



November 17, 2023

Rahcel Holloway
Dane County Assistant Zoning Administrator
County of Dane
608-266-9084

Project Name: **Equipment Share Cottage Grove WI**
Project Location: **N Star Rd, Cottage Grove, WI 53527**

Dear Mr. Holloway:

This letter is in response to your email dated November 10, 2023.

Comment 1: That the establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or general welfare.

The CUP application describes the proposed operation. The applicants state that all equipment will be stored on site, within designated property boundaries. Site plans show the proposed yard enclosure. The application states that all equipment maintenance will be performed indoors, and that hazardous materials such as motor oil, transmission fluid (etc.) will be used and stored indoors. The site plan also includes a fuel island in the middle of the storage yard east of the building. Development of this site will be subject to the town's design review process, which occurs after the CUP process and includes requirements for site landscaping, screening, lighting, and other items to ensure aesthetic quality. Staff asked the applicants to review the town's Chapter 12 Ordinance and show how they will comply with the requirements, as they are relevant to the CUP standards. The revised site plan addresses safety by modifying the location of the proposed driveways, per town requirements (however see additional comments on ingress and egress under standard #5 below). However, staff finds the proposal does not yet meet this standard because the applicants have not provided enough information on lighting to confirm it will meet zoning code requirements to minimize glare visible from off-site (possibly impacting comfort and general welfare). Light pole locations in the photometric plan do not match the locations shown on the site plan, and the lighting plan does not identify on-building lighting or the lot boundaries. No fixture details were provided for pole-mounted or building-mounted lights, to verify they will be shielded and downcast. Dane County code s. 10.102(5) and s. 10.102(8) requires outdoor lighting to be directed downward and away from adjacent properties and public rights-of-way, and designed to minimize ambient light spill. While the site plan will be subject to adjustments and a more detailed design review by the town after the CUP process, this application does not include enough information to verify the basic requirements will be met.

Response: Updated photometric plans have been provided with the resubmittal.

Comment 2: That 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.

The applicants state that the outdoor storage will not impact surrounding properties because the business will operate from 7:00am to 5:00pm Monday through Friday, and movement of equipment on site will not disturb abutting properties during off-hours. They state that surrounding properties are currently vacant and are planned for general commercial use, so the outdoor storage will not adversely affect neighboring properties with similar planned uses. The lot is located in an emerging business park where the surrounding properties include a mix of commercial and farmland preservation zoning; an existing business exists across the road. The proposed hours appear reasonable to meet this standard. However, a storage yard of this size may have negative aesthetic impacts on surrounding properties unless attention is paid to screening and site lighting. The updated plans propose 6-foot tall fencing made of Trex composite material on the north and west sides, and chain link with slats on the south and east sides, a handful of trees in the front parking lot, and light poles 38 feet tall. No light fixture information was provided; however 38 foot tall light poles would be likely to produce glare on the adjacent properties and roadway. Based on the terrain in this area, the developed site will likely be most visible from Highway 12 & 18 to the south, from the lot abutting to the south (where a European auto repair and sale shop is proposed), and from the home to the south. When illuminated, it may also be visible from the northwest as far as CTH N. The information provided is not sufficient to address this standard. Staff requested lighting information multiple times and recommended shorter light poles; poles 20 to 28 feet in height would be more consistent with other similar developments and with town standards. It is not known if the Town will agree that a 6-foot tall fence will be adequate to screen the large equipment, or if chain link fencing will be acceptable on the south side where the site is most visible. The Town has approved the CUP but did not comment on these aspects of the plan.

Response: Updated light pole specifications have been provided with the resubmittal.

Comment 3: That 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.

The applicants state this standard will be met because the outdoor storage will be contained on site and "screened as required to prevent visibility from rights-of-way and surrounding properties." They also state the surrounding properties are currently vacant and are planned for general commercial use. This standard pertains to whether the proposed conditional use would affect how the surrounding properties could be developed and improved, considering what they are currently zoned for. The site is part of a larger business park development that will use a new shared road extending off of N. Star Road,

as well as shared stormwater management facilities. The surrounding area consists of lands with similar land uses and zoning. The proposed conditional storage use would not appear to impede the development of surrounding properties.

Response: Acknowledged.

Comment 4: That adequate utilities, access roads, drainage and other necessary site improvements have been or are being made.

