

# PLANNING DIVISION STAFF REPORT

August 28, 2017

PREPARED FOR THE PLAN COMMISSION



**Project Address:** 130 E. Gilman Street (District 2 – Alder Zellers)  
**Application Type:** Zoning Map Amendment  
**Legistar File ID #** [48230](#)  
**Prepared By:** Colin Punt, Planning Division  
Report includes comments from other City agencies, as noted  
**Reviewed By:** Kevin Firchow, AICP, Principal Planner

## Summary

**Applicant, Contact, and Property Owner:** Robert Klebba; 704 E Gorham St; Madison, WI 53703

**Requested Actions:** Approval of a request to rezone a single 0.669 acre parcel of land from DR-1 (Downtown Residential - 1) to PD (Planned Development).

**Proposal Summary:** The applicant is requesting a rezoning of a parcel located at 130 East Gilman Street from DR-1 (Downtown Residential - 1) to PD (Planned Development District) for the conversion of the historic Governor's Mansion/Knapp House into an eight-room hotel.

**Applicable Regulations & Standards:** This request is subject to the approval standards for Zoning Map Amendments (Section 28.182 MGO) and Planned Developments (Section 28.098 MGO).

**Review Required By:** Landmarks Commission, Urban Design Commission, Plan Commission, and Common Council.

**Summary Recommendation:** The Planning Division recommends that the Plan Commission forward Zoning Map Amendments ID 28.022 - 00301 and 28.022 - 00302 approving a Planned Development – General Development Plan and a Planned Development – Specific Implementation Plan for 130 E. Gilman St. to the Common Council with a recommendation of **approval**. This recommendation is subject to input at the public hearing and conditions recommended by reviewing agencies.

## Background Information

**Parcel Location:** An approximately 0.669-acre site located generally northwest of East Gilman Street between North Pinckney and North Butler Streets; Aldermanic District 2 (Ald. Zellers); Madison Metropolitan School District.

**Existing Conditions and Land Use:** Currently vacant historic home with two small parking lots zoned DR-1 (Downtown Residential - 1), HIST-MH (Mansion Hill Historic District), and HIST-L (Designated Landmark).

### Surrounding Land Uses and Zoning:

Northeast: Verex Plaza office building, zoned UOR (Urban Office-Residential);

Northwest: UW Lifesaving station on the Lake Mendota shoreline, zoned DR-1 (Downtown Residential-1);

Southwest: Lakeshore Apartments and Haase Towers Apartments, zoned DR-1 (Downtown Residential-1);  
and

**Southeast:** Across Gilman Street, a parking lot and several former single family homes now split into multi-unit (2-13 units) apartments and condominiums, all zoned DR-1 (Downtown Residential-1).

**Adopted Land Use Plan:** The [Comprehensive Plan](#) (2006) includes this site within the Mansion Hill subdistrict of the Downtown Special District and directs land use recommendations to the [Downtown Plan](#) (2012). The Downtown Plan’s recommendations for the Mansion Hill district are for a preserving the character of the Mansion Hill Historic District while encouraging selective redevelopment and infill that should be predominantly residential but may include some complimentary non-residential uses.

**Zoning Summary:** The proposed lot will be zoned PD permitting hotel, extended-stay occupancy, restaurant, caretaker’s dwelling, and event space. See the attached proposed Zoning Text for details.

Requirements	Required	Proposed
Lot Area (sq. ft.)	As per approved plans.	As per submitted plans.
Lot Width	As per approved plans.	As per submitted plans.
Front Yard Setback	As per approved plans.	As per submitted plans.
Side Yard Setback	As per approved plans.	As per submitted plans.
Rear Yard Setback	As per approved plans.	As per submitted plans.
Maximum Lot Coverage	As per approved plans.	As per submitted plans.
Floor Area Ratio	As per approved plans.	As per submitted plans.
Building Height	As per approved plans.	As per submitted plans.

Site Design	Required	Proposed
Number Parking Stalls	As per approved plans.	10
Accessible Stalls	Yes	1 (See Zoning comment #3)
Loading	None	None
Number Bike Parking Stalls	<b>Hotel:</b> 1 per 10 bedrooms (1) <b>Restaurant, café:</b> 5% of capacity (TBD) <b>Reception hall, event space:</b> 5% of the capacity of persons (5)	10 (See Zoning comment #4)
Landscaping and Screening	Yes	Yes (See Zoning comments #5 & #6)
Lighting	Yes	No (See Zoning comment #8)

<b>Other Critical Zoning Items</b>	Urban Design (PD); Historic Landmark; Mansion Hill Historic District; Barrier Free (ILHR 69); Utility Easements
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*Table Prepared by Jenny Kirchgatter, Assistant Zoning Administrator*

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

**Public Utilities and Services:** The overall site is served by a full range of urban services, including seven-day Metro Transit service on Gorham and Johnson Streets.

