

Dane County Conditional Use Permit Application

Application Date	C.U.P Number
05/17/2024	DCPCUP-2024-02626
Public Hearing Date	
07/23/2024	

OWNER INFORMATION	AGENT INFORMATION
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OWNER NAME WARM BELLY NOBLE LLC (FRANCIS WISNIEWSKI)	Phone with Area Code (312) 719-4739	AGENT NAME SNYDER & ASSOCIATES	Phone with Area Code (608) 838-0444
BILLING ADDRESS (Number, Street) 4044 N LINCOLN AVE UNIT 319		ADDRESS (Number, Street) 5010 VOGES ROAD	
(City, State, Zip) CHICAGO, IL 60618		(City, State, Zip) Madison, WI 53718	
E-MAIL ADDRESS wiz@warmbelly.farm		E-MAIL ADDRESS ameessmann@snyder-associates.com	

ADDRESS/LOCATION 1	ADDRESS/LOCATION 2	ADDRESS/LOCATION 3
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ADDRESS OR LOCATION OF CUP	ADDRESS OR LOCATION OF CUP	ADDRESS OR LOCATION OF CUP
4305 & 4311 Vilas Hope Rd		-
TOWNSHIP COTTAGE GROVE	SECTION 7	TOWNSHIP
		SECTION
PARCEL NUMBERS INVOLVED	PARCEL NUMBERS INVOLVED	PARCEL NUMBERS INVOLVED
0711-073-8090-2	0711-073-9000-8	0711-073-8390-9

CUP DESCRIPTION

AGRICULTURAL ENTERTAINMENT FOR EVENTS MORE THAN 10 CALENDAR DAYS PER YEAR

DANE COUNTY CODE OF ORDINANCE SECTION	ACRES
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10.223(3) and 10.222(3)	40.2
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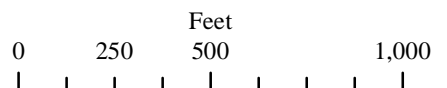
DEED RESTRICTION REQUIRED? <input type="checkbox"/> Yes <input type="checkbox"/> No Applicant Initials _____	Inspectors Initials <p style="text-align:center">RUH1</p>	SIGNATURE:(Owner or Agent) <hr/> PRINT NAME: <hr/> DATE: <hr/>
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COMMENTS: PROPERTY CONTAINS WETLAND AND FLOODPLAIN



CUP 2626

-  Wetland
-  Floodway Areas in Zone AE
-  Floodplain





Dane County
Department of Planning and Development
 Zoning Division
 Room 116, City-County Building
 210 Martin Luther King Jr. Blvd.
 Madison, Wisconsin 53703
 (608) 266-4266

Application Fees	
General:	\$495
Mineral Extraction:	\$1145
Communication Tower:	\$1145 (+\$3000 RF eng review fee)
PERMIT FEES DOUBLE FOR VIOLATIONS OR WHEN WORK HAS STARTED PRIOR TO ISSUANCE OF PERMIT	

CONDITIONAL USE PERMIT APPLICATION

APPLICANT INFORMATION

Property Owner Name:		Agent Name:	
Address (Number & Street):		Address (Number & Street):	
Address (City, State, Zip):		Address (City, State, Zip):	
Email Address:		Email Address:	
Phone#:		Phone#:	

SITE INFORMATION

Township:		Parcel Number(s):	
Section:		Property Address or Location:	
Existing Zoning:	Proposed Zoning:	CUP Code Section(s):	

DESCRIPTION OF PROPOSED CONDITIONAL USE

Type of conditional use permit (for example: limited family business, animal boarding, mineral extraction, or any other listed conditional use):	Is this application being submitted to correct a violation? Yes <input type="checkbox"/> No <input type="checkbox"/>
Provide a short but detailed description of the proposed conditional use:	

GENERAL APPLICATION REQUIREMENTS

Applications will not be accepted until the applicant has met with department staff to review the application and determined that all necessary information has been provided. Only complete applications will be accepted. All information from the checklist below must be included. Note that additional application submittal requirements apply for particular uses or as may be required by the Zoning Administrator. Applicants for significant and/or potentially controversial conditional uses are strongly encouraged to meet with staff prior to submittal.

<input type="checkbox"/> Complete attached information sheet for standards	<input type="checkbox"/> Site Plan drawn to scale	<input type="checkbox"/> Detailed operational plan	<input type="checkbox"/> Written legal description of boundaries	<input type="checkbox"/> Detailed written statement of intent	<input type="checkbox"/> Application fee (non-refundable), payable to Dane County Treasurer
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I certify by my signature that all information presented herein is true and correct to the best of my knowledge. I hereby give permission for staff of the Dane County Department of Planning and Development to enter my property for the purpose of collecting information to be used as part of the review of this application. I acknowledge that submittal of false or incorrect information may be grounds for denial of this application.

Owner/Agent Signature: _____

Date: _____



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CONDITIONAL USE PERMIT APPLICATION

APPLICANT INFORMATION			
Property Owner Name:	Francis Wisniewski	Agent Name:	Snyder & Associates
Address (Number & Street):	W8974 County Rd C	Address (Number & Street):	5010 Voges Road
Address (City, State, Zip):	Fort Atkinson, WI 53538	Address (City, State, Zip):	Madison, WI., 53718
Email Address:	wiz@warmbelly.farm	Email Address:	ameessmann@snyder-associates.com
Phone#:	312-719-4739	Phone#:	608-838-0444

SITE INFORMATION

Township:	Town of Cottage Grove	Parcel Number(s):	0711-073-609C-2, 0711-073-8531-E, 018-0711-073-8000-E, 07110738399
Section:	7	Property Address or Location:	4311 Vilas Hope Road
Existing Zoning:	FP-B	Proposed Zoning:	FP-B
CUP Code Section(s):	CH. 10-Zoning, Section 10.223		

DESCRIPTION OF PROPOSED CONDITIONAL USE

Type of conditional use permit (for example: limited family business, animal boarding, mineral extraction, or any other listed conditional use): Agricultural Entertainment, 10 days/year or more and Sale of agricultural products not produced on the premise	Is this application being submitted to correct a violation? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
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Provide a short but detailed description of the proposed conditional use:
 This application is an update to CUP 2592, filed and approved in 2023. Changes from approved CUP 2592 include:
 -Addition of amplified music, background music during festival hours and small scale live musical acts during the fall season.
 -Adding a dedicated building zone for storage and a farm related building as well as playground equipment.
 -Adding 5 acres of adjacent farmland with FP-B zoning rented from Bruce Homburg to allow 10 days/year or more of Agricultural entertainment.

