



Staff Report

Zoning and Land Regulation Committee

Public Hearing: **March 24, 2015**

Petition: **Rezone 10822
CUP 2308**

Zoning Amendment:
**A-1EX Exclusive Agriculture
District to A-B Agriculture
Business District**

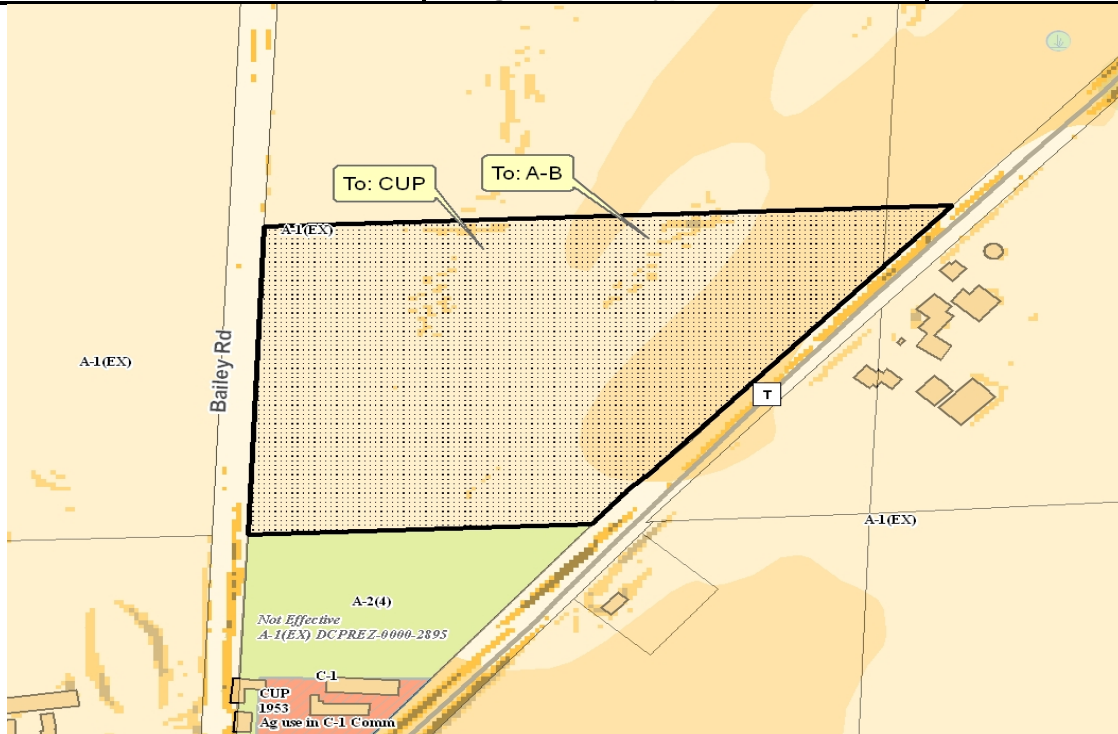
Town/sect:
**Sun Prairie
Section 30**

Acres: 18.85
Survey Req. Yes

Applicant
Allan L Kelly

Reason:
**Allow agriculture nursery
business
CUP Description: Sales & storage
of agriculture byproducts**

Location:
North of 3577 Bailey



DESCRIPTION: Applicant is requesting approval of A-B agricultural business zoning to allow expansion of existing landscape supply business on adjoining property to the south at 3577 Bailey Rd, associated with a plant or tree nursery (Schonheit Gardens). Mulch and compost would be the primary products sold, along with plant / tree products from the associated nursery. Applicant also seeks approval of a conditional use permit to allow sales and storage of agricultural byproducts (compost). The business would employ up to 3 people.

OBSERVATIONS: The property consists of 75% Class II soils, 20% Class III soils, and 5% Class I soils. No sensitive environmental features observed.

TOWN PLAN: The property is located in the town's agricultural preservation area.

RESOURCE PROTECTION: No resource protection corridors located on the property.

STAFF: The town plan includes policies allowing limited, agriculturally related commercial uses within the agricultural preservation area. The proposed rezone and CUP appear reasonably consistent with town plan policies. Access should be from Bailey Road.

Dane County Highways Staff: CTH T is not a controlled access highway. Any change in use of existing access requires a permit. No new accesses will be permitted. Not enough information provided to estimate traffic volumes.

TOWN: Approved with conditions: Limit uses in the A-B district to landscape supply or contracting business associated with a plant or tree nursery. CUP for sales or storage of agricultural byproducts. Hours of operation limited to 7am to 7pm seven days / week. Lighting from outside shall not be visible, except for security lights.

Proposed Conditional Use Permit # 2308

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. Conditional Use Permit is limited to sales or storage of agricultural byproducts.
2. Outdoor lighting shall be limited to security lighting only.
3. No outdoor loudspeakers shall be allowed.
4. Access to the operation shall be from Bailey Road.
5. Hours of operation limited to 7am – 7pm.