


Staff Report  Zoning and Land Regulation Committee	<i>Public Hearing:</i> April 30, 2019	CUP 02465
	<i>Zoning Amendment Requested:</i> Conditional Use Permit for residential housing in a commercial zoning district	<i>Town/Section:</i> ALBION, Section 8
	<i>Size:</i> 6.8 Acres	<i>Survey Required:</i> N/A
	<i>Reason for the request:</i> 26 Unit condominium development within the GC General Commercial Zoning District	<i>Applicant:</i> COACHMAN'S INN ENTERPRISES INC
		<i>Address:</i> 986 COUNTY HIGHWAY A



DESCRIPTION: The owners of the Coachmans Inn Golf resort would like to construct 26 single-family condominiums on the resort grounds. Currently there is a 27-hole golf course, a clubhouse, restaurant, banquet hall, and motel on the property. The proposal is to provide single-family residences with direct access to the golf course. They would like to construct 13 two-family (duplex) structures. A similar proposal was presented in 1997. The project did not move forward due to concerns regarding the feasibility of on-site septic systems.

NEIGHBORHOOD: The property is located approximately ¼ mile west of Interstate I-39. The area to the east contains commercial businesses that consist of a wholesale auto dealer, a machine shop, and a bulk lumber storage facility. There is an agricultural field to the south and the golf course and resort buildings are located along the west and north. The development will gain public road access by County Highway A. Along with the proposed residential structures, adequate space will need to be provided for a septic system and storm water detention.

STAFF REVIEW: The application only contains a concept plan which lacks sufficient evidence to show how the proposal will meet the six standards for obtaining a conditional use permit. Information should be provided which shows safe access onto a public road and adequate infrastructure is feasible. It is suggested that a scaled drawing with dimensions be prepared showing proposed structures, storm water management, and site septic system design. With the absence

of information, Staff feel that the application as presented fails to meet Condition 1 (danger to public safety, comfort, and welfare), Condition 4 (adequate utilities), and Condition 5 (adequate ingress and egress). Staff suggests that the conditional use permit be postponed until additional information is presented that shows safe County Highway access, a septic design capable of handling 26 residential units, and a storm water management design for the site.

CUP STANDARDS: 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.

FACTUAL INFORMATION:

1. The golf resort has been in operation since the 1960's. Over time, the resort has been expanded by adding a banquet hall and motel. In 2003, a small residential development was created on the golf course just north of US Highway 51 with no objections.
2. The property is currently being rezoned to GC General Commercial Zoning District to allow residential uses as a conditional use permit.
3. The development is outside an urban service area. An on-site septic system will need to be provided to service the 26 residential units. Per ZLR Committee policies, the community wastewater system shall comply with the nitrate-nitrogen standard established by the federal Maximum Contaminant Level (MCL) and the Wisconsin Groundwater Enforcement Standard (ES). The federal MCL is found in §40 CFR 141.62. The Wisconsin Groundwater Enforcement Standard is found in Wisconsin Administrative Code NR 140.10.
4. The development will gain access from County Highway A. In correspondence with the Dane County Highway Department, the access point will need to be upgraded to accommodate the additional traffic.
5. The applicant has provided a concept plan showing layout of the property, however no information was provided concerning adequate utilities, drainage, or access.

TOWN REVIEW: The Town Board approved the conditional use permit with 2 conditions.

1. The applicant needs approval from The Edgerton Fire District regarding the space for operations and secondary access.
2. The applicant shall develop and operate the site according to the Town of Albion's Commercial Design Review and get approval from the Town of Albion Plan Commission and Town of Albion Board before starting the project.

APRIL 30th ZLR MEETING: The petition was postponed to allow the applicant time to provide additional information regarding site development, septic system, highway access, and emergency access.

STAFF UPDATE: The applicant has provided additional information regarding the site development. See "additional information" attached. A scaled drawing has been provided show the proposed buildings, storm water detention facility, and location of the septic system. It appears that all of the necessary components will fit on the property. An initial storm water management plan has been prepared. A cursory review was performed by Land and Water Resources and the storm water plan was found to be acceptable. A drawing has been provided showing additional improvements that are needed to County Highway A. Dane County Highway Department has determined that a Class "B" intersection is needed to support the development. Septic System Designer Paul Hardy has prepared an initial design for a septic system for the development. The system will be located along the western boundary of the development.

With the additional information presented, it appears that there is sufficient evidence to support the project meeting the six standards of obtaining a conditional use permit.

SUGGESTED CONDITIONS

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 or address subsequent concerns. The Town conditions have been incorporated as part of the suggested conditions:

1. The layout of the property and building sizes shall conform to the plans submitted with the conditional use permit application. The units shall be no larger than 1420 square feet as presented.
2. The landowner shall be responsible for the installation and costs for the necessary improvements to County Highway A as determined by the Dane County Highway Department. A Class "B" intersection shall be installed prior to the occupancy of the residential units.
3. The landowner shall be responsible for the installation of an on-site community wastewater system which complies with the nitrate-nitrogen standard established by the federal Maximum Contaminant Level (MCL) and the Wisconsin Groundwater Enforcement Standard (ES). The federal MCL is found in §40 CFR 141.62. The Wisconsin Groundwater Enforcement Standard is found in Wisconsin Administrative Code NR 140.10. The septic system shall be maintained in accordance with Dane County Code of Ordinances, Section 46, On-site Sewage System Regulations.
4. The landowner shall obtain approval from Dane County Land and Water Resource Department for the stormwater management as presented as part of the application. The system shall be maintained in accordance with Dane County Code of Ordinances, Chapter 14, Subchapter II, Erosion Control and Stormwater Management.
5. The applicant shall obtain approval from The Edgerton Fire District regarding space for emergency operations and secondary access. The landowner shall be responsible for the installation of a secondary emergency access from the site to Maple Grove Road prior to the occupancy of the residential units.
6. The applicant shall obtain site design approval from the Town Plan Commission and Town Board in accordance with the Town of Albion's Commercial Design Review. All design requirements shall be installed as per the approved plans.
7. Failure to comply with the site plan as presented or the site design approval from the Town of Albion will be cause for revocation of the conditional use permit.