

MINUTES OF THE SPRINGDALE PLAN COMMISSION MEETING, March 27, 2017

IN ATTENDANCE: Ellen Bunn, Mike Fagan, Jim Hanson, Amy Jester, John Rosenbaum, David Schmidt and Denise Sullivan. (A quorum is present.) Clerk Vicki Anderson as the recording secretary.

CALL TO ORDER: by Rosenbaum at 7 p.m.

NOTICE OF THE MEETING: pursuant to Wisconsin Open Meeting Law was confirmed. The final agenda was posted on 03/23/17 in the three customary locations in the Town of Springdale as required by law, and as a courtesy to the citizens, published in the *Mt. Horeb Mail* on 3/23/17.

MINUTES: MOTION by Fagan/Jester to approve the 2/27/2017 PC meeting minutes as distributed. Motion carried 7-0.

B. MYERS – C. & K. MILLER LOT/LC-1 ZONING #11115-LAWN MAINTENANCE AND SNOW PLOWING BUSINESS & CUP #2376 FOR RESIDENCE/U.S. HWY. 18/151/SEC. 13:

Background: Brett Myers is interested in purchasing the C. and K. Miller 5.9 acre lot at 8096 Hwy. 18-151, Verona. (The Millers have authorized B. Myers, perspective buyer, to discuss the land at town meetings.) This lot is currently zoned R-4 for the two separate residences on the property. The rezoning #8085 was approved in 1998 with conditions “That the one acre parcel shall be limited to the two existing single family units, the garage/dwelling unit shall be rented to relatives only and shall not be rented to the public, and the garage/dwelling unit living area shall not be expanded.” DC Zoning considers the current use a nonconforming use since two residences are not permitted on a single lot and the two detached residences do not comply with R-4 zoning – single family, duplex, multi-family condo. The current R-4 zoning would be removed from the property and replaced with LC-1 zoning.

Myers’ Proposal: B. Myers proposes to buy the property to build a new accessory building for his lawn maintenance and snow plowing business. A business partner would reside in the existing house. The second residence, the garage/dwelling unit, would be the office for the business.

New Information since the 1/23/2017 and 2/27/2017 Plan Commission meetings:

*On 3/22/2017, Wisconsin DOT issued a permit for connection to a State trunk highway for the property since the existing access will be changed from Rural -Residential to Rural-Commercial. #13-100225167-2017. The number of average daily trips for the LC-1 use is estimated at 6 for the business and 10 for the residence. It was reported that WI DOT allows for up to 50 trips per day for rural light commercial and no turning lane from US 18/151 is necessary. In addition, the existing 80’ wide entrance from the two lots onto the highway could provide for a side-by-side shared driveway. It was verified that this existing access point was not designated a town road at the time of highway reconstruction.

*Currently the residential driveway is a shared driveway with the residence to the west. A shared driveway agreement is recommended between the landowners to outline the legal responsibilities for maintenance of the driveway between a residential and commercial use. The Town has been advised that legally this is a private property matter.

Proposed Conditions for the Rezoning:

