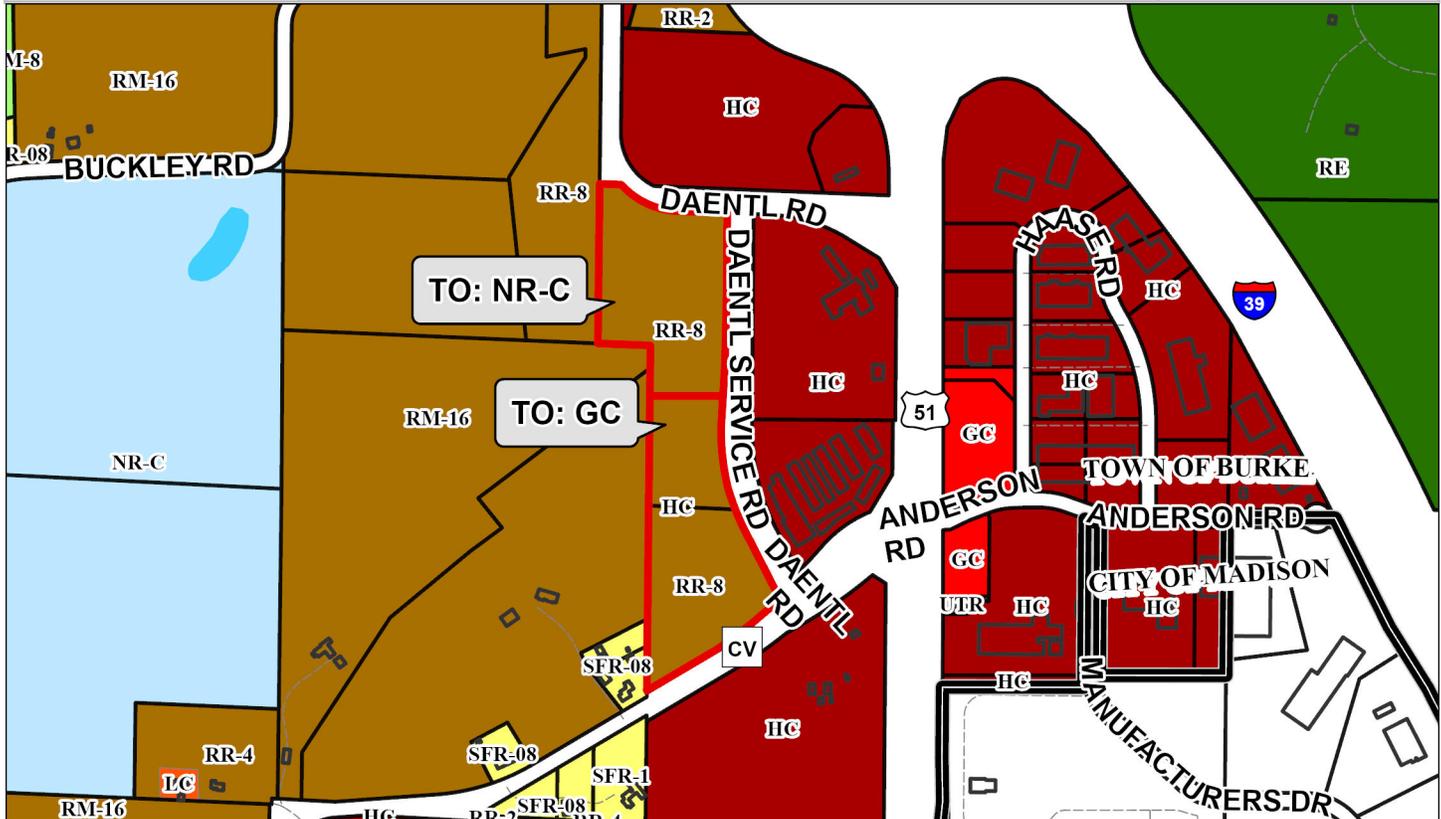


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| Staff Report  Zoning & Land Regulation Committee | <u>Public Hearing:</u> February 24, 2026 | | Petition 12250 |
| | <u>Zoning Amendment Requested:</u> RR-8 Rural Residential District TO GC General Commercial District, RR-8 Rural Residential District TO NR-C Natural Resource Conservation District | | <u>Town, Section:</u> BURKE, Section 8 |
| | <u>Size:</u> 9.2,9.6 Acres | <u>Survey Required:</u> Yes | <u>Applicant:</u> PGUV LLC |
| | <u>Reason for the request:</u> change zoning for commercial development - indoor sales and service of golf carts and utility vehicles | | <u>Address:</u> WEST OF 5954 DAENTL SERVICE ROAD |



