



Staff Report

Public Hearing: **December 11, 2017**

Petition: **Petition 11233
CUP 02403**

Zoning Amendment:
**A-1EX Agriculture District TO A-2
(4) Agriculture District**

Town/sect:
PRIMROSE, Section 10

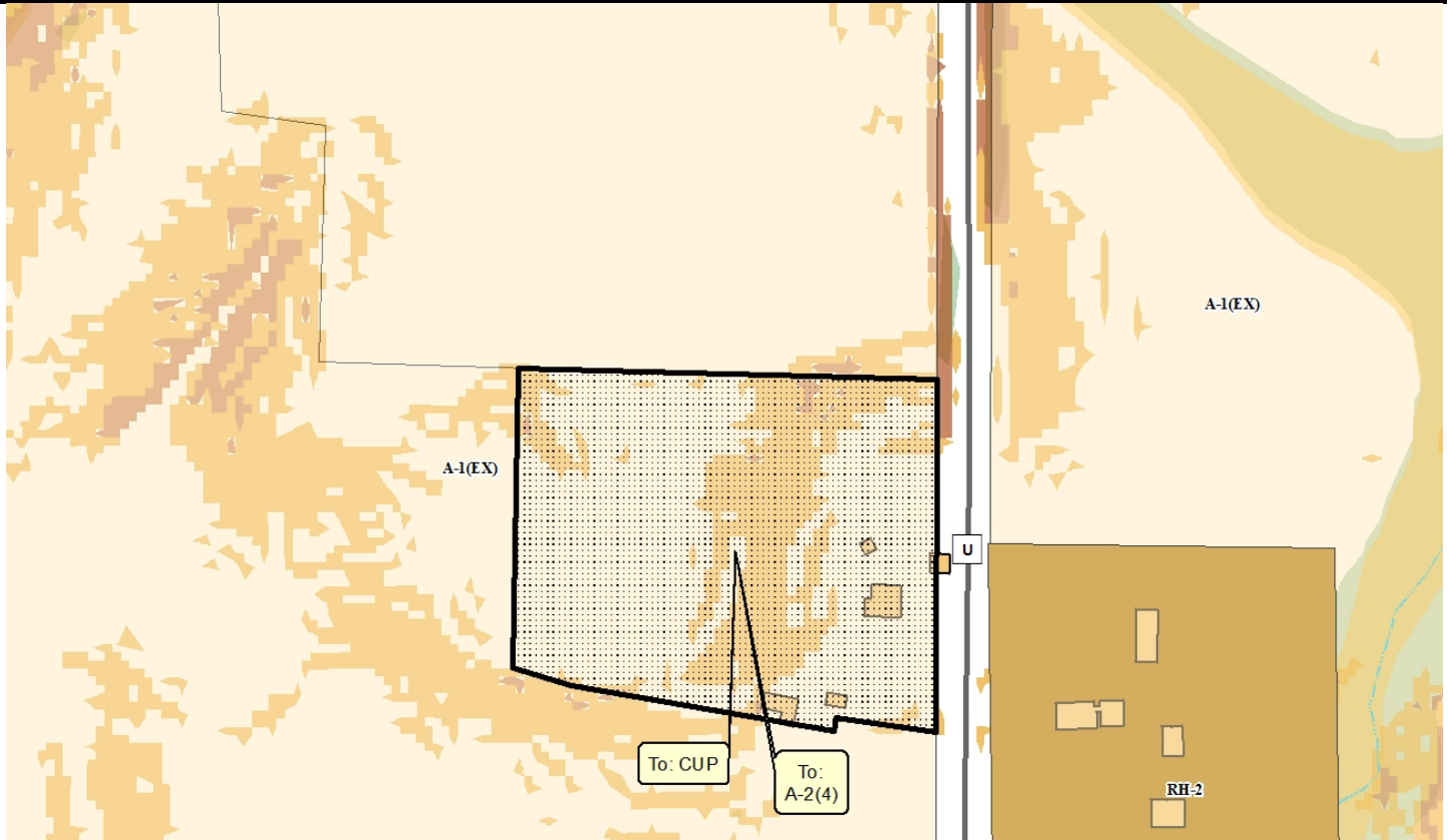
Zoning and Land Regulation Committee

Acres: 5
Survey Req. No

Applicant
GLENN C REYNOLDS

Reason:
**Zoning to allow for a Limited
Family Business
TO CUP: SPOT REZONE AND
CUP FOR LIMITED FAMILY
BUSINESS AND SANITARY
FIXTURE APPROVALS**

Location:
**1261 COUNTY
HIGHWAY U**



DESCRIPTION: Applicant would like to establish a limited family business for a yoga studio, with associated sanitary facilities, in an existing accessory building.

OBSERVATIONS: Proposed use would take place in a new accessory building.

TOWN PLAN: The property is in a Farmland Preservation Area in the Town of Primrose / Dane County Comprehensive Plan. Density standards apply (see density study in file). The town/county plan allows for **“...limited commercial development as is needed to support existing agricultural activities, provide supplemental income for farm families or provide agricultural-related services. Commercial development must not result in environmental degradation, inappropriate traffic volumes or conflict with farming operations.”**

RESOURCE PROTECTION: There are no resource protection corridors on this parcel.

COUNTY HIGHWAY: County Highway U is not a controlled access highway. Any change of land use will require a permit to be obtained from the County Highway Department.

STAFF: See recommended conditions of approval on Page 2.

TOWN: Approved on 12/4/2017, with no conditions.

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 use is limited to a dance studio, with occasional indoor entertainment activities. Total attendance must not exceed 25 people at any given time.
2. All activities must take place indoors. No trash receptacles or loudspeakers are permitted outdoors.
3. Outdoor lighting must be downward-directed, and designed to limit spill onto neighboring properties.
4. No more than one non-family employee is permitted.
5. Landowner will provide 24 off-street parking spaces, consistent with the dimensions described in s. 10.18 and with gravel or impervious surface.
6. Automobile traffic is limited to personal vehicles only. No buses, passenger vans or limousines permitted.
7. The proposed use shall conform, in all respects, to the site plan and operational plan submitted as part of this application.
8. Hours of operation shall be limited to: 4 p.m. to 8 p.m. on weekdays and 9 a.m. to 11:30 p.m. on weekends.
9. Plumbing fixtures shall be allowed in the the accessory building. The sanitary fixtures are intended to support the commercial and agricultural uses on the property. Using the sanitary fixtures for residential purposes or used to support living quarters in the the accessory building is strictly prohibited.
10. Prior to the installation of any sanitary facilities, the existing onsite wastewater treatment system shall be inspected by a licensed plumber to determine its capacity to handle estimated wastewater at peak capacity. Any deficiencies must be corrected, at the owner's expense, and the entire sanitary system brought into compliance with current sanitary code requirements for new construction.
11. No portion of the accessory building shall be used for human habitation.
12. Violation of any of these conditions shall be grounds for revocation of the Conditional Use Permit.