



## Report to the Plan Commission

April 22, 2013

**Legistar ID #29437**  
**2 E. Gilman Street**  
**Conditional Use**

Report Prepared By:  
Timothy M. Parks, Planner,  
Planning Division Staff

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**Requested Actions:** Approval of a conditional use for a planned multi-use site to allow a subterranean parking connection for an existing office building at 2 E. Gilman Street.

**Applicable Regulations & Standards:** Section 28.137(2) provides the framework for planned multi-use sites. Section 28.137(2)(e) states that a planned multi-use site containing more than 40,000 square feet of gross floor area and where 25,000 square feet of gross floor area is designed or intended for retail use or for hotel or motel use requires conditional use approval and, when applicable, be subject to review by the Urban Design Commission under the provisions of Section 33.24(4)(f). Section 28.183 provides the guidelines and regulations for the approval of conditional uses.

**Summary Recommendation:** The Planning Division recommends that the Plan Commission find the standards met and **approve** a conditional use for a planned multi-use site to allow a subterranean parking connection for an existing office building at 2 E. Gilman Street, subject to input at the public hearing and the conditions from reviewing agencies beginning on page 4 of this report.

### General Information

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**Applicant & Property Owner:** Robert Mucci, National Guardian Life Insurance Co., 2 E. Gilman Street; Madison.

**Agent:** Robert Dyrek, Hammes Company Sports Development, 22 E. Mifflin Street; Madison.

**Proposal:** National Guardian Life Insurance Co. is requesting approval of a planned multi-use site to allow for a subterranean connection to be constructed between the parking garage beneath its office building, the existing Edgewater Hotel parking garage, and the proposed parking garage that the Edgewater Hotel and National Guardian Life will share between the other two garages. Construction of the proposed connection will commence as soon as all regulatory approvals have been granted, with completion anticipated in 2014.

**Existing Conditions:** National Guardian Life occupies a six-story, 83,000 square-foot building with 4 levels of underground parking accessed from E. Gilman Street. The building is located near the corner of E. Gilman Street and Wisconsin Avenue in UOR (Urban Office-Residential District) zoning on the southern half of a 2.35-acre parcel. The northern portion of the National Guardian Life parcel is developed with a surface parking lot accessed from N. Pinckney Street and the former Vilas Boathouse in DR-1 zoning (Downtown Residential 1 District). The site is located in the Mansion Hill Local Historic District; Aldermanic District 2 (Zellers); Madison Metropolitan School District.

### Surrounding Land Use and Zoning:

North: Edgewater Hotel, zoned PD-SIP; Lake Mendota;

South: Multi-family residences, zoned DR-1 (Downtown Residential 1 District); bed & breakfast, zoned PD-SIP;

West: Single- and multi-family residences and fraternity and sorority houses, zoned DR-1 and DR-2 (Downtown Residential 2 District);

East: Multi-family residences, zoned DR-1.

**Adopted Land Use Plan:** The Downtown Plan includes the National Guardian Life and Edgewater Hotel properties in the Mansion Hill Neighborhood/ District, with a predominant residential generalized future land use. The maximum recommended building height in most of the Mansion Hill area is 5 stories, though no new development above grade is proposed with this application.

**Environmental Corridor Status:** The National Guardian Life property is not located within a mapped environmental corridor.

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

**Zoning Summary:** The portion of the site developed with the existing office building is zoned UOR (Urban Office-Residential District); the surface parking lot to the north along N. Pinckney Street is zoned DR-1 (Downtown Residential 1 District). The UOR district where the building and proposed parking connection is proposed requires the following:

Requirements	Required	Proposed
Lot Area	8,000 sq. ft.	102,800 sq. ft., existing
Lot Width	30'	251' existing along E. Gilman St.
Front Yard	0' for non-residential/ mixed-use	64' from Wisconsin Avenue
Side Yards	10'	33' from E. Gilman; 10' from north
Rear Yard	At least 35'	64'
Minimum Building Height	2 stories	6 stories, existing
Maximum Building Height	5 stories	6 stories, existing
No. of Parking Stalls	0 (Central Area)	Approximately 125 stalls
Maximum Building Coverage	N/A	---
Usable Open Space	N/A	---
Loading	2	Existing
No. Bike Parking Stalls	41: 1 per 2,000 sq. ft of floor area	Existing
Building Form	Free-standing commercial bldg.	Existing
<b>Other Critical Zoning Items</b>		
Yes:	Urban Design, Barrier Free, Utility Easements	
No:	Wellhead Protection, Floodplain, Landmarks, Waterfront Development, Adjacent to Park	
<i>Prepared by: Pat Anderson, Asst. Zoning Administrator and Tim Parks, Planning Division</i>		

