

PLANNING DIVISION STAFF REPORT

April 25, 2022



PREPARED FOR THE PLAN COMMISSION

Project Address: 5109 Barton Road (District 10 – Ald. Figueroa Cole)
Application Type: Demolition Permit and Conditional Use
Legistar File ID #: [70537](#) & [71081](#)
Prepared By: Chris Wells, Planning Division
Report Includes Comments from other City Agencies, as noted
Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Applicant & Contact: Todd Barnett; Barnett Architecture, LLC; 118 N. Breese Terrace, Suite 1; Madison, WI 53726
Property Owner: Ridgewood Pool, Inc.; 5109 Barton Road; Madison, WI 53711

Requested Action: Consideration of a demolition permit to demolish an existing pool house; and Consideration of a major alteration to an approved conditional use in the Suburban Residential-Consistent 1 (SR-C1) District for outdoor recreation – to allow demolition of the existing pools and pool house and construction of new pools and pool house for Ridgewood Pool at 5109 Barton Road.

Proposal Summary: The applicant proposes to demolish and rebuild the pools, pool house and other site amenities largely in the same location and at a similar scale.

Applicable Regulations & Standards: This proposal is subject to the standards for Demolitions [MGO §28.185(7)] and Conditional Uses [MGO §28.183(6)].

Review Required By: Plan Commission (PC)

Summary Recommendation: The Planning Division recommends that the Plan Commission find that the approval standards for demolition and conditional uses are met, and **approve** the demolition and conditional use requests. These recommendations are subject to input at the public hearing and the conditions recommended by the Planning Division and other reviewing agencies.

Background Information

Parcel Location: The 118,358-square-foot (2.72-acre) subject property located on the east side of Lewon Drive, between Barton Road and Flad Avenue. The site is located within Alder District 5 (Ald. Figueroa Cole) and the limits of the Madison Metropolitan School District.

Existing Conditions and Land Use: The site is currently home to Ridgewood Pool, Inc. and contains a 3,460-square-foot, one-story pool house; two swimming pools; a wading pool; and a small shed. [Photos](#) of the interior and exterior of the pool house have been submitted with the application materials. City Assessor's records note it was constructed in 1958 and added onto in 1967. A concrete patio surrounds the pools and structures. A surface automobile parking lot with 16 stalls is located to the east of the principal building and takes access from Barton Road. The rest of the site is grass and landscaping.

Surrounding Land Use and Zoning:

North: Across Barton Road are single-family residences in the Suburban Residential – Consistent 1 (SR-C1) District;

South: Across Flad Avenue are single-family residences in the SR-C1 District;

East: Single-family residences in the SR-C1 District; and

West: Across Lewon Drive are single-family residences in the SR-C1 District.

Adopted Land Use Plan: The [Comprehensive Plan \(2018\)](#) recommends Low Residential (LR) uses for this site. No neighborhood plan provides recommendations for this site.

Zoning Summary: The property is zoned SR-C1 (Suburban Residential – Consistent 1) District.

Requirements	Required	Proposed
Lot Area (sq. ft.)	8,000	118,358
Lot Width	60 ft	396 ft
Front Yard Setback	30 ft	30 ft
Side Yard Setback	6 ft	92 ft, 192 ft
Rear Yard Setback	35 ft	216 ft
Maximum Lot Coverage	60%	44%
Maximum Building Height	35 ft	13 ft

Site Design	Required	Proposed
Number Parking Stalls	As determined by Zoning Administrator	16
Accessible Stalls	1	2
Loading	No	No
Number Bike Parking Stalls	As determined by Zoning Administrator	48 (See Comment #31)
Landscaping	Yes	Yes (See Comment #33)
Lighting	No	Yes
Number Parking Stalls	As determined by Zoning Administrator	16

Other Critical Zoning Items	Utility Easements
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Tables Prepared by Jacob Moskowitz, Assistant Zoning Administrator

Environmental Corridor Status: The subject site is not located in a mapped environmental corridor.

Public Utilities and Services: This property is served by a full range of urban services. Metro Transit currently operates daily all-day transit service along S Whitney Way, roughly 0.6 miles to the west.

