



Staff Report

Zoning and Land Regulation Committee

Public Hearing: **August 26, 2014**

Zoning Amendment:
None

Acres: 3.67
Survey Req. No

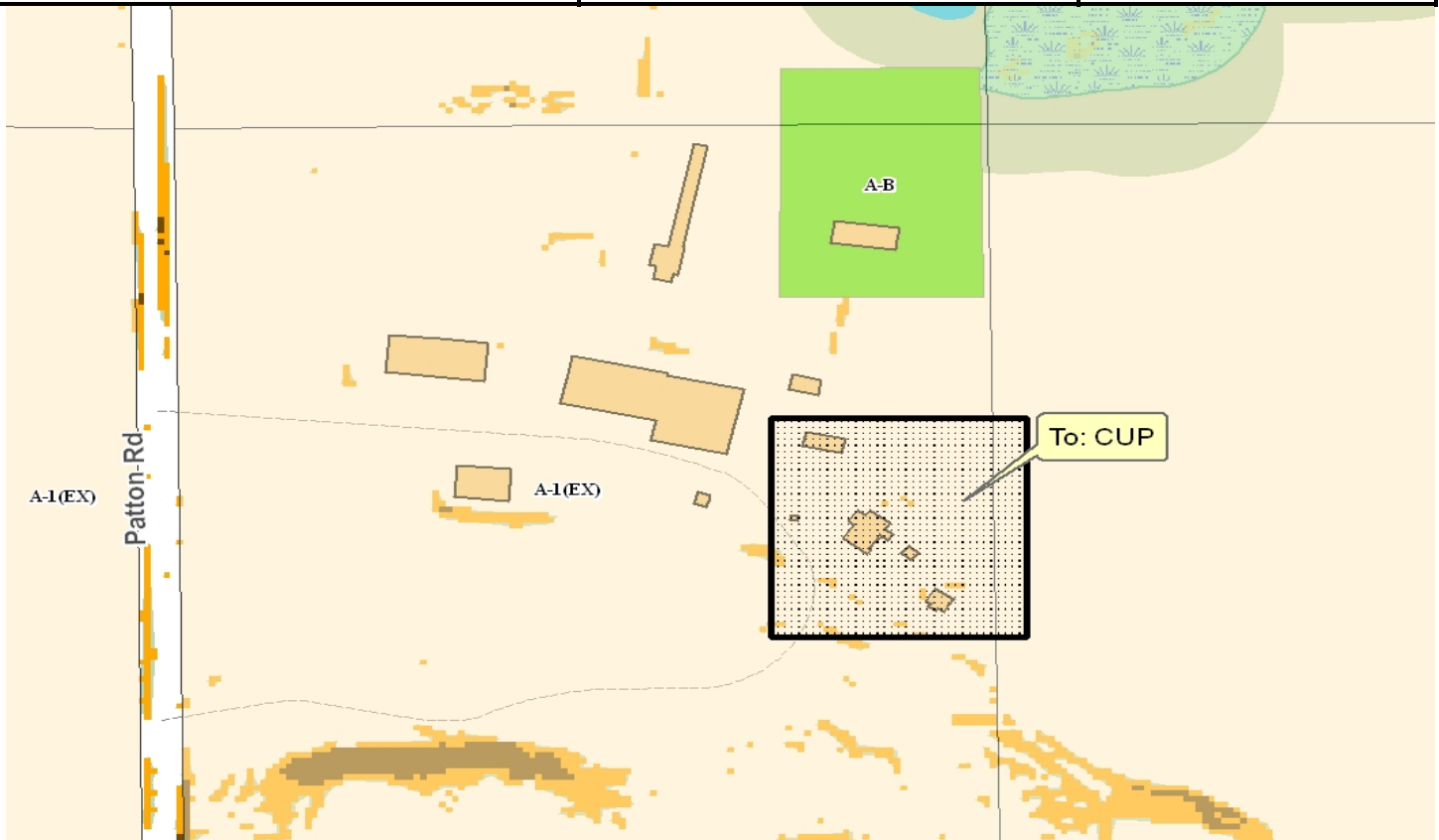
Reason:
Agriculture entertainment activities exceeding 45 days per year

Petition: **CUP 2277**

Town/sect:
Vienna Section 3

Applicant
Henry Land LLC

Location:
7790 Patton Road



DESCRIPTION: Applicant would like to open a Spirits Tasting Area for more than 45 days per year. The owner currently produces spirits on the property that are derived from the grains grown on the property. The tasting area is considered an agricultural entertainment activity.

OBSERVATIONS: The distilling operation is part of a 319-acre farm. A portion of the property was zoned to A-B Agri-Business in 2009 for the distilling warehouse. There is an existing residence on the property that is proposed to be converted into the spirit tasting area.

TOWN PLAN: The property is located in the town's "Agricultural Preservation Area". Town plan policies for this area include a 1 per 75 Density Policy. The Town plan allows for limited commercial if the use primarily serves local farmers, doesn't disrupt existing ag uses, doesn't conflict with neighboring uses, and the use reuses and rehabilitates the existing property.

RESOURCE PROTECTION: There are no resource protection areas onsite.

STAFF: The proposal appears to meet Town Plan policies. See attached suggested conditions.

TOWN: Approved with no conditions.

Proposed Conditional Use Permit # 2277

In order for an applicant to obtain a Conditional Use Permit, the Zoning and Land Regulation Committee must find that all of the following standards are met for the proposed land use:

1. The establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or welfare.
2. The uses, values and enjoyment of other property in the neighborhood for purposes already permitted shall be in no foreseeable manner substantially impaired or diminished by establishment, maintenance or operation of the conditional use.
3. The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
4. Adequate utilities, access roads, drainage and other necessary site improvements have been or are being made; and
5. That adequate measures have been or will be being taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets; and
6. That the conditional use shall conform to all applicable regulations of the district in which it is located.

Staff has prepared a list of conditions that may be used in order to meet the six standards as listed above to allow the conditional use on the property. Please note that the conditions may need to be changed or additional conditions added to address potential nuisances that may come to light during the public hearing.

1. Sales of alcoholic beverages by the drink shall be limited to between 10am and 8pm (Thursday - Sunday), and shall be limited to within the existing building as shown on the site plan.
2. Parking shall be limited to 2 areas proposed on the site plan.
3. Outdoor loudspeakers are prohibited.
4. Outdoor lighting shall be limited to what is necessary for safety.
5. Signage for the shall be limited to an entrance sign.
6. Use shall comply with all state and local licensing for the sale and distribution of alcohol.