## **Project Description, Analysis, and Conclusion**

Owner Robert Klebba is requesting approval to rezone 0.669 acres of land at 130 E. Gilman St. from the existing DR-1 (Downtown Residential - 1) to PD (Planned Development) to allow for the conversion of the historic Governor’s Mansion/Knapp House into a small hotel. The building was most recently used as the Knapp House, a UW-Madison graduate student residential scholarship program, which including graduate student housing, though it has been vacant for approximately four years.

The applicant proposes to operate an eight-room hotel allowing extended stay from December through March, with a restaurant, event space (both indoors and outdoors), and a basement caretaker's apartment. The 8-room hotel will operate 24 hours per day, 365 days per year. Extended stay accommodation of hotel guests for more than 30 days will be provided December through March. A small restaurant will sell non-alcoholic beverages and local bakery items daily from 6:30 a.m. to 2:00 p.m. Some food preparation will occur in the kitchen. A maximum of 12 large events (up to 100 attendees) and 25 small events (up to 40 attendees) may occur per year. Outdoor events with tents, such as wedding ceremonies will be limited to 12:00-4:00 p.m. A one-bedroom caretaker's apartment will be located in the basement with a separate exterior entrance.

Permitted uses are defined in the proposed PD zoning text. Permitted uses include a hotel, extended stay occupancy, a restaurant, a caretaker's dwelling, and outdoor event space. The proposed outdoor event space will be a permitted use that will be further subject to continuing jurisdiction of the Plan Commission (per Sec 28.183(9)(c) MGO). Additionally, as part of the approval of the PD zoning text, an event management plan addressing location of tents, timing of tent set up and take down, meal service, music and noise, security, and parking will also need to be approved and recorded. See the attached event plan for details.

Only limited exterior alterations are proposed. An accessible ramp will be extended to an existing porch floor on the northwest side of the structure, which will be raised several inches to the level of the existing door. No other changes will be made to the exterior of the building. Seven car parking spaces will be added to the existing three on site. Some grading will be needed to accommodate the new on-site parking. New landscaping will buffer the parking areas. Please note that the applicant has revised the plans and the removal of one existing Siberian Elm is now proposed to accommodate the additional reconfigured parking. The applicant has also begun conversations with Fiore Companies to use the 38-space surface parking lot at 139 E. Gilman Street on weekends and after business hours.

The only design concern that staff has raised throughout this process is the location of surface parking which has a stall which extends beyond the front plane of the building's façade. This would not be allowed in other Downtown Zoning Districts and staff questions whether it is appropriate at this location. Notwithstanding this staff concern, at its August 14, 2017 meeting, the Landmarks approved a certificate of appropriateness conditioned upon the applicant addressing the Commission's concerns and working with staff to finalize details. The Commission's primary concern was the proposed berms around the new parking areas and near the structure's foundations, along with minor concerns regarding exhaust vent penetrations of the exterior of the building. The applicant provided an informational presentation to the Urban Design Commission at its June 7, 2017 meeting, at which time Commissioners commented on the importance of properly screening the parking with landscaping. At its August 16, 2017 meeting, the UDC granted initial and final approval for the proposal without comments or conditions, including the reconfigured parking and removal of the Siberian Elm. Copies of those reports are included within the Plan Commission packets.

The applicant has worked closely with the Mansion Hill Executive Residence Project Proposal Steering Committee and District 2 Alderperson (Zellers) to address neighborhood concerns regarding the event management plan and zoning text.

The Planning Division believes that the approval standards for Planned Development zoning can be met. Planned Developments are intended to facilitate the development of land in an integrated and innovative fashion, to allow for flexibility in site design, and to encourage development that is sensitive to environmental, cultural and economic considerations. Specific design objectives include promoting green building technologies, integrated land uses, preservation and enhancement of environmental features, preservation of historic buildings, enhanced open space, and the facilitation of high-quality development consistent with adopted plans.

