



Project Address: 130 E. Gilman Street
Application Type: Certified Survey Map Referral
Legistar File ID # [30331](#)
Prepared By: Timothy M. Parks, Planning Division
Report includes comments from other City agencies, as noted.

Summary

Applicant & Property Owner: Tammi Alexander & Gary Brown, University of Wisconsin-Madison; 610 Walnut Street; Madison.

Surveyor: Michelle L. Burse, Burse Surveying & Engineering, Inc.; 1400 E. Washington Avenue, Suite 158; Madison.

Requested Action: Consideration of a Certified Survey Map (CSM) of property owned by the University of Wisconsin Board of Regents located at 130 E. Gilman Street, creating two lots.

Proposal Summary: The University of Wisconsin-Madison wishes to subdivide the property by CSM to create separate lots for the former Executive Residence/ Knapp House and UW Lifesaving Station. The University wishes to record the CSM as soon as all regulatory approvals have been granted.

Applicable Regulations & Standards: Section 16.23, Land Subdivision Regulations, Madison General Ordinances provides the requirements for land divisions.

Section 16.23(3)(a)4 requires that the Plan Commission consider the recommendations of the Landmarks Commission under Section 33.19(5)(i)1 for any land divisions and subdivision plats of landmark sites and properties in historic districts regarding lot sizes. Section 33.19(5)(i)1 allows the Landmarks Commission to review proposed land divisions and subdivision plats of landmark sites and properties in historic districts and make an advisory to the Plan Commission on whether the proposed lot sizes will negatively impact the historic character or significance of a landmark or landmark site and whether the proposed lot sizes are compatible with adjacent lot sizes and maintain the general lot size pattern of the Historic District.

Section 28.135(3) of the Zoning Code provides the requirements for the creation of deep residential lots (see page 3 of this report).

Review Required By: Plan Commission. An advisory recommendation from the Landmarks Commission is also required, as noted above.

Review Schedule: The State's subdivision statute, Wis. Stats. 236, requires that action be taken on a Certified Survey Map within 90 days of submittal unless a written extension is granted by the applicant. If no action is taken within 90 days and no extension granted, the CSM is deemed approved. The proposed CSM application was submitted to the City on May 8, 2013. Therefore, the 90-day review period for this CSM will end circa August 8, 2013.

Summary Recommendation: The Planning Division recommends that the Plan Commission find the standards for land divisions and deep residential lots met with this request and **approve** a Certified Survey Map of

property located at 130 E. Gilman Street creating one deep residential lot, subject to input at the public hearing and the conditions from reviewing agencies beginning on page 5 of this report.

Background Information

Parcel Location: The subject site contains approximately 1.36 acres of land located on the northerly side of E. Gilman Street between N. Pinckney and N. Butler streets; Aldermanic District 2 (Zellers); Mansion Hill Local Historic District; Madison Metropolitan School District.

Existing Conditions and Land Use: The southerly half of the site is developed with the former Executive Residence (also known more recently as the Knapp House), which, in addition to being located in the Mansion Hill Local Historic District, was designated a local landmark in 1972. The northerly half of the site closest to Lake Mendota is developed with the University’s Lifesaving Station (Lake Mendota Rescue Service). Both buildings share a driveway from E. Gilman Street located along the easterly side property line. The entire site is zoned DR-1 (Downtown Residential–1 District).

Surrounding Land Use and Zoning:

North: Lake Mendota;

South: Two-family residences and multi-family residential buildings and surface parking lot, zoned DR-1 (Downtown Residential–1 District);

East: Verex Plaza office building (Fiore Companies, Inc.; Foley Lardner, LP; Coyne, Schultz, Becker & Bauer, SC, etc.), zoned UOR (Urban Office-Residential District);

West: Multi-family residential buildings, zoned DR-1.

Adopted Land Use Plan: The Comprehensive Plan includes the subject property in the Mansion Hill Residential Sub-District, which allows multi-unit high-density residential uses with densities generally of up to 60 units per acre, and institutional uses. Buildings in this sub-district should be at least two-stories tall, with the maximum heights to be established by underlying zoning. Historic preservation is a key consideration within the Mansion Hill Sub-District, which contains a number of locally designated landmarks and most of the Mansion Hill Local Historic District.

The Downtown Plan includes the subject site and surrounding properties in the Mansion Hill Neighborhood/District, with a predominant residential generalized future land use and a maximum recommended building height of 5 stories.

