

Dane County Conditional Use Permit Application

Application Date	C.U.P Number
11/22/2017	DCPCUP-2017-02406
Public Hearing Date	
02/27/2018	

OWNER INFORMATION	AGENT INFORMATION
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OWNER NAME TOAD HILL CHILDRENS HOUSE LLC	Phone with Area Code	AGENT NAME REBECCA KATZENMEYER	Phone with Area Code (608) 658-9121
BILLING ADDRESS (Number, Street) 4418 MILWAUKEE ST		ADDRESS (Number, Street) 4560 RUSTIC DR	
(City, State, Zip) MADISON, WI 53714		(City, State, Zip) MADISON, WI 53718	
E-MAIL ADDRESS		E-MAIL ADDRESS INFO@BLOOMINGGROVEMONTESSORI.COM	

ADDRESS/LOCATION 1		ADDRESS/LOCATION 2		ADDRESS/LOCATION 3	
ADDRESS OR LOCATION OF CUP		ADDRESS OR LOCATION OF CUP		ADDRESS OR LOCATION OF CUP	
4560 RUSTIC DR					
TOWNSHIP BLOOMING GROVE	SECTION 2	TOWNSHIP	SECTION	TOWNSHIP	SECTION
PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED	
0710-024-8235-0		---		---	

CUP DESCRIPTION

CHILD CARE CENTER AND MONTESSORI SCHOOL IN RH-1

DANE COUNTY CODE OF ORDINANCE SECTION	ACRES
10.09(2)(a) and 10.09(2)(g)	4.329

DEED RESTRICTION REQUIRED?	Inspectors Initials	SIGNATURE:(Owner or Agent)
<input type="checkbox"/> Yes <input type="checkbox"/> No Applicant Initials _____	SLJ3	
		PRINT NAME:
		Rebecca Katzenmeyer
		DATE:
		11/22/17



DANE COUNTY
PLANNING & DEVELOPMENT

Conditional Use Application

Application Fee: \$486 Mineral Extraction: \$1136

Zoning Division
Room 116, City-County Building
210 Martin Luther King Jr. Blvd.
Madison, Wisconsin 53703-3342
Phone: (608) 266-4266
Fax: (608) 267-1540

RECEIVED

NOV 22 2017

Items required to be submitted with application:

- o Written Legal Description of Conditional Use Permit boundaries
- o Scaled drawing of the property showing existing/proposed buildings, setback requirements, driveway, parking area, outside storage areas, location/type of exterior lighting, any natural features, and proposed signs.
- o Scaled map showing neighboring area land uses and zoning districts
- o Written operations plan describing the items listed below (additional items needed for mineral extraction sites)
- o Written statement on how the proposal meets the 6 standards of a Conditional Use

Owner	<u>Rebecca Katzenmeyer</u>	Agent	<u>Rebecca Katzenmeyer</u>
Address	<u>4560 Rustic Dr. Madison 53718</u>	Address	<u>4560 Rustic Dr.</u>
Phone	<u>608/658-9121</u>	Phone	<u>Madison, WI 53718</u>
Email	<u>info@bloominggrovemontessori.com</u>	Email	<u>608/658-9121</u>
			<u>info@bloominggrovemontessori.com</u>

Parcel numbers affected: 0710-024-8235-0 Town: Blooming Grove Section: 2-7-10 PR1 NE 1/4 SEC 10
 Property Address: 4560 Rustic Dr. Madison, WI 53718

Existing/ Proposed Zoning District : RH-1 10.09(2)(a)

- o Type of Activity proposed: Montessori School (child care center) for children aged 6 weeks to 16 years.
- o Hours of Operation 7 a.m. - 5:15 p.m.
- o Number of employees 8-10
- o Anticipated customers: Families in neighborhood and surrounding community
- o Outside storage None
- o Outdoor activities Fenced-in play yards
- o Outdoor lighting At each entrance and over the driveway (on antenna) already in place.
- o Outside loudspeakers None
- o Proposed signs One - 4ft x 4ft at entrance driveway
- o Trash removal Blooming Grove picks up trash every week and recycling every other week.
- o Six Standards of CUP (see back)

The statements provided are true and provide an accurate depiction of the proposed land use. I authorize that I am the owner or have permission to act on behalf of the owner of the property

Submitted By:

Date: 11/17/17

Six Standards of a Conditional Use Permit

Provide an explanation on how the proposed land use will meet all six standards.

