	Staff Report	Public Hearing: **October 23, 2018**	Petition: **Petition 11344**
		Zoning Amendment: **FP-35 TO LC Limited Commercial Distritct**	Town/sect: **OREGON, Section 17**
		Acres: 5 Survey Req. Yes	Applicant **GREENSCAPES LLC**
Zoning and Land Regulation Committee		Reason: **Expand existing landscaping business**	Location: **5995 COUNTY HIGHWAY D**
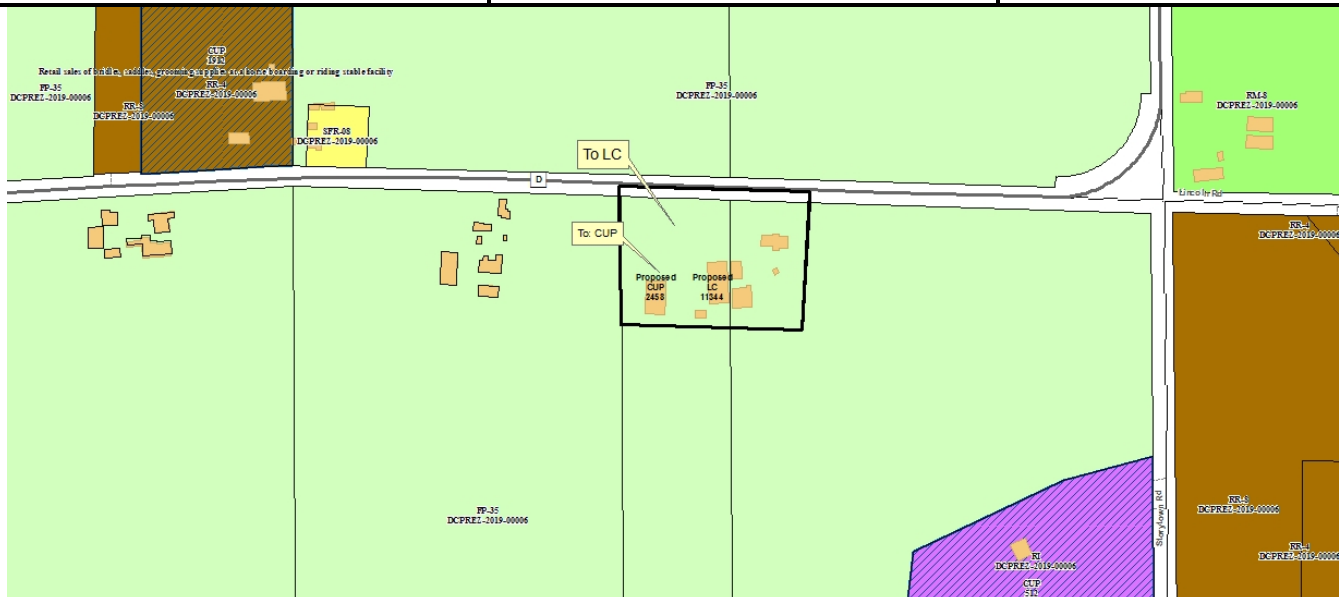
DESCRIPTION: Applicant would like to expand an existing landscaping business to offer retail sales of plants and other materials. The original rezoning application requested roughly 20 acres of the property be zoned Heavy Commercial (C-2 / HC). The petition was postponed at the October 23, 2018 ZLR public hearing to allow time for the applicant to work with staff and the town of Oregon to revise the petition in a manner consistent with the intended uses. The applicant has revised the petition to request LC Limited Commercial zoning to accommodate the relocation and operation of an existing landscape contracting business (Greenscapes LLC). A separate Conditional Use Permit (#2458) has also been applied for to allow outside storage of materials and more than 12 vehicles / pieces of equipment.

OBSERVATIONS: There is an existing landscaping business on the property. There are several outbuildings on the property used for the storage of material and equipment. The easterly portion of the property was identified in 1969 as a legal non-conforming mineral extraction site; however, no extraction is evident on the property.

COUNTY HIGHWAY DEPARTMENT: The property fronts onto County Highway D. Improvements will be needed to the drive entrances to safely accommodate traffic. Additional lands may need to be dedicated to the public for roadway purposes.

TOWN PLAN: The proposed site shown as existing commercial in the *Town of Oregon / Dane County Comprehensive Plan*.

RESOURCE PROTECTION: The property is outside the resource protection area.

STAFF UPDATE: The applicant has worked with staff and the town of Oregon to revise the application in a manner appropriate to accommodate the anticipated uses of the property, which include operation of a landscaping business, outside storage of materials, and storage of more than 12 vehicles / pieces of equipment (see associated CUP 2458). The

proposed rezone will only slightly expand the size of the existing LC zoned area of the property. With conditions required by the town of Oregon, the proposal appears reasonably consistent with town plan policies. See associated CUP 2458 for recommended conditions on proposed outdoor storage.

TOWN: Approved with the following conditions. Note that the conditions should be required as deed restrictions on the LC zoned property.

1. All lighting must be directed downward.
2. No parking of vehicles in along the road or in road right of way. Must provide adequate parking spots for 55 employees as well as retail customers. All vehicles will be parked in an orderly fashion.
3. Number of employees will be up to 55 year around.
4. Hours of operation for the office will be 7:00 a.m. to 6:00 p.m. on weekdays as well as Saturday. No business hours on Sunday. Landscaping hours will be 6:30 a.m. to 7:00 p.m. on weekdays with no landscaping hours on Saturday or Sunday. Winter snow removal hours will be as needed depending on the weather.
5. Allow one freestanding on-premises sign that may not lighted and must meet county sign requirements. Also allow an existing wall sign on the barn to stay in place.
6. Provide screening of pine trees (e.g. arbor vitae) to hide parked vehicles from County Road D. Trees must be off the road right of way and must provide a continuous screen.
7. No burning of materials or debris brought onto site for disposal. Chipping of wood materials will be allowed.
8. House will be used as a commercial office building and will require fire and safety inspections. All other buildings located on LC-1 site will also require fire and safety inspections.
9. Repair/Maintenance of lawn and garden equipment must be indoors.
10. No loud speakers allowed.
11. Fueling area/storage must include appropriate spill containment per state requirements.
12. Storage of any chemicals or other hazardous materials used in the landscaping operation must be done inside one of the buildings and in accordance with applicable state requirements.
13. No materials or debris can be brought to the Town of Oregon Recycling Center (TORC) for disposal.