
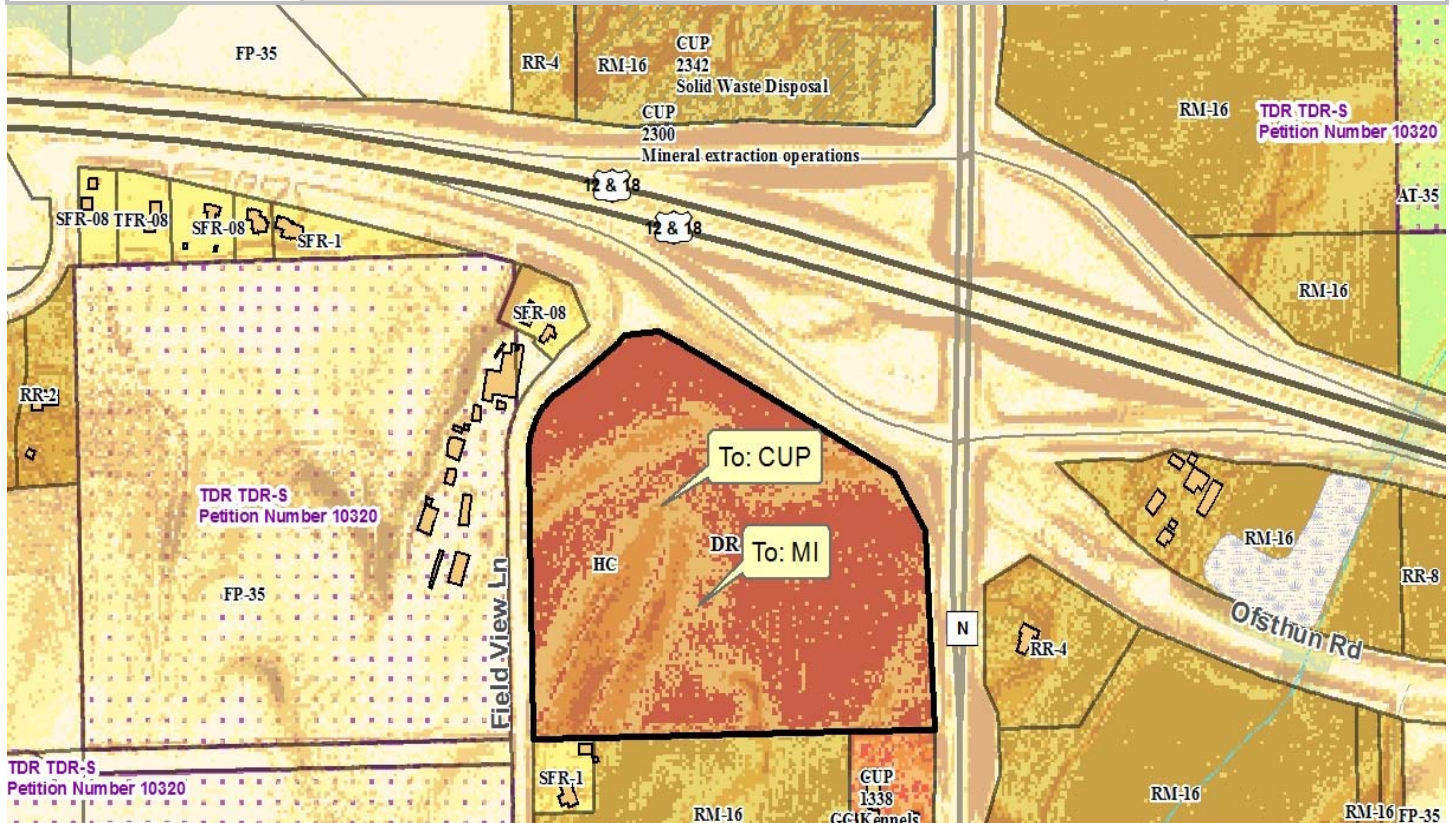


Staff Report  Zoning and Land Regulation Committee	Public Hearing: March 24, 2020		CUP 2494
	<u>Zoning Amendment Requested:</u> Conditional use permit for non-metallic mineral extraction		<u>Town/Section:</u> COTTAGE GROVE, Section 33
	<u>Size:</u> 25.16 Acres	<u>Survey Required:</u> No	<u>Applicant:</u> STORAGE WORLD OF COTTAGE GROVE LLC
	<u>Reason for the request:</u> Non-metallic mineral extraction operation to remove aggregate prior to the installation of additional mini-warehouses		<u>Address:</u> 3286 FIELD VIEW LANE



DESCRIPTION: This application is for a mineral extraction operation, 5 years in duration, at the intersection of Hwy 12&18, Fieldview Lane and Highway N. Currently the land is zoned Heavy Commercial (HC) and is the current land use is mini-warehouses. The owner wishes to expand by adding more mini-warehouse structures, and during the process of preparing for construction found that there is a need for removing bedrock as part of site preparation. Manufacturing & Industrial (MI) zoning is required for a CUP for mineral extraction. Tests were conducted to show that there is a marketable nonmetallic mineral resource on site, and therefore rather than just preparing the site for construction of the mini-warehouses, the applicant wishes to operate a mineral extraction site in which materials would be moved off-site and sold for various uses. The application is currently in flux as the applicant works with the town in developing different alternatives.

OBSERVATIONS: The site is surrounded by agricultural and single-family residential uses.

TOWN PLAN: The subject property is in the Commercial Development Area of the *Town of Cottage Grove Comprehensive Plan*. This district does not include specific policies regarding mineral extraction, however the purpose statement for the *Commercial Development Area* is:

“Enable a range of agricultural business, retail, commercial service, storage, light assembly, institutional, health care, research and development, institutional, and recreational uses.

- Require that new development meet high standards for site, building, landscape, lighting, stormwater, and signage design per Town and County ordinance requirements.
- Support development of an agricultural business center, to rural research and production opportunities and build off similar initiatives in the area.
- Provide logical locations for highway-oriented commercial development consistent with the Town's character, population, needs, and public service capabilities.
- Minimize uses that may someday require extensive public services and utilities."

MI (Manufacturing and Industrial) is not listed under "Typical Implementing Zoning Districts"

RESOURCE PROTECTION: There are no environmentally sensitive features on this site.

STAFF: The application cannot proceed until the town of Cottage Grove acts on the petition.

TOWN: The Plan Commission ended up tabling the Storage World rezone and CUP until they come back with more options. The commission made their findings of fact and there was a motion on the table to deny the rezone because the CUP cannot be offered due to 3 of the 8 standards not being met when the applicants said they wanted to withdraw. We will see if they come back with something in time for our March plan commission meeting, but that isn't until March 25th so I won't have any action to report before the March 24th hearing at the County.

COUNTY ZONING ORDINANCE

The 8 standards required for the approval of a CUP are as found in Section 10.101(7)(d)(1). They are as follows:

1. That the establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or welfare.
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.
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.
4. That adequate utilities, access roads, drainage and other necessary site improvements have been or are being made.
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.
6. That the conditional use shall conform to all applicable regulations of the district in which it is located.
7. That the conditional use is consistent with the adopted town and county comprehensive plans.
8. If the conditional use is located in a Farmland Preservation Zoning district, the town board and zoning committee must also make the finding described in Section 10.220(1)

All conditional use permits (CUPs) are required to meet conditions outlined in Section 10.101(7)(d)(2)(a) of the Dane County Zoning Ordinance (DCCO). CUPs for mineral extraction must also meet conditions as outlined in Section 10.103(15).

Questions? Pam Andros 608-261-9780, andros@countyofdane.com