1. The establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or general welfare.

Expanding child care options improves the comfort and general welfare for the community.

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.

The current building is only 1/2 full, and can accommodate up to 80 children with its current square footage, we would like to build an additional structure within 5-10 years, which is less than the previously proposed

3. That 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.

12 single-family homes, and thus has minimal impact.

This is an asset to the community and many families in the neighborhood use our services.

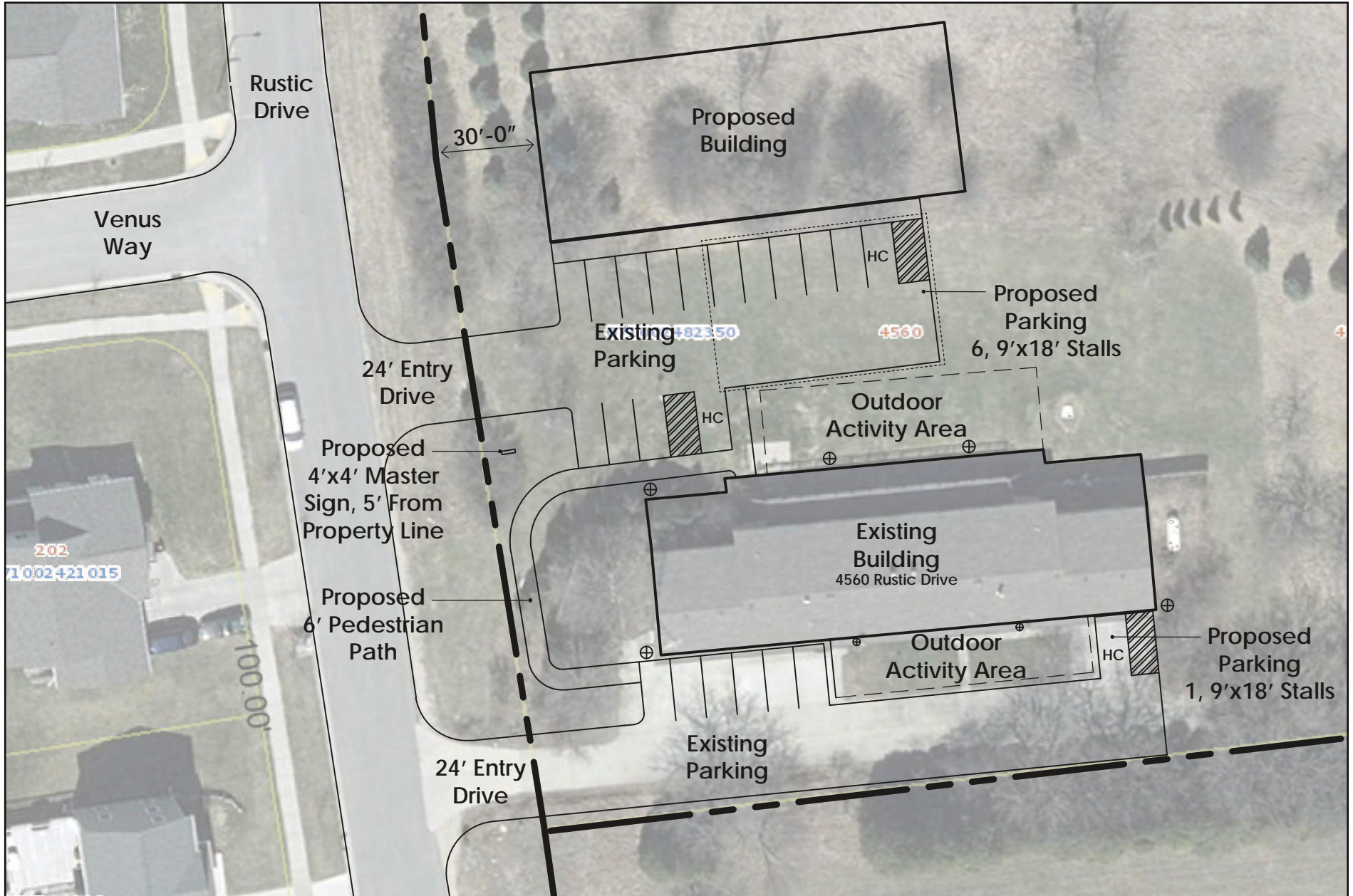
4. That adequate utilities, access roads, drainage and other necessary site improvements have been or are being made.