GENERAL APPLICATION REQUIREMENTS

Applications will not be accepted until the applicant has met with department staff to review the application and determined that all necessary information has been provided. Only complete applications will be accepted. All information from the checklist below must be included. Note that additional application submittal requirements apply for particular uses or as may be required by the Zoning Administrator. Applicants for significant and/or potentially controversial conditional uses are strongly encouraged to meet with staff prior to submittal.

<input checked="" type="checkbox"/> Complete attached information sheet for standards	<input checked="" type="checkbox"/> Site Plan drawn to scale	<input checked="" type="checkbox"/> Detailed operational plan	<input checked="" type="checkbox"/> Written legal description of boundaries	<input checked="" type="checkbox"/> Detailed written statement of intent	<input checked="" type="checkbox"/> Application fee (non-refundable), payable to Dane County Treasurer
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I certify by my signature that all information presented herein is true and correct to the best of my knowledge. I hereby give permission for staff of the Dane County Department of Planning and Development to enter my property for the purpose of collecting information to be used as part of the review of this application. I acknowledge that submittal of false or incorrect information may be grounds for denial of this application.

Owner/Agent Signature: 

Date: 5-20-2024

APPLICATION CHECKLIST FOR A CONDITIONAL USE PERMIT

A scaled site plan and detailed operations plan must be submitted with your Conditional Use Permit application. Please use the checklist below to ensure you are submitting all required information applicable to your request. Please attach to your application form the required maps and plans listed below, along with any additional pages.

SCALED SITE PLAN. Show sufficient detail on 11" x 17" paper. Include the following information, as applicable:

- Scale and north arrow.
- Date the site plan was created.
- Existing subject property lot lines and dimensions.
- Existing and proposed wastewater treatment systems and wells.
- All buildings and all outdoor use and/or storage areas, existing and proposed, including provisions for water and sewer.
- All dimension and required setbacks, side yards and rear yards.
- Location and width of all existing and proposed driveway entrances onto public and private roadways, and of all interior roads or driveways.
- Location and dimensions of any existing utilities, easements or rights-of-way.
- Parking lot layout in compliance with s. [10.102\(8\)](#).
- Proposed loading/unloading areas.
- Zoning district boundaries in the immediate area. All districts on the property and on all neighboring properties must be clearly labeled.
- All relevant natural features, including navigable and non-navigable waters, floodplain boundaries, delineated wetland areas, natural drainage patterns, archeological features, and slopes over 12% grade.
- Location and type of proposed screening, landscaping, berms or buffer areas if adjacent to a residential area.
- Any lighting, signs, refuse dumpsters, and possible future expansion areas.

NEIGHBORHOOD CHARACTERISTICS. Describe existing land uses on the subject and surrounding properties:

- Provide a brief written statement describing the current use(s) of the property on which the conditional use is proposed.
- Provide a brief written statement documenting the current uses of surrounding properties in the neighborhood.

OPERATIONS PLAN AND NARRATIVE. Describe in detail the following characteristics of the operation, as applicable:

- Hours of operation.
- Number of employees, including both full-time equivalents and maximum number of personnel to be on the premises at any time.
- Anticipated noise, odors, dust, soot, runoff or pollution and measures taken to mitigate impacts to neighboring properties.
- Descriptions of any materials stored outside and any activities, processing or other operations taking place outside an enclosed building.
- Compliance with county stormwater and erosion control standards under [Chapter 11](#) of [Chapter 14](#), Dane County Code.
- Sanitary facilities, including adequate private onsite wastewater treatment systems and any manure storage or management plans approved by the Madison and Dane County Public Health Agency and/or the Dane County Land and Water Resources Department.
- Facilities for managing and removal of trash, solid waste and recyclable materials.
- Anticipated daily traffic, types and weights of vehicles, and any provisions, intersection or road improvements or other measures proposed to accommodate increased traffic.
- A listing of hazardous, toxic or explosive materials stored on site, and any spill containment, safety or pollution prevention measures taken.
- Outdoor lighting and measures taken to mitigate light-pollution impacts to neighboring properties.
- Signage, consistent with section [10.800](#).

ADDITIONAL MATERIALS. Additional information is required for certain conditional uses listed in s. [10.103](#):

- Agricultural entertainment, special events, or outdoor assembly activities anticipating over 200 attendees must file an [event plan](#).
- [Domestic pet](#) or [large animal boarding](#) must provide additional information in site and operations plans.
- Communication towers must submit additional information as required in s. [10.103\(9\)](#).
- Farm residences proposed in the FP-35 district must submit additional information as required in s. [10.103\(11\)](#).
- Mineral extraction proposals must submit additional information as required in s. [10.103\(15\)](#).

STANDARDS FOR CONDITIONAL USE PERMITS

Applicants must provide adequate evidence demonstrating to the Town and Dane County Zoning & Land Regulation Committee that the proposed conditional use satisfies the following 8 standards for approval, along with any additional standards specific to the applicable zoning district or particular use found in sections [10.220\(1\)](#) and [10.103](#) of the code.

