
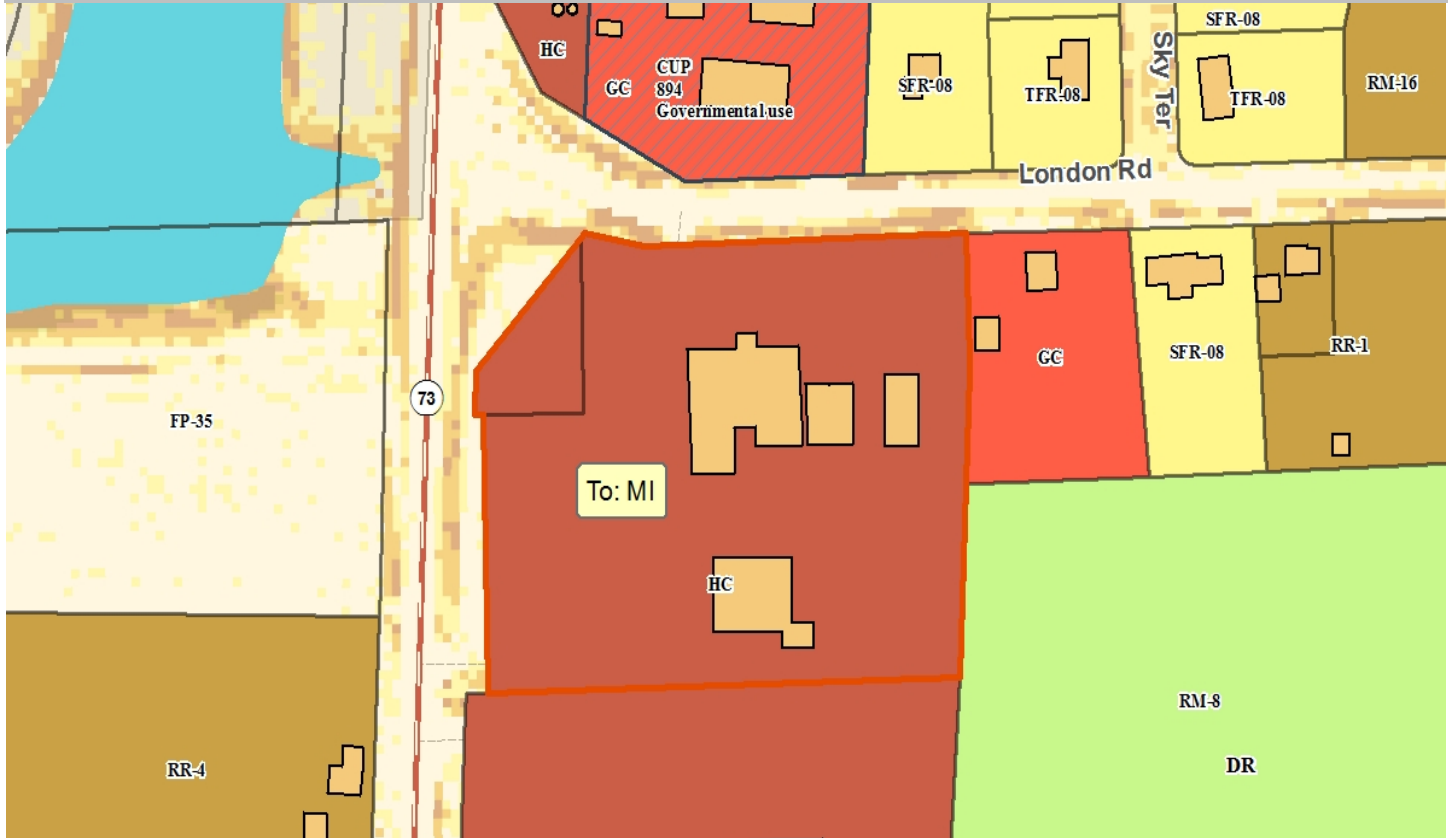


<p><b>Staff Report</b></p>  <p><b>Zoning and Land Regulation Committee</b></p>	Public Hearing: <b>October 25, 2022</b>		<b>Petition 11900</b>
	Zoning Amendment Requested: <b>HC Heavy Commercial District TO MI Manufacturing and Industrial District</b>		Town/Section: <b>DEERFIELD, Section 28</b>
	Size: <b>6.11 Acres</b>	Survey Required. <b>No</b>	Applicant <b>UNITED COOPERATIVE</b>
	Reason for the request: <b>Bring property into compliance with current zoning requirements for an existing land use</b>		Address: <b>841 LONDON ROAD</b>