All of these conditions have been met.

5. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

Children arrive in groups of 20 between 7:50-8:10 and 20 more between 8:10-8:30, we would add two more dropoff times of 7:30-7:50 and 8:30-8:45 to accommodate 40 more children.

6. That the conditional use shall conform to all applicable regulations of the district in which it is located.



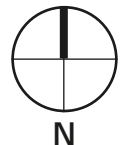
Conditional Use Permit Application

4560 Rustic Drive
 Madison, WI 53718

Date: 7/13/15
 Rev: 3/06/18
 Plan Created by: L. Koehnke



Scale: 1" = 40'



Blooming Grove Montessori School currently has a conditional use permit. Below are our new proposed conditions.

Former Condition

New Proposed Condition

The enrollment at the daycare center shall be limited to 40 children.

The enrollment at the daycare center shall be limited to 80 children aged 6 weeks to 16 years.

Hours of operation shall be from 7 a.m. to 6 p.m. Monday through Friday.
(No change.)

Arrival and departure times shall be staggered to minimize traffic.
(No change.)

The parking area on the south side of the building shall be devoted to employee parking. The driveway shall be widened to a minimum of 24 feet and the parking area installed per the presented plan prior to the operation of the daycare center.

(Remove - driveway has been widened to a minimum of 24 feet, and employees park in the parking lots to the north and south of the building.)

The proposed parking area on the north side of the facility shall be installed at the time the facility exceeds 8 children. The parking area shall be designed to one parking space per 2.5 students. The parking area shall have a minimum of 28 feet wide drive aisle with 9'x18' stalls.

The parking area on the north side of the facility shall be designed to one parking space per 6 students. (See attached document regarding this parking requirement. Remaining conditions here have been met.)

Parking shall be prohibited along Rustic Road or until such time as a sidewalk is installed along the east side of Rustic Drive.

Parking shall be prohibited along Rustic Drive or until such time as a sidewalk is installed along the east side of Rustic Drive - part of the 10-year plan includes annexation which requires curb and gutter.

The sanitary system shall be approved by the Department of Health for the operation of the daycare facility prior to opening.

(Remove - this step was completed and the septic is able to accommodate enrollment of 40 children.)

Exterior lights shall conform to the presented site plan.

(Remove or no change - this step was successfully completed.)

A change of use permit shall be obtained from the Dane County Zoning Division to convert the duplex into a daycare facility.

(Remove - this was successfully done.)

All signs shall comply with Dane County Code of Ordinances.

(No change.)

(New)

A second building will be erected on the property to accommodate children when the existing building meets its proposed capacity of 80 children per state approved plans.



Dane County Zoning Division

City-County Building

210 Martin Luther King, Jr., Blvd., Room 116

Madison Wisconsin 53703

(608) 266-4266/266-9083

Fax (608) 267-1540

DANE COUNTY CONDITIONAL USE PERMIT #2323

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 #2323 for a Daycare facility in the RH-1 Zoning District pursuant to Dane County Code of Ordinance section 10.09(2) and subject to any conditions contained herein.

EFFECTIVE DATE OF PERMIT: September 29, 2015

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

SEC 2-7-10 PRT NE1/4SE1/4 COM SEC E1/4 CO R TH S 466.8 FT TH S87DEGW 466.8 FT TH S73DEGW 217.09 FT TO POB TH S39DEGE 509.31 FT TH S15DEGW 112.82 FT TH S83DEGW 494.02 FT TH N9DEGW 100 FT TH ALG CRV TO R RAD 2292 FT LC N4DEGW 390.67 FT TH N73DEGE 260 FT TO POB 5.096 ACRES (AKA UNRECORDED PLAT OF RUSTIC ACRES PCL G)

Parcel address: 4562 Rustic Drive, Section 02, Town of Blooming Grove , Dane County, Wisconsin

CONDITIONS:

1. The enrollment at the daycare center shall be limited to 40 children.
2. Hours of operation shall be from 7:00am to 6:00pm Monday through Friday.
3. Arrival and departure times shall be staggered to minimize traffic.
4. The parking area on the south side of the building shall be devoted to employee parking. The driveway shall be widened to a minimum of 24 feet and the parking area installed per the presented plan prior to the operation of the daycare center.
5. The proposed parking area on the north side of the facility shall be installed at the time the facility exceeds 8 children. The parking area shall be designed to one parking space per 2.5 students. The parking area shall have a minimum of 28 feet wide drive aisle with 9'x18' stalls.
6. Parking shall be prohibited along Rustic Road or until such time as a sidewalk is installed along the east side of Rustic Drive.
7. The sanitary system shall be approved by the Department of Health for the operation of the daycare facility prior to opening.
8. Exterior lighting shall conform to the presented site plan.
9. A change of use permit shall be obtained from the Dane County Zoning Division to convert the duplex into a daycare facility.
10. All signs shall comply with Dane County Code of Ordinances.


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

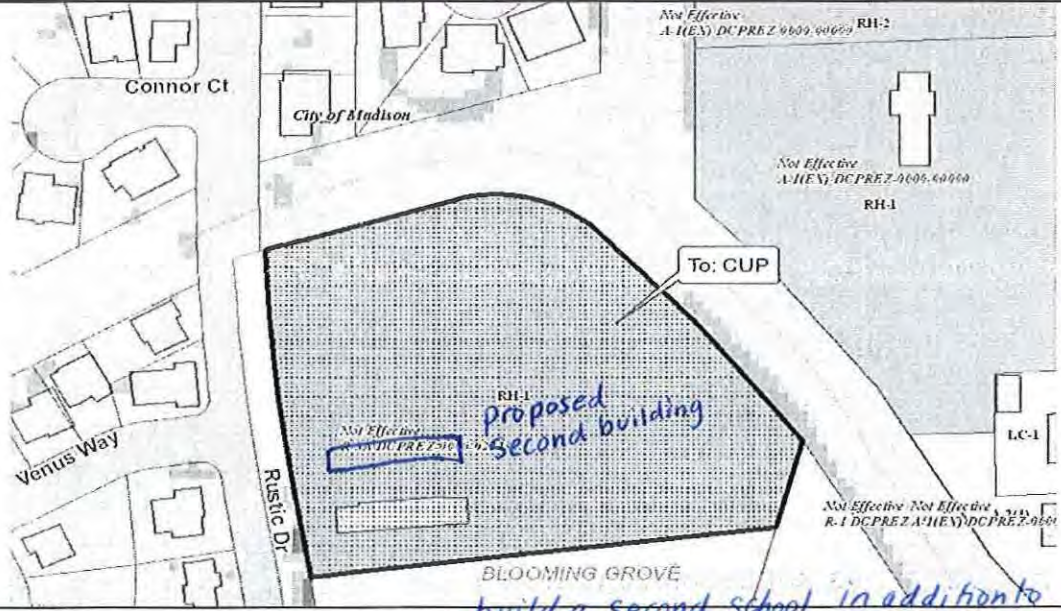
1. That the establishment, maintenance and operation of the proposed conditional use will not be detrimental to or endanger the public health, safety, morals comfort or general welfare.
2. That the uses, values, and enjoyment of other property in the neighborhood for purposes already permitted will not 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.

