



# Staff Report

Zoning and Land Regulation Committee

Public Hearing: **June 24, 2014**

Zoning Amendment:  
**None**

Acres: 0.43  
Survey Req. No

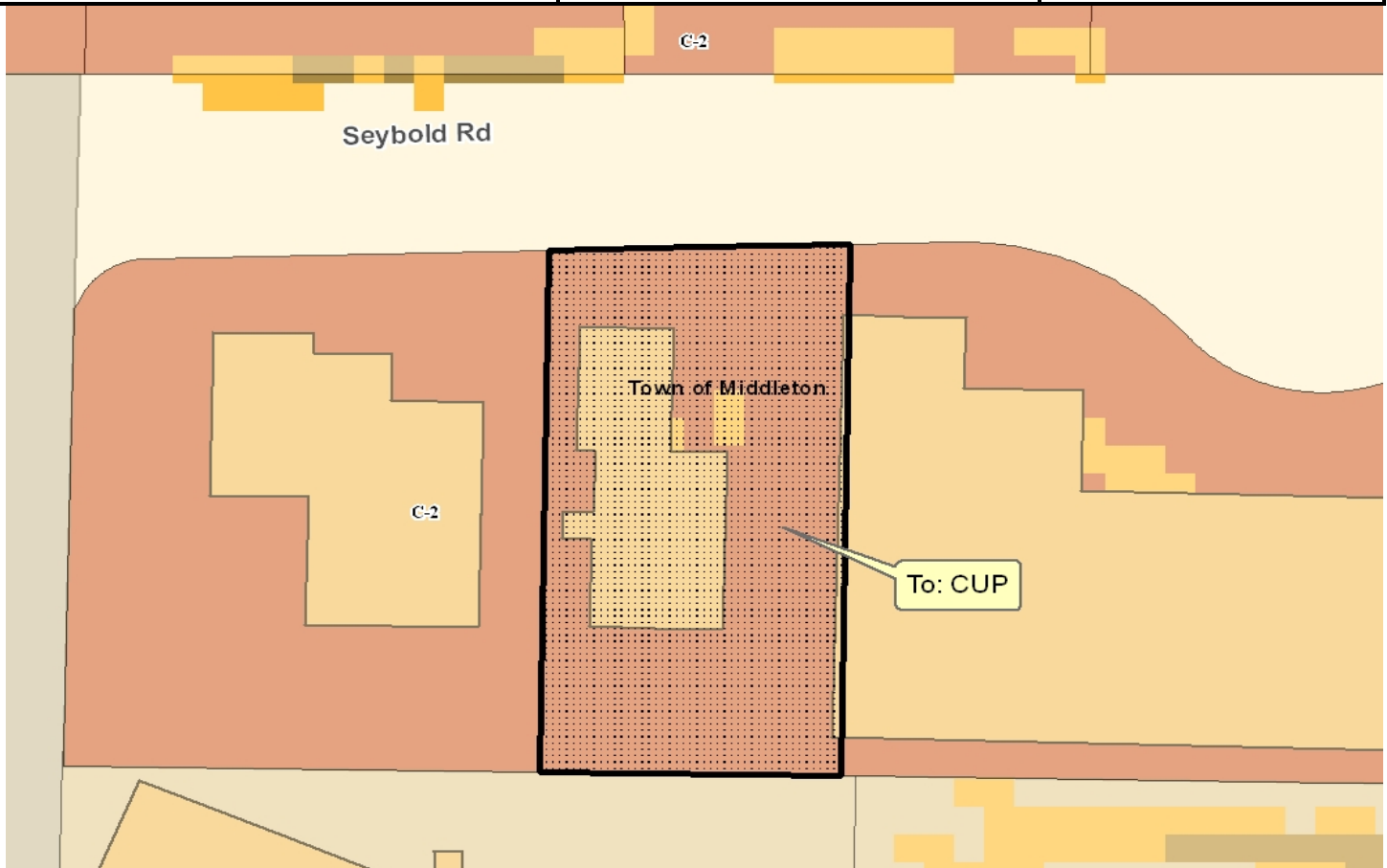
Reason:  
**Car wash**

Petition: **CUP 2274**

Town/sect:  
**Middleton  
Section 25**

Applicant  
**Joseph G Paskus**

Location:  
**6515 Seybold Road**



**DESCRIPTION:** Applicant is requesting approval of a conditional use permit to allow a car wash on the property to service the applicant's auto sales and repair facility located nearby at 6624 Seybold Road (Field's Auto Group). The car wash would not be open to the general public.

**OBSERVATIONS:** The property is located in a town of Middleton "island" surrounded by the city of Madison. The surrounding properties along Seybold road are all in commercial, service-oriented uses.

**TOWN PLAN:** The property is located in a designated commercial area in the town's comprehensive plan. Town plan policies allow for commercial uses in the area.

**RESOURCE PROTECTION:** There are no areas of resource protection corridor located on the property.

**STAFF:** The proposed use appears consistent with town plan policies and the town / city of Madison cooperative plan. Please see attached draft proposed conditions.

**6/24 ZLR:** The petition was postponed due no town action and public opposition concerning the proposed land use's affect on the private wells in the area.

**TOWN:** Approved with conditions See attached.

## Proposed Conditional Use Permit # 2274

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, or to incorporate conditions required by the town of Middleton.

1. The car wash shall be limited to servicing dealer inventory and customers of the auto dealership located at 6624 Seybold Road. The car wash shall not be open to the general public.
2. The car wash shall only be operated during the following times:  
Monday — Thursday: 7:30 a.m. to 8:00 p.m.  
Friday: 7:30 a.m. to 6:00 p.m.  
Saturday: 9:00 a.m. to 5:00 p.m.  
Sunday: Closed
4. The existing business sign which lies partially within the Seybold Road right-of-way shall be removed prior to the operation of a car wash on the property and all additional exterior signage shall comply with the Dane County Code of Ordinances, Town of Middleton Ordinances and be approved by the Town Board.
5. Outside loudspeakers are prohibited.
6. No mechanical dryers shall be used in connection with the car wash.
7. If a mechanical car wash system other than the Hercules 3000 System is utilized on the property and such other system generates noise in excess of 70 dB as measured from the property boundary, following written notice from the Town, the overhead door(s) to the car wash shall be closed while the car wash is in operation.
8. Access to the car wash shall be provided by one of the existing overhead doors on the building or the proposed overhead doors per the Site Plan dated April 10, 2014.
9. The applicant to make an offer to both McDermott's Service and Repair and Farley's House of Pianos to conduct a well pump test on the existing well at 6515 Seybold Road, and if either accept the offer within one week of receipt, the applicant shall pump at 15 to 20 gallons per minute for 2 hours while monitoring the impact on the adjacent well(s). Applicant agrees to evaluate the impact further and propose an alternate evaluation or proposal if the water level in either well is drawn down more than 2 vertical feet during the test.
10. The applicant acknowledges that the parking spaces in Town right-of-way may be removed in the future at the Town's discretion without compensation.