TOWN BOARD ACTION REPORT - CONDITIONAL USE PERMIT

		mmittee Public Hearing 4/25/2017	
one); ⊯APPROVED		having considered said that said conditional use permit is hereby (TE FINDINGS SECTION ON PAGE 2)	check
	an .	•	
PLANNING COMMISSION VOTE:	In Favor	Opposed Opposed	
Town Board Vote:	In Favor	Opposed	
standards listed in section 10.255(2) applicable, are found to be (check or SATISFIED	(h), Dane County Codne):	made appropriate findings of fact that the le of Ordinances, and section 10.123(3)(a), if E FINDINGS SECTION ON PAGE 2)	f
THE CONDITIONAL USE PERMIT IS SU	BJECT TO THE FOLLOW	/ING CONDITION(S):	
See attached resu		· · · · · · · · · · · · · · · · · · ·	
			
			
			
			_
PLEASE NOTE: The following space minority voter(s), OR, for the Town relevant provisions of the Town Plan.	, and additional page n to explain its appro	es as needed, are reserved for comment by oval if the decision does not comply with	y the
I, Brenda Ayers, as Town certify that the above resolution was adopted the control of the contro	n Clerk of the Town of _ oted in a lawful meeting	Burke, County of Dane, hereby of the Town Board on April 18, 2017. 419/2017, 20	у

912008

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.	ST SATISFIED / IN 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.	SATISFIED / D 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.	SATISFIED / II NOT SATISFIED		
4.	That adequate utilities, access roads, drainage and other necessary site improvements have been or are being made.	4.	SATISFIED / IN 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.	A SATISFIED / □ NOT SATISFIED		
6.	That the conditional use shall conform to all applicable regulations of the district in which it is located.	6.	SATISFIED / INOT SATISFIED		
THIS	S SECTION IS RESERVED FOR FURTHER EXPLANATION OF THE FIND	INGS			

TOWN OF BURKE RESOLUTION NO. 04182017A

RESOLUTION BY THE TOWN BOARD OF THE TOWN OF BURKE CONDITIONALLY APPROVING CONDITIONAL USE PERMIT (CUP) 2375 SUBMITTED BY TWO TALL DISTILLERY

WHEREAS, an application for CUP for a tavern the purpose of operating a distillery at 5353 Maly Rd unit B (parcel number 0810-243-8892-3) was submitted to the Town for review and action by Two Tall Distillery.; and

WHEREAS, the Plan Commission has reviewed the Conditional Use Permit application and recommended conditional approval (Plan Commission Resolution 03082017 is attached); and

WHEREAS, the Town Board has reviewed and considered the Plan Commission's recommendation.

NOW, THEREFORE, the Town Board hereby approves CUP 2375 with the following conditions:

- 1) The CUP is limited to 5353 Maly Rd Unit B first floor inside only.
- 2) The applicant shall apply for, receive and keep current Federal and State permits pertaining to the operation of a distillery and remain compliant with rules thereof.
- 3) On site consumption is limited to taste samples as allowed under the manufacturer permit issued by the DOR (currently 1.5 ounces per person per day).
- 4) Hours of operations shall be limited to Thursday and Friday 4 p.m. to 8 p.m., Saturday 11 a.m. to 5 p.m. and Sunday 12 p.m. to 3 p.m.
- 5) Occupancy is limited to 20 people (including staff and customers); never to exceed the limit imposed the by the Fire Inspector for the Sun Prairie Volunteer Fire Department Inc.
- 6) Any free standing signage must be approved by the City of Madison.
- 7) Operator will take adequate measures to ensure employees and customers obey Town of Burke parking regulations as to not impede traffic on Maly Road.

The a	bove Resolution was o	fully adopted by th	e Town Board of the	Fown of Burke, Dane
County, Wis	consin, at a meeting on	Aprill8	, 2017.	- o wir or Burno, Burno
		4		
		APPROV	VED: Kumuk	
		Rv	Wilmit	

Brenda Ayers, Town Clerk/Treasurer

Kevin Viney, Town Chair

PLAN COMMISSION RESOLUTION 03082017

Resolution by the Plan Commission for the Town of Burke Recommending to the Town Board the Conditional Approval of Conditional Use Permit (CUP) 2375 for operating a tavern requested by Two Tall Distillery.

RECITALS

- A. Two Tall Distillery wishes to operate a small craft distillery at 5353 Maly Rd.
- B. Zoning regulations consider the use to be a tavern which requires a Conditional Use Permit (CUP).
- C. An application for a CUP for tavern has been submitted to the Town for review and action.

Now therefore, the Plan Commission for the Town of Burke hereby recommends that the Town Board approve the Conditional Use Permit subject to the following conditions:

- 1) The CUP is limited to 5353 Maly Rd Unit B first floor inside only.
- 2) The applicant shall apply for, receive and keep current Federal and State permits pertaining to the operation of a distillery and remain compliant with rules thereof.
- 3) On site consumption is limited to taste samples as allowed under the manufacturer permit issued by the DOR (currently 1.5 ounces per person per day).
- 4) Hours of operations shall be limited to Thursday and Friday 4 p.m. to 8 p.m., Saturday 11 a.m. to 5 p.m. and Sunday 12 p.m. to 3 p.m.
- 5) Occupancy is limited to 20 people (including staff and customers); never to exceed the limit imposed the by the Fire Inspector for the Sun Prairie Volunteer Fire Department Inc.
- 6) Any free standing signage must be approved by the City of Madison.
- 7) Operator will take adequate measures to ensure employees and customers obey Town of Burke parking regulations as to not impede traffic on Maly Road.

The above resolution was adopted by the Plan Commission of the Town of Burke, Dane County, Wisconsin, at a meeting on March 8, 2017.

TOWN OF BURKE PLAN COM	MISSION
Ву	, Chair
Mike Vraniak	