
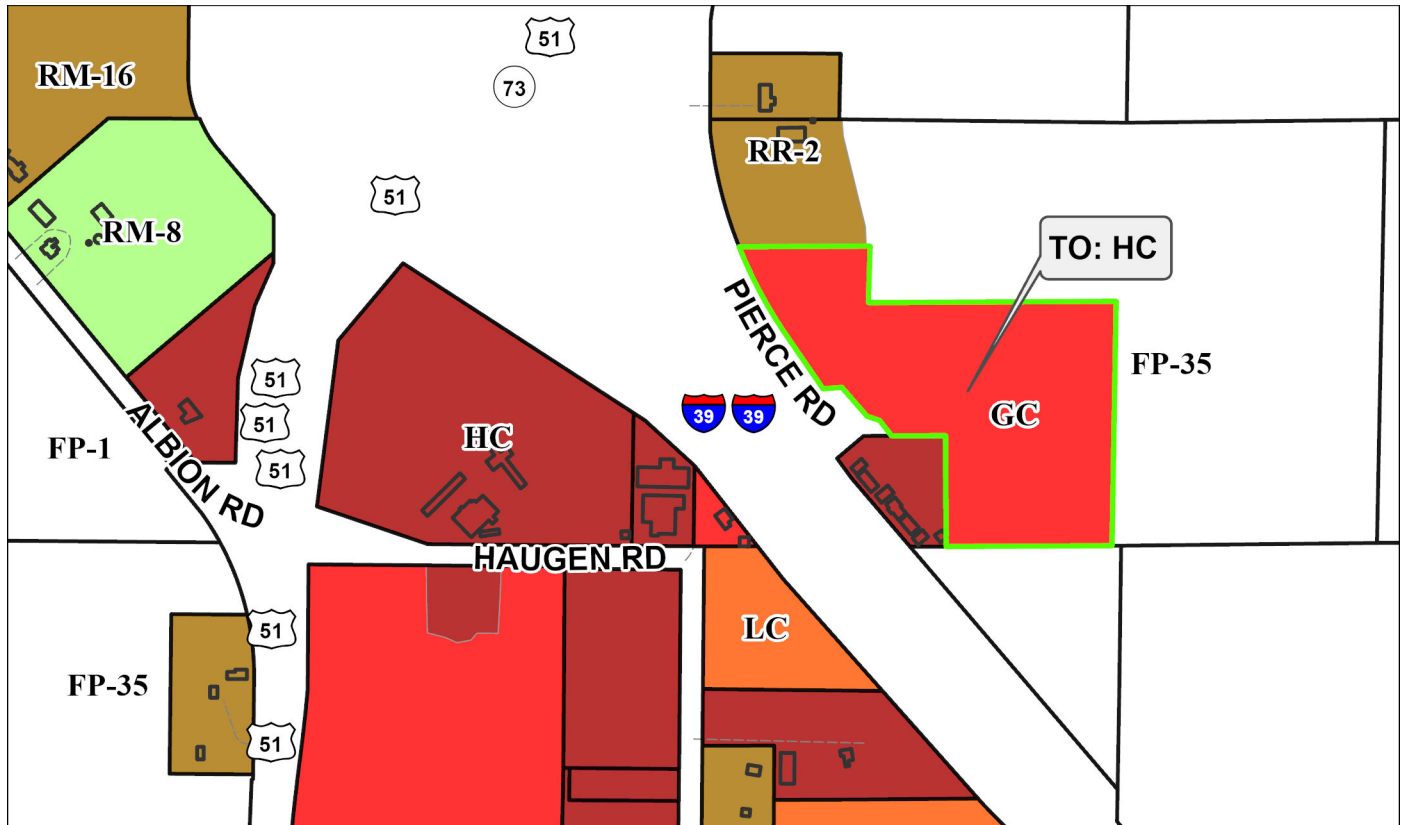


Staff Report  Zoning & Land Regulation Committee	<u>Public Hearing:</u> August 27, 2024	Petition 12079
	<u>Zoning Amendment Requested:</u> GC General Commercial District TO HC Heavy Commercial District	<u>Town, Section:</u> ALBION, Section 26
	<u>Size:</u> 14.55 Acres	<u>Survey Required:</u> No
	<u>Reason for the request:</u> Zoning to allow for propane storage and distribution center	
		<u>Applicant:</u> ALCIVIA
		<u>Address:</u> NORTH OF 410 PIERCE RD