The applicants state that access roads have been improved and utilities, drainage and other necessary site improvements will be made as construction proceeds. Staff notes that this site has been determined to be suitable for well and septic, which would be permitted as the project progresses. The business park is being developed on a "regional" stormwater plan so each lot will use some shared stormwater facilities located off-site to meet most requirements; however, this lot still needs to meet certain stormwater requirements on-site. Because the regional plan has been reviewed by Land and Water Resources Department (LWRD), staff believes the site can be developed to meet the requirements of County Code Chapters 11 and 14. However, the preliminary review by LWRD staff indicates that the plans are not yet sufficient to show this site development will meet the stormwater requirements. For example, additional space will need to be dedicated for infiltration practices. There is already an access road to the site; however the east-west leg of N. Star Road is not yet built to town road standards and this may affect the timing of constructing the northern second driveway. Despite this issue, there is a fully constructed town road along the west side of the site where the primary access is proposed. Based on the insufficient state of the stormwater management plans, we feel this standard is not met. The applicants have not yet demonstrated that the drainage and other site improvements will be sufficient to support the conditional use.

Response: Impervious area calcs have determined the site falls under the maximum allowable impervious ratio of 85%. In addition, the shallow, deep swales calculated based off post-development runoff can function as additional infiltration. The second driveway to the north has been removed. There will only be one single drive.

Comment 5: That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

The applicants state that ingress/egress has been designed to minimize traffic and congestion on N. Star Road. Off street parking is provided on site in 25 parking stalls. This appears adequate for the 15 employees and a limited number of customers and visitors; however the applicants did not provide an estimate of the amount of traffic anticipated to and from the site, which would help determine whether the parking is adequate. Minimum parking requirements for this business are based on the building size, storage yard size, and the number of employees. The plans for access to the site are not yet

resolved. Per Ch. 10 s. 10.102(8)(d), access drives shall be spaced a safe distance from street intersections and each other, shall not be located within vision corners, and may be limited in number and location according to applicable local, county, state and federal standards. The town identified that the original location of the northern driveway was too close to the bend in N. Star Road; the applicants modified the plan to meet town requirements (see revised site plan provided 11/2/23 showing the second driveway along the east-west leg of N. Star Road). However, an access restriction on CSM 16140 (recorded in 2022) prohibits the business from taking access there until the roadway is fully improved to town standards. A note on the CSM reads: "Access to N. Star Road along the North lines of Lots 3 and 4, except for agricultural purposes, is prohibited until N. Star Road is improved to town road standards." Town staff has confirmed that the road has not yet been improved, and it is not known what the timeline is for this to occur and if the developer of the business park (Duane Swalheim) will be responsible for doing this work. Based on the unresolved state of the northern site access, zoning staff feels this standard is not yet met.

Response: The proposed development is expected to generate 140 weekday trips, 14 morning peak hour trips (12 inbound and 2 outbound) and 14 evening peak hour trips (4 inbound and 10 outbound). No pass-by trips are anticipated. The northern drive has been removed from the site to be a safe distance from the intersection.

Comment 6: That the conditional use shall conform to all applicable regulations of the district in which it is located.

The applicants state that contractor, landscaping or building trade operations (outdoor) is listed as a conditional use in the GC district, and that they have submitted a rezone application to remove the existing deed restriction. Staff notes that contractor, landscaping or building trade operations are permitted by right in the GC district; only the outdoor storage aspect requires the conditional use permit. The site plan depicts an incorrect building setback along the north lot line, and the lighting and parking must be verified to meet ordinance requirements. However, the proposed site plan conforms to the applicable regulations of the GC zoning district specifically.

Response: Noted.

Comment 7: That the conditional use is consistent with the adopted town and county comprehensive plans. As noted above, the proposal appears consistent with the Town and County Comprehensive Plans. Staff would advise that the CUP be subject to conditions of approval similar in nature to those required of other neighboring outdoor storage uses. Other recent CUPs have included conditions such as: compliance with the town's design requirements, compliance with stormwater management permit requirements, limits on outdoor display, and the construction of berms for visual screening.

Response: Noted.

Comment 8: If the conditional use is located in a Farmland Preservation Zoning district, the town board and zoning committee must also make the findings described in s. 10.220(1).

Response: Not applicable

If you have any questions or require additional information, please reach out to either me at asharma@bowman.com or Pranavi Koka at pkoka@bowman.com.

Thank you,

Ajay Sharma
Civil Engineer II
Bowman