
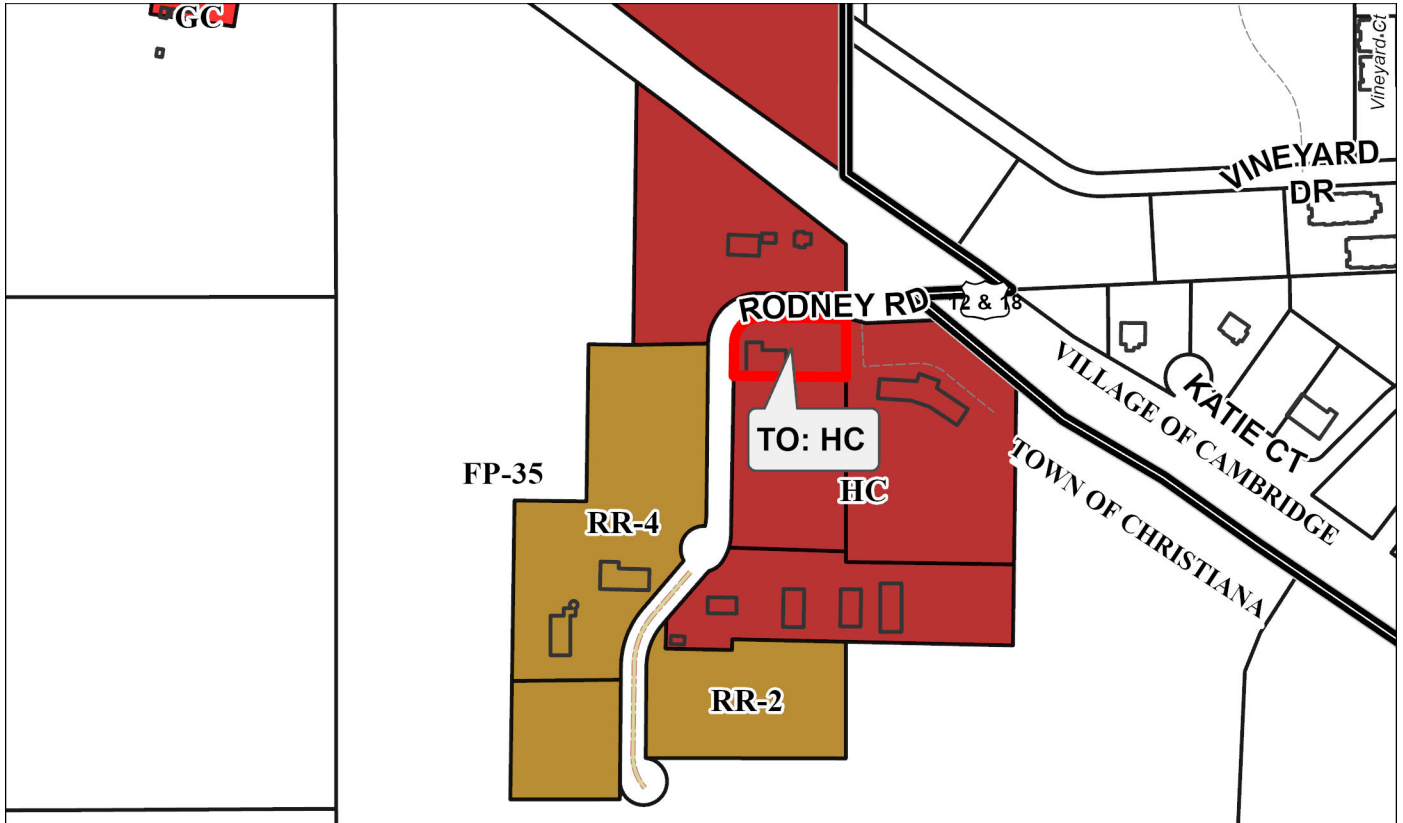


<p><b>Staff Report</b></p>  <p><b>Zoning &amp; Land Regulation Committee</b></p>	<p><u>Public Hearing:</u> <b>August 27, 2024</b></p>	<p><b>Petition 12073</b></p>	
	<p><u>Zoning Amendment Requested:</u>  <b>HC Heavy Commercial District TO HC Heavy Commercial District</b></p>	<p><u>Town, Section:</u>  <b>CHRISTIANA, Section 2</b></p>	
	<p><u>Size:</u> <b>1 Acres</b></p>	<p><u>Survey Required:</u> <b>No</b></p>	<p><u>Applicant:</u>  <b>SPIEGELHOFF PROPERTIES LLC</b></p>
	<p><u>Reason for the request:</u>  <b>Revise deed restriction to allow for a new land use (plumbing contractor)</b></p>		<p><u>Address:</u>  <b>269 RODNEY ROAD</b></p>



**DESCRIPTION:** Applicant wants to amend an existing deed restriction to allow for a new land use, a plumbing contractor business. The petition is proposed as a means of correcting a zoning / deed restriction violation (see letter sent May 6, 2024). Approval of this petition would result in a new deed restriction recorded on the property to modify the allowable land uses. The application requests that the following land uses be allowed on the site, to meet their current needs:

- Plumbing trade operations
- Indoor storage
- Outdoor storage
- Indoor sales
- Office uses

**OBSERVATIONS:** The site is a developed property that has been used by commercial businesses for many years. The proposed uses listed above are all permitted “by right” in the HC zoning district. Other uses that are typically allowed by HC zoning include some uses that would be compatible with the surrounding area and town land use plan policies, and other uses that may be less compatible. Certain land uses would continue to be deed restricted under this proposal (see Staff Recommendation below).

**COMPREHENSIVE PLAN:** The property is located in the Town’s unofficial commercial planning area, which the comprehensive plan defines as the US Highway 12/18 corridor within 1.5 miles of the western boundary of Cambridge. Town policies allow for nonfarm commercial uses within this area, provided any such use is compatible with the rural

character of the town. The proposal to amend the existing deed restriction on the property to allow a plumbing contractor business appears consistent with plan policies. In accordance with town comprehensive plan policies, staff recommends that an amendment of deed restriction document be recorded limiting commercial uses of the property exclusively to the following:

- Contractor, landscaping, or building trade operations
- Personal or professional service
- Indoor storage and repair
- Indoor sales
- Outdoor storage
- Light industrial
- Office uses
- Veterinary clinics

Staff also recommends that the amendment of restrictions document include the following additional provisions:

- Prohibit installation of billboard signage
- Any outdoor lighting shall be down-shrouded and not spill onto adjoining properties or public rights of way
- Any outdoor storage uses shall be screened from public rights of way.

For questions about the comprehensive plan, please contact Senior Planner Majid Allan at (608) 267-2536 or [allan.majid@danecounty.gov](mailto:allan.majid@danecounty.gov).

**RESOURCE PROTECTION:** There are no sensitive environmental features on or within 300 feet of the subject property, and no new construction is proposed.

**TOWN ACTION:** The Town Board recommended approval with no conditions.

**STAFF RECOMMENDATION:** Pending any comments at the public hearing, Staff recommends approval of the petition with the following conditions:

A deed restriction shall be recorded on the property (tax parcel 0612-024-8430-0) stating the following:

1. Land uses on the property shall be limited exclusively to the following:
  - a. Contractor, landscaping, or building trade operations
  - b. Personal or professional service
  - c. Indoor storage and repair
  - d. Indoor sales
  - e. Outdoor storage
  - f. Light industrial
  - g. Office uses
  - h. Veterinary clinics
2. The installation of off-premise advertising signs (billboards) are prohibited on the property. Business signage shall require a sign permit and shall comply with all applicable restrictions of the Dane County Zoning Ordinance sign regulations.
3. Outdoor lighting shall be directed downward and away from adjacent properties and public rights-of-way, and be designed to minimize ambient light spill.
4. Any outdoor storage shall be screened from public right-of-way of Highway 12/18.

Please contact Rachel Holloway at (608) 266-9084 or [holloway.rachel@danecounty.gov](mailto:holloway.rachel@danecounty.gov) if you have questions about this petition or staff report.