

TOWN BOARD ACTION REPORT – CONDITIONAL USE PERMIT

Regarding Petition # 02258 Dane County ZLR Committee Public Hearing Tuesday, January 28, 2014

Whereas, the Town Board of the Town of Dunn having considered said conditional use permit application, be it therefore resolved that said conditional use permit is hereby (check one): **APPROVED**

DENIED (IF DENIED, PLEASE COMPLETE FINDINGS SECTION ON PAGE 2)

PLANNING COMMISSION VOTE: 5 In Favor 0 Opposed

TOWN BOARD VOTE: 3 In Favor 0 Opposed

Whereas, in support of its decision, the Town Board has made appropriate **findings of fact** that the standards listed in section 10.255(2)(h), Dane County Code of Ordinances, and section 10.123(3)(a), if applicable, are found to be (check one):

SATISFIED

NOT SATISFIED (PLEASE COMPLETE FINDINGS SECTION ON PAGE 2)

THE CONDITIONAL USE PERMIT IS SUBJECT TO THE FOLLOWING CONDITION(S):

Tavern: 1. Hours of operation shall be from 9:00am until 2:00am on Sunday through Thursday, 9:00am until 2:30am on Friday and Saturday. 2. The number of parking spaces shall be maintained at the existing 55 parking stalls. Waubesa Beach Club LLC shall maintain these parking areas. On-site parking shall not be reduced in any fashion. Lighted Volleyball Court: 1. There shall be no more than two volleyball courts on the property. The courts shall be located as depicted on the attached site plan. 2. The exterior lighting design shall be installed as per the attached lighting plan. 3. Court screening: Screening shall be installed as required in section 10.16(7) of the Dane County Code of Ordinances. In addition, a 12' tall privacy screen that blocks 90% of light shall be installed as shown on the attached site plan, and shall be in the raised position during volleyball play after dark and lowered after volleyball play. 4. Hours of operation (both courts and lighting of courts): Limited to from 8:00 am to 10:00 pm. 5. Noise: Use of whistles must be limited and used only to stop play. 6. Prohibit picnic tables and porta-potties in the area indicated on the attached site plan. Outdoor Entertainment Activity: 1. Number of Events per year: Music events shall be limited to 25 per year. 2. Hours of operation for events: Events on Thursdays, Fridays, and Saturdays limited to 9:00 pm. Events on Sundays limited to 8:00pm. A maximum of 5 identified events limited to 10:00pm. 3. Amplified noise levels: Amplified sounds shall be limited to 85 decibels DbA at property lines. General: 1. CUP approval conditioned upon approval of Rezone Petition # 10639.

PLEASE NOTE: The following space, and additional pages as needed, are reserved for comment by the minority voter(s), **OR**, for the Town to explain its approval if the decision does not comply with the relevant provisions of the Town Plan.

I, Cathy Hasslinger, as Town Clerk of the Town of Dunn, County of Dane, hereby certify that the above resolution was adopted in a lawful meeting of the Town Board on Tuesday, January 21, 2014

Cathy Hasslinger
Town Clerk

Wednesday, January 22, 2014
Date

FINDINGS OF FACT FOR DENIED CONDITIONAL USE PERMITS

If the Conditional Use Permit application is denied, please complete the following section. For each of the standards, indicate if the standard was found to be satisfied or not satisfied. Please note the following from section 10.255(2)(b):

"No permit shall be granted when the zoning committee or applicable town board determines that the standards are not met, nor shall a permit be denied when the zoning committee and applicable town board determine that the standards are met."

PLEASE INDICATE THE APPROPRIATE FINDING FOR EACH STANDARD (CHECK ONE / STANDARD)

- | | |
|---|---|
| 1. That the establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or welfare. | 1. <input checked="" type="checkbox"/> SATISFIED / <input type="checkbox"/> NOT SATISFIED |
| 2. That 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. | 2. <input checked="" type="checkbox"/> SATISFIED / <input type="checkbox"/> NOT SATISFIED |
| 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. | 3. <input checked="" type="checkbox"/> SATISFIED / <input type="checkbox"/> NOT SATISFIED |
| 4. That adequate utilities, access roads, drainage and other necessary site improvements have been or are being made. | 4. <input checked="" type="checkbox"/> SATISFIED / <input type="checkbox"/> NOT SATISFIED |
| 5. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets. | 5. <input checked="" type="checkbox"/> SATISFIED / <input type="checkbox"/> NOT SATISFIED |
| 6. That the conditional use shall conform to all applicable regulations of the district in which it is located. | 6. <input checked="" type="checkbox"/> SATISFIED / <input type="checkbox"/> NOT SATISFIED |

THIS SECTION IS RESERVED FOR FURTHER EXPLANATION OF THE FINDINGS: