



PREPARED FOR THE PLAN COMMISSION

Project Address: 102 Dempsey Road

Application Type: Conditional Use

Legistar File ID # [78198](#)

Prepared By: Timothy M. Parks, Planning Division
Report includes comments from other City agencies, as noted.

Summary

Applicant & Property Owner: Pete Holmgren, City of Madison Water Utility; 119 E Olin Avenue; Madison.

Requested Actions: Consideration of a conditional use in the TR-C2 (Traditional Residential–Consistent 2) District for a water pumping station and reservoir to allow an emergency electric generator to be installed at Madison Water Utility Unit Well 11 at 102 Dempsey Road.

Proposal Summary: The Water Utility is requesting approval of a conditional use to install an approximately 10-foot by 31.5-foot emergency electric generator on the Unit Well 11 property. The applicant wishes to begin construction early this September, with completion anticipated seven weeks later.

Applicable Regulations & Standards Table 28C-1 in Section 28.032(1) of the Zoning Code identifies water pumping stations and reservoirs as a *conditional use* in all residential zoning districts, including TR-C2. Emergency electric generators are identified as a *permitted accessory use* in all residential zoning districts subject to the supplementary requirements in Section 28.151. Section 28.183 provides the process and standards for the approval of conditional use permits.

Additionally, Water Utility buildings are public projects subject to Urban Design Commission review per Section 33.24(4)(d). However, the Secretary of the Urban Design Commission has indicated that installation of the proposed generator does not warrant review by the full commission and will instead review final plans for the generator administratively.

Review Required By: Plan Commission

Summary Recommendations: The Planning Division recommends that the Plan Commission find the standards met and retroactively **approve** a conditional use in TR-C2 zoning for Madison Water Utility Unit Well 11 at 102 Dempsey Road to construct a new electric generator for the well, subject to input at the public hearing and the conditions from reviewing agencies beginning on page 4 of this report.

Background Information

Parcel Location: An approximately 0.41-acre (17, 825 square feet) parcel located on the west side of Dempsey Road between Milwaukee Street and Calvert Road and adjacent to the Eastmorland Park Bike Path; Alder District 15 (Martinez-Rutherford); Madison Metropolitan School District.

Existing Conditions and Land Use: The property is developed with a one-story well located in the center of the property and 150,000 gallon reservoir located on the southern half of the parcel. An asphalt parking area is located along the northern and western sides of the well building. Eastmorland Park Bike Path crosses the southern edge of the property. The site is zoned TR-C2 (Traditional Residential–Consistent 2 District).

Surrounding Land Use and Zoning:

North: Dane County Parent Council, zoned TR-C2 (Traditional Residential–Consistent 2 District);

South: Single-family residences, zoned TR-C2;

West: Dane County Parent Council and Eastmorland Park, zoned TR-C2; and

East: Dempsey Road and N Stoughton Road (US Highway 51).

Adopted Land Use Plans: The Comprehensive Plan identifies the subject site and parcel to the immediate north and west for Low-Medium Residential (LMR) development; Eastmorland Park is recommended for Park and Open Space (P) uses; the single-family residences to the south are recommended for Low Residential (LR).

Zoning Summary: The property is zoned TR-C2 (Traditional Residential–Consistent 2 District).

Requirements	Required	Proposed
Lot Area (sq. ft.)	4,800	17,825
Lot Width	40 ft	148 ft
Front Yard Setback	20 ft	21 ft
Side Yard Setback	10 ft	30 ft, 53 ft
Rear Yard Setback	30 ft	24 ft (existing)
Maximum Lot Coverage	65%	45%
Maximum Building Coverage	50%	18%
Maximum Building Height	35 ft	Existing
Lot Area (sq. ft.)	4,800	17,825
Lot Width	40 ft	148 ft
Front Yard Setback	20 ft	21 ft

Other Critical Zoning Items	
Yes:	Urban Design (Public Project – Sec. Review), Utility Easements, Wellhead Protection (WP-11)
No:	Barrier Free (ILHR 69), Floodplain, Landmarks, Waterfront Development, Adjacent to Park, Historic District, Wetlands, TOD Overlay
<i>Prepared by: Jacob Moskowitz, Assistant Zoning Administrator</i>	

Environmental Corridor Status: This property is not located within a mapped environmental corridor.

