

TOWN BOARD ACTION REPORT – REZONE

Regarding Petition # CUP 2301

Dane County Zoning & Land Regulation Committee Public Hearing Date 2/24/2015

Whereas, the Town Board of the Town of Middleton having considered said zoning petition,

be it therefore resolved that said petition is hereby (check one):  **Approved**  **Denied**  **Postponed**

**Town Planning Commission Vote:** 3 in favor 1 opposed 0 abstained

**Town Board Vote:** 7 in favor 0 opposed 0 abstained

**THE PETITION IS SUBJECT TO THE FOLLOWING CONDITION(S) (Check all appropriate boxes):**

- 1.  *Deed restriction* limiting use(s) in the \_\_\_\_\_ zoning district to **only** the following:
  
- 2.  *Deed restrict* the balance of A-1 EX Agricultural Exclusive zoned land owned by the applicant from the original farm (as of date specified in the Town Plan) prohibiting non-farm development. Please provide property description, or tax parcel number(s):
  
- 3.  *Deed restrict* the applicant's property described below prohibiting division. Please provide property description, or tax parcel number(s):
  
- 4.  *Condition* that the applicant must record a *Notice Document* which states all residential development units (a.k.a. splits) have been exhausted on the property, and further residential development is prohibited under Town & County Land Use Planning policies. Please provide property description, or tax parcel number(s):
  
- 5.  *Other Condition(s). Please specify:*

Motion: Breung / Whitney, to approve the amendment of the current Conditional Use Permit for Madison Community Montessori School to allow a maximum of 215 students and weekend operation, per the Plan Commission's recommendation, with the following conditions:  
a. Routine compliance checks shall be done by town staff to insure that continued adequate means of ingress and egress are present, and that traffic does not back up onto Airport Road, and if adequate means are not present, the school will be asked to modify its student drop-off and pick-up processes within 30 days, after which, MCMS shall pay for a updated traffic study and the Town shall determine what improvements to the Airport Road intersection are necessary. These improvements shall be completed and paid for by the Applicant; and  
b. MCMS will provide notice to the Town when student population reaches 190 which shall trigger a compliance check by the Town; and  
c. MCMS will provide the Town with a statement that they shall make and pay for street improvements required by the Town; and  
d. Weekend events shall be limited to 32 days during the year with a starting time no sooner than 8:00 a.m. and ending time no later than 9:30 p.m., with a schedule to be coordinated with Town staff to avoid conflict with soccer games and other events; and  
e. The school will work with Prairie Home Estates Homeowners Association to resolve issues that may arise.

Please note: The following space is 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, David Shaw, as Town Clerk of the Town of Middleton, County of Dane, hereby certify that the above resolution was adopted in a lawful meeting of the Town Board on 12/15/2014

Town Clerk David Shaw Date: 2/4/2015