Please explain how the proposed land use will meet the following standards (attach additional pages, if necessary):

- | |
|---|
| 1. The establishment maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or general 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 to accommodate the conditional use. |
| 5. Adequate measures have been or will be 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. The conditional use is consistent with the adopted town and county comprehensive plans. |
| 8. If the conditional use is located in a Farmland Preservation (FP) Zoning district, the conditional use is subject to the following additional standards found in section 10.220(1). Attach additional pages, if necessary. <ul style="list-style-type: none">• Explain how the use and its location in the Farmland Preservation Zoning District are consistent with the purposes of the district:
• Explain how the use and its location in the Farmland Preservation Zoning district are reasonable and appropriate, considering alternative locations:
• Explain how the use is reasonably designed to minimize the conversion of land from agricultural use or open space use:
• Explain how the use does not substantially impair or limit the current or future agricultural use of surrounding parcels zoned for agricultural use:
• Explain how construction damage to land remaining in agricultural use is minimized and repaired, to the extent feasible: |

WRITTEN STATEMENT OF INTENT AND OPERATIONS PLAN

Applicants must provide a detailed written statement of intent describing the proposed conditional use along with an operational plan that explains how the conditional use will be operated. Please use the form below and provide responses, as applicable, to your proposed conditional use. Attach additional pages, if necessary.

Describe in detail the proposed conditional use. Provide the specific location of the use(s), type of equipment used, planned property improvements, including description / size of existing or proposed new buildings to be used, and any other relevant information. For existing or proposed commercial operations, provide the name of the business and describe the nature and type of business activity.
List the proposed days and hours of operation.
List the number of employees, including both full-time equivalents and maximum number of personnel to be on the premises at any time.
List any anticipated noise, odors, dust, soot, runoff or pollution associated with the conditional use, along with any proposed measures that will be taken to mitigate impacts to neighboring properties.
Describe any materials proposed to be stored outside and any activities, processing or other operations taking place outside an enclosed building.
For proposals involving construction of new facilities and/or infrastructure, describe, as applicable, any measures being taken to ensure compliance with county stormwater and erosion control standards under Chapter 11 of Chapter 14 , Dane County Code.
List and describe existing or proposed sanitary facilities, including adequate private onsite wastewater treatment systems, associated with the proposed conditional use. For uses involving domestic pets or livestock, list and describe measures taken to address manure storage or management.
List and describe any existing or proposed facilities for managing and removal of trash, solid waste and recyclable materials.
Describe anticipated daily traffic, types and weights of vehicles, and any provisions, intersection or road improvements or other measures proposed to accommodate increased traffic.
Provide a listing of any hazardous, toxic or explosive materials to be stored on site, and any spill containment, safety or pollution prevention measures.
Describe any existing or proposed outdoor lighting along with any measures that will be taken to mitigate light-pollution impacts to neighboring properties. The Zoning Administrator may require submittal of a photometric plan for outdoor lighting if deemed necessary to determine potential impacts to neighbors.
Describe any existing or proposed signage, including size, location, and materials, consistent with the county's sign ordinance found in s. 10.800 .
Briefly describe the current use(s) of the property on which the conditional use is proposed.
Briefly describe the current uses of surrounding properties in the neighborhood.

DESCRIPTION OF PROPOSED CONDITIONAL USE

Type of conditional use permit:

- Agricultural Entertainment, 10 days/year or more
- Sale of agricultural products not produced on the premise

Provide a short but detailed description of the proposed conditional use:

This application is an update to CUP 2592, filed and approved in 2023.

Changes from CUP 2592 are:

Addition of amplified music, background music during festival hours and small scale live musical acts during the fall season.

Adding a dedicated building zone for storage and farm related buildings as well as playground equipment.

Adding 5 acres of adjacent farmland with FP-35 zoning rented from Bruce Homburg to allow 10 days/year or more of Agricultural entertainment (pick your own crops / corn maze). As indicated below and on the site plan, wetlands have been mapped in the area, however, these plans do not include any planting or tiling to occur within this area. No tiling will occur on the 5 acres. A signed agreement between Bruce Homburg and Warm Belly is included within this CUP based on these conditions.



Written Legal Description:

Parcel No. 0711-073-8090-2

Large Parcel: A parcel of land located in the Northeast One-quarter (1/4) of the Southwest One-quarter (1/4) and in the fractional Northwest One-quarter (1/4) of the Southwest One-quarter (1/4) of Section Seven (7), Township Seven (7) North, Range Eleven (11) East, Town of Cottage Grove, Dane County, Wisconsin, more particularly described as follows: Commencing at the West quarter corner of said Section Seven (7), said quarter corner being North 01°10'58" West, 15.00 feet from a brass cap concrete witness monument on the West line of said Section Seven (7); thence North 85°30'31" East along said quarter line, 452.33 feet to a pipe set; thence South 00°47'51" East, 947.87 feet to a pipe set; thence North 85°32'08" East, 692.53 feet to a pipe set; thence South 00°47'51" East, 373.79 feet along the West line of said Certified Survey Map No. 2479 to the Southwest corner thereof being on the South line of the North One-half (1/2) of the Southwest One-quarter (1/4) of said Section Seven (7); thence South 85°32'08" West, along said South line, 1721.04 feet to a pipe set on the West line of said Section Seven (7); thence North 01°10'58" West along said West line, 983.42 feet to a pipe set; thence North 85°42'50" East, 584.99 feet to a 1" pipe found; thence North 01°10'58" West, 339.31 feet to the point of beginning of this description.

Small Parcel: Parcel A: Lot One (1) of Certified Survey Map No. 2479, recorded in the Office of Register of Deeds for Dane County, Wisconsin on July 13, 1977 in Volume 10, Pages 2-4 inclusive, as Document No. 1527496, of part of the Northeast One-quarter (1/4) of the Southwest One-quarter (1/4) of Section Seven (7), Township Seven (7) North, Range Eleven (11) East, Town of Cottage Grove, Dane County, Wisconsin.

