
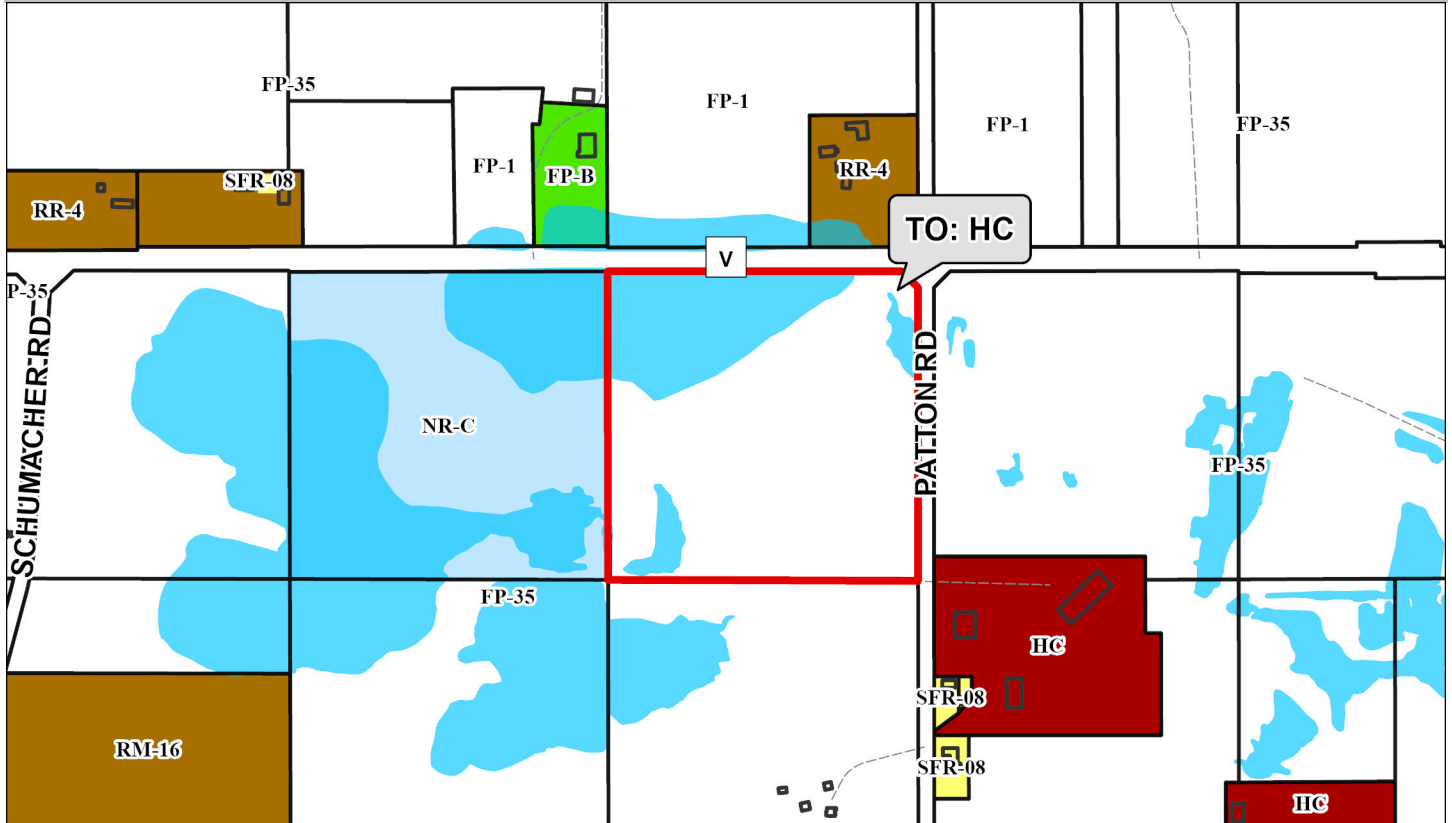


Staff Report  Zoning & Land Regulation Committee	<u>Public Hearing:</u> May 26, 2026	Petition 12275	
	<u>Zoning Amendment Requested:</u> FP-35 Farmland Preservation District TO HC Heavy Commercial District		<u>Town, Section:</u> VIENNA, Section 21
	<u>Size:</u> 38.6 Acres	<u>Survey Required:</u> No	<u>Applicant:</u> HAHN IRREV TR
	<u>Reason for the request:</u> commercial development for a truck repair business		<u>Address:</u> SW CORNER OF THE PATTON ROAD / COUNTY HWY V INTERSECTION



DESCRIPTION: The applicant would like to locate a commercial business for heavy truck repair on the southwest portion of the parcel. The company, Madison Spring, provides spring and suspension repairs to light- and heavy-duty trucks. This site is intended for the company to relocate two existing sites to this one location, with approximately 25-30 employees.