Changes and additions to existing CUP ☺

 <p>Staff Report</p> <p>Zoning and Land Regulation Committee</p>	Public Hearing: August 25, 2015	Petition: CUP 2323
	Zoning Amendment: None	Town/sect: Blooming Grove Section 02
	Acres: 4.3 Survey Req. No	Applicant Nancy D Turcotte
	Reason: Daycare center <i>Montessori School</i>	Location: 4560 Rustic Drive



Montessori School

DESCRIPTION: Rebecca Katzenmeyer would like to purchase this property and convert the existing duplex into a small daycare center. The proposal is to start the facility by providing services to 80 children. The facility has the ability to expand to service 40 children. Ms. Katzenmeyer currently operates the Toad Hill Montessori School at 4418 Milwaukee Street in Madison. *also*

build a second school in addition to operating as

OBSERVATIONS: The property located in a 40-acre Town island surrounded by the City of Madison. There is an existing duplex located on the 4.3 acres. The surrounding neighborhood consists of a single-family residential subdivision to the west and north. There area larger rural residential lots to the east and south. A regional storm water management waterway is located along the east property line. No sensitive environmental features observed. Since this property is still in the Town of Blooming Grove, there are no sidewalks along the east side of Rustic Drive.

TOWN/CITY PLANS: The subject property is located in the "rural residential" land use district. The purpose of this district is "to maintain the rural character of the town with lower densities and preserved open space within the development". The subject property is also included in the City of Madison *Sprecher Neighborhood Development Plan*, where it is located within the "Low Density Residential" land use district. Low density is considered less than 8 dwelling units per acre. Daycare centers are general considered complementary to residential neighborhood areas.

CITY OF MADISON: The City of Madison has no objections to the proposal. The proposal does not interfere with planned roadways for the area.

RESOURCE PROTECTION: The property is located outside a resource protection area.

STAFF: The existing driveway *now has* does not have an adequate width to facilitate safe vehicular movement. *In addition,* Rustic Drive does not have a pedestrian path along the property. *It is suggested that an* adequate drive and parking facility *be* installed prior to operation of the daycare center to ensure safety of customers. *have been*

TOWN: Approved with no conditions. *current*

8/25 ZLR: The petition was postponed due to public opposition. The neighbors raised concerns regarding traffic volume, noise levels of children, parking, and effects on property values and taxes.

Traffic Volume: In speaking with the City of Madison Engineering Department, Rustic Road is designed as a local street. It is designed to handle 3,000 vehicles per day. A 40-child daycare will produce approximately 160 vehicle trips per day. The daycare would not be a traffic concern as long as adequate parking was available on site.

Noise levels of children: The hours of operation are limited to 7:00am to 6:00pm. The daycare will not be open on the weekends. The amount of children able to be outside at one time is ~~25~~ ²⁵. The nearest residence to the outdoor activity area is 225 feet. Staff feels that the limit hours of operation, the limited amount of children outside at any one time, and the distance to neighboring residences, will not create a nuisance in the neighborhood.

Parking: Parking will be prohibited on Rustic Drive. The ~~daycare~~ ^{School} will have adequate parking for both employees and customers. Aisle width and parking stalls have been increased to ensure ease of parking on site.

Property Values: In speaking with City of Madison Assessor's Office, they found no reduction in home sale prices of houses in close proximity to ~~daycare centers~~ ^{Schools} around the Madison area.

Staff Update: The conditions have been revised to reflect the concerns expressed at the public hearing. The maximum amount of children has been reduced from 50 to 40 students. The parking layout was amended to provide additional spaces.

