



Staff Report

Zoning and Land Regulation
Committee

Public Hearing: **September 17, 2018**

Petition: **Petition 11337**
CUP 02436

Zoning Amendment:
**A-1EX Agriculture District and C-2
Commercial District to A-B
Agriculture-Business District;
CUP for retail sales, landscaping
business, and residence**

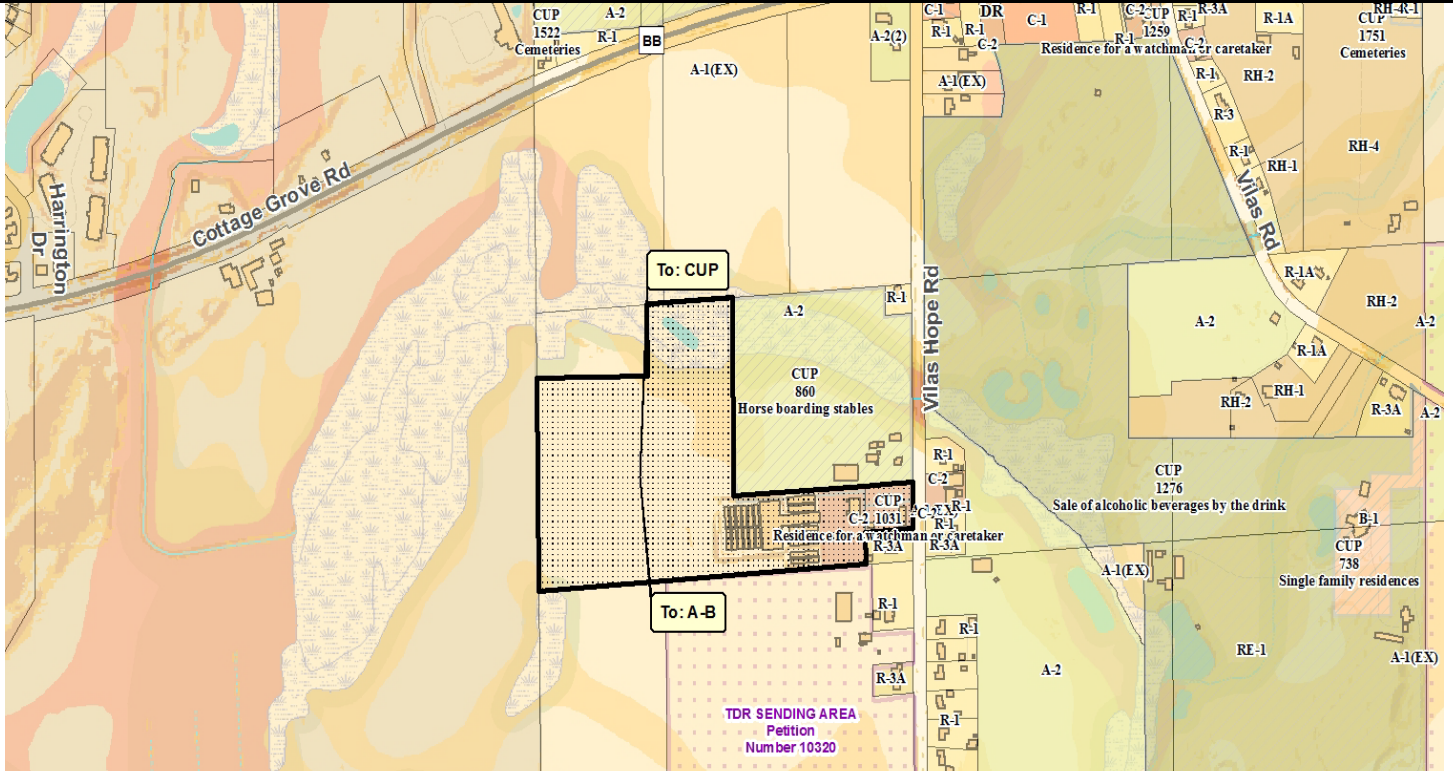
Town/sect:
Cottage Grove, Section 7

Acres: 30.7, 3.3
Survey Req. No

Applicant
Edward J. & Carol Knapton

Reason:
**Zoning compliance for an existing
garden center/farm, including
retail sales, landscaping
operation, and owner's residence**