**Previous Related Approval**

On May 18, 2010, the Common Council approved a request to rezone 666 Wisconsin Avenue and a portion of 2 E. Gilman Street from R6H (General Residence District) and HIST-MH OR (Mansion Hill Historic District/Office Residence District) to Planned Unit Development-General Development Plan-Specific Implementation Plan (PUD-GDP-SIP) and approval of a conditional use for waterfront development to allow the redevelopment and expansion of the existing Edgewater Hotel to a 190-room hotel and the construction of a parking garage.

## **Project Review**

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National Guardian Life Insurance is requesting approval of a conditional use for planned multi-use site to allow a subterranean connection to be constructed between its existing underground parking garage, the existing Edgewater Hotel parking garage beneath 666 Wisconsin Avenue, and the parking garage currently under construction at 519 Wisconsin, which the Edgewater Hotel and National Guardian Life will jointly own and operate between the two existing garages under the auspices of the Wisconsin Avenue Parking Company, LLC (WAPC). The potential for the connection was contemplated in the PD-SIP for the renovation of and addition to the hotel and the new, shared parking garage.

Access to the existing National Guardian Life parking garage is provided by a driveway from E. Gilman Street located along the east side of the building. The proposed connection will be made on the second level of the four-level National Guardian Life parking garage and the top/ entry level of the shared WAPC garage. The entrance to the Edgewater Hotel garage and the shared WAPC garage will be constructed off a private drive that will extend northeasterly from the intersection of Wisconsin Avenue and Langdon Street adjacent to the new hotel tower currently under construction. The proposed parking connection does not contemplate any physical changes above grade to the hotel redevelopment or subject National Guardian Life property at this time other than incidental wayfinding signage. Furthermore, no development of the DR-1-zoned portion of the National Guardian Life property developed with surface parking along N. Pinckney Street is currently proposed.

The letter of intent indicates that the parking connection is intended to provide a secondary access for employees of the National Guardian Life office building and a secondary means of emergency egress for both garages. The proposed connection will be secured by key card access for National Guardian Life employees, and while the proposed connection would make it possible for someone to access any parking spot in the three garages from either driveway entrance, no shared parking operations between the hotel and office building are proposed at this time. If at such time in the future the nature of the shared parking arrangement between the hotel and office is proposed, an alteration to this conditional use and the Edgewater Hotel Planned Development district may be required.

## **Analysis & Conclusion**

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The Zoning Code defines a planned multi-use site as “a specified area of land comprising one or more contiguous ownership parcels or building sites for multiple uses and which area is limited by a reciprocal land use agreement or plan of building placement, a reciprocal use off-street parking system, a cross-access easement or a reciprocal use ingress and egress system for buildings, loading and parking.” Planned multi-use sites are intended to allow efficient and economical design and greater coordination and flexibility in the development of non-residential and mixed-use properties, and are required to have reciprocal land use, parking, or access agreements approved by the Traffic Engineer, City Engineer and Director of Planning and Community and Economic Development and recorded against the associated properties, and a plan that may include the arrangement of buildings, parking facilities, internal circulation of pedestrians and vehicles, and access to individual development sites from public streets and internal drives. A planned multi-use site containing more than 40,000 square feet of gross floor area and where 25,000 square feet of gross floor area is designed or intended for retail use or for hotel or motel use requires conditional use approval.

The applicant has submitted a plan that generally meets the requirements for planned multi-use sites enumerated above, which generally depicts the circulation throughout the 3 linked properties and the 2 access points from nearby streets that will serve the shared parking complex. Prior to commencing

construction of the connection, the applicant will be required to receive approval of and record the reciprocal access and parking agreements necessary to govern the three-property planned multi-use site as stipulated in the Zoning Code.

