: Use of the property on Highway P is commercial, and use of the property on West Mineral Point Road is ag / open space, and commercial (limited storage of vehicles for sale). Surrounding land uses are ag / open space and scattered rural residences. No sensitive environmental features observed, no new development proposed.

TOWN PLAN: The properties are located in the town's agricultural preservation area.

RESOURCE PROTECTION: No resource protection corridors on the subject properties.

STAFF: The proposed rezonings will accommodate existing commercial uses of the two affected properties. No new development is proposed. The town of Cross Plains will be requiring deed restrictions to limit allowable commercial land uses to the current uses (restaurant / tavern and limited auto sales). See attached proposed deed restrictions.

Pending receipt of the town action report, staff recommends approval with the following conditions:

- 1) Deed restrict the ~2 acre GC-zoned property at 4173 CTH P lying west of the highway (tax parcels 070715294203 and 070715294258) limiting commercial land uses exclusively to the following:
 - a) Indoor entertainment and assembly, specifically limited to a restaurant
 - b) Accessory uses, such as parking and incidental indoor storage, typically associated with a restaurant use
 - c) All buildings, parking lots and other improvements on the site shall not exceed of the general commercial zoning parcel.
 - d) Outdoor dining & seating is limited to 30 people.
- 2) Deed restrict the ~1.15 acre HC-zoned area on parcel 070721395002 limiting commercial land uses exclusively to the following:
 - a) Indoor sales
 - b) Outdoor sales, display or repair and storage not to exceed 50 motor vehicles.

Any questions about this petition or staff report please contact Majid Allan at (608) 720-0167 or allan@countyofdane.com

TOWN: The Town Board approved the petition with no conditions.