
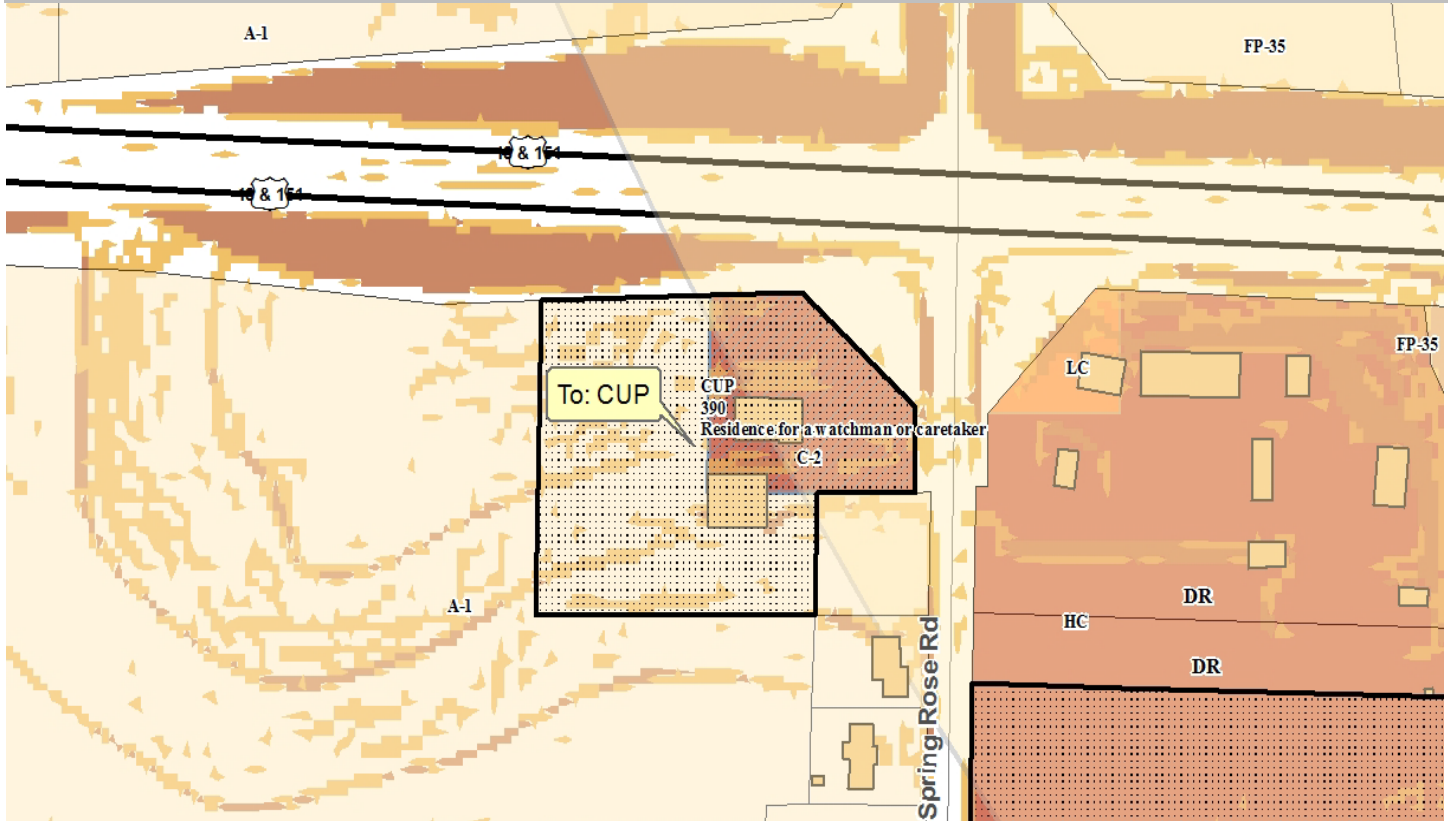


Staff Report  Zoning and Land Regulation Committee	<i>Public Hearing:</i> November 26, 2019		CUP 02490
	<i>Zoning Amendment Requested:</i> TO CUP: VEHICLE REPAIR OR MAINTENANCE SERVICES, CARETAKER RESIDENCE		<i>Town/Section:</i> SPRINGDALE, Section 24
	<i>Size:</i> 4.56 Acres	<i>Survey Required:</i>	<i>Applicant:</i> ROGER F DISCH
	<i>Reason for the request:</i> VEHICLE REPAIR OR MAINTENANCE SERVICES, CARETAKER RESIDENCE		<i>Address:</i> 2415 SPRING ROSE ROAD