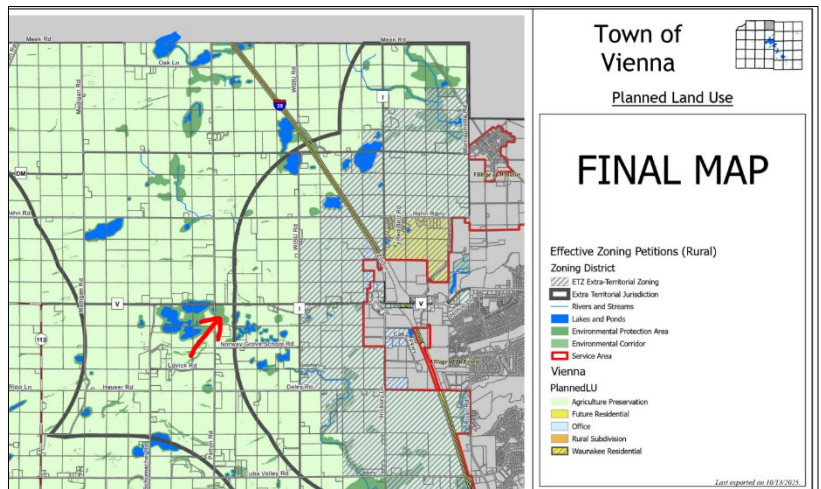
OBSERVATIONS: The petition proposes to rezone a 40-acre unplatted parcel to HC Heavy Commercial, with roughly 13 acres of the site proposed for development reflecting the approximate edge of wetlands and wetland buffer areas. The rezone from FP-35 to HC is rarely done without an existing business park or land use, much less rezoning of 40 acres. The HC district allows vehicle repair or maintenance services, outdoor storage, and a variety of other land uses as permitted uses. Given the nature of uses available to that zoning district, any rezoning should be done with care and should be deed restricted to eliminate any unused land use options for HC. The stated purpose of the HC district is to accommodate retail and commercial uses that may occur primarily indoors or outdoors, uses that are of relatively large scale and intensity, and uses that are appropriate to a highly developed area.

The subject property adjoins the county-owned 81-acre Vienna Pothole Wildlife and 39 acre USFWS Vienna Waterfowl Production Areas.

The development proposal includes a one-story, 37,000 square foot building, a hard paved parking lot for employees and customers, a gravel paved parking lot for trucks and trailers (roughly 113 truck/trailer spaces) and material storage. Also the installation of a well, septic system, and stormwater management facilities. Operating hours would be 7am to 5pm Monday to Friday. The business would have two driveway access points onto Patton Road. The site plan suggests

phasing for future building and parking lot expansions. The rear parking lot would extend to roughly 40 feet from the southern property line, with landscaping (Chapter 10 only requires a landscape buffer between commercial zoning and residential-zoned land, but does require landscaping around parking lots). The site lighting plan provides 23' tall light poles in the front lot, wall fixtures around the building to light the building and rear parking/storage lot. Fixtures would be full cutoff, with reasonable lighting levels/lumens. However the details on the fixtures, such as color temperature, are not legible but would be needed in order to fully review the lighting.

COMPREHENSIVE PLAN: This petition is in the town's Agricultural Preservation planning area and is subject to the land use policies related to that designation. The town recently updated its plan policies with regards to commercial development. Whereas the prior plan provided for commercial opportunities focused within the town of Vienna / village of DeForest extra-territorial zoning (ETZ) area, the updated plan now indicates that the town will consider commercial proposals on a case-by-case basis throughout the township, but with a particular emphasis on the Patton Road/CTH V corridor. The town's change in approach was based in part on their concerns over DeForest annexing commercial properties from the town and thereby removing the tax base these properties represent.



Town of Vienna Planned Land Use Map Excerpt

The [relevant policy](#) town plan policy reads, *“Requests for rezoning for general commercial uses will only be considered on a case-by-case basis, must be consistent with this plan and be accompanied with a development agreement.”*

Other relevant plan objectives and policies include the following:

From Chapter 16, Natural Resources

Objective 1.0: *Consider the potential impact on natural resources, environmental corridors, or habitat areas when evaluating potential residential, commercial, industrial and intensive agricultural uses.* (Note: this objective also in the land use chapter)

[From Chapter 20 \(Economic Development Policies\)](#)

1.01 Desired Characteristics of Commercial Uses - Proposed commercial or industrial uses must do the following:

- 1.01.1 Sustainability - Maintain a sustainable revenue to cost ratio over the long term.
- 1.01.2 Mitigation of Potential Negative Impacts - Minimize potential negative impacts on the surrounding community.
- 1.01.3 Enhancement of Tax Base - Create sufficient tax base.
- 1.01.4 Enhancement of the Local Economic Base - Diversify and stabilize the local economic base.
- 1.01.5 Compatibility - Maintain a high degree of compatibility with existing uses.

1.02.2 Commercial Corridor – *When possible, focus Commercial and Economic development along the Patton Road Corridor North and South of Hwy V and along Hwy V where existing commercial and utility properties exist. (See map and see also 1.07 reuse of inactive Quarries)*

1.03 Compatibility with Existing Uses - *Proposed commercial and light industrial uses within the Town should be located and designed in a manner that will not adversely impact the value or use potential for commercial uses on adjacent properties. The Town will decide if compatibility has been met on a case-by-case basis.*

1.06 High Traffic Uses - Any proposed uses that have the potential for significant traffic generation should be located in a manner as to minimize the impact on the Town.