Parcel B: A parcel of land located in the Northeast One-quarter (1/4) of the Southwest One-quarter (1/4) and in the fractional Northwest One-quarter (1/4) of the Southwest One-quarter (1/4) of Section Seven (7), Township Seven (7) North, Range Eleven (11) East, Town of Cottage Grove, Dane County, Wisconsin, more particularly described as follows: Commencing at the West quarter corner of said Section Seven (7), said quarter corner being North 01°10'58" West, 15.00 feet from a brass cap concrete witness monument on the West line of said Section Seven (7); thence North 85°30'31" East, along the East-West quarter line, 585.11 feet to a pipe set; thence continue North 85°30'31" East along said quarter line, 452.33 feet to a pipe set; thence South 00°47'51" East, 947.87 feet to a pipe set; thence North 85°32'08" East, 692.53 feet to a pipe set and the point of beginning of this description; thence continue North 85°32'08" East, 283.07 feet to the North-South quarter line; thence South 00°47'51" East, along said North-South quarter line, 66.14 feet to the Northeast corner of the Certified Survey Map No. 2479, recorded in Volume 10 of

Certified Survey Maps of Dane County, on pages 2, 3 and 4; thence South 85°32'08" West along the North line of said Certified Survey Map No. 2479, 283.07 feet to the Northwest corner thereof; thence North 00°47'51" West, 66.14 feet to the point of beginning of this description.

Parcels Nos. 01/0711-073-9531-6 and 018/0711-073-9000-8

The fractional South ½ of the Southwest ¼ of Section 7, Township 7 North, Range 11 East, in the Town of Cottage Grove, Dance County, Wisconsin, EXCEPT Certified Survey Map No.4137 recorded in the Dane County Register of Deeds office in Volume 17 of Certified Survey Maps, page 207, as Document No. 1786651. ALSO EXCEPT Certified Survey map No. 6751 recorded in the Dane County Register of Deeds Office in Volume 33 of Certified Survey Maps, page 219, as Document No. 2360336.

Note: Parcel No. 071107383909

This parcel includes a house that is used as an office and second home for the owner.

STANDARDS FOR CONDITIONAL USE PERMITS – QUESTION RESPONSES

1. The establishment maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or general welfare.

Response: The proposed conditional use for Agricultural Entertainment 10 days/year or more is not detrimental to or would endanger the public health, safety, comfort or general welfare of the local community. All activities will take place in the rear 13.50 acres of farm land and within the 5 acres of rented land, within the proposed farm store, or inside the updated existing greenhouse on site, all of which is behind any current residential structures along Vilas Hope Rd.

Additional amplified music will take place during already approved business hours and will not exceed 60db 100 feet from of an amplified speaker. No outdoor speakers will be placed within 200 feet of any property line.

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.

Response: The existing property originally operated as a horticultural business started in 1977 by selling strawberries and vegetables and eventually grew to the floral business it was up until a few years ago. Garden center hours of operation are planned to be Sunday through Saturday, open 9 AM to 7pm, Fall and winter agritourism festival hours may be expanded until 9pm once the installation of a previously approved outdoor lighting plan is

complete in order to host nighttime events including, but not limited to, corn mazes and pick-your-own pumpkins.

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.

Response: Most immediate surrounding property is of agricultural and/or Farmland Preservation designation. The conditional use request adheres to the requirements of the FP-B Zoning and does not impede the normal and orderly development and improvement of the surrounding properties.

4. Adequate utilities, access roads, drainage and other necessary site improvements have been or are being made to accommodate the conditional use.

Response: See existing approved site plan documents for implementation of proposed business plan for the property at 4311 Vilas Hope Rd, Madison, WI 53527. Significant stormwater management construction including adding substantial rainwater ponds have already been completed. These existing approved plans and stormwater modeling have been reviewed and considered for this application. Final stormwater and erosion control design will be submitted through the County for review and approval.

These proposed site plans show the overall long-term goal for the growth of the business plan. This plan would be implemented in phases, over time, as the business grows and will go through the proper authorities having jurisdiction over each phase at that time.

5. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

Response: The existing driveway entrance was already approved by the Town of Cottage Grove for the prior business's use. It was widened in 2023 to 40ft. 200 additional parking spots were built in 2023. The property has now approximately 452 parking spots.

Vilas Hope Rd is an improved roadway and minimal existing business-related traffic around proposed hours of operation.

6. That the conditional use shall conform to all applicable regulations of the district in which it is located.

Response: The conditional use approval being requested is an Agricultural Accessory Use to the FP-B Zoning and agricultural entertainment in FP-35 (rented land), for the uses listed at the start of this document.

7. The conditional use is consistent with the adopted town and county comprehensive plans.

Response: The conditional use approval being requested would greatly enhance the Town Comprehensive Plan's designation of an Agricultural Preservation Planning Area. The plan allows for expansion of existing businesses at the Town Board's discretion. The goal at 4311 Vilas Hope Rd is to continue to grow and add new, modern agricultural tourism and education activities for the community to enjoy for years to come.

8. If the conditional use is located in a Farmland Preservation (FP) Zoning district, the conditional use is subject to the following additional standards found in section 10.220(1). Attach additional pages, if necessary.

• Explain how the use and its location in the Farmland Preservation Zoning District are consistent with the purposes of the district:

Response: Much like the response to #7, the proposed family agricultural entertainment and education aspect of the overall site plan aligns with the Town's comprehensive plan designation of an Agricultural Preservation Planning Area. The proposed farm hopes to bring increased attention to various opportunities throughout the year to participate in the pick-your-own experience, whether through strawberries, pumpkins, flowers, or other endeavors as well as add an aspect of agricultural tourism and education to the community.

• Explain how the use and its location in the Farmland Preservation Zoning district are reasonable and appropriate, considering alternative locations:

Response: The proposed location within the Farmland Preservation Zoning district is reasonable and appropriate given the prior use of the site and existing buildings. Utilizing an existing built infrastructure and re-purposing existing Agricultural buildings, Warm Belly Farm is creating a thriving commercial floral and pick-your-own business.

• Explain how the use is reasonably designed to minimize the conversion of land from agricultural use or open space use:

Response: The proposed changes to the site plan from the approved plan in 2023 are

- 1- 5 acres of additional farmland rented from same zoning for agricultural activities
- 2- 2 acres of farmland for one farm related building, greenhouses, farm animal structures, and removable playground equipment.

