



Project Addresses: 3402 Monroe Street
Application Type: Planned Development District
Legistar File ID # [67852](#)
Prepared By: Timothy M. Parks, Planning Division
Report includes comments from other City agencies, as noted

Summary

Applicant: Philip J. Bostic, Angel Advocate Life Center; 3402 Monroe Street; Madison.

Property Owner: Francois V. Tochon, Top Aware, LLC; 10657 Mayflower Road; Blue Mounds.

Requested Actions: Amending the Planned Development District–General Development Plan and Specific Implementation Plan for 3402 Monroe Street to allow a bed and breakfast to be used as an adult family home, community living arrangement, and adult daycare.

Proposal Summary: The applicant is requesting approval to amend the Planned Development for the former Arbor House bed and breakfast at 3402 Monroe Street so that the existing facilities may be used as an adult family home, community living arrangement, and adult daycare. The letter of intent indicates that the facility will accept eight ambulatory adults between the ages of 18 to 27 who are on the autism spectrum or have other “related service needs.” The existing two-building facility has four bedrooms in each building. The applicant also plans to operate an adult daycare Monday through Friday from 8:00 AM to 3:00 PM. No changes to the buildings are planned.

Applicable Regulations & Standards: Section 28.182 of the Zoning Code provides the process for zoning map amendments. The approval process and standards for the Planned Development zoning district is outlined in Section 28.098 of the Zoning Code.

Review Required By: Urban Design Commission (Administratively), Plan Commission and Common Council.

Summary Recommendation: The Planning Division believes that the Plan Commission may find the standards met and forward Zoning Map Amendment ID 28.022–00518 and 28.022–00519, **approving** an Amended Planned Development General Development Plan and Specific Implementation Plan to allow the buildings at 3402 Monroe Street to be used as an adult family home, community living arrangement, and adult daycare, 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 is a 18,332 square-foot (0.42-acre) parcel located at the northwesterly corner of Monroe Street and Copeland Street; Aldermanic District 13 (Evers); Madison Metropolitan School District.

Existing Conditions and Land Use: The subject site is developed with two two-story residential-style buildings used until recently used as the Arbor House bed and breakfast in PD zoning. The site includes a parking lot for six automobiles and a trash enclosure along the northerly property line adjacent to and accessed from Copeland Street, with additional parking located along a drive aisle that parallels the northerly property line.

Surrounding Land Uses and Zoning:

North: Single-family residences along Copeland Street, zoned TR-C2 (Traditional Residential–Consistent 2 District);

South: University of Wisconsin–Madison Arboretum across Monroe Street, zoned CN (Conservancy District);

West: Four-story mixed-use building (Madison Chocolate Co., et al) at the northeasterly corner of Monroe and Glenway Streets, zoned TSS (Traditional Shopping Street District); and

East: Four-unit dwelling at the northeasterly corner of Monroe and Copeland, zoned TR-V1 (Traditional Residential–Varied 1 District).

Adopted Land Use Plans: The 2018 Comprehensive Plan recommends the subject site and the other non-residential parcels to the southwest along the Monroe Street frontage for Neighborhood Mixed-Use (NMU). The mostly single-family residences to the north and northeast are recommended for Low Residential (LR), while the University of Wisconsin–Madison Arboretum is recommended for Park and Open Space.

The Monroe Street Commercial District Plan was adopted in 2007 to provide detailed development recommendations for each blockface along Monroe Street from Regent Street to Glenway Street, including urban design recommendations for building placement, height and articulation. The plan includes the subject site in Block #36, which extends from Copeland to Glenway Streets and recommends the development of this blockface with green businesses that complement the environmental mission of the “national attraction” Arbor House. New development in Block #36 should occur in two- to four-story buildings.

Zoning Summary: The subject site is zoned PD. A review of the proposed Amended GDP and SIP follows.

Other Critical Zoning Items	
Yes:	Urban Design (Secretary Review-PD zoning), Utility Easements, Barrier Free, Landmark
No:	Floodplain, Wellhead Protection, Waterfront Development, Adjacent to Park
<i>Prepared by: Jacob Moskowitz, Asst. Zoning Administrator</i>	

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

Public Utilities and Services: The property is served by a full range of urban services, including Metro Transit, which provides daily service along Monroe Street.

Previous Approvals

On November 22, 1994, the Common Council approved a request to rezone 3402 Monroe Street from R2 (Single-Family Residence District) and R4 (General Residence District) to PUD(GDP-SIP) [1966 Zoning Code] to allow construction of an annex building adjacent to the landmark “Plough Inn” located on the property. The original 1836 residence and later inn and tavern was used at that time as a five-room inn/ bed and breakfast known as “Arbor House”; the “annex” added three additional guest rooms as well as living quarters for the inn’s owners and common spaces for guests. The PUD(GDP-SIP) was recorded on January 5, 1995.

The Stebbins House–Plough Inn was designated a City of Madison landmark building and site in 1975 ([link](#)).

Project Description

The applicant and property owner are requesting approval of an Amended PD(GDP-SIP) to allow the Arbor House inn/ bed and breakfast at 3402 Monroe Street to also be used as an adult family home/community living arrangement and adult daycare.

