



Staff Report

Public Hearing: **February 27, 2018**

Petition: **CUP 02410**

Zoning Amendment:
NONE

Town/sect:
**CROSS PLAINS,
Section 26**

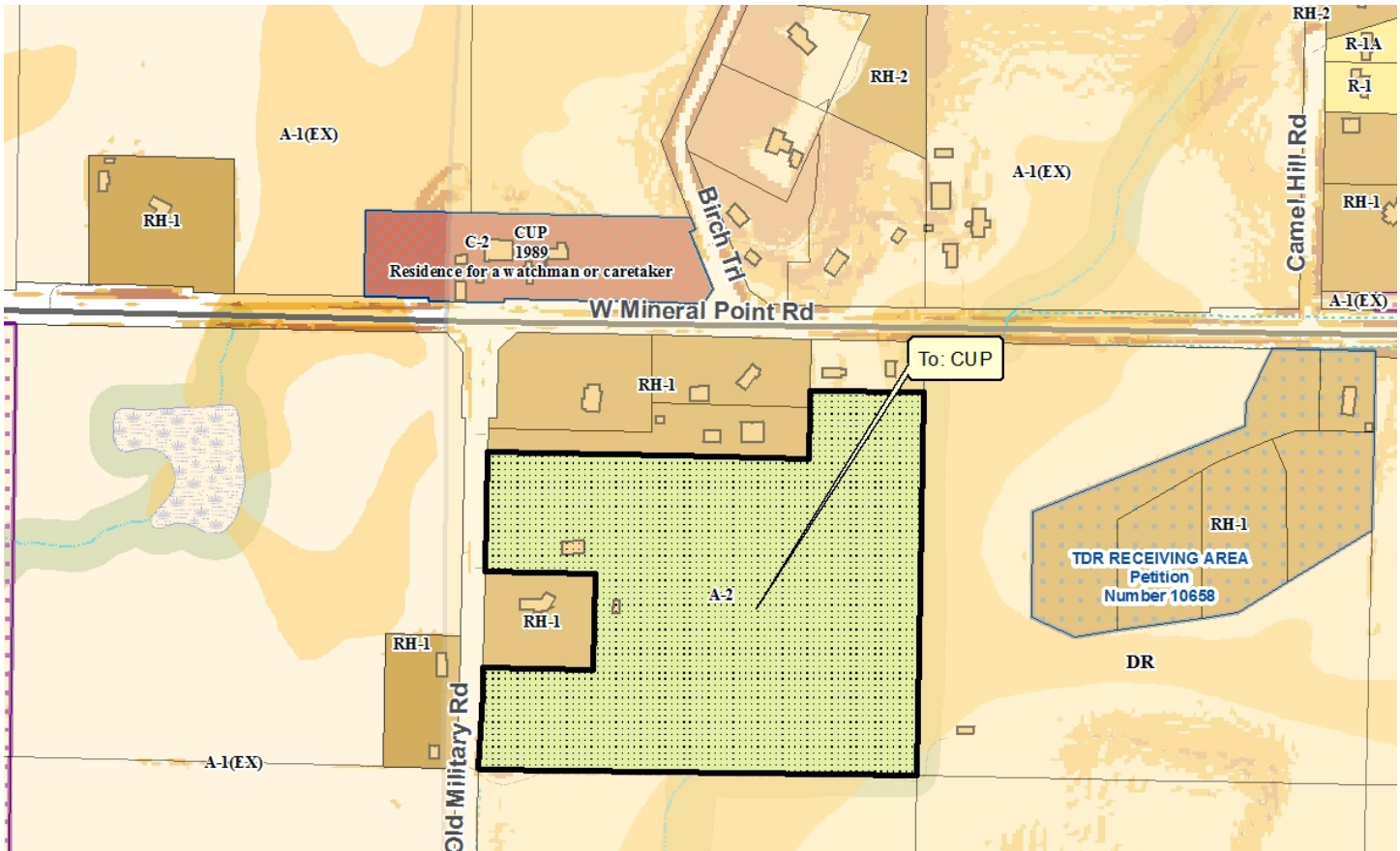
Zoning and Land Regulation Committee

Acres: 27
Survey Req. NO

Applicant
**LAURENCE D
THIEMANN**

Reason:
CUP: PRIVATE DOG PARK

Location:
**EAST OF 3700 OLD
MILITARY RD**



DESCRIPTION: Applicant wishes to create a private dog park to provide an exercise area for up to 20 people and their dogs at a time.

OBSERVATIONS: There is an existing agricultural accessory building on the property and 5 residences on adjoining properties.

TOWN PLAN: The property is in a Farmland Preservation Area in the town/county comprehensive plan and the Dane County Farmland Preservation Plan.

RESOURCE PROTECTION: An intermittent tributary to the Sugar River flows from north to south along the eastern edge of the A-2 lot. Shoreland zoning standards related to impervious surfaces, native vegetation removal and location of any new structures will apply.

STAFF: See proposed conditions of approval on next page.

TOWN: The Town has approved the conditional use permit with 4 conditions requiring fencing, insurance, parking, and hours of operation. Staff has incorporated the Town's conditions into the suggested conditions below.

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. All operations and improvements must conform to the site plan provided with this application.
2. Hours of operation shall be from dawn to dusk.
3. No more than 20 people and their dogs shall be on the premises at any given time.
4. Offsite parking, consistent with s.10.18, Dane County Code, for at least 20 vehicles must be provided.
5. Any materials or supplies associated with the dog park will be stored indoors.
6. Landowners must provide for adequate pet waste removal and appropriate disposal. Copies of any contracts for waste removal services will be provided to the zoning administrator. Covered waste collector bins must be provided near park gates.
7. The landowner shall retain liability insurance for the operation of a dog park on the property.
8. The entire perimeter of the dog park area must be fenced. Fences must be a minimum of 4 feet in height, constructed of durable, scratch-resistant material and maintained in good condition. All gates shall be of double-gated design to reduce risk of pet escape.
9. All dogs on the site must wear collars and ID tags at all times and have all required licenses and inoculations.
10. Shade, drinking water (for both people and dogs) and benches shall be provided on the dog park site.
11. Signage, conforming to appropriate requirements of the Dane County sign ordinance (Subchapter II, Chapter 10, Dane County Code), shall be posted at each park gate. Signs shall indicate hours of operation, contact telephone numbers for park operators and park rules.