• Explain how the use does not substantially impair or limit the current or future agricultural use of surrounding parcels zoned for agricultural use:

Response: The surrounding parcels are zoned similarly for agricultural use. The proposed changes will not impact their current or future agricultural use. The proposal adds 5 acres of rented farmland to our business with the potential of larger additions in the future.

• Explain how construction damage to land remaining in agricultural use is minimized and repaired, to the extent feasible:

Response: The existing site is bordered by Door creek and a significant amount of wetlands. An extensive storm water drainage plan has already been built and further plans of adding field tiling on the northern property outside the wetlands will improve on the farmland to be used for agricultural purposes. The proposed additions to the approved 2023 plan have been reviewed and considered for this application and have accounted for the necessary modifications to preliminary stormwater design and sizing. The necessary County permits and approvals for stormwater and erosion control will be provided during the construction design phase.

WRITTEN STATEMENT OF INTENT AND OPERATIONS PLAN

Warm Belly Farm reopened the garden center formally know as America's Best Flowers in 2023. The intent of this business endeavor is to add agri-tourism related activities to the once flourishing site, including pick-your-own strawberries and pumpkins, corn maze(s), sunflower/ flower fields, hay rides, a petting zoo and more. The agri-tourism related activities will take place on the back 20 acres of the farm property, inside the proposed farm store, and within the existing greenhouses on site which are set back from Vilas Hope Rd and any adjacent residences.

An additional 200 parking spots and access roads were added in 2023. Outdated hoopouses were torn down, 12 hoopouses were renovated and the main greenhouse was renovated as well.

List the proposed days and hours of operation:

Agri-tourism related activities will take place in fall and winter up to 7 days a week from 9AM to sunset to start, with future plans of extending hours to 9PM during fall months once the addition of exterior lighting and/or the farm store are complete.

List the number of employees, including both full-time equivalents and maximum number of personnel to be on the premises at any time:

Response: There is a long-term growth plan to be able to employ upwards of 10 employees, with approximately 10 to remain full time year-round. (20 total at peak season?)

List any anticipated noise, odors, dust, soot, runoff or pollution associated with the conditional use, along with any proposed measures that will be taken to mitigate impacts to neighborhood properties.

Amplified noise will only be during daytime hours. All activities within the property are furthest from adjacent living and/or business operations and are set back from Vilas Hope Road.

Describe any materials proposed to be stored outside and any activities, processing or other operations taking place outside an enclosed building.

Outdoor stored materials will include picnic tables and plants. Pesticides and herbicides associated with the production of corn, pumpkins, sunflowers/other flowering plants, and strawberries will be stored internally onsite and will meet any and all storage requirements/approvals at that time.

For proposals involving construction of new facilities and/or infrastructure, describe, as applicable, any measures being taken to ensure compliance with County stormwater and erosion control standards under Chapter 11 of Chapter 14, Dane County Code.

All required stormwater and erosion control will meet Dane County and WiDNR standards. Stormwater design and erosion control plan will be completed during final design and submitted for review per proper construction permitting process to Dane County and WiDNR.

List and describe existing or proposed sanitary facilities, including adequate private onsite wastewater treatment systems, associated with the proposed conditional use. For uses involving domestic pets or livestock, list and describe measures taken to address manure storage or management.

The existing non-conforming restroom was removed. 3 moveable bathroom trailers with 21 water closets were bought for use in 2023 including 1 ADA trailer. These trailers can be moved to offer the best coverage for guests.

The existing septic fields will be utilized if/when we build a new sales building, see site plan documents for location. Any additional add-ons would be introduced in the building plan phase.

Manure from any petting zoo animals is to be recaptured and used as fertilizer in the growing fields.

List and describe any existing or proposed facilities for managing and removal of trash, solid waste and recyclable materials.

Dumpsters & required enclosures have been included on site for both trash and recyclable materials (refer to site plan documents for location).

Describe anticipated daily traffic, types and weights of vehicles, and any provisions, intersection or road improvements or other measures proposed to accommodate increased traffic.

Daily anticipated traffic will be primarily those attending the adventure farm and/or farm workers, utilizing standard vehicles. It's anticipated that a maximum of 1,500 people would be utilizing the property at one time (between 375 to 750 vehicles assuming 2-4 guests per vehicle). There could be up to 4,000 guests over the course of the day with an average stay of three hours.

Occasional trash/refuse collection would take place, and a handful of farm-related deliveries throughout the year. All existing road conditions allow for all anticipated vehicular traffic use on site.

Provide a listing of any hazardous, toxic or explosive materials to be stored on site, and any spill containment, safety or pollution prevention measures.

There will be no materials of concern stored externally on the site. Pesticides and herbicides associated with the production of corn, pumpkins, sunflowers/other flowering plants, and strawberries will be stored internally onsite and will meet any and all storage requirements/approvals at that time.

Describe any existing or proposed outdoor lighting along with any measures that will be taken to mitigate light-pollution impacts to neighboring properties. The Zoning Administrator may require submittal of a photometric plan for outdoor lighting if deemed necessary to determine potential impacts to neighbors.

All proposed lighting of rear field/parking area will be limited to harvest times of year, with access minimized during the winter months; all is outlined on proposed Event Plan. A lighting plan was submitted and approved for a previous plan and will be constructed in phases as the site builds out. A cutsheet of the proposed light fixture has been included with this submittal.

Describe any existing or proposed signage, including size, location, and materials, consistent with the county's sign ordinance found in s. [10.800](#).

Existing signage was removed at ingress/egress and a new compliant sign was added.

EVENT PLAN FOR WARM BELLY ADVENTURE FARM - 4311 VILAS HOPE RD, MADISON, WI 53527

The following event plan is provided per Dane County Zoning Code in conjunction with the Conditional Use Permit Application for Warm Belly Adventure Farm – 4311 Vilas Hope Rd, Madison, WI 53527. This plan is required due to anticipated attendance throughout the year of 200+ people during certain heightened seasonal activities. A finalized, modified version of this plan to be filed with the local authorities at time of approval and prior to opening to the public; following text to be modified:

1.) Number of Events proposed each year

Proposed Plan is presented in anticipation of over 200+ attendees throughout the various seasons and changing of activities at the Adventure Farm throughout the year. While 200+ may not be a daily occurrence during off-seasons, this plan is all encompassing for year-round.

