



Staff Report

Public Hearing: **March 27, 2018**

Petition: **Petition 11261**
CUP 02412

Zoning Amendment:
**A-1EX Agriculture District TO C-1
Commercial District**

Town/sect:
ALBION, Section 10

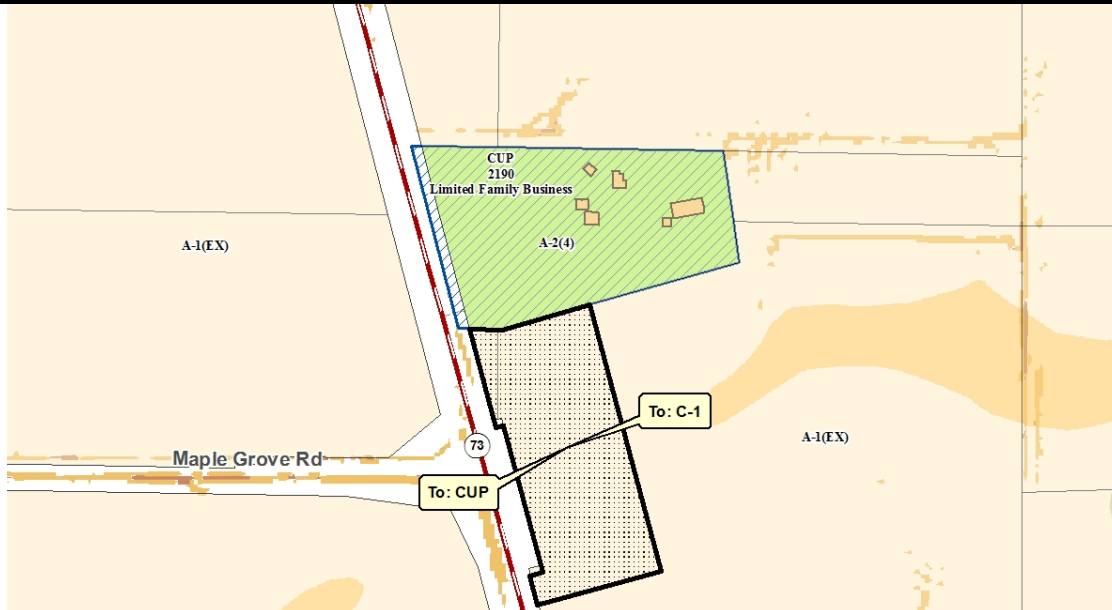
Acres: 4.83
Survey Req. Yes

Applicant
HRK LLC

Reason:
**expansion of existing winery
operation to include brewery and
tasting room
CUP: winery, tasting room**

Location:
**SOUTHEAST OF 1242
STH 73**

Zoning and Land Regulation Committee



DESCRIPTION: Applicant owns and operates “Over the Vines Vineyard and Wine Barn” on the adjoining A-2(4) zoned property and surrounding farmland. Over the Vines hosts weddings, reunions, and other special events. Applicant now seeks to create a separate ~5 acre C-1 zoned parcel to facilitate establishment of a winery and brewery that will use grapes and hops grown on the surrounding farmland. A Conditional Use Permit is requested to allow for tasting rooms (tavern per code) / small retail outlet for sales of both the wine and beer produced on the farm. The Conditional Use Permit will also cover agricultural uses on the proposed C-1 property, as a portion of the property will continue in agricultural production (vineyard).

OBSERVATIONS: The property consists of 85% class II soils. Surrounding land uses include agriculture and scattered rural residences. No significant environmental features observed.

TOWN PLAN: The property is located in the town’s agricultural preservation area.

RESOURCE PROTECTION: No areas of resource protection corridor located on the property.

TOWN REZONE: The Town approved the rezone conditioned upon the property being limited to only a winery, brewery, tasting room and the manufacturing of these products.

STAFF: Town plan policies support the establishment and expansion of agriculturally related businesses in the town. The proposal appears reasonably consistent with town plan policies. Staff recommends the following conditions of approval as part of the zoning change.

1. Deed restrict the C-1 zoned parcel to limit commercial uses exclusively to wine and beer production facilities, tasting room / tavern, and retail sales of products produced on the premises. Hours of operation for the tasting room / tavern shall be limited to 11am-9pm, Tuesday through Sunday.
2. Deed restrict the C-1 zoned parcel to prohibit the installation of off-premises (billboard) signs.

See next page for CUP information.

Staff Report for Conditional Use Permit #2412

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.

TOWN CUP: The Town approved the conditional use permit with no conditions.

STAFF: 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. Conditional Use Permit #2412 is hereby issued for both a wine and beer tasting room (tavern) and agricultural uses in the C-1 Commercial zoning district.
2. The wine and beer tasting rooms use shall be limited to offering alcoholic beverages produced on the premises, including retail sales.
3. The tasting rooms shall not be open to the public outside the hours of 11am-9pm, Tuesday through Sunday.
4. Both the wine and beer tasting rooms shall each be limited to no more than 800 square feet of floor space (total 1,600 square feet between the two).
5. The building housing the wine and beer tasting room shall comply with state commercial building code requirements.
6. Development of the property shall be comply with town design ordinance standards. Construction plans, including building design / layout, parking, landscaping, signage, and lighting shall be submitted to Town of Albion for review and approval prior to the issuance of zoning permits.
7. Off street parking and interior traffic circulation shall comply with requirements of section 10.18 of the Dane County Zoning Ordinance, or applicable section of successor ordinance.
8. Landowner shall comply with the information contained within the application.