The proposed connection between the Edgewater Hotel/ WAPC parking facilities and National Guardian Life parking garage was contemplated during the review of the Edgewater Hotel Planned [Unit] Development in 2010. However, that connection could not be approved at the time because the National Guardian Life building was nonconforming in the former R6H (General Residence District) zoning of the subject site. Staff believes that the UOR (Urban Office-Residential District) zoning of the site as of the effective date of the new Zoning Code on January 2, 2013 allows the proposed parking connection if the conditional use request is approved.

The Planning Division believes that the Plan Commission can find the conditional use standards met with this request. The Traffic Engineering Division has expressed no concerns over the proposed planned multi-use site, and Planning staff believes that the limited nature of the proposed connection as a secondary access for National Guardian Life will have little or no impact on the uses, values and enjoyment, and normal and orderly development of surrounding properties.

**Staff Recommendations, Conditions of Approval & General Ordinance Requirements**  
Major/Non-Standard Conditions are shaded

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

The Planning Division recommends that the Plan Commission find the standards met and **approve** a conditional use for a planned multi-use site to allow a subterranean parking connection for an existing office building at 2 E. Gilman Street, subject to input at the public hearing, the following Planning Division condition, and the conditions from reviewing agencies below:

1. The applicant shall receive approval of the reciprocal land use agreements, reciprocal access easements and shared parking agreements sufficient to govern the proposed planned multi-use site for 2 E. Gilman Street, 519 Wisconsin Avenue and 666 Wisconsin Avenue. The agreement(s) and easement(s) shall be recorded with the Dane County Register of Deeds following approval by the City Engineer, Traffic Engineer, and Director of the Department of Planning and Community and Economic Development and prior to issuance of permits for the proposed parking connection.

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

2. Modify the plan to clearly show improvements that are specifically being sought under this conditional use approval. Remove all notes and details that imply approval of the Edgewater Hotel site at 666 Wisconsin Avenue or clearly denote that those improvements are not included in this site plan.
3. The proposed parking ramp is now located on a separate parcel with an address of 519 Wisconsin Avenue.
4. The applicant shall submit, prior to plan sign-off, digital PDF files to the City Engineering Division. The digital copies shall be to scale, shall have a scale bar on the plan set, and shall contain the following items: building footprints; internal walkway areas; internal site parking areas; lot lines and right-of-way lines; street names, stormwater management facilities and; detail drawings associated with stormwater management facilities (including if applicable planting plans).

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

5. When final site plans are submitted for approval, the developer shall provide a recorded copy of the joint driveway ingress/egress and cross-access easements available to all lots in the project.
6. When the applicant shall submit plans for approval, the applicant shall show the following: items in the terrace as existing (e.g., signs and street light poles), type of surfaces, existing and proposed property lines, addresses, one contiguous plan (showing all easements, all pavement markings, building placement, and stalls), adjacent driveway approaches to lots on either side and across the street, signage, percent of slope, semitrailer movements and vehicle routes, dimensions of radii, aisles, driveways, stalls including the two (2) feet overhang, and a scaled drawing at 1" = 20'. Contact City Traffic Engineering if you have questions.
7. The developer shall post a deposit and reimburse the City for all costs associated with any modifications to traffic signals, street lighting, signing and pavement marking, and conduit and handholes, including labor, engineering and materials for both temporary and permanent installations.
8. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.

**Parks Division** (Contact Kay Rutledge, 266-4714)

This agency did not submit comments for this request.

**Zoning Administrator** (Contact Pat Anderson, 266-5978)

This agency did not submit comments for this request.

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

9. Plans indicate building across a property line. Provide documentation on compliance with the Building Code.
10. Plans indicate overhead coiling doors at pedestrian walkways. Those doors shall comply with IBC 715.4.8.4.
11. Provide signage clearly indicating when occupants are entering the adjacent building. Signage shall include building addresses.
12. Provide sprinklers in the subterranean connection.
13. Provide sprinklers on Level 2 of NGL as required by a level 2 alteration of a windowless floor level. IEBC 704.2.3.

**Water Utility** (Contact Dennis Cawley, 261-9243)

14. Note: All operating private wells shall be identified and permitted and all unused private wells shall be abandoned by the Water Utility in accordance with MGO Section 13.21.

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**Metro Transit** (Contact Tim Sobota, 261-4289)  
This agency did not submit comments for this request.