2.) The Maximum expected attendance at each event

The current parking was increased to approximately 452 stalls. The stall locations are adjacent to respective activities on the property. The parking layout is in anticipation of 1,500 attendees throughout the various seasons; While 1,500 may not be a daily occurrence during off-seasons, this plan is all encompassing for year-round. There could be up to 4,000 guests over the course of the day with an average stay of three hours.

3.) Off-street parking, to meet standards in s. 10.102(8)

All off-street parking is shown on the existing approved site plan (attached) provided as part of the CUP application. All parking is designed to meet the standards of s. 10.102(8). The new proposal is intended to ensure no on street parking is ever attempted on Vilas Hope road.

4.) Days and Hours of Operation

The farm is open Sunday-Saturday each week, with select holidays to be closed. Hours of operation are to be 9 AM to sunset to currently, with future plan of increasing fall/winter hours once farm store and site lighting additions are completed. Access during these months would be limited to the farm store and

greenhouses only, meaning limited lighting requirements/access (if any) at rear fields/parking during winter months.

5.) Ingress and Egress

All proposed site Ingress and Egress is shown on proposed site plan (attached). Existing entrance to prior America's Best Flowers will remain the main ingress/egress to the property with the driveway was widened to 40' in 2023 allowing two-way traffic.

6.) Sanitation

All necessary sanitation is to be in place at opening to the public. The existing septic fields (see site plan) are to be utilized in the future. 3 moveable bathroom trailers with 21 water closets were bought for use in 2023 including 1 ADA trailer. These trailers can be moved to offer the best coverage for guests. Additional restrooms are to be built when the proposed farm store is built.

7.) Trash/Recycling Collection and Disposal

All necessary trash and recycling enclosures and locations are indicated on the site plan (attached).

8.) Signage

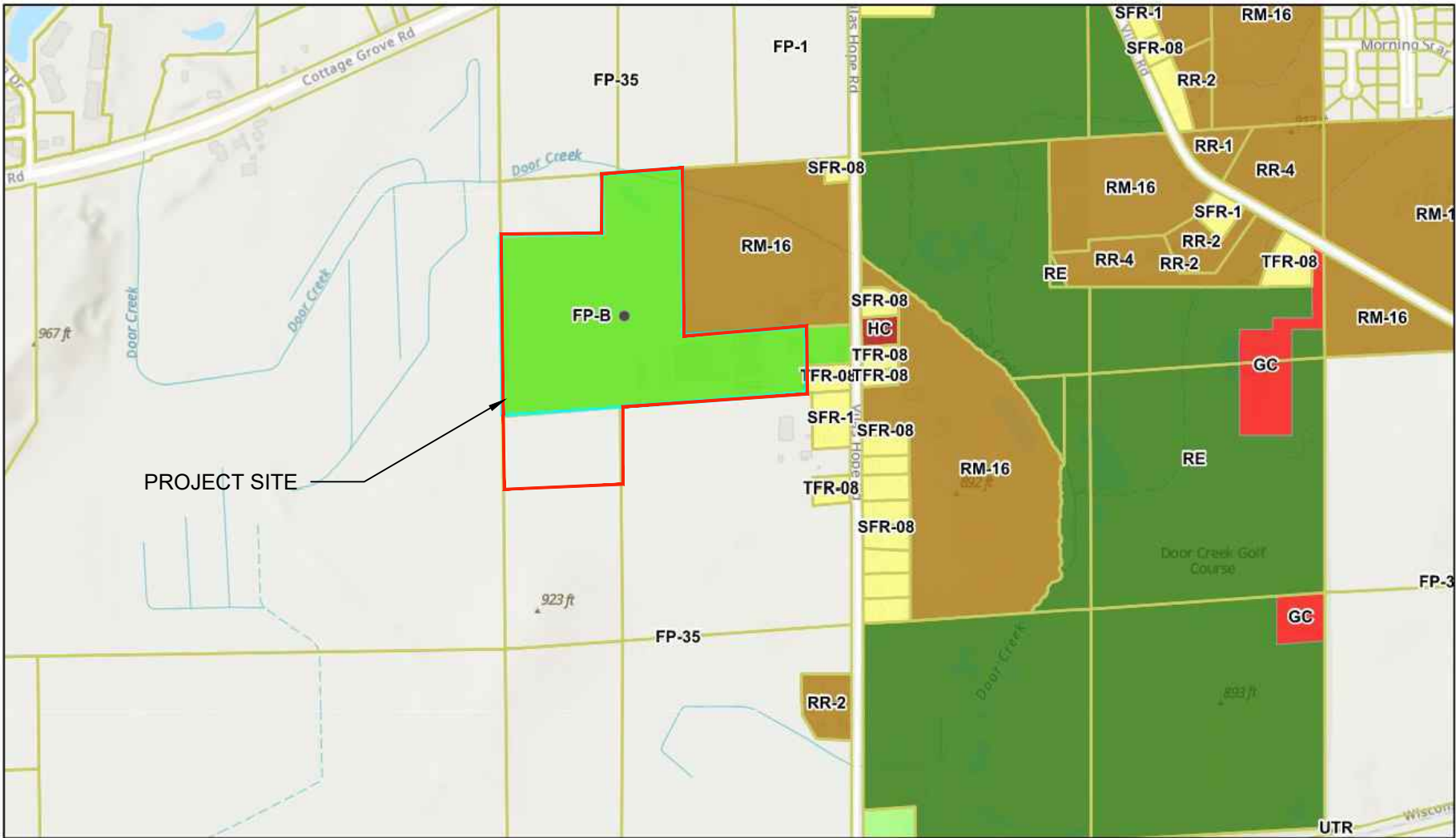
Road signage was replaced to building codes in 2023 and is referenced on the site plan included with

9.) Public Safety & Plan Filing with Local Authorities

This initial event plan, finalized proposed Site Plan and/or any modified versions of either plan to be filed (and dated) to the following: Town of Cottage Grove Fire Department was on site in 2023 and their proposed changes were made.