Location:
4311 Vilas Hope Road



DESCRIPTION: The applicants, owners of America's Best Flowers, would like to change the zoning of the property to bring the existing business into zoning compliance. The request is to change the entire property to A-B Agriculture-Business to facilitate the production of plants and flowers on the property and for the wholesale/retails sales of the plants and flowers. The conditional use permit (CUP) is for the operation of a landscape business, retail sales of other related products, and to allow a residence for an owner of the farming operation. The residence and other structures already exist on the property. *Please see the enclosed Operations Plan.*

OBSERVATIONS: Adjacent land uses located along Vilas Hope Road include an excavating/landscaping business, single-family homes and a horse-boarding facility. Agricultural uses surround the property on the north, south and west.

TOWN PLAN: The subject property is in the *Agricultural Preservation* district in the town of Cottage Grove/Dane County Comprehensive Plan. Expansions of existing business are allowed at the discretion of the town. This proposal is consistent with the town and county comprehensive plans.

RESOURCE PROTECTION: There are DNR mapped wetlands and a small pond in a wooded area on the northern portion of the property.

STAFF: Recommend approval with appropriate conditions for the CUP, which are included below.

TOWN: The Town Board approved the zoning change with no conditions.
The Town Board approved the CUP with no conditions.

DESCRIPTION OF THE OPERATION: The activities requested as part of the CUP are as follows:

Agriculture-related uses – allows for the retail sales of items related to gardening as part of the garden center, including but not limited to pottery, fertilizer, chemicals, cut flowers, landscaping supplies, and seasonal products.

Landscaping supply or contracting business – allows for the landscape operations as part of America's Best Flowers landscaping division.

Farm residence – allow for a residence for an owner of the farming operation (in this case, flower production).

Hours of operation for the garden center are proposed to be 8 am to 8 pm, and 8 am to 10 pm for special events (4 per year). Hours for the landscaping operation are proposed to be 6 am to 8 pm. There are approximately 30 employees, and the number of customers varies seasonally from 50 customers up to 1,000 customers per day. Outdoor storage includes materials that are part of the landscaping operation including mulch, gravel, and soil. These are stored outside along with the landscaping vehicles and equipment. Outdoor activities are retail sales and occasional charitable events and markets. There is already one sign facing Vilas Hope Road, and there will be no additional signs.

Staff Report for Conditional Use Permit No. 2436

In order for an applicant to obtain a Conditional Use Permit, the Zoning and Land Regulation Committee must find that all of the following standards are met for the proposed land use:

1. The establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or welfare.
2. 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.
3. 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.
4. Adequate utilities, access roads, drainage and other necessary site improvements have been or are being made; and
5. That adequate measures have been or will be being taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets; and
6. That the conditional use shall conform to all applicable regulations of the district in which it is located.

Staff has prepared a list of conditions that may be used in order to meet the six standards as listed above to allow the conditional use on the property. Please note that the conditions may need to be changed or additional conditions added to address potential nuisances that may come to light during the public hearing.

1. The conditional use allows for agricultural related use to occur on the property. Specifically retail sales of gardening/seasonal products, and the operation of a landscaping/contracting company.
2. The conditional use allows for a farm residence on the property. The house shall be used by the owner or persons working for the agricultural business.
3. The owner is responsible for operating the business and following the information as explained in the conditional use permit application.
4. The hours of operation shall be as follows:
 - a. Garden Center: 8 am to 8 pm; and 8 am to 10 pm for special events (up to 4 events per year); and
 - b. Landscaping operation: 6 am to 8 pm.
5. Outside loudspeakers are prohibited on the property.



0 75 150 300 Feet

Operations Plan