

MEMO

Date: March 1, 2013

To: Alexandria Town Board

From: Ben Oleson, Hometown Planning
Zoning Administrator, Alexandria Township

Re: Zoning Administrator's Report

Dear Town Board Members:

The Planning Commission held its regular meeting on February 25, 2013. They held one public hearing and are providing their recommendation to the Town Board on that matter.

Attachments, drawings and photos related to the application is available at: www.hometownplanning.com. Public comments received prior to the meeting are also at the same location.

PUBLIC HEARING #1

Original Application: Conditional use permit to increase the number of display cars at a used car sales business from 15 to 60.

Applicant: Gregory J. Hill and Matthew J. Hill (G&M Advantage Auto Outlet Inc.)

Background Information:

Location:

- Property Address: 3505 State Highway 27E (new County Road 82)
- Sec/Twp/Range: 22-128-37
- Parcel Number(s): 03-1776-000

Town Board Direction: The Town Board will need to take final action on this application. The Board should approve findings of fact and any conditions of approval. If the Board feels it needs more information, or additional review by the Planning Commission, it may table the matter.

Planning Commission Recommendation: The Planning Commission has recommended approval of the requested conditional use permit with a reduction in the number of cars that would be allowed (from 60 to 50).

This approval comes with the following recommended condition(s) from the Planning Commission:

1. That the applicant be limited to no more than 50 display cars at any one time and that no display cars be allowed on the north or east sides of the building, eliminating nos. 39 - 42 and 55 - 60 as depicted on applicant's site plan;
2. That any hazardous leaks and/or substances be immediately attended to;
3. That the applicant maintains the property in a neat appearance, consistent with the requirements of the Zoning Ordinance;
4. That the business be operated during normal business hours only (Monday through Saturday, 8am-9pm);
5. That the property owner and applicant ensure that no further increase in impervious surfaces occurs. Generally, no area further than 240 feet west of the east property line shall be impervious; and
6. That any signage for the business be limited to the space available on the existing sign structure and the face of the building. No signs shall be permitted elsewhere except in accordance with the requirements of Section V.A of the Zoning Ordinance.

Staff recommends one additional condition based on discussion at the hearing and statements by the applicant:

7. That the approved conditional use permit does not allow for auto repair, oil changes, transmission flushes or other such maintenance activities on the site. Washing and interior detailing of vehicles is allowed.

Recommended Findings of Fact: Staff recommends the following findings of fact based on the recommendation of the Planning Commission and its discussion at the public hearing:

1. **The use will not create an excessive burden on existing parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the area:**

Yes. The proposed increase in the number of display vehicles for sale has the potential to increase traffic in the immediate area if more customers come to the site to view vehicles for sale. However, the potential increase would not be expected to be overly burdensome to the existing road system. No appreciable increase in the demand for parks, schools or other public facilities or utilities would be expected from a used car sales business.
2. **The use will be sufficiently compatible or separated by distance or screening from adjacent agricultural or residentially zoned or used land so that existing homes**

will not be depreciated in value and there will be no deterrence to development of vacant land:

Yes. The proposed business already exists, and this property has been used for commercial/industrial uses for many years. The vehicles being displayed for sale will be well screened to the north by the building itself and existing tree cover on either side of the bike trail. On the south side, the property is separated from residential properties by a busy County Road (until very recently a state highway) and tree cover.

3. **The structure and site shall have an appearance that will not have an adverse effect upon adjacent residential properties:**

Yes. There is potential for the appearance of the lot to become a detriment to the area due to the increased number of vehicles displayed for sale - regardless of how neatly the vehicles are displayed or kept. However, the site has been well cared for since the original CUP was granted for auto sales and much of the site has been cleaned up from what was present before. Further, the conditions of approval to limit the number of cars to 50 and to disallow any display of cars for sale on the east and north sides of the building will help to minimize an potential for adverse effects on adjacent residential properties.

4. **The use in the opinion of the Town Board is reasonably related to the overall needs of the Township and to the existing land use:**

Yes. The proposed use is generally related to the Township's desire to support businesses within the County, but the proposed use also has the potential to be a detriment to the nearby residentially zoned properties.