Project Description

The applicant proposes to demolish and replace the existing Ridgewood pools and pool house along with other site amenities. As stated in the submitted materials, the following changes are proposed:

- Demolition of the existing, roughly 60-year-old pool house and replacement with a new, one-story version. [Photos](#) of the interior and exterior of the building are included with the application materials, which appear to show a building in average condition. While located in largely the same location on the site, the new building will be slightly larger than its predecessor (4,800 square-feet as compared to the existing 3,860-square-foot building) and clad primarily with masonry and composite lap siding. The program of the new building will remain unchanged as it will continue to house the bathrooms, snack shack, offices, and various mechanical and storage rooms.

- Demolition and reconstruction of the wading pool, “lower” pool, and diving vessel - i.e. the three pools located north to south along the western edge of the site. The diving vessel will be rebuilt in the same size and location. The “lower” pool will also be rebuilt in the same location but will be enlarged slightly and in a rectilinear form. Finally, the wading pool will be rebuilt in a curvilinear form and will be shifted northward to be aligned with the new pool house.
- Renovation of the existing “upper” pool (i.e. the pool located in the center of the site).
- Replacement of the concrete deck which surrounds the four pools and building.
- Removal of the existing, 16-stall automobile surface parking lot and replacement with a 15-stall lot slightly further to the east. While the new lot will continue to take access from Barton Road, the curb cut and drive aisle will be shifted roughly 50 feet to the east so that it does not face a neighbor’s home across the street. The new lot will be roughly 20 percent smaller than the existing lot due to a more efficient configuration of the stalls.
- Addition of forty-two bicycle stalls along the Barton Road sidewalk.
- Expansion of the existing, roughly 250-square-foot equipment building, located to the east of the diving vessel. The building will remain in the same location with the 250-square-foot expansion located on its east side.
- Redesign of the landscaping on the site. Roughly 18 trees will be planted along the western and northern street frontages as well as on the eastern portion of the site. Other plantings will be added to the west of the diving vessel and to the west and east of the new pool house. Stormwater detention basins will be added along the northern property line.

Analysis and Conclusion

The proposed project is subject to the approval standards for Demolitions [MGO §28.185(7)] and Conditional Uses [MGO §28.183(6)]. This analysis begins with an analysis of adopted plan recommendations.

Conformance with Adopted Plans

The [2018 Comprehensive Plan](#) recommends Low Residential (LR) uses for the subject site. In the description of residential categories on Page 20, the Plan states that a “limited amount of nonresidential uses may also be located within residential categories” and includes “parks and recreational facilities” on the list of uses that may be included.

No neighborhood plan provides recommendations for this site.

Demolition Approval Standards

At its October 5, 2021 meeting, the Common Council adopted Ordinance 21-00065 (ID [67074](#)) to revise the standards and process for demolition and removal permits in Section 28.185 of the Zoning Code to remove consideration of proposed future use as a factor in approving demolition requests. In order to approve a demolition request under the revised standards, the Plan Commission shall consider the factors and information specified in Section 28.185(9)(c) and find that the proposed demolition or removal is consistent with the statement of purpose of the demolition permits section and with the health, prosperity, safety, and welfare of the City of Madison. The standards state that the Plan Commission shall consider the report of the City’s historic preservation planner regarding the historic value of the property as well as any report that may be submitted by the Landmarks Commission.

The building proposed for demolition is a 3,460-square-foot, one-story pool house. City Assessor's records note it was constructed in 1958 and added onto in 1967. [Photos](#) of the interior and exterior of the building have been submitted with the application materials.

One of the demolition approval standards that the Plan Commission needs to find met states, *"The applicant has included information related to any efforts to relocate the building, including but not limited to assessing the costs of relocation, the impact of relocation on city terrace trees, and the structural soundness of the building."* Regarding this standard, in communication with Staff, the applicant noted,

"When the Ridgewood Pool Project design process began, the goal was to re-use and re-purpose as much of the existing facility as possible, including the existing Pool House. Based on several factors, the decision was made to create a new building, including:

- 1. Desire to establish a first-floor elevation having additional protection above the One-Hundred Year-Flood Elevation (this meant raising the floor). This, in turn, did the same for the lower deck of the pool facility.*
- 2. Overall site drainage requirements, specifically how the first-floor elevation would affect grading given the required Lewon sidewalk (due to interconnected relationships of the various elements).*
- 3. The extent of reconstruction required for mechanical, plumbing, and electrical upgrades but - critically – code required ADA and building code changes.*
- 4. New pool filtration systems called for a drastically reconfigured space.*
- 5. Placement of the new vessels compromised space around the existing Pool House.*
- 6. General condition of the building.*

In summary, the entire team investigated renovating and/or expanding the existing building but, based on the factors above, the decision to rebuild was made."

