



Dane County Zoning Division

City-County Building
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DANE COUNTY CONDITIONAL USE PERMIT #2453

THE ZONING AND LAND REGULATION COMMITTEE OF THE DANE COUNTY BOARD PURSUANT TO SECTION 10.255(2) OF THE DANE COUNTY CODE OF ORDINANCES DOES HEREBY:

GRANT Conditional Use Permit # 2453 for outdoor entertainment and residential uses within the General Commercial Zoning District pursuant to Dane County Code of Ordinances Section 10.272, subject to any conditions contained herein:

EFFECTIVE DATE OF PERMIT: Pending Town approval

THE CONDITIONAL USE SHALL BE LOCATED ON THE PROPERTY DESCRIBED AS FOLLOWS:

LOCATION: 3200 Larsen Road, Town of Blooming Grove, Dane County, Wisconsin.

Legal Description:

A parcel of land located on part of Lot 2 Certified Survey Map No. 8235, recorded in the Dane County Register of Deeds Office in Volume 44 of Certified Surveys, Pages 196 through 198, as Document No. 2770209. Located in the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 31, T7N, R10E, Town of Blooming Grove, Dane County, Wisconsin, being more particularly described as follows: Commencing at the West - Northwest corner of said Lot 2 Certified Survey Map No. 8235; thence S 02°23'03" W along said Lot 2 Certified survey Map No. 8235, 19.76 feet to the point of beginning. Thence continue along said Lot 2 Certified Survey Map No. 8235 for the next 5 courses. S 02°23'03" W, 1044.34 feet; thence along an arc of a curve concaved easterly having a radius of 25.00 feet and a long chord bearing of S 43°54'04" E, 34.53 feet; thence S 89°32'17" E, 1238.75 feet; thence N 00°49'30" E, 1295.14 feet; thence N 89°42'31" W, 313.87 feet; thence South, 509.56 feet; thence N 89°42'22" W, 419.33 feet; thence N 02°21'48" E, 180.00 feet; thence N 77°57'22" W, 523.62 feet to the point of beginning. This parcel contains 1,260,419 sq. ft. or 28.84 acres thereof.

CONDITIONS:

1. The physical development and operation of the conditional use must conform, in all respects, to the approved site plan, operational plan, and phasing plan.

2. New and existing buildings proposed to house a conditional use must be constructed and maintained to meet the current requirements of the applicable sections of the Wisconsin Commercial Building Code or Uniform Dwelling Code.
3. The applicant shall apply for, receive and maintain all other legally required and applicable local, county, state and federal permits. Copies of approved permits or other evidence of compliance will be provided to the zoning administrator upon request.
4. Any ongoing business operation must obtain and continue to meet all legally required and applicable local, county, state and federal licensing requirements. Copies of approved licenses or other evidence of compliance will be provided to the zoning administrator upon request.
5. The operation shall be served by public sewer.
6. The Zoning Administrator or designee may enter the premises of the operation in order to inspect those premises and to ascertain compliance with these conditions or to investigate an alleged violation. Zoning staff conducting inspections or investigations will comply with any applicable workplace safety rules or standards for the site.
7. The owner or operator must keep a copy of the conditional use permit, including the list of all conditions, on the site, available for inspection to the public during business hours.
8. Failure to comply with any imposed conditions, or to pay reasonable county costs of investigation or enforcement of sustained violations, may be grounds for revocation of the conditional use permit. The holder of a conditional use permit shall be given a reasonable opportunity to correct any violations prior to revocation.
9. Outdoor lighting shall be direct down-lit full cutoff fixtures. If the fixtures are mounted on posts, the maximum mounting height shall be 15 feet. The maximum light produced shall not exceed 3 foot candles. The Kelvin temperature of the lighting shall not exceed 3000K.
10. The amplified sounds shall not exceed 65 decibels DbA measured along Larson Road, south property line, or east property line. All amplified music events shall be held indoors. Outdoor amplified music events are prohibited.
11. The landowner shall obtain street access approval from the Town of Blooming Grove. The landowner shall install any driveway improvement features as deemed necessary by the Town at the landowner's expense.
12. On-site parking must be provided as per submitted operations plans. The parking areas and drive paths shall be paved as designated on the operations plan. Landscaping and screening shall be installed around the parking that meet the City of Madison Landscaping and Screening requirements Ordinance 28.42.
13. The hours of operation shall be 10:00 AM to 11:00 PM on Friday through Sunday, 8:00am to 10:00pm on Mondays through Thursday.

THE ZONING AND LAND REGULATION COMMITTEE AFTER PUBLIC HEARING AND IN THEIR CONSIDERATION OF THE CONDITIONAL USE PERMIT MADE THE FOLLOWING FINDINGS OF FACT:

1. That the establishment, maintenance and operation of the proposed conditional use will not be detrimental to or endanger the public health, safety, morals comfort or general welfare.
2. That the uses, values, and enjoyment of other property in the neighborhood for purposes already permitted will not be substantially impaired or diminished by the establishment, maintenance, and operation of the proposed conditional use.
3. That the establishment of the proposed conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
4. That adequate utilities, access roads, drainage and other necessary site improvements will be made.
5. That adequate measures will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
6. That the proposed conditional use does conform to all applicable regulations of the district in which it is proposed to be located.

EXPIRATION OF PERMIT

In addition to any time limit established as a condition in granting this CUP, Section 10.25(2)(n) of the Dane County Code of Ordinances provides that any use for which a conditional use permit has been issued, upon its cessation or abandonment for a period of one year, will be deemed to have been terminated and any future use shall be in conformity with the ordinance.