

CITY OF MADISON
INTER-DEPARTMENTAL
CORRESPONDENCE

DATE: January 9, 2012

TO: Plan Commission

FROM: Timothy M. Parks, Planner, Planning Division

SUBJECT: **ID# 24767 – Zoning Map Amendment ID 3577 to zone lands attached from the Town of Madison at 719 W. Badger Road to C2 (General Commercial District).**

On December 5, 2006, the Common Council adopted Resolution 06-01002, authorizing the Mayor and City Clerk to execute an intergovernmental settlement agreement with the Town of Madison for the attachment of Town lands to the City in the Badger Road-Ann Street-Park Street area in accordance with the approved City of Madison-Town of Madison-City of Fitchburg cooperative plan dated October 10, 2003. The agreement allowed for the attachment of approximately 50 properties from the Town, including the subject property located at 719 W. Badger Road, on December 18, 2006.

Subsequent to the attachment taking effect, City staff initiated a process throughout 2007 to assign City zoning to most of these properties. However, due primarily to difficulties with inaccurate legal descriptions for some of the properties, the assignment of City zoning was not completed for all of the properties and is ongoing as staff resources permit. Approximately 6 properties remain unmapped at this time including the subject site. Staff anticipates assigning permanent zoning for these remaining properties as part of the citywide zoning remap process to be completed in 2012.

The subject site is developed with a one-story, 3,600 square-foot Burger King restaurant with a drive-up service window and approximately 50 parking stalls. The property owner has been in discussion with City Zoning staff regarding minor modifications to the site plan for the property. However, prior to any such plan modifications being approved, permanent City zoning must be conferred on the property.

Accordingly, City staff initiated the proposed zoning map amendment to assign C2 General Commercial zoning to the subject property. Staff believes the C2 zoning proposed represents the most appropriate district based on the existing use of the property, and is also consistent with the zoning of nearby properties already in the City. The owner of the subject property is aware of the proposed zoning district and is in support. Staff believes that the proposed C2 zoning is generally consistent with the Community Mixed-Use and General Commercial land use recommendations in the Comprehensive Plan for the subject site and nearby properties in the S. Park Street corridor.

The Planning Division recommends that the Plan Commission recommend **approval** to the Common Council of Zoning Map Amendment ID 3577, granting C2 General Commercial zoning to 719 W. Badger Road.