1.012 Development Agreement - All commercial projects should have a development agreement with the Town of Vienna, this agreement should include (but is not limited to) the following:

1.012.1 Noise Abatement

1.012.2 Visual Screening

1.012.3 Road Bonding

1.012.4 Site location

1.012.5 Building Facades

1.012.6 Broader Community Impacts

a) Power Needs

b) Water Needs

c) Site Bonding for discontinuance

d) Any other Environmental Impacts

1.013 Regulation - All commercial operations must conform to all appropriate regulations:

1.013.1 Town of Vienna Ordinances

1.013.2 Chapter 14 - Erosion Control & Stormwater Management;

1.013.3 Chapter 11 - Shoreland and Wetland Regulations;

1.013.4 Chapter 10 – Zoning;

1.013.5 Any state statutes as applicable

There are also a number of relevant objectives and policies from the Dane County Comprehensive Plan focused on protecting and enhancing water quality, wildlife habitat, and the ecological services that wetland areas provide. These include the following:

Preserve for posterity the nature and biodiversity of Dane County's natural heritage by protecting and enhancing in-stream, riparian, wetland, and upland habitat, and; protecting, maintaining and restoring diverse, high quality biological communities that occurred naturally in southern Wisconsin (woods, savannas, prairies, wetlands).

Preserve the role of wetlands, woodlands and streambank buffers as essential components of the hydrologic system as well as valuable wildlife habitat. Restore degraded wetland resources and streambank buffers where possible.

Protect natural areas, including wetlands, wildlife habitats, lakes, woodland, open spaces and groundwater resources

The current petition is the first commercial rezone proposal since adoption of the updated comprehensive plan. The town was aware of the proposal as it was updating the plan and anticipated its submittal. As indicated elsewhere in this report, over 70 comments have been submitted on this petition, the vast majority of which have expressed concern over potential negative impacts to the surrounding wetland area on both the subject and surrounding properties.

Given the opposition received and anticipated at the ZLR public hearing, staff recommends postponement of the petition in accordance with committee rules and to provide time to evaluate the concerns.

For questions about the comprehensive plan, contact Senior Planner Curt Kodl at (608) 266-4183 or Kodl.Curt@danecounty.gov.

RESOURCE PROTECTION: There are sensitive environmental resources within 300 feet of the subject property, the northwest portion of the property is covered by a wetland and the Town maintains the water levels as the result of a flooding event that at one time submerged County Hwy V.

There are resource protections corridors on site related to the wetlands, the Town of Vienna Plan States:

- *“Any proposed development in a primarily agricultural area meeting subdivision requirements should be located on non-productive, non-tillable land that does not significantly threaten or affect natural resources,...”*
- *“Direct any new development to locate in a manner that does not encroach upon or impact delineated wetlands or floodplains”*
- *“Work with Dane County, Wisconsin DNR and other agencies to identify, plan for, and preserve open spaces, natural habitat and environmental corridors within the Town where appropriate”*
- *“Ensure residential, commercial, and agricultural uses are sited in a manner to minimize the impact on identified natural resource areas as designated on the proposed land use map of this comprehensive plan.”*

Dane County and the US Fish and Wildlife currently own adjacent parcels to the west and southwest as part of the Vienna Pothole Wildlife Area. There was a negotiation at one time that fell through for the County to purchase part of this property to expand the Wildlife Area.

Dane County Zoning has not yet received a wetland delineation report for the property.

TOWN ACTION: The Town approved unanimously on 5/4/2026 with one condition:

- The Wetland Delineation report is completed and provided for the records.

STAFF RECOMMENDATION: This is a unique proposal: a single lot 40-acre commercial development within an agricultural preservation future planning area, as well as a rezone request to HC Heavy Commercial within the wetland overlay district. Staff has reviewed the Madison Spring development plan, and generally found that it would comply with our HC zoning, wetland, and shoreland zoning regulations as proposed. Even so, we are concerned on the probable impacts to a unique, and rarely large, prairie/pothole emergent marsh complex which remains as part of the Empire Prairie region. At the time of writing the applicants have not provided the wetland delineation report, a favorable preliminary review letter from Land and Water Resources for the stormwater management plan, or a developer agreement with the Town of Vienna.

While the Town of Vienna Planned Land Use map identifies the development area as agricultural preservation, the Town recently updated their comprehensive plan to allow commercial developments to be considered on a case-by-case basis. Generally, lands in farmland preservation would present less of an impact to a water resource due to its typical open and vegetated land cover, compared to concentrated impervious surfaces typically associated with heavy commercial development. The rezoning of this site will require careful evaluation of various policies, including farmland preservation, economic development, and environmental protections, by the Committee to determine if the proposed land classification is consistent with plan goals and objectives.

Staff recommend the Committee **postpone** action to allow consideration of public comments.

Please contact Hans Hilbert at (608) 266-4993 or Hilbert.hans@danecounty.gov if you have questions about this petition or staff report.