

# Dane County Rezone & Conditional Use Permit

Application Date	Petition Number
11/20/2013	DCPREZ-2013-10639
Public Hearing Date	C.U.P. Number
01/28/2014	DCPCUP-2013-02258

OWNER INFORMATION		AGENT INFORMATION	
OWNER NAME WAUBESA BEACH CLUB LLC	PHONE (with Area Code) (608) 222-5391	AGENT NAME ERIC CHRISTENSON	PHONE (with Area Code) (608) 576-5565
BILLING ADDRESS (Number & Street) 2952 WAUBESA AVE		ADDRESS (Number & Street) 2988 WAUBESA AVENUE	
(City, State, Zip) MADISON, WI 53711		(City, State, Zip) Madison, WI 53711	
E-MAIL ADDRESS		E-MAIL ADDRESS erchristenson@aol.com	

ADDRESS/LOCATION 1		ADDRESS/LOCATION 2		ADDRESS/LOCATION 3	
ADDRESS OR LOCATION OF REZONE/CUP		ADDRESS OR LOCATION OF REZONE/CUP		ADDRESS OR LOCATION OF REZONE/CUP	
2952 Waubesa Avenue					
TOWNSHIP DUNN	SECTION 5	TOWNSHIP	SECTION	TOWNSHIP	SECTION
PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED	
0610-053-7001-9					

REASON FOR REZONE	CUP DESCRIPTION
ZONING STAFF RECOMMENDATION	TAVERN, LIGHTED OUTDOOR VOLLEYBALL, OUTDOOR SPEAKERS

FROM DISTRICT:	TO DISTRICT:	ACRES	DANE COUNTY CODE OF ORDINANCE SECTION	ACRES
B-1 Local Business District	C-1 Commercial District	0.782	10.13(2)(c)	0.782
R-3 Residence District	C-1 Commercial District	0.085	10.13(2)(f)	0.782
			10.13(2)(o)	0.782

C.S.M REQUIRED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Applicant Initials <i>YLR</i>	PLAT REQUIRED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Applicant Initials <i>YLR</i>	DEED RESTRICTION REQUIRED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Applicant Initials <i>YLR</i>	INSPECTOR'S INITIALS  RLB	SIGNATURE:(Owner or Agent) <i>X ERIC CHRISTENSON</i>
				PRINT NAME: <i>X YLR</i>
				DATE: <i>X 11-20-2013</i>



DANE COUNTY  
**PLANNING & DEVELOPMENT**

Zoning Division  
Room 116, City-County Building  
210 Martin Luther King Jr. Blvd.  
Madison, Wisconsin 53703-3342  
Phone: (608) 266-4266  
Fax: (608) 267-1540

**Conditional Use Application**

Application Fee: \$486 Mineral Extraction: \$1136

Items required to be submitted with application:

- o Written Legal Description of Conditional Use Permit boundaries
- o Scaled drawing of the property showing existing/proposed buildings, setback requirements, driveway, parking area, outside storage areas, location/type of exterior lighting, any natural features, and proposed signs.
- o Scaled map showing neighboring area land uses and zoning districts
- o Written operations plan describing the items listed below (additional items needed for mineral extraction sites)
- o Written statement on how the proposal meets the 6 standards of a Conditional Use

Owner	<u>WAUBESA BEACH CLUB LLC</u>	Agent	<u>ERIC R. CHRISTENSON</u>
Address	<u>2952 WAUBESA AVE</u>	Address	<u>2958 WAUBESA AVE</u>
Phone	<u>MADISON, WI 53711</u>	Phone	<u>MADISON, WI 53711</u>
	<u>608-222-5391</u>		<u>608-576-5565</u>
Email	<u>ERCHRISTENSON@AOL.COM</u>	Email	<u>ERCHRISTENSON@AOL.COM</u>

Parcel numbers affected:	<u>0610-053-7001-9</u>	Town:	<u>DUNN</u>	Section:	<u>5</u>
	<u>0610-053-7012-6 , 0610-053-7023-3</u>	Property Address:	<u>2952 WAUBESA AVE</u>		
			<u>MADISON, WI 53711</u>		

Existing/ Proposed Zoning District : B1/C1

- Type of Activity proposed:  
TAVERN AND MARINA WITH TWO LIGHTED VOLLEYBALL COURTS AND OCCASIONAL OUTDOOR, LIVE ENTERTAINMENT.
- Hours of Operation - SEE ATTACHED
- Number of employees - SEE ATTACHED
- Anticipated customers - SEE ATTACHED
- o Outside storage
- o Outdoor activities
- Outdoor lighting - SEE ATTACHED
- Outside loudspeakers - SEE ATTACHED
- o Proposed signs
- o Trash removal
- Six Standards of CUP (see back) - SEE ATTACHED

The statements provided are true and provide an accurate depiction of the proposed land use. I authorize that I am the owner or have permission to act on behalf of the owner of the property.

