



Staff Report

Zoning and Land Regulation Committee

Public Hearing: **May 24, 2016**

Petition: **Rezone 10989**

Zoning Amendment:

A-1Ex Exclusive Agriculture District to C-1 Commercial District, Commercial District to A-2 Agriculture District

Town/sect:

Pleasant Springs Section 21

Acres: 1.9, 1.9, 14.8

Survey Req. Yes

Applicant

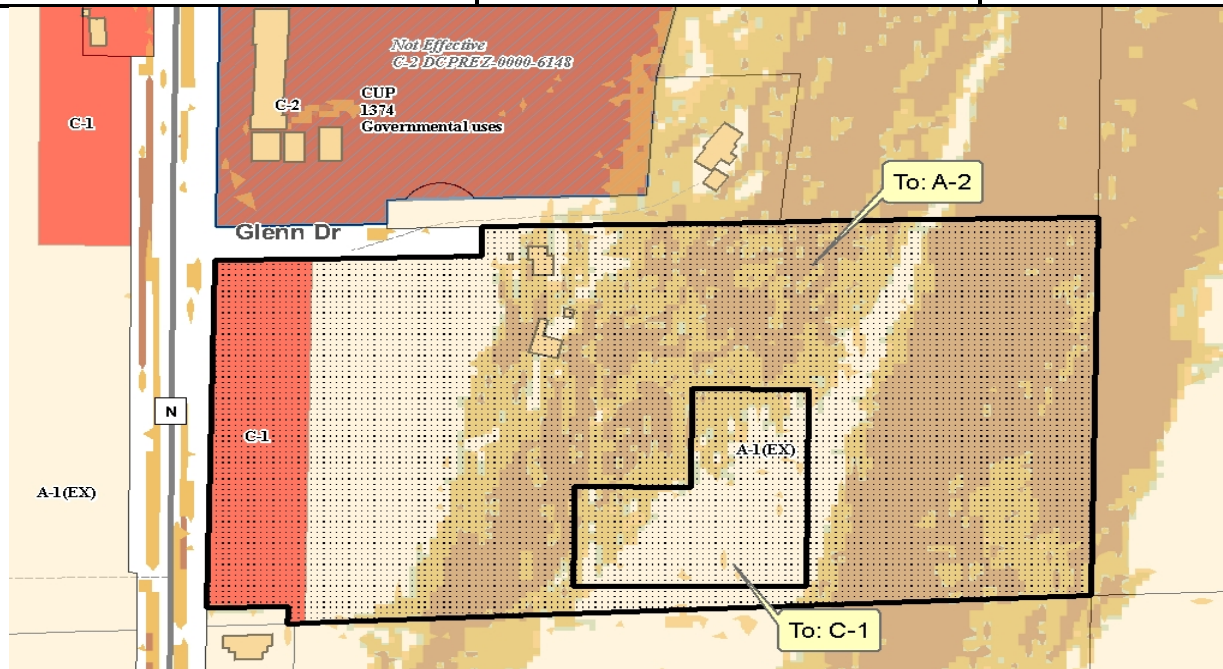
Roberts Irrev Family TR 2012

Reason:

Moving existing commercial zoning and remaining lands to agriculture

Location:

2479 Glenn Drive



DESCRIPTION: Applicant proposes to relocate a 1.95 acre area of existing C-1 zoning to the center of the ~20 acre property in order to develop and operate a seasonal “wedding barn” business from May to October. A-2 zoning is requested for the balance of the property to provide zoning compliance for the existing residence and outbuilding. The business would provide an indoor venue for weddings, retreats, family reunions, etc. Events would be held inside a main barn (6,050 sqft) and a secondary barn (2,400 sqft) to be built within the C-1 zoned area. In addition, a 600 sqft storage building and 300 sqft trash enclosure are proposed. The business would be family run with no outside employees. Anticipated hours of operation would be approximately 4:30pm – 11pm, with all events catered.

OBSERVATIONS: Areas of steep slope topography are located on the western half of the property. Proposed new buildings would be located on the C-1 area, away from steep slopes. No other sensitive environmental features observed.

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

RESOURCE PROTECTION: Areas of resource protection corridor are located on the property, associated with the steep slope topography. No new development proposed that would impact the resource protection corridor areas.