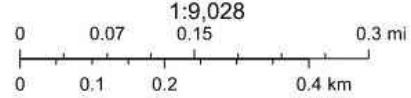
- Dane County Zoning Administrator
- Town of Cottage Grove – Town Clerk
- Town of Cottage Grove Police and Fire Department
- Deer-Grove EMS
- Dane County Sheriff's Department

Dane County Map



May 1, 2024

- | | | | |
|-------------------------|---|---------------------------------------|---------------------------------------|
| Parcels | Agricultural/Farmland Preservation Business | Residential | Rural Residential and Rural Mixed Use |
| Rural Zoning | Commercial | Residential | Rural Residential and Rural Mixed Use |
| Farmland Preservation | Heavy Commercial | Rural Residential and Rural Mixed Use | Recreational |
| Farmland Preservation | Residential | Rural Residential and Rural Mixed Use | Special Use |
| Agricultural Transition | | | |



Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community, Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community



EXISTING NEIGHBORHOOD ZONING MAP



Leased Land Contract

This Leased Land Contract ("Contract") is entered into on [Monday April 29th, 2024], between Bruce Homburg, whose address is [4277 Vilas Hope Rd Cottage Grove Wi] ("Landlord"), and Warm Belly Farm, whose address is [4311 Vilas Hope Rd Cottage Grove, WI 53527] ("Renter").

1. Premises

Landlord hereby leases to Renter and Renter hereby leases **5 acres** from Landlord, for agricultural purposes/pumpkin patch, certain land located at [4277 Vilas Hope Rd Cottage Grove Wi] ("Premises").

2. Term

The term of this Lease shall commence on [5/01/24] and shall continue for a period of [5/01/24-12-31/24] ("Lease Term"), unless sooner terminated as provided herein.

3. Rent

Renter agrees to pay Landlord a monthly rent of] ("Rent"), payable in advance on the [Rent Due Date] of each month or a full payment at end of season.

4. Use of Premises

Renter shall use the Premises solely for agricultural purposes and shall not use the Premises for any unlawful purpose or in any manner that would violate any applicable laws, ordinances, or regulations.

5. Maintenance and Repairs

Renter shall be responsible for maintaining the Premises in good condition throughout the Lease Term, including but not limited to keeping the land free from weeds, pests, and other nuisances.

6. Improvements

Renter may make improvements to the Premises with Landlord's prior written consent. Any improvements made by Renter shall remain the property of Renter and may be removed by Renter upon termination of this Lease, provided that such removal does not cause damage to the Premises.

7. Insurance

During the Lease Term, Renter shall maintain comprehensive general liability insurance covering its use of the Premises, with Landlord named as an additional insured.

8. Indemnification

Renter agrees to indemnify, defend, and hold harmless Landlord from and against any and all claims, damages, liabilities, costs, and expenses arising out of or related to Renter's use of the Premises.

9. Default

If Renter fails to pay Rent or otherwise breaches any provision of this Lease, Landlord may, at Landlord's option, terminate this Lease upon written notice to Renter and pursue any other remedies available at law or in equity.

10. Entire Agreement

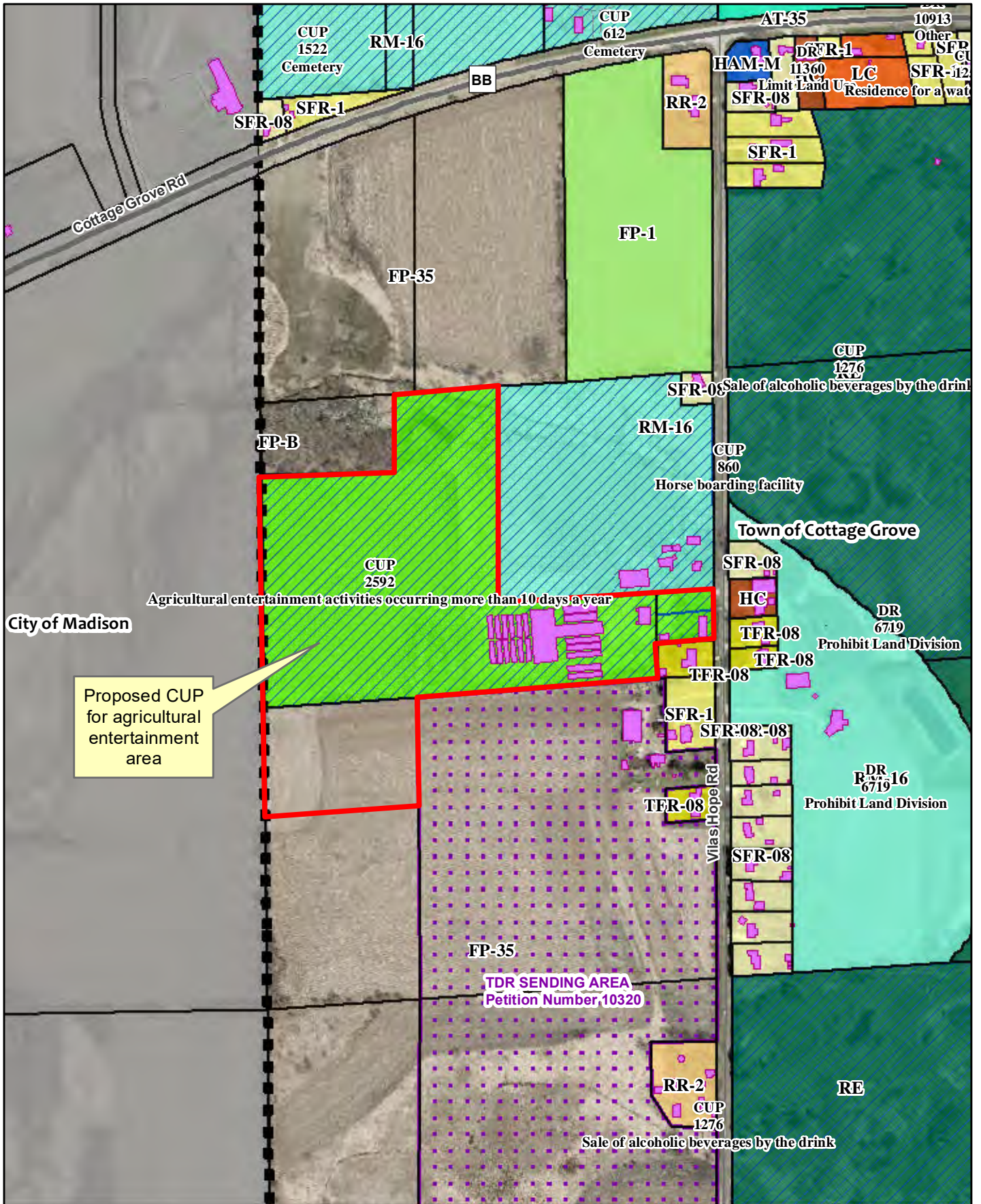
This Contract constitutes the entire agreement between the parties with respect to the subject matter hereof and supersedes all prior and contemporaneous agreements and understandings, whether oral or written.