^{changes} Proposed Conditional Use Permit # 2323

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:

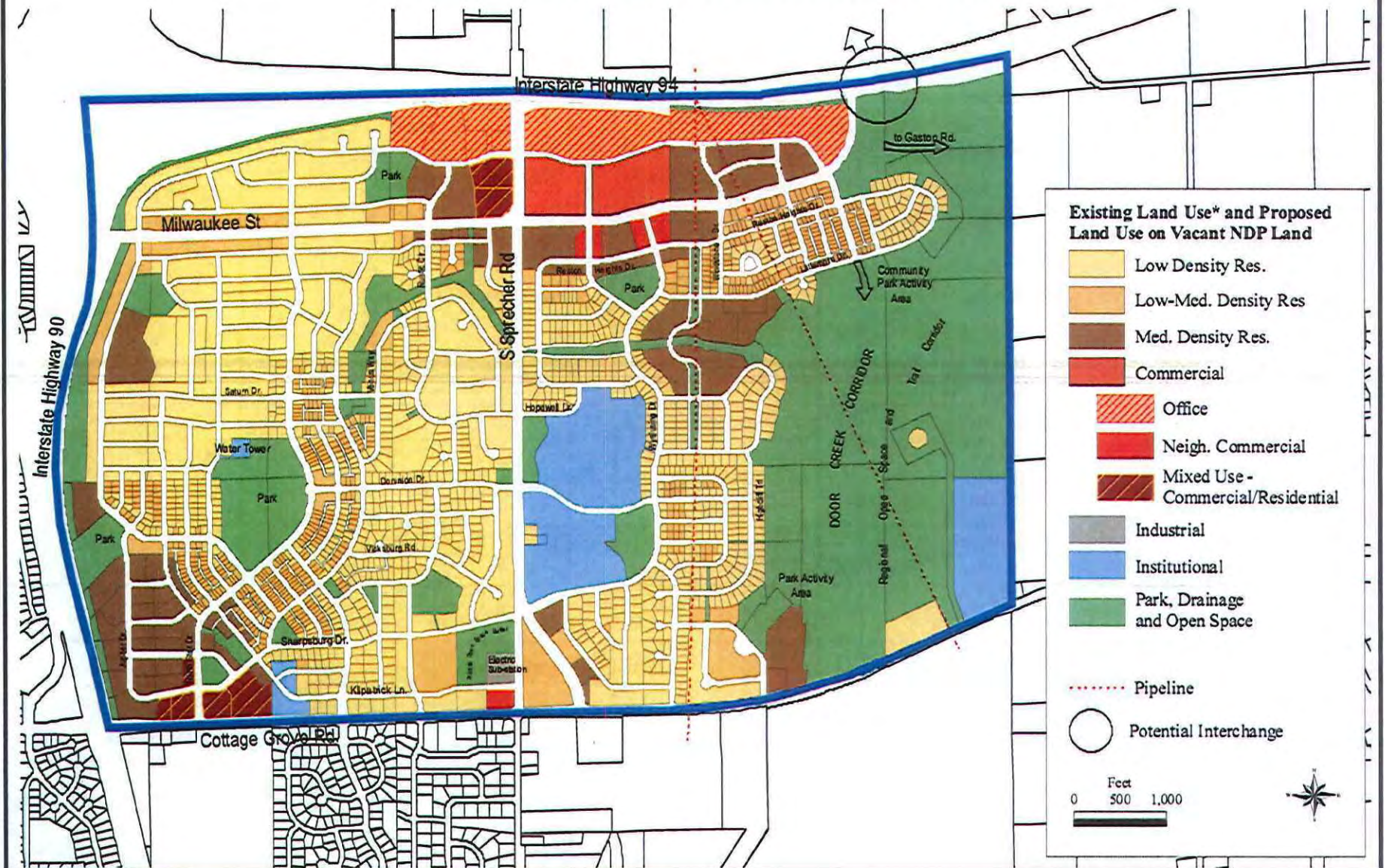
1. The establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or welfare.
2. The uses, values and enjoyment of other property in the neighborhood for purposes already permitted shall be in no foreseeable manner substantially 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 enrollment at the daycare center shall be limited to ~~40~~ ⁸⁰ children. ^{per building.}
- ✓ 2. Hours of operation shall be from 7:00am to 6:00pm Monday through Friday.
- ✓ 3. Arrival and departure times shall be staggered to minimize traffic.
- ✓ 4. The parking area on the south side of the building shall be devoted to employee parking. The driveway shall be widened to a minimum of 24 feet and the parking area installed per the presented plan prior to the operation of the daycare center.
5. The proposed parking area on the north side of the facility shall be installed at the time the facility exceeds 8 children. The parking area shall be designed to one parking space per ~~2.5~~ ⁶ students. The parking area shall have a minimum of 28 feet wide drive aisle with 9'x18' stalls.
- ✓ 6. Parking shall be prohibited along Rustic Road or until such time as a sidewalk is installed along the east side of Rustic Drive.
7. The sanitary system shall be approved by the Department of Health for the operation of the ~~daycare~~ ^{School} facility prior to opening.
- ✓ 8. Exterior lighting shall conform to the presented site plan.
- ✓ 9. A change of use permit shall be obtained from the Dane County Zoning Division to convert the duplex into a daycare facility.
- ✓ 10. All signs shall comply with Dane County Code of Ordinances.

