





## **K&A Greenhouse CUP AND SITE PLAN – MOTIONS TO CONDITIONALLY APPROVE**

Motion to approve the Conditional Use for K&A Greenhouse at 7595 W. Mineral Point Road, to allow a "contractor, landscaping or building trades" operation and outdoor storage in the GC / General Commercial zoning district, subject to the following:

1. The Town finds that the proposal meets the six standards of Dane County Ordinances 10.101 (7) (d) for conditional use permits, and that the proposed conditional use is consistent with the adopted Town Comprehensive Plan;
2. The Town finds that the proposal meets the standards in the GC zoning district;  
(Conditions as required by Dane County)
  1. Any conditions required for specific uses listed under s. 10.103;
  2. The physical development and operation of the conditional use must conform, in all respects, to the approved site plan, operational plan, building plans, and phasing plan;
  3. New and existing buildings proposed to house a conditional use must be constructed and maintained to meet the current requirements of the applicable sections of the Wisconsin Commercial Building Code or Uniform Dwelling Code;
  4. The applicant shall apply for, receive and maintain all other legally required and applicable local, county, state and federal permits. Copies of approved permits or other evidence of compliance will be provided to the zoning administrator upon request;
  5. Any ongoing business operation must obtain and continue to meet all legally required and applicable local, county, state and federal licensing requirements. Copies of approved licenses or other evidence of compliance will be provided to the zoning administrator upon request. Storage of all hazardous materials, including fuel and chemicals must be done in accordance as detailed in the site and operations plan and must be compliant with applicable local, state, and/or federal standards. This includes the spill containment, emergency shutoffs, and security fencing / indoor storage proposed for fuel tanks;
  6. Existing onsite wastewater sewage disposal systems, if any, serving the conditional use must be inspected by a licensed plumber to determine its suitability for the proposed or expanded use. Deficient systems must be brought, at the owner's expense, into full compliance with the current requirements for new development of the state plumbing code and Chapter 46, Dane County Code;
  7. All vehicles and equipment must access the site only at approved locations identified in the site plan and operations plan;
  8. Off-street parking must be provided, consistent with s. 10.102(8);
  9. If the Dane County Highway, Transportation and Public Works Department or the Town Engineer determine that road intersection improvements are necessary to safely accommodate the conditional use, the cost of such improvements shall be borne by the landowner. Costs borne by the landowner shall be proportional to the incremental increase in traffic associated with the proposed conditional use;
10. The Zoning Administrator or designee may enter the premises of the operation in order to inspect those premises and to ascertain compliance with these conditions or to investigate an alleged violation. Zoning staff conducting inspections or investigations will comply with any applicable workplace safety rules or standards for the site;
11. The owner must post, in a prominent public place and in a form approved by the zoning administrator, a placard with the approved Conditional Use Permit number, the nature of the operation, name and contact information for the operator, and contact information for the Dane County Zoning Division;
12. The owner or operator must keep a copy of the conditional use permit, including the list of all conditions, on the site, available for inspection to the public during business hours;
13. Failure to comply with any imposed conditions, or to pay reasonable county costs of investigation or enforcement of sustained violations, may be grounds for revocation of the conditional use permit. The holder of a conditional use permit shall be given a reasonable opportunity to correct any violations prior to revocation;

(Town conditions)

14. The site shall be developed and maintained in accordance with the final Site Plan approved by the Town;
15. Outdoor storage shall be limited to greenhouse inventory only, and shall be located in the areas designated on the approved site plan;
16. Large truck deliveries of company inventory shall be limited to the hours of operation indicated by the applicant (9am-7pm Mon-Sat, 9am-6pm Sunday);
17. Per item #9, page 5, of the April 24, 2019 Vierbicher letter, that the site entrance does not need to be modified to accommodate semi-truck traffic to safely enter the site from the west off of Mineral Point Road, as the maneuver is very rare and is an existing condition;
18. Per item #25, page 7 of the April 24, 2019 Vierbicher letter, that the proposed planting plan is acceptable, including the granting of credit for protecting existing trees;
19. Per item #29, all outdoor site lighting shall consist of full-cutoff fixtures that are dark sky compliant. The proposed lighting plan is acceptable;
20. Per item #32, page 8 of the April 24, 2019 Vierbicher letter, the security lighting is not required;

Motion to approve the Site Plan for K&A Greenhouse at 7595 W. Mineral Point Road, conditioned upon the comments in the Vierbicher letter dated April 24, 2019, noting the following:

1. The site plans shall be adjusted to address the following review comments:
  - a. Per item #5, page 4, and #8, page 5, the driveway layout approved by Dane County shall be incorporated into all final plan sheets and exhibits;
  - b. Per item #6, page 5, that the existing parking area near the driveway entrance will remain as a driveway;
  - c. Per item #9, page 5, that the site entrance does not need to be modified to accommodate semi-truck traffic to safely enter the site from the west off of Mineral Point Road, as the maneuver is very rare and is an existing condition;
  - d. Per item #10, page 5, the applicant shall provide evidence that the outdoor grow area south of the building is an acceptable location in light of the proposed septic drainfield underneath;
  - e. Per item #11, page 5, the plans shall be adjusted to correct inconsistencies between the stormwater management plans and other site plans;
  - f. Per item #12b, page 5, that the plans shall be adjusted to include wheel stops and storm sewer, to address maintenance concerns;
  - g. Per item #13, page 6, that the building wall will be modified to include a frost wall in a manner that will not affect the bioretention basins;
  - h. Per item #14, page 6, that the plans shall be adjusted to provide for a 5-foot wide flat top of berm, and adjust grading as necessary to ensure 6 inches of freeboard above the 100-year water surface elevation in all bioretention areas;
  - i. Per item #25, page 7, that the proposed planting plan is acceptable, including the granting of credit for protecting existing trees;
  - j. Per item #29, page 8, all outdoor site lighting shall consist of full-cutoff fixtures that are dark sky compliant. The proposed lighting plan is acceptable;
  - k. Per item #32, page 8, the security lighting is not required;
  - l. Per item #34, final approved signage locations shall be added to site and engineering plans;
2. A Site Plan Agreement is not required per Sec. 16.05(6) of the Town Building Ordinance.