DESCRIPTION: Applicants propose to rezone a 14.5-acre property to HC Heavy Commercial in order to locate a liquid propane storage and distribution site for ALCIVIA, an agricultural and energy cooperative based in Wisconsin. Propane would be stored in two or three bulk tanks and distributed to customers that would arrive in transport trucks between the hours of 7am and 5pm. The operation would be accessed from Pierce Road, a local town road that runs parallel to Interstate 39. Other aspects of the proposed development and operation include:

- Construction of a new gravel lot and driveway area on approximately 1 acre of land, to contain 2 or 3 bulk propane tanks surrounded by a perimeter of 6-foot tall bollards and a gravel driveway and parking area;
- Light fixtures consisting of up to 2 light poles, with downward directed lights to illuminate the fill area for trucks;
- Security fencing around one end of the tank enclosure, and limited signage containing the company logo and emergency contact information;
- Semi-trucks to access the site once daily during the heating season and once weekly during other times of year;
- Smaller straight trucks to access the site 2-3 times per day in the busy season and 2 times per week in the summer and fall.

OBSERVATIONS: The property is a metes and bounds parcel that would be surveyed and established as a certified survey map (CSM) lot as part of this rezoning. The site is undeveloped and has been zoned for commercial use for many decades. Other lands were previously divided off of the larger tract of land via CSM; this remnant land should have been included in a CSM so in addition to enabling the proposed use, the rezoning and new CSM would also correct an illegal land division.

A propane storage operation is classified as a “distribution facility” for zoning purposes, since the goods would be received and/or stored for delivery to customers at other locations. Distribution facilities are not permitted in the GC zoning district, but are a permitted land use in the HC district.

The property is subject to the City of Edgerton’s extraterritorial jurisdiction for land division reviews.

COMPREHENSIVE PLAN: The property is located in the town’s commercial development area. The proposed rezoning and use appears reasonably consistent with comprehensive plan policies and compatible with existing land uses in the area. Staff recommends that limitations be placed on the range of commercial uses and that the property be deed restricted to prohibit the installation of off premises (billboard) signage. For questions about the comprehensive plan, please contact Senior Planner Majid Allan at (608) 267-2536 or allan.majid@danecounty.gov.

RESOURCE PROTECTION: The property contains DNR mapped wetlands, primarily in the northeast half of the property. The applicants have provided a wetland delineation to verify the extent of the wetlands. The wetlands and the required 75 foot buffer are shown on the proposed site plan. Dane County enforces a 75 foot setback from wetlands to all structures (including buildings, parking areas, driveways, etc.) The site plan shows the planned stormwater management feature located between the gravel lot and the wetland—stormwater features may be located within the 75 foot setback area, as long as they are non-structural, but not within a wetland.

Applicants have provided site grading, erosion control and stormwater plans for preliminary review by Land and Water Resources staff. Site development will be subject to the necessary DNR WPDES and County/Town permits for all stormwater and land disturbance.

TOWN ACTION: On August 6, 2024 the Town Board approved the petition with the conditions listed below.

STAFF RECOMMENDATION: The site plan provided with the rezone application contains the information required by the zoning ordinance. The site plan provides adequate space for parking and circulation to serve the anticipated traffic. Gravel surfacing is permitted unless otherwise restricted by a town ordinance. Site lighting is directed downward and away from other properties, to meet zoning ordinance requirements. As noted above, staff recommends that land uses be restricted to the proposed use, because the HC zoning district allows a wide range of land uses some of which may or may not be compatible with the surrounding area and land use plan.

Pending any comments at the public hearing, Staff recommends approval of the rezone petition with the following conditions:

1. The applicants shall record a certified survey map with the Dane County Register of Deeds for the lot.
2. A deed restriction shall be recorded on the lot stating the following:
 - a. Land uses on the property shall be limited exclusively to the following:
 - i. Propane storage and distribution facility
 - b. Site construction shall conform to the site plans approved as part of Rezone Petition 12079.
 - c. Lighting shall be installed per the plans presented. Lighting shall be limited to a maximum of 3,000K color temperature. Outdoor lighting shall be directed downward and away from adjacent properties and public rights-of-way, and be designed to minimize ambient light spill.
 - d. The installation of off-premise advertising signs (billboards) are prohibited on the property. Business signage shall require a sign permit and shall comply with all applicable restrictions of the Dane County Zoning Ordinance sign regulations.

Please contact Rachel Holloway at (608) 266-9084 or holloway.rachel@danecounty.gov if you have questions about this petition or staff report.