



# Staff Report

Public Hearing: **April 29, 2014**

Petition: **Rezone 10670  
CUP 2269**

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

Town/sect:  
**Cross Plains  
Section 15**

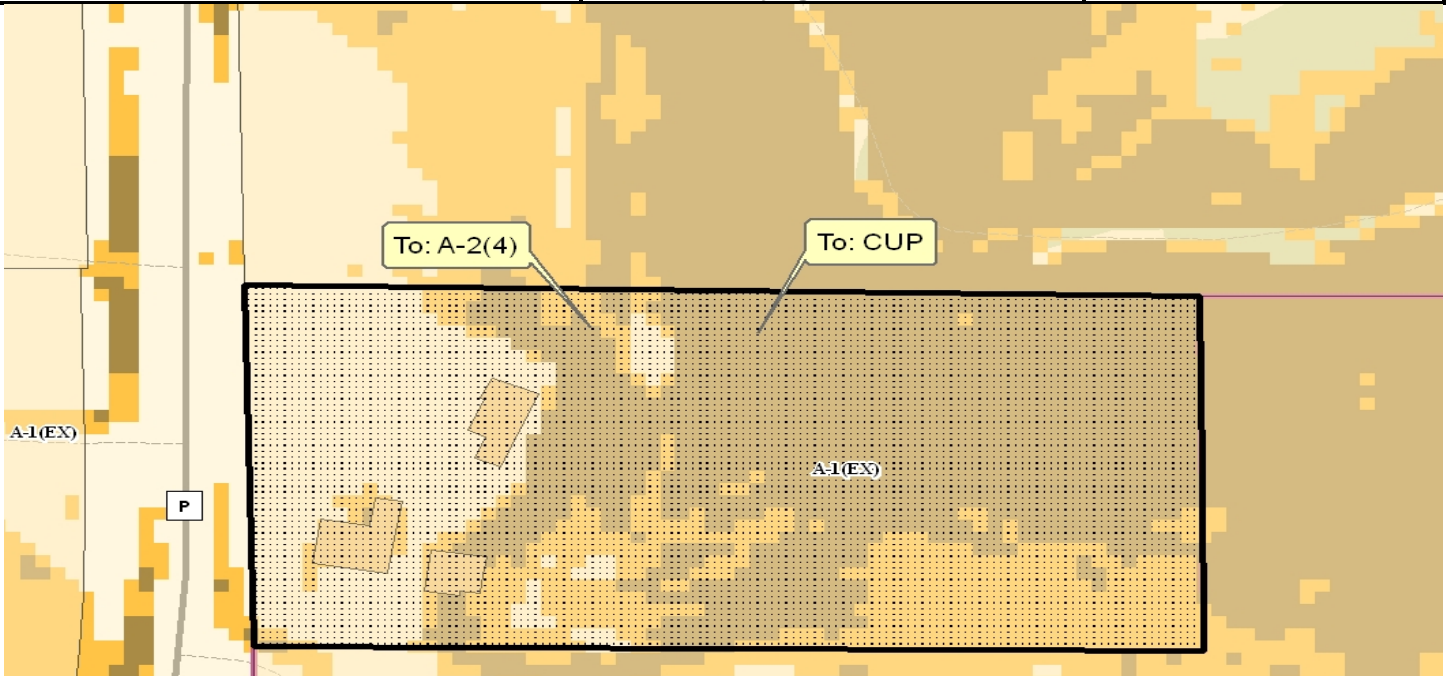
Acres: *4.0*  
Survey Req. No

Applicant  
**Marit C Sathrum**

Reason:  
**Zoning to allow a limited family  
business to occur on property  
Description: Limited Family  
Business - yoga studio**

Location:  
**4204 County Highway P**

Zoning and Land Regulation Committee



**DESCRIPTION:** The applicant would like to change the zoning of an existing sub-standard lot in order to obtain a conditional use permit. The conditional use permit would allow the applicant to start a yoga studio under a limited family business land use.

**OBSERVATIONS:** There is an existing single-family residence on the property along with several outbuildings. The majority of the property is wooded with slopes exceeding 20% grade which slope down from the road. There are no sensitive environmental features observed.

The owner would like to hold yoga classes and retreats on the property. The maximum number of classes would be 25 per week. Each class would have approximately 6 to 15 persons. Occasionally classes will be held outside, weather permitting.

**TOWN PLAN:** The property is located in the Farmland Preservation Area. There will be no increase in housing density as part of this petition. A density study has not been performed.

**RESOURCE PROTECTION:** The property falls outside the Town's resource protection area. Development of lands with slopes greater than 20% is limited.

**DANE COUNTY HIGHWAY:** County Highway P is a controlled access highway. Any change in use to an access will require a permit to be obtained from the department.

**STAFF:** The proposed zoning will bring the property into conformance with current zoning regulations. See attached suggested conditions for the conditional use permit.

**TOWN:** The change of zoning and the conditional use permit was approved by the Town with no conditions.

## Proposed Conditional Use Permit # 2269

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 business shall be limited to a yoga studio / yoga retreat facility.
2. Hours of operation shall be limited to 7am to 9pm daily.
3. Classes shall be limited to 25 per week. Class participants shall be limited to 30 persons.
4. Adequate parking facilities shall be located on the property. Parking on County Highway P is prohibited.
5. Any added outdoor lighting shall be dark sky compliant.
6. Outside loudspeakers are prohibited.
7. Signs shall comply with Dane County Code of Ordinances.
8. All employees, except one or one full-time equivalent, shall be a member of the family residing on the property.