Sprecher Neighborhood Development Plan

As Adopted January 1998, Amended May 1999, May 2001, November 2001 & March 2005
and *implemented through subdivision and zoning approvals



PREPARED FOR:
KERRA MATTHEWS
1800 HILL CHILDRENS HOME
MADISON, VT 05751



ALL BEARINGS ARE REFERENCED
TO TRUE NORTH
SCALE: 1" = 30'

NOTICE OF RECORDATION FOR PLAT OF LANDS
I, the undersigned, being duly qualified under the laws of the State of Vermont, do hereby certify that the foregoing plat of lands, together with the accompanying map and report, were duly surveyed and prepared in accordance with the provisions of the laws of the State of Vermont, and that the same are true and correct copies of the original survey and map, and that the same are being recorded for the purpose of establishing the same as a public record.

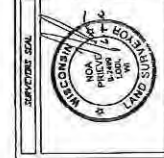
ACKNOWLEDGMENT FOR PLAT OF LANDS
I, the undersigned, being duly qualified under the laws of the State of Vermont, do hereby certify that the foregoing plat of lands, together with the accompanying map and report, were duly surveyed and prepared in accordance with the provisions of the laws of the State of Vermont, and that the same are true and correct copies of the original survey and map, and that the same are being recorded for the purpose of establishing the same as a public record.

LEGEND
○ = SURVEY POINT
● = BENCH MARK
□ = CORNER
△ = POINT OF BEGINNING
— = PROPERTY LINE
--- = UNDEVELOPED PROPERTY LINE
- - - = UNDEVELOPED PROPERTY LINE
- - - = UNDEVELOPED PROPERTY LINE