See Zoning Code Section 28.098 (1) for further information about the use of Planned Developments. The Planning Division believes the use of Planned Development zoning is appropriate in this situation as it helps facilitate the historic preservation of this landmark building while allowing a limited hotel operation. Rezoning to other districts that allow hotels could introduce a variety of permitted and conditional uses that are inconsistent with adopted plans and the surrounding development pattern.

## Recommendation

### Planning Division Recommendation (Contact Colin Punt, 243-0455)

The Planning Division recommends that the Plan Commission forward Zoning Map Amendments ID 28.022 - 00301 and 28.022 - 00302, rezoning a portion of lands addressed as 130 E. Gilman St from DR-1 (Downtown Residential-1) to PD (Planned Development) to the Common Council with recommendations of **approval** subject to input at the public hearing and the following revised conditions:

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

#### Planning Division (Contact Colin Punt, 243-0455)

1. Applicant shall provide a landscaping plan and planting schedule from a registered professional landscape architect.
2. Applicant shall provide elevation drawings of the southwest façade of the building with clearly labeled heights, colors, and materials.

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

3. Parking requirements for persons with disabilities must comply with Section 28.141(4)(e). Final plans shall show the dimensions of the required van accessible stall. A van accessible stall is a minimum of 8 feet wide with an 8 foot wide striped access aisle or 11 feet wide with a 5 foot wide access aisle.
4. Bicycle parking for the project shall comply with the requirements of Sections 28.141(4)(g), Table 28I-3, and 28.141(11). Work with Zoning staff to verify the minimum number of required bicycle parking stalls. Provide the minimum number of required short-term bicycle parking stalls located in a convenient and visible area on a paved or impervious surface. Bicycle parking shall be located at least as close as the closest non-accessible automobile parking and within one hundred (100) feet of a principal entrance. Note: A bicycle stall is a minimum of two (2) feet by six (6) feet with a five (5) foot wide access area. Identify and show the dimensions of the bicycle parking pad and stalls on the plans. Provide a detail of the proposed bike rack.
5. 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.
6. Show the trash enclosure area on the site plan. All developments, except single family and two family developments, shall provide a refuse disposal area. Such area 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. Submit a detail of the trash enclosure.

7. Identify and label the building materials and colors of the proposed porch addition on the building elevations.
8. 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.
9. Work with Planning and Zoning staff to finalize the Zoning text and event management plan.
10. Per Section 28.186(4)(b), the property owner or operator is required to bring the property into compliance with all elements of the approved site plans by the date established by the Zoning Administrator as part of the site and building plan approval. Work with Zoning staff to establish a final site compliance date.
11. 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.

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

12. 3.12 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)
13. 3.16 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)
14. 3.19 All damage to the pavement on E Gilman St, 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)

**City Engineering Division – Mapping Section** (Contact Jeff Quamme, 266-4097)

15. Hotel room numbers shown on the plan set do not conform to addressing standards. Submit a PDF of all floor plans to [lzenchenko@cityofmadison.com](mailto:lzenchenko@cityofmadison.com) so that a preliminary interior addressing plan can be developed prior to plans being submitted for permit review. If there are any changes pertaining to the location of a unit, the deletion or addition of a unit, or to the location of the entrance into any unit, (before, during, or after construction) the addresses may need to be changed. The interior address plan is subject to the review and approval of the Fire Marshal.

**Parks/Forestry Review** (Contact Brian Meiller, 266-4890)

16. NOTE: East Gilman Street will be reconstructed by City project in 2018 and will have both Ash trees being preemptively removed due to Emerald Ash Borer as part of the project. Forestry will plant the replacements after both projects are complete.

**Traffic Engineering** (Contact Eric Halvorson, 608-266-6527)

17. All parking facility design shall conform to MGO standards, as set in section 10.08(6). The proposed parking does not meet the ordinance and the applicant shall work with Traffic Engineering to alter the parking geometrics to bring the site into compliance.

18. As parking is difficult in this area the applicant shall work with Traffic Engineering to provide a Parking Management plan. This plan shall include how they will direct customers to which facility and how they will gain access. It shall also include expected demand for events and any agreements the applicant as entered into to meet this demand.

19. 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.

20. 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.

21. 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.

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

22. The Madison Fire Department does not object to this proposal provided the project complies with all applicable fire codes and ordinances. Provide a fire sprinkler and a fire alarm system per IFC 2015 edition.

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

23. Metro Transit provides daily bus service on East Mifflin and North Pinckney Streets, at stops in the North Hamilton Street intersection - roughly 1/3 of a mile walking distance from the proposed development.