DESCRIPTION: Applicant requests a rezoning to enable a commercial development for Premier Golf & Utility Vehicles Inc. a company that sells and services golf carts and utility vehicles. GC General Commercial zoning is requested for the business site, to enable the indoor sales and service operation. NR-C zoning is requested for the northern lot, which has development limitations due to environmental resources. A Conditional Use Permit petition ([CUP Petition #2693](#)) has also been submitted, to enable the outdoor storage of vehicles and equipment as part of the business operation.

OBSERVATIONS: The property currently consists of vacant fields (currently un-cultivated) and woodlands. The north end of the property contains wetlands and FEMA floodplain (see Resource Protection comments below). Surrounding lands include vacant land to the north (zoned HC but entirely within the floodplain), the TA Travel Center Plaza and a mini-warehouse self-storage business to the east across Daentl Service Road (zoned HC), vacant land to the south owned by the applicant (zoned HC), and residential properties to the west (zoned RR-8, RM-16, and SFR-08). There are four residences within 500 feet of the subject property.

Lots and land use: The proposal involves a 2-lot certified survey map (CSM) for the lands north of Highway CV. The proposed lots appear to meet zoning district requirements including lot size, public road frontage, and building setbacks. The land use is considered “indoor retail sales”. General Commercial is an appropriate zoning district for the proposed land use. Land use is not considered as “outdoor display” due to the outdoor display area being less than 15% of the indoor showroom area (approximately). The landowner provided a letter acknowledging the 15% limitation and verifying that the parking lot edges will not be used for outdoor display purposes.

Building and Parking Layout: The proposed building location and height would meet GC district requirements. The parking lot layout would meet parking requirements, including the necessary landscaping in/around parking areas.

Lighting and Signage: The proposed lighting plan includes overhead lights on poles at the perimeter of the paved area, and wal-pak lights on all four sides of the building. The lighting levels and locations appear acceptable; however light fixture cut sheets and light pole height information are needed to verify that lighting will meet ordinance requirements.

The GC zoning district allows for one ground sign up to 32 square feet in size and 12 feet high, and wall signage up to 100 square feet on each road frontage.

Visual screening: The zoning ordinance requires visual screening for commercial uses within 100 feet of any residence, that meets the requirements in code section 10.102(12). The combination of existing trees along the west side of the property and the proposed landscaping appears sufficient. (Note that the Town of Burke has also recommended screening be listed as a condition on the outdoor storage CUP, petition #2693.)

Stormwater management: The applicants are working with Land and Water Resources Department on the stormwater plan review. An erosion control permit and an approved stormwater management plan will be required prior to the issuance of a Zoning Permit. In order for staff to recommend approval of the rezoning, a preliminary-level review of plans is needed that confirms the plan will be able to meet county stormwater requirements. For questions, contact Elliott Mergen at (608) 224-3730 / Mergen.Elliott@danecounty.gov.

Other (intergovernmental): The land is subject to the City of Madison's extraterritorial jurisdiction for the land division, as well as other provisions in the [Cooperative Plan](#) between the Town of Burke, Village of DeForest, and Cities of Sun Prairie and Madison. The application indicates the company is working with the Village of DeForest to secure water and sanitary sewer service, and that other required services (municipal water, electrical) are already available or will become available during construction. The land is already within an Urban Service Area for municipal utilities.

Staff has communicated with a DeForest representative to confirm the utility extension, and it is not clear at this time if sanitary sewer will in fact be pursued or if a holding tank will need to be utilized for sanitary waste. The applicants will need to confirm this. Holding tanks should only be used for existing development as a last resort, and requires approval from the Public Health Department. The Town of Burke would also need to sign a Health Department waiver allowing a holding tank to be installed.

