
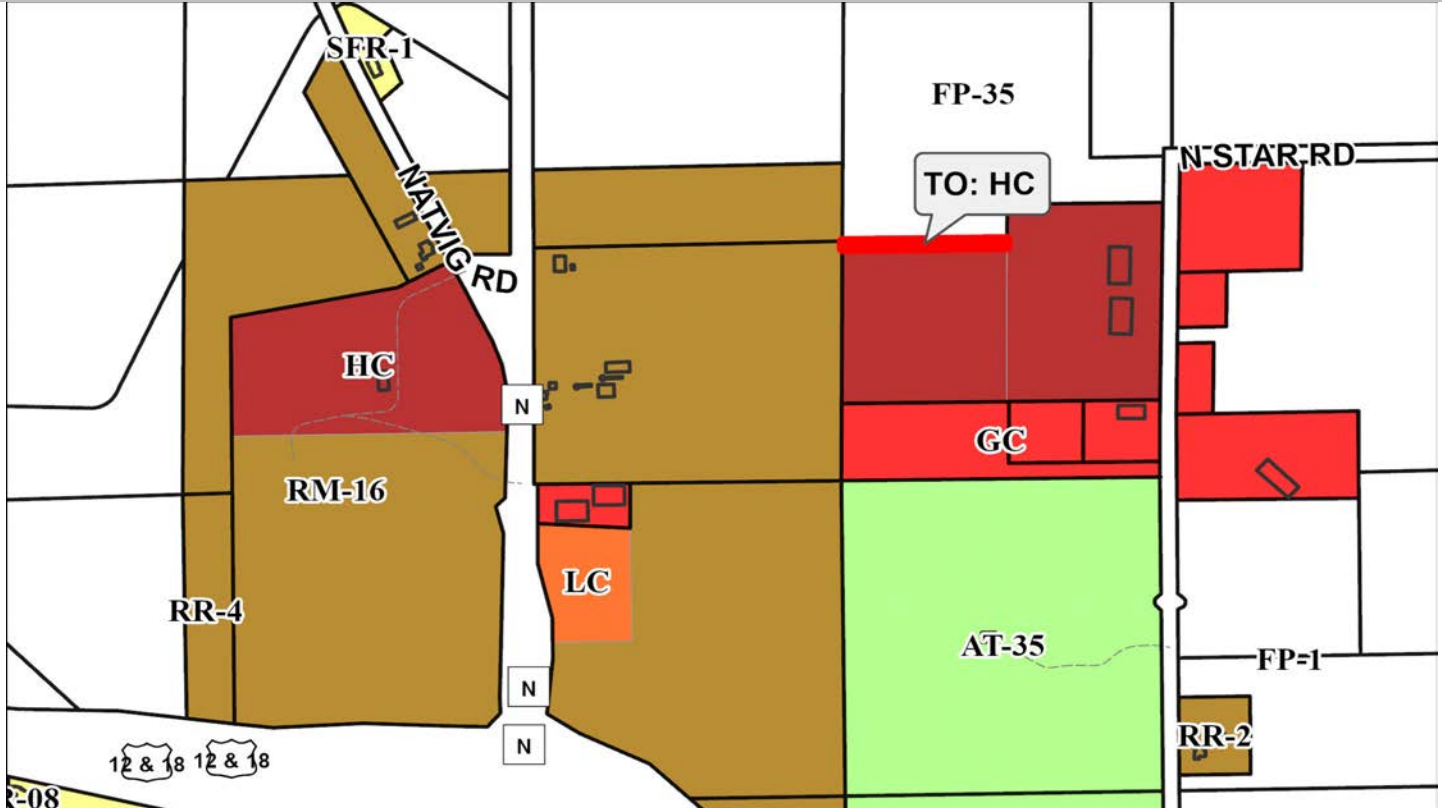


Staff Report  Zoning and Land Regulation Committee	Public Hearing: May 28, 2024		Petition 12049
	<u>Zoning Amendment Requested:</u> AT-35 Agriculture Transition District TO HC Heavy Commercial District		<u>Town/Section:</u> COTTAGE GROVE, Section 28
	<u>Size:</u> 0.5 Acres	<u>Survey Required:</u> Yes	<u>Applicant:</u> CAPITOL HOLDINGS LLC
	<u>Reason for the request:</u> adding lands to existing commercial development		<u>Address:</u> 3475 N STAR ROAD



DESCRIPTION: Birrenkott Surveying, on behalf of landowner Capitol Holdings LLC, requests the rezoning of a half-acre of land to HC Heavy Commercial in order to add lands to an existing commercial development site. The existing HC site is Lot 2 of certified survey map No. 15945 recorded in 2022. The acreage was inadvertently omitted from the CSM at that time. A new CSM would be recorded for the expanded lot boundary.

OBSERVATIONS: The proposed expansion would conform to the requirements of the HC zoning district and county ordinances.

The existing HC lot was deed restricted as part of rezone petition 11692 in 2021, to limit the allowable land uses. The current deed restriction must be amended to include the additional half-acre.

The property is subject to the City of Madison’s extraterritorial jurisdiction for land division reviews.

COMPREHENSIVE PLAN: Property is within a Commercial Development Area under the *Town of Cottage Grove / Dane County Comprehensive Plan*. The plan allows the town board to limit specific uses to ensure compatibility with plan objectives. The larger Capitol Holdings property is subject to a deed restriction limiting uses to: “office buildings no more than 2 stories; repairs, storage, and service of contractors’ machinery and equipment; and parking and storage of motor vehicles.” Because the property will be redefined by a new Certified Survey Map, staff recommends that a new deed

restriction be recorded with the identical uses identified under [Petition 11692](#). (For questions about the town plan, contact Senior Planner Majid Allan at (608) 267-2536 or Allan.Majid@danecounty.gov)

RESOURCE PROTECTION: There are no sensitive environmental features on or within 300 feet of the subject property. The commercial property has an existing stormwater management permit, so any further development is subject to the approved plan on file with Land and Water Resources.

TOWN ACTION: On June 3, 2024 the Town Board recommended the rezone with no conditions.

STAFF RECOMMENDATION: Pending any comments at the public hearing, staff recommends approval of the rezone subject to the following condition and the applicant recording the certified survey map for the new lot boundaries:

1. A deed restriction shall be recorded on the HC Heavy Commercial zoned property to limit the land uses to the following: office buildings no more than 2 stories; repairs, storage, and service of contractors' machinery and equipment; and parking and storage of motor vehicles. Said deed restriction shall also indicate that it replaces prior deed restrictions recorded in document #5818527.

Any questions about this petition or staff report please contact Rachel Holloway at (608) 266-9084 or holloway.rachel@countyofdane.com