IN WITNESS WHEREOF, the parties hereto have executed this Contract as of the date first above written.

[Signature of Landlord] [Signature of Renter]

Bruce Homburg

Warm Belly Farm

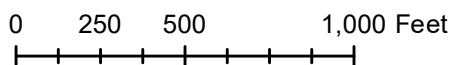


City of Madison

Proposed CUP for agricultural entertainment area

Agricultural entertainment activities occurring more than 10 days a year

TDR SENDING AREA
Petition Number 10320



Neighborhood Map

CUP 2626 Legal Description

Parcel No. 0711-073-8090-2

Large Parcel: A parcel of land located in the Northeast One-quarter (1/4) of the Southwest One-quarter (1/4) and in the fractional Northwest One-quarter (1/4) of the Southwest One-quarter (1/4) of Section Seven (7), Township Seven (7) North, Range Eleven (11) East, Town of Cottage Grove, Dane County, Wisconsin, more particularly described as follows:

Commencing at the West quarter corner of said Section Seven (7), said quarter corner being North 01°10'58" West, 15.00 feet from a brass cap concrete witness monument on the West line of said Section Seven (7); thence North 85°30'31" East along said quarter line, 452.33 feet to a pipe set; thence South 00°47'51" East, 947.87 feet to a pipe set; thence North 85°32'08" East, 692.53 feet to a pipe set; thence South 00°47'51" East, 373.79 feet along the West line of said Certified Survey Map No. 2479 to the Southwest corner thereof being on the South line of the North One-half (1/2) of the Southwest One quarter (1/4) of said Section Seven (7); thence South 85°32'08" West, along said South line, 1721.04 feet to a pipe set on the West line of said Section Seven (7); thence North 01°10'58" West along said West line, 983.42 feet to a pipe set; thence North 85°42'50" East, 584.99 feet to a 1" pipe found; thence North 01°10'58" West, 339.31 feet to the point of beginning of this description.

Parcel No. 0711-073-8390-9

Small Parcel:

Parcel A: Lot One (1) of Certified Survey Map No. 2479, recorded in the Office of Register of Deeds for Dane County, Wisconsin on July 13, 1977 in Volume 10, Pages 2-4 inclusive, as Document No. 1527496, of part of the Northeast One-quarter (1/4) of the Southwest One-quarter (1/4) of Section Seven (7), Township Seven (7) North, Range Eleven (11) East, Town of Cottage Grove, Dane County, Wisconsin.

Parcel B: A parcel of land located in the Northeast One-quarter (1/4) of the Southwest One-quarter (1/4) and in the fractional Northwest One-quarter (1/4) of the Southwest One-quarter (1/4) of Section Seven (7), Township Seven (7) North, Range Eleven (11) East, Town of Cottage Grove, Dane County, Wisconsin, more particularly described as follows:

Commencing at the West quarter corner of said Section Seven (7), said quarter corner being North 01°10'58" West, 15.00 feet from a brass cap concrete witness monument on the West line of said Section Seven (7); thence North 85°30'31" East, along the East-West quarter line, 585.11 feet to a pipe set; thence continue North 85°30'31" East along said quarter line, 452.33 feet to a pipe set; thence South 00°47'51" East, 947.87 feet to a pipe set; thence North 85°32'08" East, 692.53 feet to a pipe set and the point of beginning of this description; thence continue North 85°32'08" East, 283.07 feet to the North-South quarter line; thence South 00°47'51" East, along said North-South quarter line, 66.14 feet to the Northeast corner of the Certified Survey Map No. 2479, recorded in Volume 10 of Certified Survey Maps of Dane County, on pages 2, 3 and 4; thence South 85°32'08" West along the North line of said Certified Survey Map No. 2479, 283.07 feet to the Northwest corner thereof; thence North 00°47'51" West, 66.14 feet to the point of beginning of this description.

Parcel No. 018/0711-073-9000-8

(5 Acre CUP Lands)

Part of the Southwest Quarter of the Southwest Quarter of Section 7, Township 7 North, Range 11 East, Town of Cottage Grove, Dane County, Wisconsin, more fully described as follows:

Commencing at the Southwest corner of said Section 7; thence N85°57'58"E along the south line of the Southwest Quarter of said Section 7, 677.74 feet to the East line of the Southwest Quarter of the Southwest Quarter of said Section 7; thence along said East line, N00°29'40"W, 805.29 feet to the point of beginning; thence S85°50'27"W, 424.66 feet; thence N00°29'40"W, 513.94 to the North line of the Southwest Quarter of the Southwest Quarter of said Section 7; thence along said North line, N85°50'27"E, 424.66 feet to the Northeast corner of the Southwest Quarter of the Southwest Quarter of said Section 7; thence S00°29'40"E along the East line of the Southwest Quarter of the Southwest Quarter of said Section 7, 513.94 feet to the point of beginning. This description contains approximately 217,801 square feet or 5.0000 acres.