DESCRIPTION: The Town of Springdale has submitted a conditional use permit application on behalf of the landowner to better accommodate an existing vehicle repair and caretaker’s residence under the new County zoning ordinance. On November 14, the Town of Springdale adopted the new county zoning ordinance, which places this property in the GC (General Commercial) zoning district. The GC district allows “vehicle maintenance and repair” and a “caretaker’s residence” as conditional uses. If approved, CUP 2490 will bring the existing auto repair business and caretaker’s residence into compliance with the new GC zoning.

CONDITIONAL USE PERMIT STANDARDS FOR APPROVAL: Conditional uses are those uses which, because of their unusual nature and potential for impacts on neighboring lands or general welfare, warrant special consideration and review. The zoning ordinance includes specific requirements and standards for review and approval of the conditional use permit. The zoning committee must deny a conditional use permit if it finds that the standards for approval are not met, and must approve if it finds that the standards for approval are met. The decision to approve or deny a conditional use permit must be supported by substantial evidence. Any conditions imposed must be based on substantial evidence, related to the purpose of the ordinance, reasonable, and, to the extent practicable and measurable. The zoning committee must find that all the following general standards for approval are met for the proposed conditional use:

- a. That the establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or general welfare;

- b. 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;
- c. 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;
- d. That adequate utilities, access roads, drainage and other necessary site improvements have been or are being made;
- e. 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;
- f. That the conditional use shall conform to all applicable regulations of the district in which it is located.
- g. That the conditional use is consistent with the adopted town and county comprehensive plans.

OBSERVATIONS/FACTUAL INFORMATION:

Current zoning and applicable district regulations: On August 19, 1966, the Dane County Board approved, with no conditions, Petition 1120, which rezoned 1.55 acres of this property to the C-2 zoning district. On May 8, 1984, the county zoning committee approved, with no conditions, CUP 390, which allowed a caretaker's residence on the property. With the Town of Springdale's adoption of the new county zoning ordinance on November 14, 2019, this property was zoned in the GC (General Commercial) Zoning district. GC zoning allows both vehicle maintenance service and a caretaker's residence as conditional uses. The town now seeks to bring these existing nonconforming uses into compliance with the new ordinance standards.

Surrounding land uses / neighborhood: The property sits at the southwest corner of the intersection of U.S. Highway 18/151 and Spring Rose Road, near the Town of Springdale / Town of Verona line. An existing commercial contractor, zoned LC (Limited Commercial) and HC (Heavy Commercial) sits across Spring Rose Road, in the Town of Verona. Five single-family residential lots border the property to the south. The remainder of the immediate area is in Agricultural Transition zoning.

Utilities, access, drainage, and other necessary site improvements: No expansion of the existing vehicle maintenance use or caretaker's residence are proposed. There is an existing driveway onto Spring Rose Road. Access, drainage and current utilities appear adequate for the current use.

TOWN PLAN: The *Town of Springdale / Dane County Comprehensive Plan*, originally adopted in 2000, supports small-scale commercial development that is compatible with the rural character of the town, but does not support intense commercial or industrial uses. The plan does not support new C-2 (HC under the new ordinance) zoning, and allows for C-1 (GC under the new ordinance) zoning only under specific circumstances. In order to promote better consistency with the town/county comprehensive plan, the town has sought to replace existing C-2 zoning with GC (General Commercial) zoning under the new zoning ordinance wherever possible. The plan also acknowledges the need to strike an appropriate balance between the public good and private property rights. Where possible, the town has sought, through town-initiated conditional use permits, to accommodate existing land uses and bring them into full compliance with the new zoning district.

RESOURCE PROTECTION: There are no mapped resource protection corridors on the property.

STAFF: Recommend approval with the condition that the vehicle maintenance and sales use remain within the current footprint and consistent with the operation as it existed as of the date of approval of CUP 2490.

TOWN: On September 23, 2019, the Town of Springdale board voted to approve CUP 2490, limited to vehicle repair or maintenance services which includes towing and vehicle storage and caretaker's residence.

Questions? Contact Brian Standing at standing@countyofdane.com or 608-267-4115.