



Staff Report

Zoning and Land Regulation Committee

Public Hearing: **May 10, 2016**

Zoning Amendment:
None

Acres: *5.012*
Survey Req. *No*

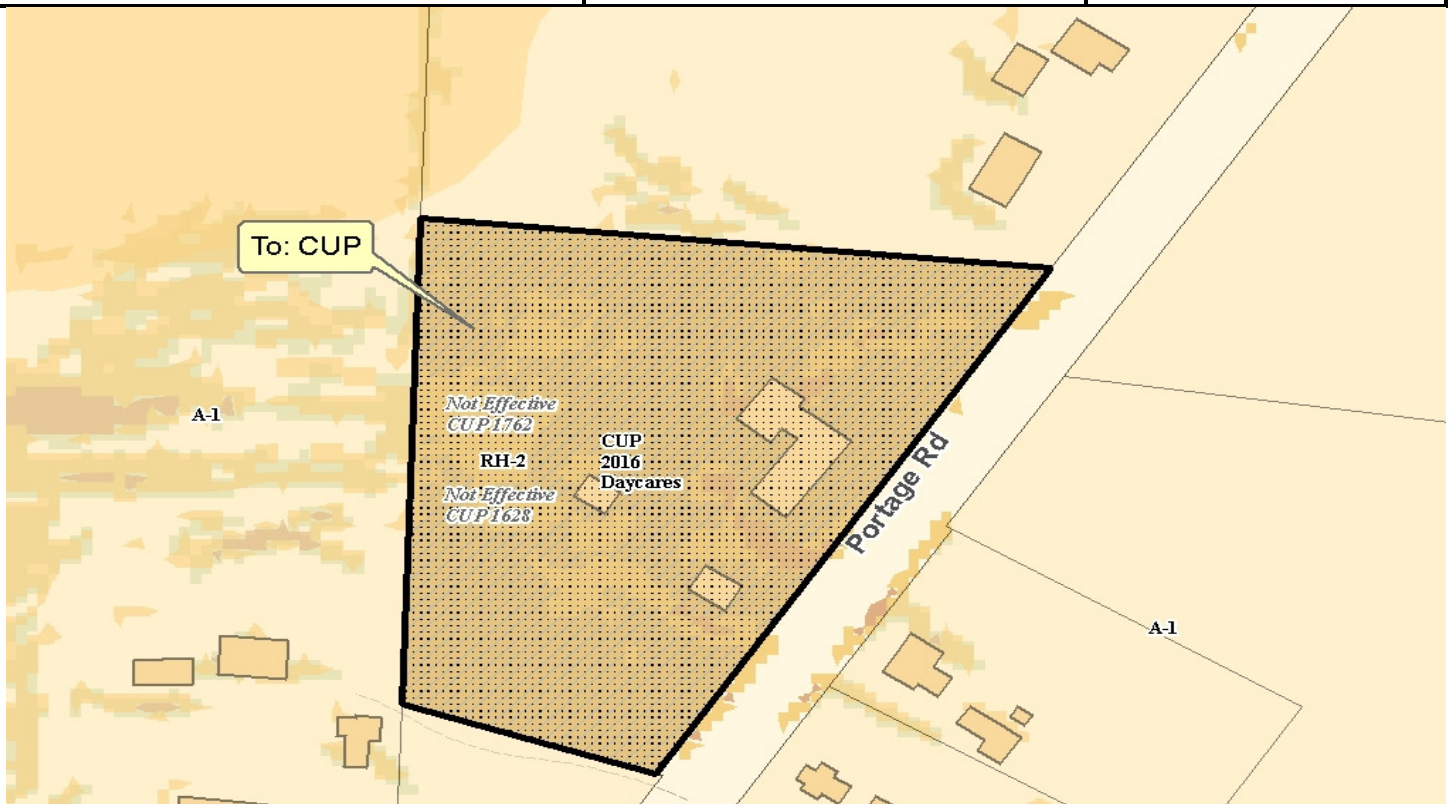
Reason:
Amend Deed Restriction to allow additional square feet and children

Petition: **CUP 2339**

Town/sect:
**Burke
Section 03**

Applicant
**Country Creek
Learning Center Prop
LLC**

Location:
6187 Portage Road



DESCRIPTION: Applicant, Country Creek Learning Center, is seeking amendments to existing Conditional Use Permit #2016 for a daycare center to allow an increase in student enrollment (increase from 150 to 175 students) and also a 300 square foot increase in the allowable floor area to accommodate a planned 1,200 square foot building addition to serve as a 4K / afterschool classroom.

OBSERVATIONS: No sensitive environmental features observed. At the time CUP #2016 was approved in June 2006, the daycare was permitted a total of 9,100 square feet of floor area – 4,400 sqft. for the initial building, plus 4,700 sqft for a future building. The planned ~1,200 square foot addition would exceed the currently approved square footage.

TOWN PLAN: The property is shown as “institutional” (schools, health care facilities, places of assembly, governmental uses, etc.) on the town’s future land use map. Note that the proposal is not considered “development” under the town’s cooperative planning agreement with the city of Madison and will therefore not be subject to City of Madison review.

RESOURCE PROTECTION: No resource protection corridors located on the property.

STAFF: The proposal appears reasonably consistent with town plan policies. The applicant should verify with Dane County Environmental Health that the existing septic system is adequately sized for the proposed increase in the number of students. A list of recommended conditions is attached on page 2 of this report. Staff is recommending a total limit of 10,300 sqft for all school buildings (not including accessory structures). The list includes all prior conditions from CUP 2016, revised to reflect the current request.

TOWN: Approved with amendments to conditions #6 and #9.

Proposed Conditional Use Permit # 2339

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. Note that the list below includes all prior conditions from CUP #2016, with revisions made to conditions #6, and #9 to reflect the current request. 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) Construction of WisDOT Type C intersection
- 2) Revised site plan.
- 3) Manure storage plan.
- 4) Children from 2 - 6 years old.
- 5) Children 5-12 during summer.
- 6) Limit of ~~150~~ 175 children at any one time at the school.
- 7) Staff of 25.
- 8) Small animals, ducks, goats, rabbits, no more than the zoning for the RH-2 allows.
- 9) 4400 square foot for first building with 5900 square foot expansion in the future. Total square footage of school buildings not to exceed 10,300 square feet.
- 10) 38 parking stalls.
- 11) 1250 square foot barn.
- 12) 1800 square foot for animal pens.
- 13) Regular hours of operation be between 6:30 a.m. and 6:00 p.m., Monday through Friday.
- 14) That the dumpster be completely fenced from view.
- 15) That all lighting be shrouded, facing down.
- 16) Verification of the adequacy of the existing system or obtaining a sanitary permit to make any necessary improvements to the system.
- 17) If not already completed, the applicant must execute and record with the Register of Deeds an avigation easement as required by the Dane County Regional Airport within ninety (90) days of the date of approval by Dane County. A copy of the recorded easement must be supplied to Dane County Zoning by the applicant within ten (10) days of recording the easement.