



Report to the Plan Commission

June 10, 2009

Legistar I.D. #14885
214 N. Hamilton Street
Rezoning from R6 to C2

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

Requested Action: Approval of a request to rezone 214 N. Hamilton Street from R6 (General Residence District) to C2 (General Commercial District) to provide an existing office building with conforming zoning.

Applicable Regulations & Standards: Section 28.12 (9) provides the process for zoning map amendments.

Summary Recommendation: The Planning Division recommends that the Plan Commission recommend **approval** of Zoning Map Amendment ID 3437, rezoning 214 N. Hamilton Street from R6 to C2, to the Common Council subject to input at the public hearing and the conditions from reviewing agencies beginning on page 3 of this report.

Background Information

Applicant: Idriz Sabini; 422 Calloway Boulevard; LaCrosse.

Agent: William F. White, Michael, Best & Friedrich, LP; PO Box 1806; Madison.

Property Owner: State Of Wisconsin Veterans Of Foreign Wars; 214 N. Hamilton Street; Madison.

Proposal: The applicant is requesting approval of the rezoning to give the existing office building conforming zoning. It is currently a nonconforming use in the R6 General Residence District. No significant exterior alterations to the building are proposed at the current time.

Parcel Location: An approximately 3,570 square-foot/ 0.08-acre parcel located at 214 N. Hamilton Street on the west side of N. Hamilton Street between E. Dayton and E. Johnson streets; Aldermanic District 2; Madison Metropolitan School District.

Existing Conditions: The subject site is currently developed with a three-story office building.

Surrounding Land Use and Zoning:

North: Multi-family residences, zoned R6 (General Residence District);

South: Hamilton Place Apartments, zoned PUD-SIP;

West: Multi-family residences, zoned R6;

East: Multi-family residences, zoned R6 and C2 (General Commercial District).

Adopted Land Use Plan: The Comprehensive Plan includes the subject site in the First Settlement-Old Market Place Residential Sub-District, which generally calls for the development of high-density

multi-unit residential buildings up to 60 units an acre, mixed-use buildings, office and service uses, and institutional uses in two- to eight-story structures within the sub-district.

Environmental Corridor Status: The subject 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: Proposed C2 (General Commercial District) zoning:

Requirements	Required	Proposed
Lot Area	6,000 square feet	3,750 square feet existing
Lot Width	50	64
Usable open space	N/A	---
Front Yard	25'	0' existing
Side Yards	0'	0' (south side) 13' (north side)
Rear Yard	0'	0'
Floor Area Ratio	3.0	Less than 3.0 existing
Building Height	N/A	Approx. 3 stories
No. of Parking Stalls	0 (Central Area)	0 spaces to MGO Sec. 10 reqs.
No. of Bike Parking Stalls	1 stall per each 20 employees	0 (See condition #1, page 3)
No. of Loading Stalls	1 10 X 35' stall	0 stalls existing
<i>Prepared by: Pat Anderson, Asst. Zoning Administrator & Tim Parks, Planning Division</i>		

Evaluation, Analysis & Conclusion

The applicant is requesting approval of a request to rezone a 3,570 square-foot parcel located at 214 N. Hamilton Street from R6 to C2. The site is developed with a three-story office building with approximately 10,000 square feet of leasable space that currently houses the Wisconsin Chapter of the Veterans of Foreign Wars, who also owns the property. The brick and concrete block building, which was constructed circa 1956, is built to the front property line adjacent to N. Hamilton Street as well as to the southern side and rear property lines. An approximately 13-foot wide concrete driveway occupies most of the space between the northern wall of the building and northern property line. The subject site is generally surrounded by a variety of multi-family residences located primarily in converted wood frame buildings in R6 and C2 zoning, with the notable exception of the six-story, 58-unit Hamilton Place Apartments, which abuts the property on the south and is zoned PUD.

The letter of intent submitted with the request states that the purpose of the rezoning is to provide the longstanding commercial building with conforming zoning. Stand-alone office uses are not permitted in the R6 residential zoning district. With the exception of what the letter of intent characterizes as minor exterior improvements primarily aimed at improving energy efficiency, the applicant is not proposing any changes to the building and intends to continue its use as an office building.

In reviewing the proposed rezoning of the subject site to C2, Planning Division staff feels that the standards for zoning map amendments can be met. While staff was unable to determine the zoning of the site at the time the existing building was constructed in 1956, staff has no information to suggest that the building wasn't constructed in accordance with the Zoning Code in effect at the time. The site is located across N. Hamilton Street other C2-zoned properties, with additional C2-zoned properties generally located to the west of the site along E. Dayton Street. In general, C2 zoning rings the northern

and eastern sides of downtown and the C4 (Central Commercial District) zoning that encompasses most of the central business district. Coincidentally however, most of the nearby C2-zoned properties are developed with myriad long-standing residential uses with the notable exception of the Capitol North Parking Ramp at N. Webster and E. Mifflin streets. The C2 zoning ring previously included most of the Hamilton Place apartment development immediately adjacent to the site, which is now zoned PUD.

Although business and professional offices are first permitted in C1 zoning, staff feels that the C2 zoning would be appropriate given its presence on other properties nearby. While C2 zoning includes a more permissive list of uses than the less-intensive C1 district, the bulk and mass requirements of the requested C2 zoning would not result in a larger building in this case. Whereas C1 zoning uniformly restricts buildings to 3 stories and 40 feet of height, C2 restricts bulk through a floor area ratio of 3.0. The existing building has an approximate FAR of 2.8 and is built to three property lines, likely limiting the amount of expansion possible on this site without requiring another change in zoning.

Staff also believes that the proposed rezoning of the subject site is generally consistent with the Comprehensive Plan, which includes the subject site in the First Settlement-Old Market Place Residential Sub-District. That sub-district generally calls for the development of high-density multi-unit residential buildings up to 60 units an acre, mixed-use buildings, office and service uses, and institutional uses in two- to eight-story structures. The granting of conforming zoning to allow the continuation of the long-standing office use of the property appears to be in keeping with these broad recommendations. At the present time, there are no recommendations in the draft Downtown Plan materials to suggest that the continued use of the site for offices or the requested rezoning would be inappropriate.

Recommendations and Proposed Conditions of Approval

Major/Non-Standard Conditions are shaded

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

The Planning Division recommends that the Plan Commission forward Zoning Map Amendment ID 3437, rezoning 214 N. Hamilton Street from R6 (General Residence District) to C2 (General Commercial District), to the Common Council with a recommendation of **approval** subject to input at the public hearing and the conditions from reviewing agencies:

Zoning Administrator (Contact Pat Anderson, 266-5978)

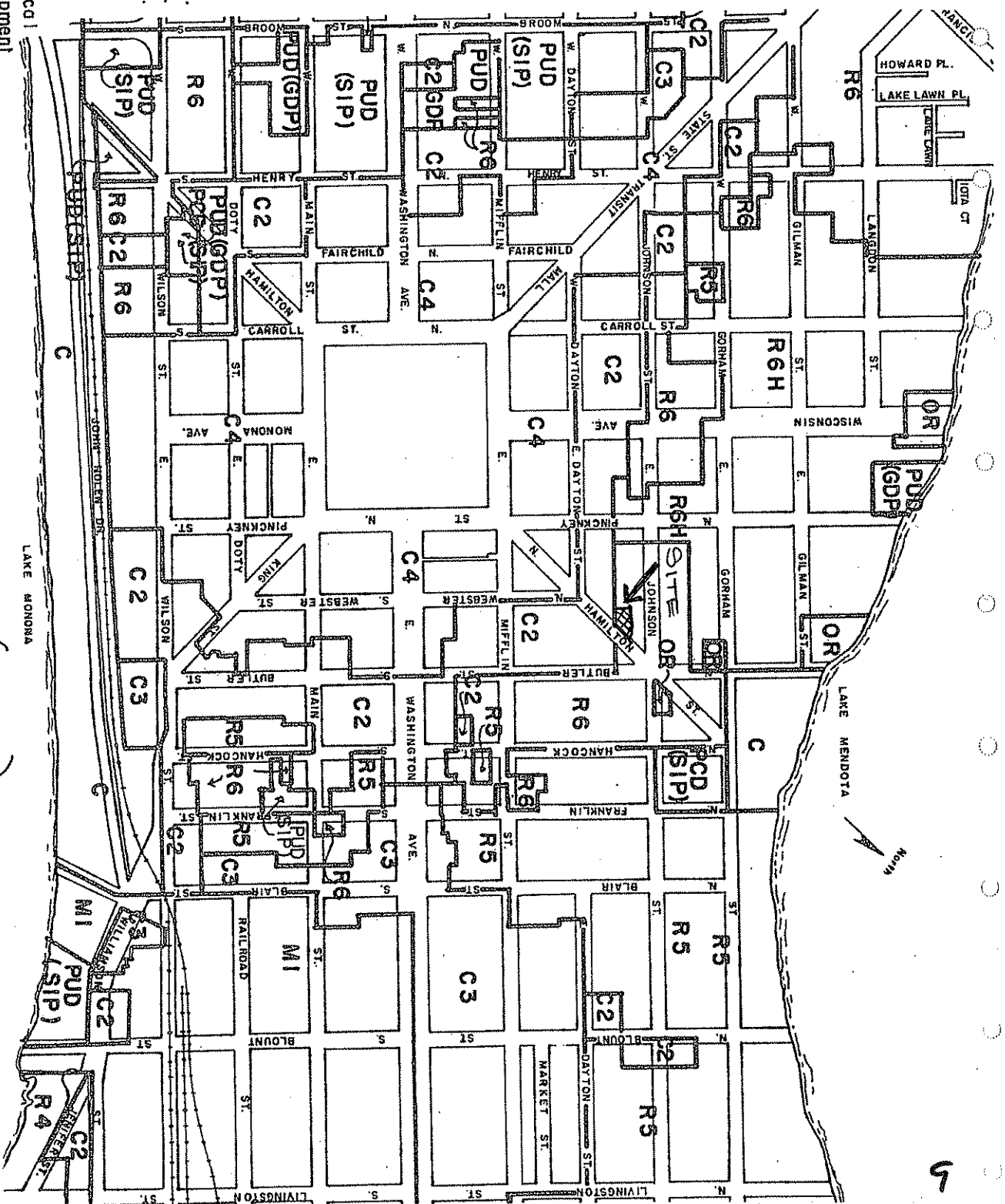
1. Provide bike-parking equivalent to a minimum of 1 stall per each 20 employees in a safe and convenient location on an impervious surface to be shown on the final plan. Note: A bike-parking stall is two feet by six feet with a five-foot access area. Structures that require a user-supplied locking device shall be designed to accommodate U-shaped locking devices.
2. Lighting is not required. However, if it is provided, it must comply with City of Madison outdoor lighting standards. Lighting will be limited to .10 watts per square foot.
3. The Plan Commission does not grant signage approvals. Any change in building signage must be reviewed for compliance with the Street Graphics Ordinance, Chapter 31 MGO. The Zoning Section of the Department of Planning and Community and Economic Development issues signage permits.

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Note: Due to the limited scope of the applicant's request and proposed improvements to the building and site, the application was not routed to other City agencies for comment. Future additions to the building, changes in use or modifications to the site may be subject to site/ development plan review by City agencies prior to the issuance of building permits.

- C2 General Commercial Dist.
- C3 Highway Commercial Dist.
- C4 Central Commercial Dist.
- OR Office Residence Dist.
- PUD Planned Unit Development
- R5 General Residence Dist.
- R6 General Residence Dist.
- R6H General Residence Historical
- PCD Planned Community Development
- C Conservancy

Legend



Zoning (1983)

Fourth District-Old Market Place
 Neighborhood Plan Strategy
 Department of Planning and Development