Submitted By: [Signature]

Date: 11-20-2013

**Legal Description:** Lots 1,2,3 Blk 3, First Addition Waubesa Beach.

**Operations Plan:** This application is to obtain approval to install and operate a second lighted volleyball court and to continue to provide occasional live entertainment.

Christy's Landing has operated for over 77 years as a tavern and marina and has provided occasional outdoor live entertainment for over 40 years. Tavern hours of operation will continue to be 9am – 2am Sunday through Thursday, 9am – 2:30am Friday & Saturday. Christy's Landing employs approximately 40 persons in the high season (April through September) and a staff of approximately 20 persons the balance of the year.

Christy's Landing has an established customer base, gained from over 77 years of family run operation and support of the Waubesa Beach and Dane County community.

Aside from the addition of one sand volleyball court, operations will essentially continue as they have for many years. No increased impact on the surrounding neighborhood will be experienced. The following two activities prompt this application.

- A. **Volleyball.** Outdoor lighted volleyball leagues have been provided on a single court for approximately 25 years in accordance with Conditional Use Permit No. 621. Volleyball currently concludes by approximately 10:00pm. We intend to operate a second volleyball court for which we have been informed a new or amended Conditional Use Permit is necessary. Property is fenced and bordered to the south by residential property owned by a related entity, Waubesa Land Corp. Shielded lighting is to be directed on to the court in northerly, easterly and westerly directions. This light arrangement, along with screening provided by the tavern itself, retractable privacy screening along the south fence line, and the adjacent structure on the property owned by Waubesa Land Corp, will prevent any direct light spillage on to neighboring properties. (See site plan).
  
- B. **Outdoor live entertainment.** Outdoor live entertainment has been featured May through September with up to 2 events per week. Always concluding by 10:00pm, most before 8:00pm. Many of these events have benefitted

such organizations as The Lake Waubesa Conservation Association, Waubesa Beach Neighborhood Association, Clean Lakes Alliance and many more. It has been our understanding that this activity, if not permitted under the zoning code, was legal nonconforming use. Dane County staff has taken the position that a Conditional Use Permit is necessary. We intend to maintain the existing use. No new loudspeakers are to be added.

**Six Standards of a Conditional Use Permit:**

1. The CUP will continue to enhance the neighborhood's sense of community and provide healthy recreational opportunities with no detriment to public health, safety, comfort or general welfare. The second volley ball court will have proper lighting and screening to prevent any adverse impact on neighboring property. Otherwise, there will be no change in operations. Approximately 25 members of the immediate neighborhood participated in volleyball leagues in 2013. Many members of the immediate neighborhood requested to add a second volleyball court to accommodate two levels of play per night. Neighborhood attendance for live entertainment is very strong and supported by many.
2. All uses will remain essentially the same as in the past 30 years. Christy's Landing has always been an integral part of the Waubesa Beach neighborhood that has long been regarded as both a residential and recreational area with many cottages, a dance hall, and community center. The addition of one volleyball court will not detract from existing uses.
3. CUP will not affect impede the normal and orderly development of surrounding properties. All surrounding properties are currently developed and the addition of one volleyball court will not materially impact any neighboring property.
4. All existing roads and drainage are in proper condition and need not be altered or supplemented by the addition of one volleyball court.

5. Adequate on-site parking (55 stalls) and ample street parking is available. Parking is restricted to West side of Waubesa Avenue in anticipation of larger events (usually occurring 2-3 times/calendar year). The addition of one volleyball court will not increase traffic congestion.
  
6. Christy's Landing, established as a tavern, marina, boat rental and outdoor entertainment facility, has been family owned since 1936 and has a strong history of compliance with all applicable regulations and laws cooperation with local officials.