Zoning Summary: The property is zoned DR-1 (Downtown Residential–1 District):

Requirements	Required	Proposed
Lot Area	3,000 sq. ft.	Proposed lots will comply
Lot Width	30’ for 1-, 2- & 3-family; 40’ otherwise	See conditions re: proposed Lot 2
Front Yard	15’ unless designated on Zoning Map	Lot 1: 26.1’ Lot 2: 140’
Side Yards	5’	Adequate for proposed lots
Rear Yard	Lesser of 20% of lot depth or 30’	Lot 1: 63.1’ Lot 2: 4.5’ (existing)
Floor Area Ratio	N/A	---
Minimum building height	2 stories	Existing buildings comply
Maximum building height	5 stories	Existing buildings comply

Requirements	Required	Proposed
No. of Parking Stalls	No minimum – Central Area	Existing; no changes proposed
No. of Accessible Parking Stalls	N/A	---
Maximum Lot Coverage	75%	Both proposed lots will comply
No. Bike Parking Stalls	Determined by Zoning Administrator	---
Building Form	Single-Family Detached Institutional	Existing; complies with requirements
Other Critical Zoning Items		
Yes:	Landmarks (Local Landmark & Mansion Hill Local Historic District), Utility Easements	
No:	Urban Design, Wellhead Protection, Waterfront Development, Floodplain, Barrier Free	
<i>Prepared by: Pat Anderson, Asst. Zoning Administrator</i>		

Environmental Corridor Status: The property is not located within a mapped environmental corridor (Map E8).

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

Additional Requirements

Section 28.135(3) of the Zoning Code, entitled “Lot Division, Creation and Access” requires the following for deep residential lots:

(3) Development of Deep Residential Lots.

- (a) Statement of Purpose. This subsection is established to allow the intensive development of certain deep residential lots which could not otherwise be fully developed under this or any other development control ordinance. The intensive development of a deep lot is not a matter of right but instead a privilege granted to the developer by the City when the Plan Commission makes a finding that such development is in the public interest.
- (b) General Regulations. The Plan Commission may allow, after a public hearing and notice as set forth in Sec. 28.183 and consideration of the [conditional use] standards set forth in Sec. 28.183(6), the development of a deep residential zoning lot into not more than four (4) zoning lots, provided that :
 1. The front lot(s) shall have a width not less than that required in the district in which it is located.
 2. The rear lot shall have frontage onto an improved public street for a width not less than 30 feet.
 3. The strip of land of land between the improved public street and the remainder of the rear lot shall not contain any buildings or structures and said strip of land shall not be used to satisfy any area, yard, or usable open space requirement for the rear lot.
 4. All of the lots proposed shall have the minimum required lot area.
 5. The house numbers for all lots shall be on a sign visible from the public street.
- (c) A building permit for residential construction shall be issued for any zoning lot legally created, pursuant to this section, prior to the effective date of this ordinance.

Project Description

The University of Wisconsin-Madison is requesting approval of a Certified Survey Map (CSM) to subdivide their approximately 1.36-acre property at 130 E. Gilman Street into two lots. The site is developed with the UW Lifesaving Station on the northerly portion of the property adjacent to Lake Mendota, and the former Executive Residence/ Knapp House on the southerly portion of the site closer to E. Gilman Street. Both structures share

access from a driveway from E. Gilman Street that extends along the easterly side property line, with a separate driveway and parking area are located adjacent to the southwestern corner of the residence.

The residence was built in 1855 and served as the governor's residence from approximately 1883-1949. From 1950 until recently, the residence was used as housing for the University's Knapp Scholars program. The residence was designated a City landmark in 1972 and was listed on the National Register of Historic Places in 1973. The entire property is also located in the Mansion Hill Local Historic District. In addition to the historic residence, the site is characterized by the large lawn that slopes down to Lake Mendota, which is considered a contributing feature of the landmark property.

Lot 1 of the proposed CSM was submitted as an approximately 145-foot wide, 175-foot deep parcel (0.58 acres) containing the residence, which the letter of intent indicates will be offered to other University of Wisconsin system campuses/ functions prior to being offered for sale. Lot 2 is proposed as a 0.77-acre parcel that will contain the Lifesaving Station, which will be connected to E. Gilman Street by a 20-foot wide strip of land extending along the easterly property line, which will include the existing driveway. The University will retain ownership of Lot 2 and continue to operate the Lifesaving Station. No additional development of Lot 2 is proposed at the present time. A joint driveway easement is shown along a portion of the 20-foot wide strip connecting Lot 2 to the street to allow the driveway serving the residence on proposed Lot 1 to remain.