STAFF: Town plan policies allow for limited commercial uses in the agricultural preservation area, provided that any such uses are compatible with the rural character of the town and existing surrounding uses. Conditional zoning approval for commercial uses should be used to ensure consistency with town plan policies. Staff recommends that a deed restriction be recorded to limit: the commercial uses of the C-1 zoned area to the wedding barn business and related events;; hours limited to 9am-Midnight; no outside loudspeakers; signage limited to proposed 6’x8’ sign at property entrance; all lighting to be down-shrouded; all new buildings & parking area to be completed in accordance with submitted site plan, subject to town review / approval. Applicant shall work with the town and Dane County Highways to determine if any improvements are necessary to ensure safe ingress/egress onto CTH N. Owner / operator shall notify the town in writing of large events with over 200 patrons a minimum of two weeks in advance.

TOWN: Approved with conditions. See next page.

Town Conditions of Approval for Petition 10989

1. A deed restriction shall be placed on the C-1 Zoning area to limit the land uses to wedding and banquet hall.
2. Applicant shall provide a design for an improved entrance from Glenn Drive to CTH N that will allow for safe two-way traffic entering and leaving Glenn Drive for the review and approval of the Town and concurrent by Dane County, and will pay for construction of the improved entrance in coordination with upcoming CTH N construction.
3. The applicant will enter into a developer's agreement with the County, if required, regarding the improvement of the entrance from CTH N to Glenn Drive and provide a copy to the Town.
4. Applicant agrees that hours of operation will cease at midnight and will include this in their operational plan.
5. Obtain approval for storm water management and erosion control.
6. No outdoor music shall be allowed.
7. A plat map shall be submitted to designate the exact location of the C-1 Commercial Zoning District.

5/24 ZLR: The petition was postponed due public opposition. A neighbor submitted a formal petition of opposition from several of the adjacent neighbors. The neighbor express concerns of regarding lighting, noise, traffic, safety, access for emergency services, the patrons may not like the neighboring agricultural smells, and the activity area should be shifted to the north.

Staff Update: The petitioner and the conditions have addressed the following concerns:

Lighting – All lighting on the property will be down-shrouded so that glare will not be present on neighboring properties. The development area is surrounded by trees.

Noise – All activities are limited to indoors. Outside loudspeakers or amplified sounds are prohibited. The hours are limited to midnight. The surrounding trees will act as a buffer for ancillary noise.

Traffic – The owner will be responsible for road improvements to the County Highway N intersection and to Glen Drive. The private drive to the banquet hall will be approved by the Town to ensure safe travel and emergency access.

Neighboring Agricultural smells – The owner is aware of the agricultural activities in the surrounding area and feels that it will not pose a problem with the proposed business.

Shifting activity area – The activity area has been placed in an area with the least slope for placement of building. The area to the north has slopes averaging 20% grades. The steep slopes will pose difficulties in site development if moved to the north.

Staff recommends approval with the Town and Staff conditions to address the concerns from the neighbors.

Proposed conditions:

1. A deed restriction shall be recorded on the property to identify the following limitations on the property.
 - a. The C-1 Commercial Zoning District boundary shall be limited to wedding and banquet hall land uses only.
 - b. Hours of operation for the hall shall be limited to 9am to Midnight.
 - c. All activities shall be conducted indoors, unless amended through the conditional use permit process. Outside loudspeakers or amplified sounds are prohibited.
 - d. One 6'x8' sign identifying the commercial use shall be permitted to be located at the property entrance.
 - e. The site development plan, including driveway, buildings, and parking area shall be reviewed and approved by the Town of Pleasant Springs prior to construction.
 - f. Owner/operator shall notify the Town of events over 200 people a minimum of 2 weeks in advance.
2. Applicant shall provide a design for an improved entrance from Glenn Drive to CTH N that will allow for safe two-way traffic entering and leaving Glenn Drive for the review and approval of the Town and concurrent by Dane County, and will pay for construction of the improved entrance in coordination with upcoming CTH N construction.
3. The applicant will enter into a developer's agreement with the County, if required, regarding the improvement of the entrance from CTH N to Glenn Drive and provide a copy to the Town.
4. The owner/operator shall obtain approval for all storm water management and erosion control measures by Dane County Land and Water Resource Department. The measures shall be installed and maintained per the approved plans.