The subject site is a 0.42-acre parcel located at the northwesterly corner of Monroe and Copeland Streets that is developed with two two-story residential structures located on the southern half of the parcel. The eastern of the two structures is a two and a half-story brick, sandstone and stucco house with gabled roof that was built between 1836 and 1853 according to City records. The eastern building was built as a single-family residence that was converted into an inn and tavern during the Civil War. Following the end of the war, the structure reverted to a single-family residence, which it remained until 1976, when it was converted to an interior decorating studio and antique shop. The second use of the 1836 structure as an inn or bed and breakfast dates to 1985, when a zoning text amendment and conditional uses were approved to allow the building to have four rooms for transient lodgers in the former R4 zoning of the site. The code was amended in 1990 to allow up to six lodging rooms in landmark buildings, with the "Plough Inn" expanding to five rooms in 1991. The building and property were designated a City landmark in 1975 (see nomination form [here](#)).

As noted in the preceding section, the property was rezoned in 1994 to allow construction of a second building on the property. The western "annex" building was constructed in 1995 to house three additional guest rooms, common spaces, and a dwelling unit for the inn's owners. The L-shaped annex building sits west of the landmark original structure, and together, the two buildings have functioned most recently as the Arbor House. The annex has 3,920 square feet of floor area on two floors in a modern, Craftsman-style residential building connected to the landmark house by an arbor. Parking for the bed and breakfast and a small trash enclosure are located between the buildings and northerly property line. The site is heavily landscaped, with mature trees throughout, particularly north of the buildings.

No changes to the buildings are planned. The letter of intent indicates that the new adult family home or community living arrangement uses may accept eight ambulatory adults between the ages of 18 to 27 who are on the autism spectrum or have other "related service needs." The letter of intent submitted by the applicants indicate that the existing two-building facility has four bedrooms in each building, although the floorplans submitted with the application depict a greater number of bedrooms in each building. The applicant also plans to operate an adult daycare Monday through Friday from 8:00 AM to 3:00 PM.

Of note, the proposed zoning text includes a provision for an annual meeting with all interested neighbors at addresses located within 400 feet of the [property], to permit discussions of the facility's operations within the immediate neighborhood, which will be coordinated by the Dudgeon-Monroe Neighborhood Association who will be responsible for notifying affected neighbors seven days prior to the meeting. Also, the proposed zoning text indicates that the operating manager (officer or executive director) of the adult family home/community living arrangement must reside on the property.

Analysis & Conclusion

Based on a review of the 1995 PUD zoning file, it was determined at the time of the annex construction that PUD (now PD) zoning was more appropriate than a rezoning to a commercial district under the 1966 Zoning Code, which would have been required to support the expanded lodging facility (classified as a hotel). Staff felt that commercial zoning would have allowed uses on the site that would have been incompatible with both the historic

structure and the residential uses to its north and northeast. The zoning text that currently governs the site is extensive; it is attached for reference.

The proposed amendment to the PD district that governs the site will retain the lodging uses of the site enshrined in the existing zoning text while introducing “Community Living Arrangement,” “Adult Family Home,” and “Adult Daycare” to the list of allowable uses. For reference, the definitions for those uses in Section 28.211 of the Zoning Code follow (note that “Adult Daycare” would be classified as a “Day Care Center” (see emphasis)):

Adult Family Home is a State of Wisconsin-licensed or certified place where three or four adults reside and receive care, treatment or services that are above the level of room and board and that may include up to seven hours per week of nursing care per resident. Adult family homes are further defined in Wis. Stat. § 50.01(1).

Community Living Arrangement is any facility licensed or operated by the State of Wisconsin Department of Health and Family Services, including child welfare agencies, group homes for children, foster homes, treatment foster homes, and community based residential facilities, where care, treatment or services above the level of room and board but less than skilled nursing care are provided to persons residing in the facility. Such care, treatment or services are provided as the primary function of such facility. Adult family homes, day care homes, nursing homes, general hospitals, special hospitals, prisons, jails and foster family homes that are the primary domiciles of a foster parent and four (4) or fewer children are not community living arrangements for purposes of this ordinance.

Day Care Center is a facility licensed by the State Department of Health and Family Services, or any other government agency that assumes its authority and responsibility, in which qualified persons, other than a relative or guardian provide care and supervision for children, adolescents, or adults for less than 24 hours per day.

Staff feels that amending the PD to allow these additional uses is an appropriate use of the zoning district, which will provide an appropriate amount of governance for the diverse mix of uses contemplated by the applicants compared to a rezoning of the property to a conventional zoning district.

In reviewing the proposed amendment to the PD zoning, the Planning Division believes that the Plan Commission may find that the applicable standards and criteria for approval are met. However, prior to final approval and recording of the amended PD, the applicants will need to provide additional information to better reflect how the bed and breakfast, adult family home/community living arrangement, and adult daycare uses proposed will function. If approved, Planning and Zoning staff will work with the applicant to refine the zoning text to outline the details of the adult family home and adult daycare uses. Additionally, reviewing agencies have requested that a contemporary site plan be provided (the site plan attached to the application materials for the current request is from the 1995 specific implementation plan). No alder, public, or neighborhood association comments have been received as of the writing of this report that would suggest that the Plan Commission could not recommend approval of the request as submitted subject to the conditions in the following section.