Finally, the demolition standards state that the Plan Commission shall consider the report of the City's Historic Preservation Planner regarding the historic value of the property as well as any report submitted by the Landmarks Commission. At their March 7, 2022 meeting, the Landmarks Commission found that the building at 5109 Barton Road has no known historic value.

The Planning Division believes that the Demolition Approval Standards can be found met.

Conditional Use Standards

The applicant is requesting consideration of a major alteration to an approved conditional use in the Suburban Residential-Consistent 1 (SR-C1) District for outdoor recreation.

The Plan Commission shall not approve a conditional use without due consideration of the City's adopted plan recommendations, design guidelines, supplemental regulations, and finding that all of the conditional use standards of MGO §28.183(6) are met. Please note, recent changes to state law requires that conditional use findings must be based on "substantial evidence" that directly pertains to each standard and not based on personal preference or speculation.

Given the fact that the proposed redevelopment is nearly identical to that currently on the site – in terms of the size and arrangement of the buildings and pools, and the number of on-site automobile parking stalls – the Planning Division does not anticipate the proposal will result in different impacts to the surrounding area and, with the comments recommended by reviewing agencies, believes that the conditional use standards can be found met.

Public Input

At the time of report writing, staff have not received any written comments.

Conclusion

The applicant proposes to demolish a 3,460-square-foot, one-story pool house and build a roughly 4,800-square-foot version in its place. The pools and surface automobile parking lot will also be rebuilt.

The Planning Division believes that this proposal can be found to meet the approval standards for demolition and removal permits as well as conditional uses. Staff note that the proposed redevelopment is nearly identical to that currently on the site – in terms of the size and arrangement of the buildings and pools, and the number of on-site automobile parking stalls – and therefore does not anticipate the proposal will result in negative impacts to the surrounding area.

Recommendation

Planning Division Recommendation (Contact Chris Wells, (608) 261-9135)

The Planning Division recommends that the Plan Commission find that the approval standards for demolition and conditional uses are met, and **approve** the demolition and conditional use requests. These recommendations are subject to input at the public hearing and the conditions recommended by the Planning Division and other reviewing agencies.

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

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

1. Applicant shall restrict the discharge of the pool to 100 gpm when draining the pool if the pool is to be connected to the City sanitary sewer.
2. Enter into a City / Developer agreement for the required infrastructure improvements. Agreement to be executed prior to sign off. Allow 4-6 weeks to obtain agreement. Contact City Engineering to schedule the development and approval of the plans and the agreement. (MGO 16.23(9)c)
3. Construct new sidewalk along Ewon Dr & Barton Rd to a plan as approved by City Engineer. Construct spot replacement as necessary of sidewalk, terrace, curb and gutter, driveway apron, pavement on all street frontages.
4. 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. Obtain a permanent sewer plug permit for each existing sanitary sewer lateral serving a property that is not to be reused and a temporary sewer plug permit for each sewer lateral that is to be reused by the development. The procedures and fee schedule is available online at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 35.02(14))

6. An Erosion Control Permit is required for this project. See Storm comments for permit specific details and requirements.
7. A Storm Water Management Report and Storm Water Management Permit is required for this project. See Storm comments for report and permit specific details and requirements.
8. A Storm Water Maintenance Agreement (SWMA) is required for this project. See Storm comments for agreement specific details and requirements.
9. This site appears to disturb over one (1) acre of land and requires a permit from the WDNR for stormwater management and erosion control. The City of Madison has been required by the WDNR to review projects for compliance with NR216 and NR-151 however a separate permit submittal is still required to the WDNR for this work. The City of Madison cannot issue our permit until concurrence is obtained from the WDNR via their NOI or WRAPP permit process. Contact Eric Rortvedt at 273-5612 of the WDNR to discuss this requirement. Information on this permit application is available on line: <http://dnr.wi.gov/Runoff/stormwater/constrformsinfo.htm>.