Addendum to CUP request: Waubesa Beach Club, Eric R. Christenson

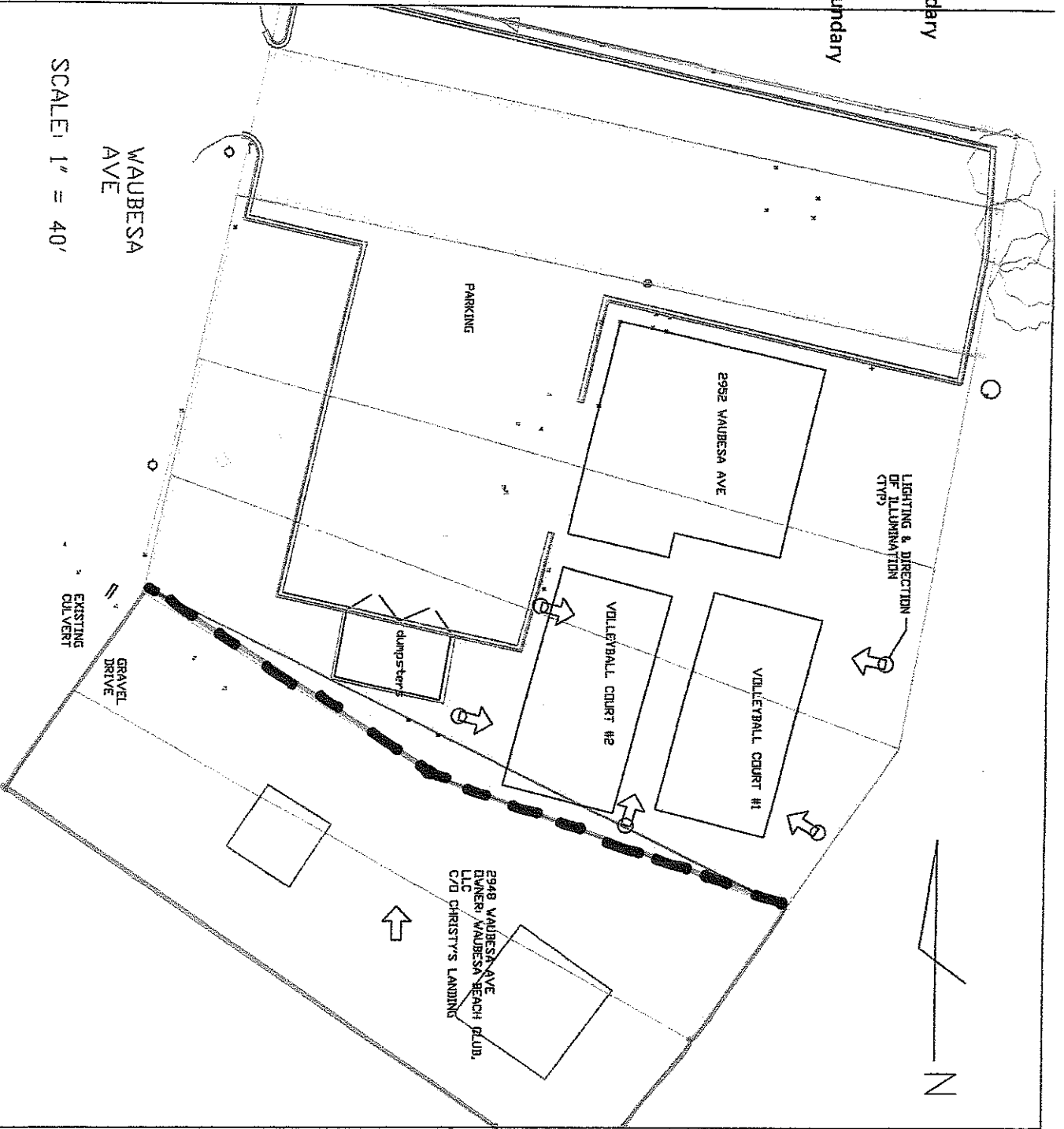
In response to your request for more information.

1. There is seating for approximately 100 persons in the tavern with an additional 90-100 outdoors.
2. The adjacent parking lot has 55 stalls. There is also adequate street parking on 3<sup>rd</sup> street and along Waubesa Avenue. **In peak season approximately 50% of customers arrive by water.** We supply docking for approximately 25 - 30 watercraft. We have worked very successfully with Town and county officials to relieve parking issues during our largest events by opening private property for parking and restricting parking to the West side of Waubesa Avenue. Additional winter events include: Waubesa Snowbirds Radar Run(registration at Christy's), Golf event on Lake, 2 kickball tournaments on Lake Waubesa.
3. In a typical summer season we host about 20-25 live music events with amplification. Only two of these events last until 10:00pm with those occurring on Saturday night. The balance being held on Thursday, Friday or Saturday afternoons/evening concluding by 8:00pm and Sunday afternoon concluding around 7:00pm.
4. To follow.
5. To follow.

Ideally with two volleyball courts we would be hosting 16 teams/night as opposed to 10 with one volleyball court. Last start time being 8:40 instead of 9:00pm. This would increase attendance by 30-36 people per evening over a four hour period. Roughly 6 cars/hour.