No changes to the existing buildings or site are proposed with the current request. As such, the amendment to the PD to introduce the additional uses was reviewed by the acting secretary of the Urban Design Commission. Likewise, the Landmarks Commission did not review the current request. However, any future changes to the site and buildings may require review and approval by the Landmarks Commission and Urban Design Commission prior

to the issuance of permits for any such changes in addition to review of those changes as an alteration to the PD as outlined in Section 28.098(6) of the Zoning Code.

Recommendation

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

The Planning Division believes that the Plan Commission may find the standards met and forward Zoning Map Amendment ID 28.022–00518 and 28.022–00519, **approving** an Amended Planned Development General Development Plan and Specific Implementation Plan to allow the buildings at 3402 Monroe Street to be used as an adult family home, community living arrangement, and adult daycare, subject to input at the public hearing and the conditions from reviewing agencies:

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

Planning Division

1. The applicant shall work with Planning and Zoning staff to revise the proposed zoning text to better reflect the uses of the property and any operational aspects of those uses.
 2. The applicant shall submit a contemporary site plan for the property that depicts existing or proposed parking and loading areas and any salient features of the bed and breakfast, adult family home, and adult daycare.
 3. Submit floorplans that depict how the existing buildings will be used for the adult family home/community living arrangement and adult daycare. In addition to the hours of operation noted in the letter of intent, the final plans and materials submitted for recording shall indicate the maximum number of participants in the daycare program. The final materials shall be revised to correctly reflect the number of bedrooms on the site and distinguish that up to eight of those bedrooms will be used for the adult family home/community living arrangement.
 4. If exempted from the payment of property taxes as a non-profit, the applicant may be required to enter into a Payment In Lieu of Taxes (PILOT) or similar agreement with the City of Madison to reflect the value of municipal services provided to the property and to address the payment of room taxes and any other applicable business taxes whenever any of the bedrooms on the property are used by persons that do not reside on the property and/ or are not part of the adult family home/community living arrangement uses. Said agreement shall be drafted in consultation with the City Attorney's Office and shall be adopted by the Common Council.
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5. The pending Amended PD(GDP-SIP) proposes no changes to the site or existing buildings. Any future changes to the site and buildings may require review and approval by the Landmarks Commission and Urban Design Commission and as an alteration to be considered by the Planning Division or Plan Commission.

City Engineering Division (Contact Tim Troester, (608) 267-1995)

This agency reviewed the request and has recommended no conditions of approval.

City Engineering Division – Mapping Section (Contact Jeff Quamme, (608) 266-4097)

6. Provide a site plan that shall include all lot/ownership lines, existing building locations, proposed building additions, demolitions, parking stalls, driveways, sidewalks (public and/or private), existing and proposed signage, existing and proposed utility locations and landscaping.
7. Each separate building requires a separate address. The additional building address will be determined when the site plan is provided. In addition, the applicant shall submit a floorplan in PDF format to Lori Zenchenko (lzenchenko@cityofmadison.com) that includes a floorplan for each floor on a separate sheet for the development of a complete interior addressing plan. The Addressing Plan for the entire project shall be finalized and approved by Engineering (with consultation and consent from the Fire Marshal if needed) prior to the application submittal for the final Site Plan Approval with Zoning. The approved Addressing Plan shall be included in the final application. For any changes pertaining to the location, deletion or addition of a unit, or to the location of a unit entrance, (before, during, or after construction), a revised Address Plan shall be resubmitted to Lori Zenchenko to review addresses that may need to be changed and/or reapproved. The final revised Addressing Plan shall be submitted by the applicant to Zoning to be attached to the final filed approved site plans.

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

8. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawings shall be to engineering scale and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; vision triangles; 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.
9. All parking facility design shall conform to the standards in MGO Section 10.08(6).

Zoning Administrator (Contact Jacob Moskowitz, (608) 266-4450)

10. Work with Zoning and Planning staff on final approval of the zoning text.
11. Consolidate the “Other Land Uses” listed in the zoning text into the “Permitted Use” section so that they are all listed as permitted uses.
12. Replace the reference to the “R4 District” with “TR-C2 district”.
13. In the zoning text, revise the signage to be allowed as per Chapter 31 of the Madison General Ordinances, as compared to the TR-C2 district.

Fire Department (Contact Bill Sullivan, (608) 261-9658)

This agency did not submit comments for this application.

Parks Division (Contact Ann Freiwald, (608) 243-2848)

This agency reviewed the request and has recommended no conditions of approval.

Water Utility (Contact Jeff Belshaw, (608) 261-9835)

This agency reviewed the request and has recommended no conditions of approval.

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

This agency reviewed the request and has recommended no conditions of approval.

City Forestry Section (Contact Bradley Hofmann, (608) 267-4908)

This agency reviewed the request and has recommended no conditions of approval.