Analysis and Conclusion

The Planning Division generally believes that the proposed land division to create separate lots for the existing buildings on the 1.36-acre parcel can meet the standards for approval, including the conditional use standards in Section 28.183(6), the criteria for the creation of deep residential lots in Section 28.135(3), and the general lot design criteria in Section 16.23. Both proposed lots provide the minimum 3,000 square feet of lot area required in the DR-1 zoning district, though the width of the portion of Lot 2 extending out to E. Gilman Street will need to be widened 10 additional feet on the final CSM to comply with the minimum width requirement for deep lots in Section 28.135(3).

As noted in the 'Summary' section of this report, Section 16.23(3)(a)4 requires that the Plan Commission consider the recommendations of the Landmarks Commission under Section 33.19(5)(i)1 for any land divisions and subdivision plats of landmark sites and properties in historic districts regarding lot sizes. Section 33.19(5)(i)1 allows the Landmarks Commission to review proposed land divisions and subdivision plats of landmark sites and properties in historic districts and make an advisory to the Plan Commission on whether the proposed lot sizes will negatively impact the historic character or significance of a landmark or landmark site and whether the proposed lot sizes are compatible with adjacent lot sizes and maintain the general lot size pattern of the Historic District.

In reviewing the proposed land division for the Landmarks Commission's June 10, 2013 meeting, the City's preservation planner, Amy Scanlon, noted that the size of Lot 1 shown on the CSM submitted is more consistent with the size of other nearby lots in the Mansion Hill Local Historic District. However, she also stated that the proposed land division "diminishes the historic character of the site", which is heightened by the additional lot width required in order to create the proposed deep residential lot, which the Zoning Code requires be a minimum of 30 feet wide. In an effort to reduce the impact the land division and the zoning-required narrowing of Lot 1 would have on the landmark site, Ms. Scanlon recommended that the northerly, rear property line of Lot 1 be moved closer to Lake Mendota to allow more of the lawn to remain with the residence. The University agreed with this recommendation, and the Landmarks Commission recommended that the CSM be approved

with an additional 40 feet of rear yard north of the residence, creating an approximately 215-foot deep lot with an approximately 103-foot deep rear yard.

Recommendation

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

The Planning Division recommends that the Plan Commission find the conditional use standards and deep residential lot criteria met and **approve** a Certified Survey Map of property located at 130 E. Gilman Street creating a deep residential lot, subject to input at the hearing and the following conditions:

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

1. That the Certified Survey Map be revised prior to final approval and recording to show a minimum 30-foot wide strip connecting Lot 2 to E. Gilman Street and the 40 feet of additional lot depth for Lot 1 as recommended by the Landmarks Commission. The 20-foot wide joint driveway easement on Lot 2 should be widened to 30 feet to reflect the widening of the connecting strip.

The following conditions of approval have been submitted by reviewing agencies:

City Engineering Division (Contact Janet Dailey, 261-9688)

2. The applicant shall submit a digital CAD file (single file) to Lori Zenchenko, Engineering Program Specialist in the Engineering Division (LZenchenko@cityofmadison.com) prior to final sign-off of the CSM. She can be reached at 608.266.5952 to discuss CAD file contents.
3. A minimum of 2 working days prior to requesting City Engineering Division signoff on the CSM, the applicant shall contact Janet Dailey (261-9688) to obtain the final stormwater utility charges that are due and payable prior to sub-division of the properties. The stormwater utility charges (as all utility charges) are due for the previous months of service. All charges shall be cleared prior to the land division (and subsequent obsolesces of the existing parcel).
4. Wisconsin Administrative Code A-E 7.08 identifies when Public Land System (PLS) tie sheets must be filed with the Dane County Surveyor's office. The developer's surveyor and/or applicant must submit copies of required tie sheets or condition reports for all monuments, including center of sections of record, used in this survey, to Eric Pederson, City Engineering Division. If a new tie sheet is not required under A-E 7.08, Engineering requests a copy of the latest tie sheet on record with Dane County Surveyor's office. The applicant shall identify monument types on all PLS corners included on the plat or CSM. Note: Land tie to two PLS corners required.

Traffic Engineering Division (Contact Eric Halvorson, 266-6527)

This agency submitted a response with no conditions of approval for this request.

Zoning Administrator (Contact Pat Anderson, 266-5978)

This agency did not provide comments for this request.

Fire Department (Contact Bill Sullivan, 261-9658)

5. While not required at this time, ensure the driveway to Lot 2 could accommodate a 20-foot wide fire lane in the future.

Water Utility (Contact Dennis Cawley, 261-9243)

6. Lot 2 will require a separate water service lateral connection to a public water main.
7. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility.

Parks Division (Contact Kay Rutledge, 266-4714)

This agency did not provide comments for this request.

Metro Transit (Contact Tim Sobota, 261-4289)

This agency did not provide comments for this request.