The applicant is notified that the City of Madison is an approved agent of the Department of Safety and Professional Services (DSPS) and no separate submittal to this agency or CARPC is required for this project to proceed.

10. Revise the site plan 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)
11. Revise the plans to show a proposed private internal drainage system on the site. Include the depths and locations of structures and the type of pipe to be used. (POLICY AND MGO 10.29)
12. Revise the plans to identify the location of the public storm sewer (proposed or existing) that will serve the development show the connection of the private internal drainage system to the public storm sewer. (POLICY AND MGO OVER 10,000 SF OF IMPERVIOUS AREA 10.29 and 37.05(7)(b))
13. This project will disturb 20,000 sf or more of land area and require an Erosion Control Plan. Please submit an 11" x 17" copy of an erosion control plan (pdf electronic copy preferred) to Megan Eberhardt (west) at meberhardt@cityofmadison.com, or Daniel Olivares (east) at daolivares@cityofmadison.com, for approval.

Demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. Include Universal Soil Loss Equation (USLE) computations for the construction period with the erosion control plan. Measures shall be implemented in order to maintain a soil loss rate below 5.0 tons per acre per year. The WDNR provided workbook to compute USLE rates can be found online at <https://dnr.wi.gov/topic/stormwater/publications.html>

Complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website - as required by Chapter 37 of the Madison General Ordinances.

14. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to submit a Storm Water Management Permit application, associated permit fee, Stormwater Management Plan, and Storm Water Management Report to City Engineering. The Stormwater Management Permit application can be found on City Engineering's website at <http://www.cityofmadison.com/engineering/Permits.cfm>.

The Storm Water Management Plan & Report shall include compliance with the following:

Report: Submit prior to plan sign-off, a stormwater management report stamped by a P.E. registered in the State of Wisconsin.

Electronic Data Files: Provide electronic copies of any stormwater management modeling or data files including SLAMM, RECARGA, TR-55, HYDROCAD, Sediment loading calculations, or any other electronic modeling or data files. If calculations are done by hand or are not available electronically, the hand copies or printed output shall be scanned to a PDF file and provided to City Engineering. (POLICY and MGO 37.09(2))

Rate Control: Reduce peak discharge from the site during the 10-year storm event by 15% compared to existing conditions.

TSS Redevelopment with TMDL: Reduce TSS by 80% off of the proposed development when compared with the existing site.

Volume Control: Reduce total volumetric discharge from the site by 5% compared to existing conditions during the 10-year storm event.

Submit a draft Stormwater Management Maintenance Agreement (SWMA) for review and approval that covers inspection and maintenance requirements for any BMP used to meet stormwater management requirements on this project.

15. Submit, prior to plan sign-off but after all revisions have been completed, a digital CAD file (single file) to the Engineering Division that is to scale and represents final construction with any private storm and sanitary sewer utilities.
16. Submit, prior to plan sign-off but after all revisions have been completed, digital PDF files to the Engineering Division. Email PDF file transmissions are preferred to: bstanley@cityofmadison.com (East) or ttroester@cityofmadison.com (West).

City Engineering – Mapping (Contact Julius Smith, (608) 264-9276)

17. Owner shall consider requesting utilities serving the area to release the portion of the Existing 5' wide Utility Easement running through both the existing and proposed pool improvements.

Any portion(s) of a public easement that is intended to be released shall be released by separate document prepared by City Office of Real Estate Services. Contact Julius Smith of Engineering Mapping jsmith4@cityofmadison.com, 608-266-4097) to coordinate the Real Estate project, and associated information and fees required if pursued.

18. The Applicant shall Dedicate a 15' foot radius for Right of Way along the Southwest corner of the parcel to accommodate the public sidewalk within the pending Certified Survey Map.
19. Coordinate with the utility companies serving this area the easements required to serve this development. Those easements shall be properly shown, dimensioned and labeled on the CSM or by separate document. Specifically there is an overhead power line running the northeasterly portion of the East line of the parcel that services a street light pole. There are other large through overhead lines and poles running along the West, South lines of the parcel that serve the remainder of the Block in the existing 5' mid block utility easement.
20. The pending Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds (ROD), the new parcel data created by the Assessor's Office and the parcel data available to zoning and building inspection staff prior to issuance of building permits for new construction or early start permit.