Public Utilities and Services: The site is served by a full range of urban services, including daily Metro Transit service along Dempsey Road (Route G).

Supplemental Regulations per Section 28.151 of the Zoning Code

The following supplemental regulations apply to water pumping stations per: A landscape plan shall be approved by the Director of Planning and Community and Economic Development where a permitted use or the Plan Commission when a conditional use.

The following supplemental regulations apply to emergency electric generators:

- (a) The electric output shall not exceed 3,000 kilowatts and the generator shall be operated a maximum of 200 hours per year.
- (b) The generator shall be located and screened to reduce its visual impact when viewed from neighboring property and to be compatible with neighboring structures and the character of the community. Screening materials, landscaping, or fencing shall be similar in appearance to those used for the principal structure on the zoning lot.

Project Description, Analysis and Conclusion

The Madison Water Utility is requesting conditional use approval in TR-C2 zoning for its existing Well No. 11 to allow installation of an emergency electric generator. Unit Well 11 is located on a 17,825 square-foot parcel located on the west side of Dempsey Road adjacent to a portion of Eastmorland Park. The site is currently developed with a 150,000 gallon reservoir located on the southern half of the property and an approximately 1,200 square-foot well house. The site has been used as a well and reservoir since 1957. However, Zoning staff could not find records of an earlier conditional use approval for the public use of the site and determined that a conditional use would be needed for the historic use of the property before permits could be issued for the emergency electric generator.

The proposed generator will be located along the western property line behind the well house and is proposed to principally be approximately 12 feet tall, 31.5 feet long, and 10 feet wide. The generator will be a prefabricated unit placed on a concrete pad surrounded by an eight-foot tall solid wood fence. Pictures of the type of unit proposed and plans for the proposed layout and fence are included in the plans for the project. The proposed generator will have a standby rating of 600 kilowatts and will be programmed to operate upon loss of standard electrical service to the well facility as well as periods of peak electrical demand to support both the well facility and the greater power grid. The generator will also be run once a month for approximately 30 minutes for testing and maintenance purposes. The existing well operates 24 hours a day and is visited by Water Utility staff approximately once a day to check on facility operations. No changes to the well house or reservoir are proposed.

Water pumping stations and water reservoirs are conditional uses in the TR-C2 district, while accessory emergency electric generators are permitted uses in that district. The Planning Division believes that the standards for conditional use approval are met for the historic public use of the site and the proposed generator. Staff feels that the generator will be adequately screened by the proposed eight-foot tall solid wood fence and by the existing buildings on-site, and believes that the existing well and proposed generator will not have a negative impact on the uses, values and enjoyment, and normal and orderly development of surrounding uses. The portion of the adjacent institutional use nearest the well and proposed generator is currently used as surface parking with Eastmorland Park further to the west, while the nearest residence is located over 100 feet to the south on the other side of the existing reservoir.

No alder or public comments have been received as of the writing of this report that would suggest that the Plan Commission could not approve the request as submitted.

Recommendation

Planning Division Recommendation (Contact Timothy M. Parks, (608) 261-9632)

The Planning Division recommends that the Plan Commission find the standards met and retroactively **approve** a conditional use in TR-C2 zoning for Madison Water Utility Unit Well No. 11 at 102 Dempsey Road to allow an emergency electric generator for the well to be constructed subject to input at the public hearing and the conditions from reviewing agencies that follow.

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

Planning Division (Contact Timothy M. Parks, (608) 261-9632)

1. Before final sign off, a landscape plan with size and species, shall be approved by the Director of Planning and Community and Economic Development or designee.

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

2. Identify on the plans the lot and block numbers of recorded Certified Survey Map or plat.
3. Provide a full and complete legal description of the site or property being subjected to this application on the site plan.

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

4. "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.

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

5. In coordination with any public works improvements, the applicant shall maintain or replace the concrete boarding pad surface at the existing Metro bus stop on the west side of Dempsey Road, north of the crosswalk. The applicant shall include the location of these transit amenities on the final documents filed with their permit application so that Metro Transit may review the design.

Agency which reviewed the project and did not submit any conditions of approval:

Planning, Engineering, Zoning, Fire Department, Water Utility, Parks, Forestry