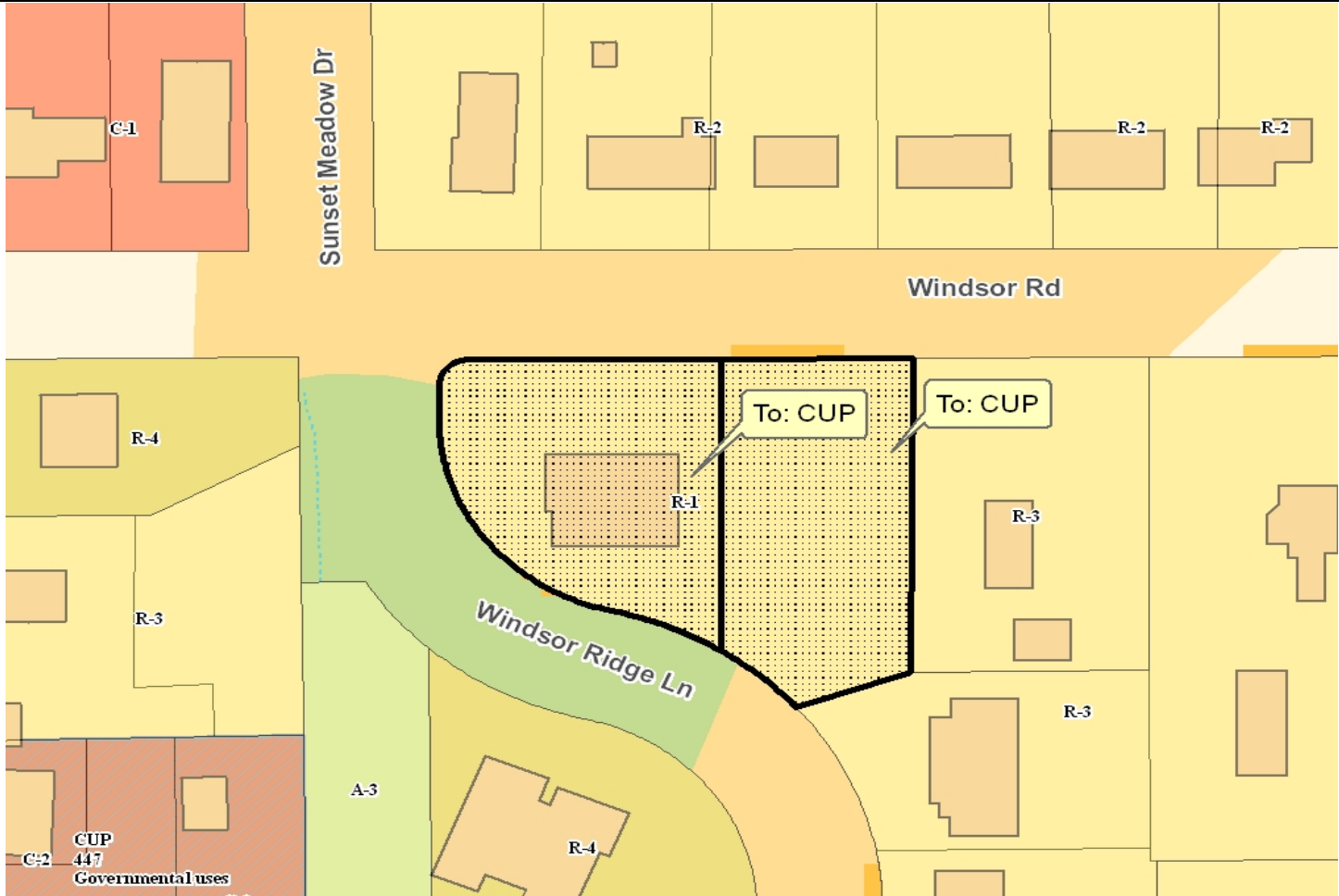




Staff Report

Zoning and Land Regulation Committee	<i>Public Hearing:</i> June 23, 2015	<i>Petition:</i> CUP 2316
	<i>Zoning Amendment:</i> None	<i>Town/sect:</i> Windsor Section 29
	<i>Acres:</i> .891 <i>Survey Req. No</i>	<i>Applicant</i> Windsor Ridge Lane LLC
	<i>Reason:</i> Bring existing Daycare into compliance with current zoning	<i>Location:</i> 6722 Windsor Ridge Lane



DESCRIPTION: Applicant proposes to bring an existing daycare facility into zoning compliance. The daycare has been in operation since 2004 and has 12 employees with hours of operation of 6:30am to 6:00pm, Monday through Friday. Current student enrollment is 58, but the center is licensed for up to 79. The property used to be within the Village of DeForest but has since been detached to the Town of Windsor.

OBSERVATIONS: The property is located in the Windsor Ridge subdivision. Neighboring uses are primarily residential in nature. Per the subdivision’s covenants and restrictions, the property is permitted to be used for a daycare or preschool. No sensitive environmental features observed. No new development proposed.

TOWN PLAN: The property is located in the town’s “mixed residential” planning area. The town acknowledges the existence and continued operation of the daycare facility in the comprehensive plan.

RESOURCE PROTECTION: No resource protection corridors on the property.

STAFF: The proposal appears consistent with town plan policies. Pending any neighborhood concerns presented at the public hearing, staff recommend several conditions of permit approval (see attached).

TOWN: Approved with 9 conditions.

Proposed Conditional Use Permit # 2316

In order for an applicant to obtain a Conditional Use Permit, the Zoning and Land Regulation Committee must find that all of the following standards are met for the proposed land use:

1. The establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or 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; and
5. That adequate measures have been or will be being taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets; and
6. That the conditional use shall conform to all applicable regulations of the district in which it is located.

Staff has prepared a list of conditions that may be used in order to meet the six standards as listed above to allow the conditional use on the property. Please note that the conditions may need to be changed or additional conditions added to address potential nuisances that may come to light during the public hearing.

1. The Conditional Use approval is limited to Tax Keys 0910-293-0502-0 and 0910-293-0514-0, approximately 0.891 acres.
2. The Conditional Use approval is limited to ZARN Properties, LLC (d.b.a. The Ginger Bread House) to operate a daycare center.
3. The Operational Plan shall reflect the hours of operation as: Monday - Friday, 6:30am to 6:00pm.
4. The Operational Plan shall reflect a total of twelve (12) full-time employees or parttime equivalent.
5. The Operational Plan shall prohibit the storage of materials outside on an enclosed building.
6. The Operational Plan shall require the enclosure of the existing trash (dumpster) area with evergreen trees and shrubs, walls with materials related to and compatible with the building, or a combination.
7. The Site Plan shall reflect a minimum of eighteen (18) parking stalls including one (1) handicap parking stall.
8. The Site Plan shall reflect the construction of one (1) on-premise advertising sign and one (1) wall sign as presented to the Town of Windsor Plan Commission at its meeting on June 16, 2015.
9. The Petitioner shall reimburse the Town of Windsor for all costs and expenses incurred by Windsor in connection with the review and approval of the Conditional Use, including, but not limited to, the cost of professional services incurred by the Town of Windsor for the review and preparation of required documents, attendance at meetings or other related professional services.