Traffic Engineering (Contact Sean Malloy, (608) 266-5987)

21. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawings shall be to engineering scale and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; vision triangles; 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.
22. The Developer shall post a security deposit prior to the start of development. In the event that modifications need to be made to any City owned and/or maintained traffic signals, street lighting, signing, pavement marking and conduit/handholes, the Developer shall reimburse the City for all associated costs including engineering, labor and materials for both temporary and permanent installations.
23. 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.
24. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
25. All bicycle parking adjacent pedestrian walkways shall have a 2 foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
26. All pedestrian walkways adjacent parking stalls shall be 7 feet wide to accommodate vehicle overhang, signage and impediments to walkway movements. Any request for variance shall be submitted to and reviewed by City Traffic Engineering.
27. "Stop" signs shall be installed at a height of seven (7) feet from the bottom of the sign at all class III driveway approaches, including existing driveways, behind the property line and noted on the plan. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.

28. The applicant shall show the dimensions for the proposed class III driveway including the width of the drive entrance, width of the flares, and width of the curb cut.
29. All existing driveway approaches on which are to be abandoned shall be removed and replaced with curb and gutter and noted on the plan.
30. Secure parking facility. This is usually done with continuous six (6) inch curb, timbers, preformed wheel stops, guardrail erected at a height of eighteen (18) inches or fencing of sufficient strength to act as a vehicle bumper.

Zoning Administrator (Contact Jacob Moskowitz, (608) 266-4560)

31. Provide a detail of the proposed bike rack. Note: A bicycle stall is a minimum two (2) feet by six (6) feet with a five (5) foot wide access area.
32. Submit a detail of the trash enclosure. The trash enclosure shall be screened on four (4) sides (including a gate for access) by a solid, commercial-grade wood fence, wall, or equivalent material with a minimum height of six (6) feet and not greater than eight (8) feet.
33. Submit the landscape plan and landscape worksheet stamped by the registered landscape architect. Per Section 28.142(3) Landscape Plan and Design Standards, landscape plans for zoning lots greater than ten thousand (10,000) square feet in size must be prepared by a registered landscape architect.
34. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with Chapter 31 Sign Codes of the Madison General Ordinances. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.
35. Section 28.185(7)(a)5. requires that if a demolition or removal permit is approved, it shall not be issued until the reuse and recycling plan is approved by the Recycling Coordinator, Bryan Johnson (608-266-4682).
36. Section 28.185(10) Every person who is required to submit a reuse and recycling plan pursuant to Sec. 28.185(7)(a)5. shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition.
37. Section 28.185(9)(a) A demolition or removal permit is valid for one (1) year from the date of the Plan Commission.

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

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

Parks Division (Contact Ann Freiwald, (608) 243-2848)

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

Forestry Division (Contact Bradley Hofmann, (608) 267-4908)

38. Additional street trees are needed for this project. Tree planting specifications can be found in section 209 of City of Madison Standard Specifications for Public Works Construction (website: <https://www.cityofmadison.com/business/pw/specs.cfm>) - All street tree planting locations and tree species within the right of way shall be determined by City Forestry. A landscape plan and street tree planting plan shall be submitted in PDF format to City Forestry for approval of planting locations within the right of way and tree species. All available street tree planting locations shall be planted within the project boundaries. Add following note on both the landscape and street tree plan sets: At least one week prior to street tree planting, Contractor shall contact City Forestry at (608) 266-4816 to schedule inspection and approval of nursery tree stock and review planting specifications with the landscaper.

Water Utility (Contact Jeff Belshaw, (608) 261-9835)

39. A Water Meter Application Form and fees must be submitted before connecting to the existing water lateral. Provide at least two working days notice between the application submittal and the scheduled lateral connection/extension. Application materials are available on the Water Utility's Plumbers & Contractors website (<http://www.cityofmadison.com/water/plumbers-contractors>), otherwise they may be obtained from the Water Utility Main Office at 119 E Olin Ave. A licensed plumber signature is required on all water service applications. For new or replacement services, the property owner or authorized agent is also required to sign the application. If you have questions regarding water service applications, please contact Madison Water Utility at (608) 266-4646.
40. The Madison Water Utility shall be notified to remove the water meter at least two working days prior to demolition. Contact the Water Utility Meter Department at (608) 266-4765 to schedule the meter removal appointment.

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

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