5. **The use is consistent with the purposes of the Zoning Ordinance and the purposes of the zoning district in which the applicant intends to located the proposed use:**

Yes. The area of the proposed development has been zoned as "Commercial" in recognition of the long-term commercial use of properties along Highway 27. The purpose of this district is:

To provide for the establishment of commercial and service activities which draw from and serve customers from the entire community or region.
(Alexandria Township Zoning Ordinance, p. 5)

The property is also located within the Residential Shoreland zoning district, although the long-standing commercial nature of this lot and its historical zoning for commercial uses indicates that the commercial uses are allowable, with the caveat that they do not change or grow to the point where they become a detriment to the surrounding neighborhood.

The purpose of the Residential Shoreland district is:

Residential Shoreland (RS)

The Residential Shoreland district is intended to protect and regulate the residential use and development of the shorelands of public waters and thus preserve and enhance the quality of surface waters, conserve the natural environmental values of shorelands, and provide for the wise use of waters and related land resources. (*Alexandria Township Zoning Ordinance, p. 5*)

6. **The use is in conformance with the Comprehensive Plan of the Township:**

Yes. The comprehensive plan identifies the area of the proposed development in the Future Land Use Map as Urban Residential:

Urban Residential: The purpose of this land use category is to provide opportunities for urban density housing in areas that are most readily served by urban infrastructure and services. This category is intended for areas that are currently served by Alexandria Area Sanitary Sewer District (ALASD) infrastructure or are within the identified future service area of ALASD. Within these areas, new residential development will be reviewed to ensure that the proposed density, dimensions, and layout of lots will allow for the efficient use of public infrastructure and the cost-effective provision of public services. A gross urban density of two to three dwelling units per acre or higher is intended for these areas. Proposed subdivisions that would create oversized lots would be reviewed to allow for a transition to urban densities of housing in an orderly and efficient manner. This may be accomplished through ghost platting, conservation subdivision designs that cluster homes on urban-sized lots, provision of urban sewer or road infrastructure at the time of development, or by other appropriate means.

Typical “lot-block” or “conservation” subdivision designs are both considered appropriate in these areas. Where sensitive or unique natural or cultural resources, such as wetlands, shoreland, etc. are present, a conservation subdivision design with lower densities that protects these resources may be required. Long-term commercial/industrial uses that are incompatible with residential uses should not be allowed in this district. (*Alexandria Township Comprehensive Plan, p. 22*)

While the proposed use is clearly not residential in nature, the fact that the property has been zoned and used for commercial/industrial uses for decades indicates that the use is not incompatible with the surrounding residential neighborhoods, which have continued to develop residentially. The reduction in the number of vehicles allowed to 50 and the requirement that cars not be displayed for sale on the east and north sides of the building are imposed to help ensure the use continues to be compatible with the surrounding neighborhood and the goals of the Comprehensive Plan.

7. **The use will not create a traffic hazard or congestion:**

Yes. The proposed use would involve some increased traffic turning onto Freedom Road than is currently the case. However, it is not expected to be a significant amount that would create a traffic hazard or congestion.

8. Shoreland Specific Criteria:

- a. Prevention of Soil Erosion/Pollution: The applicant has stated that there will not be any significant soil disturbance as a result of placing more vehicles on display, except that necessary to maintain the lot. The flat site where the vehicles would be on display should limit any erosion potential. Oil/antifreeze or other leaks should be repaired as soon as possible to prevent pollution issues.
- b. Limited Visibility of structures from public waters: The site is heavily screened from view from Lake Geneva - both because of distance and heavy tree cover in between.
- c. Adequate Water Supply/Sewage Treatment: The property is already served by a private well and ALASD sewer.
- d. Watercraft Impact on Public Safety: The proposed work will have no impact on watercraft use of the lake.

OTHER PLANNING COMMISSION ITEMS:

- 1. Staff gave a brief update on the status of the Sign Ordinance update process. Douglas County has held a stakeholder input meeting and is currently assessing those comments. The Township would continue to monitor the drafts and issues addressed by the County and ultimately will react to those changes when they are made with an ordinance update of its own. Township comments will be passed on to the County as deemed appropriate by the Commission or Town Board based on updates provided by Staff.
- 2. All other agenda items were tabled due to the length of the meeting.

If you have questions or concerns on the items in this report or any other issues, please do not hesitate to contact us. You can reach me by email at oleson@hometownplanning.com or by phone at 888-439-9793.

Sincerely,

HOMETOWN PLANNING



Ben Oleson
Planning and Zoning Administrator