DANE COUNTY HIGHWAY: While the business would take direct access from Daentl Service Road (a town road), the site abuts County Highway CV to the south. Dane County Highway staff have provided initial comments, and note that this and other businesses further north on Daentl Road will add additional traffic to the intersection with Highway CV. The application (page 6) provides estimated traffic information. Highway staff comments on this petition are as follows:

CTH CV is a controlled access highway. No access will be permitted on CTH CV due to reconfiguration of lots. Estimate increase of traffic to be 70 trips per day due to rezone. Dane County Highway requests more information regarding the existing and projected trip generation numbers. A Traffic Impact Analysis (TIA) may be required to analyze impacts to the CTH CV / Daentl Service Road intersection.

NOTE: Preliminary CSM comments not fully included at this time. Comments will include dedicating a minimum 120' of total ROW along CTH CV (Petition CSM segment L14 & L13), and additional ROW southwest of the CTH CV / Daentl Service Road intersection for highway use (Petition CSM segments L13 & C3).

The request for additional trip generation information and right-of-way dedication will need to be considered by the applicants. Currently, an easement to WisDOT (Document #1615222) prohibits structures or vegetation over 2 feet high in a vision corner as shown on the site plans. However, the additional ROW dedication that is anticipated for the county/town road intersection is likely to impact the SE corner of the site abutting the intersection, possibly requiring adjustments to the site plan. Applicant is advised to contact Kevin Eslick 608-283-1486 / eslick.kevin@danecounty.gov

COMPREHENSIVE PLAN: This petition is in the town's Industrial/Business, Commercial & Retail Services, and Natural Area planning areas and is subject to the land use policies related to that designation. According to the Plan, the Industrial/Business area includes indoor manufacturing, warehousing, distribution, and office uses, with outdoor storage

areas and also includes retail sales or service businesses, medical, dental and veterinary clinics, banks, and office buildings. The Commercial & Retail Services land use district is intended to large and small-scale commercial and professional office development with a wide range of indoor retail, service, lodging uses, and offices. Finally, the Natural Area consists of areas with unique natural features like wetlands and floodplains.

Almost the entirety of the Natural Area would be rezoned to NR-C as part of this proposal, thus protecting through zoning the area that the Comp Plan identifies as having “unique natural features”. The Comp Plan states that landscaping should be incorporated into commercial development projects to serve as a screening/buffer to neighboring properties. There are existing trees between the neighboring residents to the west of the proposal, and there are some trees being proposed near the building.

Overall, because this proposal is in an industrial & commercial area of the Town Plan, and efforts are being made to protect the Natural Area through the NR-C rezone, the proposal appears to be consistent with the goals, objectives of policies within the Town’s Comprehensive Plan.

For questions about the town plan, contact Senior Planner Ben Kollenbroich at (608) 266-9108 or Kollenbroich.Benjamin@danecounty.gov.

RESOURCE PROTECTION: The applicant’s preliminary CSM and site plans show the extent of Floodplain / Special Flood Hazard area and wetlands on site. Wetlands are primarily located on the northern lot, but a narrow strip runs through the western half of the southern lot. The plans reflect Dane County’s required 75-foot setback from wetlands for all structures, including paved surfaces. Zoning staff has determined the south end of the site contains an apparent drainage way that is not a navigable water way and thus not subject to shoreland zoning requirements.

TOWN ACTION: Town Board recommends approval of the rezone, with no conditions noted.

STAFF RECOMMENDATION: The applicants have been working with staff to prepare plans that will ensure a quality development. However, plans are not yet firm for the stormwater management or sanitary waste management. At this time, the proposal meets most ordinance requirements; however, there are a few issues that need to be resolved yet before staff can recommend approval of the rezoning. The applicants are asked to do the following:

1. Provide the exterior light fixture cut sheets and light pole height information.
2. Obtain a favorable preliminary review letter from Land and Water Resources for the stormwater management.
3. Work with Dane County Highway Department to clarify traffic counts to and from this site, and the amount of land dedication for public road right-of-way that will be required with the CSM.
4. Confirm if the site can accommodate a Private On-site Wastewater Treatment System (POWTS) for sanitary waste management, or if a holding tank will be requested. Verification is needed from the Public Health Department for soil suitability and/or a holding tank.
5. If coordination with the Highway Department or the Health Department on right-of-way and septic plans results changes to the site plan, provide an updated site plan that reflects these adjustments.

Pending any comments at the public hearing, Staff recommends postponement, to allow the applicants to provide the additional information listed above.

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