**DESCRIPTION:** Applicant Joe Berghuis of United Cooperative proposes to rezone the 6.1-acre commercial property on London Road from HC (Heavy Commercial) to MI (Manufacturing and Industrial) zoning district. The business provides a wide range of agricultural sales and support services to farmers in Dane and surrounding counties, including a dry fertilizer storage and blending facility. They propose a 98' x 82' (7,786 SF) addition to the existing fertilizer plant for indoor storage, to increase capacity on site during peak season. The zoning change is needed since fertilizer manufacturing, mixing or blending is only listed as a permitted use in the MI zoning district.

**OBSERVATIONS:** The site currently contains four buildings, several storage tanks, and associated parking and outdoor storage areas. The proposed addition would be located on existing blacktop and would be 50 feet tall at the roof peak. No additional employees or bathrooms will be added; the increased storage capacity will enable the business to spread out truck traffic and alleviate traffic congestion at peak season.

The proposed addition appears to meet MI district requirements. Any new security lighting on the building addition must be directed downward and away from adjacent properties and public rights-of-way, and must be designed to minimize ambient light spill.

**TOWN PLAN:** The property is located in the town's ["General Business" land use district](#). The plan lists the GC (General Commercial) and LC (Limited Commercial) zoning districts as generally acceptable / appropriate for General Business

areas. However, the property has been zoned for heavy commercial uses since 1966 – first under the county’s C-2 Commercial district, and now HC Heavy Commercial. In addition, town plan policies generally support the retention of existing businesses that provide services in the community, particularly those that directly support the agricultural sector. Under the previous zoning code’s C-2 district, fertilizer blending and mixing was listed as a permitted use. That use, along with a number of others, was removed from Heavy Commercial district of the updated zoning code and instead listed in the new MI (Manufacturing and Industrial) zoning district. The requested MI zoning will bring the longstanding business into zoning compliance allowing for continued operations and planned expansion of the facility.

Given the visible location of the property at an entryway to the village of Deerfield, the lack of municipal water/sewer service at the site, and the wide range of intensive land uses allowed within the MI zoning district, staff would recommend that limitations be placed on the allowable land uses (see below).

(For questions about the town plan, contact Senior Planner Majid Allan at (608) 267-2536 or [allan@countyofdane.com](mailto:allan@countyofdane.com))

**RESOURCE PROTECTION:** The only resource protection corridors mapped on site are in the vicinity of steeper slopes, in areas where the site was graded near the edge of the pavement. The site is outside of any municipal water well Zone of Contribution (see map included with application). No concerns based on the proposal.

**TOWN ACTION:** On October 10<sup>th</sup>, the Town Board recommended approval of the petition with no conditions.

**STAFF RECOMMENDATION:** Staff recommends approval of the petition with the following conditions:

1. The property owner shall record a deed restriction on the MI zoned property prohibiting the installation of off-premises advertising signs (billboards) and limiting allowable land uses exclusively to the following:
  - a. Contractor, landscaping or building trade operations
  - b. Drive-in establishments
  - c. Fertilizer manufacturing plants
  - d. Fertilizer mixing or blending plants
  - e. Governmental, institutional, religious, or nonprofit community uses
  - f. Indoor entertainment and assembly
  - g. Indoor storage and repair
  - h. Indoor sales
  - i. Light industrial uses
  - j. Off-site parking lot or garage
  - k. Office uses
  - l. Outdoor sales, display or repair
  - m. Outdoor storage
  - n. Personal or professional service
  - o. Utility services
  - p. Vehicle repair or maintenance services
  - q. Veterinary clinics
  - r. Warehousing and distribution facilities

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