Existing Boundary

Proposed Boundary



SCALE: 1" = 40'

WAUBESA AVE

2952 WAUBESA AVE - CHRISTY'S CUP PLAN  
PLAN PREPARED BY: CLINTON J CHRISTENSON, P.E.

Existing Boundary

CERTIFIED SURVEY MAP NO. \_\_\_\_\_

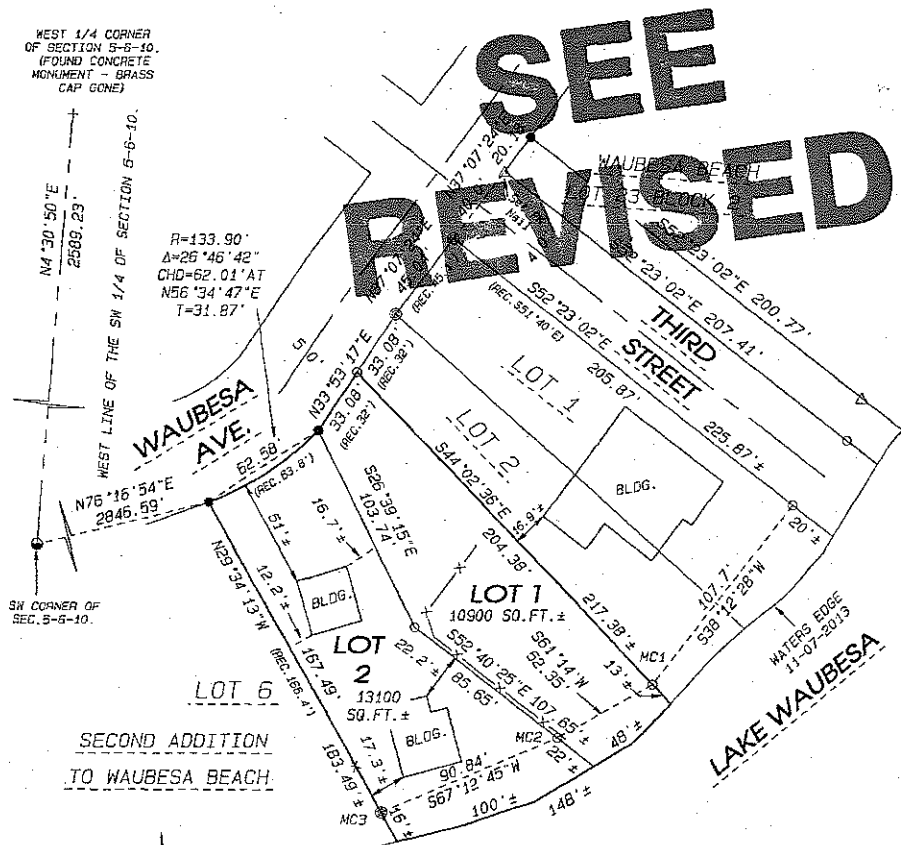
LOTS 3, 4 AND 5, SECOND ADDITION TO WAUBESA BEACH,  
 LOCATED IN GOVERNMENT LOT 2 OF FRACTIONAL SECTION 5,  
 T.6N., R.10E. OF THE 4TH P.M., TOWN OF DUNN, DANE COUNTY,  
 WISCONSIN.

OWNER:  
 WAUBESA BEACH CLUB, LLC  
 2952 WAUBESA AVE.  
 MADISON, WI 53711

WEST 1/4 CORNER  
 OF SECTION 5-6-10.  
 (FOUND CONCRETE  
 MONUMENT - BRASS  
 CAP GONE)

N4°30'50"E  
 2589.23'  
 WEST LINE OF THE SW 1/4 OF SECTION 5-6-10.

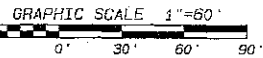
R=133.90'  
 Δ=26°46'42"  
 CHD=62.01' AT  
 N56°34'47"E  
 T=31.87'



SW CORNER OF  
 SEC. 5-6-10.

SECOND ADDITION  
 TO WAUBESA BEACH

LAKE WAUBESA  
 WATERS EDGE  
 11-07-2015



NOTE: ASSUMED N4°30'50"E ALONG THE WEST LINE OF THE  
 SW 1/4 OF SECTION 5-6-10.

Project No. 113 - 339  
 For: WAUBESA BEACH CLUB

SHEET 1 OF 3 SHEETS

LEGEND:

- SET IRON PIN, 3/4"x 24", 1.5 LBS./LIN.FT.
- FOUND IRON PIN
- ⊙ FOUND IRON PIPE
- ⊙ FOUND CAST IRON MONUMENT
- X— FENCE
- MC MEANDER CORNER

**Combs & ASSOCIATES**

- LAND SURVEYING
- LAND PLANNING
- CIVIL ENGINEERING

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