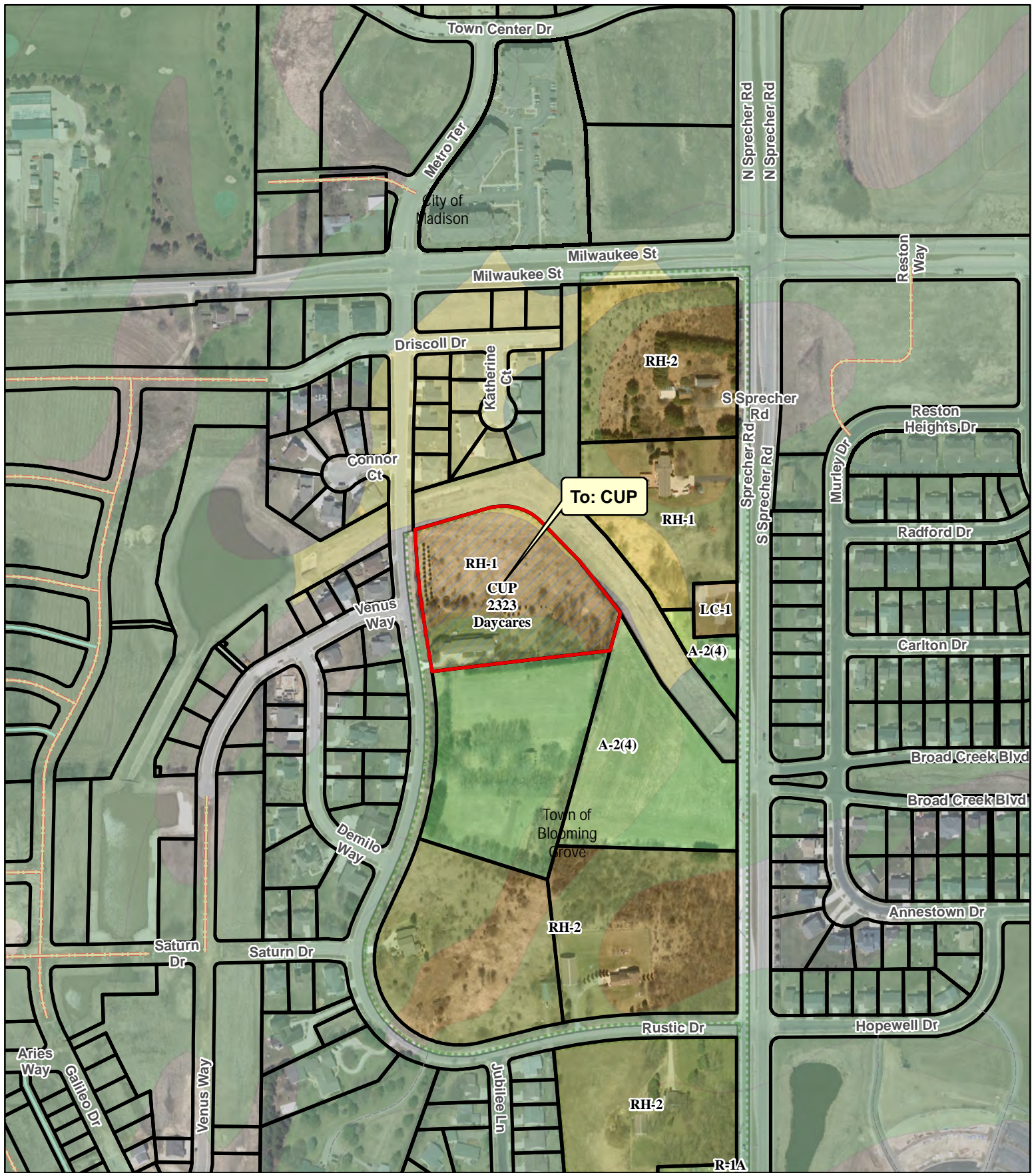


SURVEYOR'S CERTIFICATE
This plat and survey were performed under my supervision, and I certify that the same are true and correct copies of the original survey and map, and that the same are being recorded for the purpose of establishing the same as a public record.

WILLIAMSON SURVEYING & ASSOCIATES, LLC
100 N. F. RIVER ST., SUITE 100
MADISON, VT 05751
PHONE: 802-241-1111
FAX: 802-241-1112
WWW.WILLIAMSONSURVEYING.COM



DATE	SCALE	PROJECT NO.	PROJECT NAME	DATE
2017	1" = 30'	2017-02406	1800 HILL CHILDRENS HOME	08/15/17



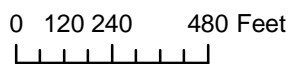
Legend

Significant Soils Floodplain

Class Wetland

Class 1

Class 2



CUP 02406
 TOAD HILL CHILDRENS
 HOUSE LLC