



PREPARED FOR THE PLAN COMMISSION

Project Address: 2802 Waunona Way (District 14 – Ald. Carter)
Application Type: Conditional Use
Legistar File ID # [41728](#)
Prepared By: Kevin Firchow, AICP, Planning Division
Reviewed By: Jay Wendt, Principal Planner
Report Includes Comments from other City Agencies, as noted

Summary

Applicant and Owner: City of Madison Parks Division; 210 Martin Luther King, Jr. Blvd; Madison WI, 53703

Contact: Sarah Lerner; City of Madison Parks Division; 210 Martin Luther King, Jr. Blvd; Madison WI, 53703

Requested Action: The applicant requests conditional use approval to construct an accessory restroom building for Esther Beach Park on a lakefront lot.

Proposal Summary: The City of Madison Parks Division proposes several improvements to Esther Beach Park, consistent with the adopted park master plan approved by the City in October 2012. Improvements include the demolition of the existing restroom facilities, construction of a new restroom building and the reconstruction of the existing play area, parking lot, and boat launch.

Applicable Regulations & Standards: Section 28.138(2)(a) of the Zoning Code states that any accessory building on a zoning lot fronting Lake Monona requires conditional use approval. This proposal is subject to the review standards for Lakefront Development [Section 28.138] and Conditional Uses [Section 28.183].

Review Required By: Plan Commission

Summary Recommendation: The Planning Division recommends that the Plan Commission find that the standards for lakefront development and conditional uses are met and **approve** the conditional use to construct an accessory restroom building for Esther Beach Park on a lakefront lot at 2802 Waunona Way. This recommendation is subject to input at the public hearing and the conditions recommended by the reviewing agencies.

Background Information

Parcel Location: The entire park, comprised of two lots, has an estimated area of nearly 69,000 square feet with the subject lot measuring 25,790 square feet in area. The property is located on the north (lake) side of Waunona Way, adjacent to Esther Beach Road. The site is within Aldermanic District 14 (Ald. Carter) and within the limits of the Madison Metropolitan School District.

Existing Conditions and Land Use: The subject site includes the existing park, which was expanded in 2010. The park includes a beach, parking area, playground, parking lot, and boat launch.

Surrounding Land Use and Zoning:

North: Lake Monona;

South: Single-family homes zoned TR-C1 (Traditional Residential - Consistent 1 District);

East: Single-family homes, zoned TR-C1; and

West: Single-family homes, zoned TR-C1.

Adopted Land Use Plan: The Comprehensive Plan (2006) recommends low density residential development for the subject site and surrounding properties.

Zoning Summary: The property is zoned TR-C1 (Traditional Residential-Consistent 1).

Requirements	Required	Proposed
Lot Area (sq. ft.)	6,000 sq. ft.	25,790 sq. ft.
Lot Width	50'	100'
Front Yard Setback	20'	82.41'
Side Yard Setback	10'	12.45'
Maximum Lot Coverage	65%	Less than 65%
Maximum Building Height	35'	14'
Number Parking Stalls	None, except where required where required for specific facilities, as determined by Zoning Administrator	11 located in right-of-way
Accessible Stalls	Yes	1
Loading	None	None
Number Bike Parking Stalls	None, except where required where required for specific facilities, as determined by Zoning Administrator	5
Landscaping	Yes	Yes (See Comment # 19)
Lighting	Yes	No (See Comment #21)
Other Critical Zoning Items	Urban Design (Public Building), Floodplain, Adjacent to Park, Barrier Free (ILHR 69), Utility Easements	

Environmental Corridor Status: The subject site is not located in a mapped environmental corridor, though a small portion of the property adjacent to the lake is within the flood fringe and flood storage districts.

Public Utilities and Services: This property is served by a full range of urban services.

Project Description, Analysis, and Conclusion

The applicant, the City of Madison Parks Division, requests conditional use approval to build a new accessory structure on a lakefront lot at Esther Beach Park. The Zoning Code's regulations for Lakefront Development state that new accessory buildings on lakefront lots require Conditional Use approval. This request is subject to the approval standards for Lakefront Development and Conditional Uses.

The proposed accessory building is a restroom facility, planned to replace the existing facility that would be demolished. The proposed building itself has an area of about 300 square feet. The structure also includes a large covered canopy, with an area of approximately 660 square feet. The Parks Division has identified the structure as their "prototype park restroom building." This prototype design has previously been approved by the Urban Design Commission. As a public building, this proposed structure has been reviewed administratively by the Urban Design Commission (UDC) Secretary, on behalf of the UDC. The Secretary recommends approval subject to final approval of building color information.

The new structure is part of a two phase park improvement project, implementing improvements approved by the City Board of Parks Commissioners in October 2012. The restroom and a renovated play area would occur in the first phase, which are planned to be completed in 2016. Several other alterations are proposed as a second phase, which would be completed in 2017. This includes reconstruction of the parking lot and boat launch, as shown in the attached plans.

The Planning Division believes the approval standards for Lakefront Development and Conditional Uses can be met. This request improves existing bathroom and shelter facilities at the park, as noted in the applicant's materials. In regards to the Lakefront Standards for vegetation and removal, this request appears to comply with the standards that limit the cutting of trees and shrubbery to no more than 30% of the frontage within 35 feet of the shoreline. The Zoning Administrator has requested additional information be provided on the plans submitted for final sign-off. An inventory of trees to be removed, corresponding to trees identified on Sheet 1.2 has been provided to the Plan Commission as a follow-up by the Parks Division. As a clarification, while some trees within a small wooded area adjacent to the shoreline are proposed for removal, this area is actually within the Ester Beach Road right-of-way and not the zoning lot. As such, that area is not under the Plan Commission's jurisdiction as part of this conditional use request.

At the time of report writing, the Planning Division was not aware of neighborhood concerns on this request.

Recommendation

Planning Division Recommendation (Contact Kevin Firchow, 267-1150)

The Planning Division recommends that the Plan Commission find that the standards for lakefront development and conditional uses are met and **approve** the conditional use to construct an accessory restroom building for Esther Beach Park on a lakefront lot at 2802 Waunona Way. This recommendation is subject to input at the public hearing and the conditions recommended by the reviewing agencies.

Recommended Conditions of Approval Major/Non-Standard Conditions are Shaded

Planning Division (Contact Kevin Firchow, 608-267-1150)

1. That exterior color information of the proposed restroom structure be provided for final approval by the Urban Design Commission Secretary.

City Engineering Division (Contact Tim Troester, 608-267-1995)

2. A WDNR permit will be required for the shoreline work.

3. Prior to approval, the owner or owner's representative shall obtain a permit to plug each existing sanitary sewer lateral that serves a building which is proposed for demolition. For each lateral to be plugged the owner shall complete a sewer lateral plugging application and pay the applicable permit fees. NOTE: As of January 1, 2013 new plugging procedures and permit fees go into effect. The new procedures and revised fee schedule is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 35.02(14))

4. All outstanding Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Mark

Moder (608-261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff. (MGO 16.23(9)(d)(4))

5. The site plan shall be revised to show all existing public sanitary sewer facilities in the project area as well as the size, invert elevation, and alignment of the proposed service. (POLICY)
6. This project falls in the area subject to increased erosion control enforcement as authorized by the fact that it is in the ROCK RIVER TMDL ZONE and by Resolution 14-00043 passed by the City of Madison Common Council on 1/21/2014. You will be expected to meet a higher standard of erosion control than the minimum standards set by the WDNR.
7. The applicant shall demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. The erosion control plan shall include Universal Soil Loss Equation (USLE) computations for the construction period. Measures shall be implemented in order to maintain a soil loss rate below 5.0 tons per acre per year.
8. For commercial sites < 1 acre in disturbance the City of Madison is an approved agent of the Department of Commerce and WDNR. As this project is on a site with disturbance area less than one (1) acres, and contains a commercial building, the City of Madison is authorized to review infiltration, stormwater management, and erosion control on behalf of the Department of Commerce. No separate submittal to Commerce or the WDNR is required. (NOTIFICATION)
9. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to Reduce TSS by 80% off of the proposed development when compared with the existing site.
10. Prior to approval, review proposed improvements with Engineering Operations for sewer maintenance access (i.e. - mountable curb)
11. The applicant shall replace all sidewalk and curb and gutter which abuts the property which is damaged by the construction or any sidewalk and curb and gutter which the City Engineer determines needs to be replaced because it is not at a desirable grade regardless of whether the condition existed prior to beginning construction. (POLICY)
12. All work in the public right-of-way shall be performed by a City licensed contractor. (MGO 16.23(9)(c)5) and MGO 23.01)
13. All damage to the pavement on Waunona Way, adjacent to this development shall be restored in accordance with the City of Madison's Pavement Patching Criteria. For additional information please see the following link: <http://www.cityofmadison.com/engineering/patchingCriteria.cfm> (POLICY)
14. The applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass. (POLICY)

City Engineering Division-Mapping (Contact Jeff Quamme, 608-266-4097)

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| 15. A Public Sanitary Sewer Easement shall be drafted and recorded by the Office of Real Estate services per Real Estate Project No. 10988 for the portion of the sanitary sewer that lies within Lot 16 of Ethelwyn Park Lake Monona. |
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Traffic Engineering Division (Contact Eric Halvorson, 608-266-6572)

16. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawings shall be scaled to 1" = 20' and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; pavement markings; signing; building placement; items in the terrace such as signs, street light poles, hydrants; surface types such as asphalt, concrete, grass, sidewalk; driveway approaches, including those adjacent to and across street from the project lot location; parking stall dimensions, including two (2) feet of vehicle overhang; drive aisle dimensions; semitrailer movement and vehicle routes; dimensions of radii; and percent of slope.
17. The City Traffic Engineer may require public signing and marking related to the development; the Developer shall be financially responsible for such signing and marking.
18. All parking facility design shall conform to MGO standards, as set in section 10.08(6).

Zoning Administrator (Contact Jenny Kirchgatter, 608-266-4429)

19. Provide a complete inventory of shoreline vegetation in any area proposed for building, filling, grading or excavating. In addition, the development plan shall indicate those trees and shrubbery which will be removed as a result of the proposed development. The cutting of trees and shrubbery shall be limited in the strip thirty-five (35) feet inland from the normal waterline. On any zoning lot not more than thirty percent (30%) of the frontage shall be cleared of trees and shrubbery.
20. Provide information on the ground surface of the proposed playground area. Lot coverage within thirty-five (35) feet of the OHWM shall not exceed twenty percent (20%).
21. Exterior lighting provided shall be in accordance with City of Madison General Ordinances Section 10.085. Provide an exterior lighting plan and fixture cut sheets with the final plan submittal.

Fire Department (Contact Bill Sullivan, 608-261-9658)

22. Site verification plans shall include identification of the fire lane locations in order to demonstrate compliance with MGO 34.500 and the International Fire Code.
23. Please consider allowing Madison Fire Dept. to conduct training sequences prior to demolition. Contact MFD Training Division to discuss possibilities: Captain Jerry Buechner (608)516-9195.

Parks Division (Contact Janet Schmidt, 608-261-9688)

24. The agency reviewed this request and has recommended no conditions of approval. This project is being constructed under City let Public Works contracts.

Water Utility (Contact Dennis Cawley, 608-261-9243)

25. All operating private wells shall be identified and permitted by the Water Utility in accordance with MGO 13.21. All unused private wells shall be abandoned in accordance with MGO 13.21.

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Metro Transit (Contact Tim Sobota, 608-261-4289)

The agency reviewed this request and has recommended no conditions of approval.