1. The LC-1 use shall be limited to a lawn maintenance and snow plowing business conducted off-site. It is a service oriented business with no manufacturing, assembly of products on the premises.
2. The Hours of Operation shall be Monday – Saturday, 7 a.m. – 7 p.m. during lawn maintenance season and as needed during snow plowing season.
3. The number of employees is 4, not including the resident/co-owner residing on the property. The number of hours each employee shall spend on site is 5 hrs./week to arrive to pick up equipment and supplies at the start of the day and to return equipment and supplies at the end of the day.
4. No retail sales shall be conducted on the property.
5. Outside amplification of sounds is prohibited.
6. Signage is prohibited.
7. All outside lighting shall comply with the Town of Springdale Dark Sky Lighting Ordinance. (All lighting shall be shielded to prevent glare into the night sky or direct-beam illumination of neighboring residences. All new lighting fixture shall be full cut-off fixtures which prevent upward transmission of light. All night photo cell controlled lighting shall not be permitted, however, motion controlled and switch controlled security lights are acceptable.)
8. Outside storage of materials shall be shielded from visibility from the highway and from the residence to the West. Road salt stored outside shall be limited to 5 yards of salt, stored in such a manner to prevent soil infiltration and/or run-off and in compliance with DNR standards.
9. Debris from job sites shall be disposed of off-site and burning on-site is prohibited.
10. All equipment shall be stored inside the accessory buildings. (The equipment consists of 2 pick-up trucks, 2 trailers, 2 riding lawnmowers, 2 skid loaders, 2 plows, 2 salt boxes, 1 dump trailer and several snow blowers.)
11. The existing natural vegetative screening between this lot and the neighbor to the West shall be maintained.
12. All employee vehicles, not to exceed 4 vehicles, shall be parked as close to the outbuilding as possible.
13. The existing second residential-like structure on the lot shall be office space; at no point shall it be used as a residence. The R-4 zoning shall be revoked.
14. Architectural review and approval by the Springdale Plan Commission shall be required for any proposed improvements to the lot,

and shall include review of the exterior appearance, design, size and character of the proposed improvements, including parking facilities. The improvements shall enhance the rural quality of life throughout the town.

MOTION by Fagan/Jester to change the zoning on the Miller property from R-4 to LC-1 with the conditions as drafted. Discussion: The intent of the conditions is to define the use to conform to the intent as expressed by the applicant and to prevent the use from morphing into something else – a large landscaping business. The Springdale Town Land Use Plan supports LC-1 zoning with conditions; it does not support C-1 zoning for larger commercial uses. Motion to approve carried 7-0.

Proposed Conditional Use Permit: 1. Single family residence for a caretaker or owner of the business.

Six Standards for CUP/DCCO:

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. Agreed 7-0.
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. Agreed 7-0.
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. Agreed 7-0.
4. That adequate utilities, access roads, drainage and other necessary site improvements have been or are being made. Agreed 7-0.
5. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets. Agreed 7-0.
6. That the conditional use shall conform to all applicable regulations of the district in which it is located. Agreed 7-0.

MOTION to approve the CUP. Motion carried 7-0.

AMENDMENTS TO THE PLAN SUBMITTED BY 12/31/2016:

* No lots within noise overlay district of US Hwy. 18/151 – Clerk directed to obtain up-to-date maps from WI DOT showing proposed frontage roads in Springdale. A subcommittee may need to work on this. More discussion in April.

* Review of agricultural accessory buildings – amend RAB ordinance to include a review for agricultural accessory buildings – Clerk directed to propose amendments to the current RAB ordinance. Clerk has contacted other towns and Dane County Planning and Development to gather examples of review of buildings. Other towns review all buildings, including agricultural buildings but the criteria of review are unknown at this time. More discussion in April.

PLAN COMMISSION PROCEDURES: PC discussed some tips for writing conditions for CUPs and rezonings...more detail is better than less. The discussion included but may not be limited to the following: *Landowners intent for the use as described in the application should be listed among the conditions. *The condition of hours of operation should be listed as requested by applicant when consistent with the Plan. *Details of a required landscape plan on file in the Town Hall should be included in the conditions to allow for easy inspection for compliance by Dane County Zoning Inspector. *Commercial grade kitchens may not trigger a CUP or rezoning; it depends if the use of the kitchen is for a business purpose. *In researching the appropriate zoning district for a use, when the use is listed in a specific zoning district in the Dane County Code of Ordinances Chapter 10, that is the district under which it is to be addressed. As an example, a dog grooming business may be able to be conducted in an existing space in a house but it is not a home-based occupation. It is mentioned in DCCO Chapter 10 as a use in A-2 zoning district. It is recommended to contact Dane County Zoning with specific use questions.

PC PROCEDURES/SITE VISITS:

Next PC monthly meeting: April 24, 2017. Applications for the meeting should be submitted by Monday, April 10, 2017.

No site visits have been requested at this time.

ADJOURN: MOTION by unanimous consent.

Respectfully submitted, Vicki Anderson, Recording Secretary