


Steve Brown Apartments

Gilman Street Improvement Initiative

The Common Council may set aside a Landmark Commission ruling if...

- There are special conditions pertaining to the specific piece of property [that] failure to grant the COA will preclude any and all reasonable use of the property; AND/OR
- Will cause serious hardship for the owner.




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In reaching its decision, the Common Council has been advised to consider the following criteria


1. **Standards** - The standards contained in the ordinance.
2. **Balance** - The interest of the public in preserving the status quo.
3. **Reasonable Use** - Whether denial of the COA will prevent "reasonable use of the property"
4. **Hardship** - Whether "undue hardship" exists and whether it is "self-created"



Steve Brown Apartments
Gilman Street Improvement Initiative

Standards - The standards contained in the ordinance - MGO 33.19(10)(e)


1. The gross volume of any new structure shall be visually compatible with the buildings and environment with which it is related (visually related area).
2. In street elevation(s) of a new building, the proportion between the width and the height in the façade(s) shall be visually compatible with the buildings and environment with which it is related (visually related area).
3. The proportions and relationships between the width and height of the doors and windows in new street façade(s) shall be visually compatible with the buildings and environment with which it is visually related (visually related area)
4. The rhythm of solids to voids created by openings in the façade of the new structure should be visually compatible with the buildings and environment with which it is visually related.
5. All new street facades should blend with other buildings via directional expression. When adjacent buildings have a dominant vertical or horizontal expression this expression should be carried over and reflected.



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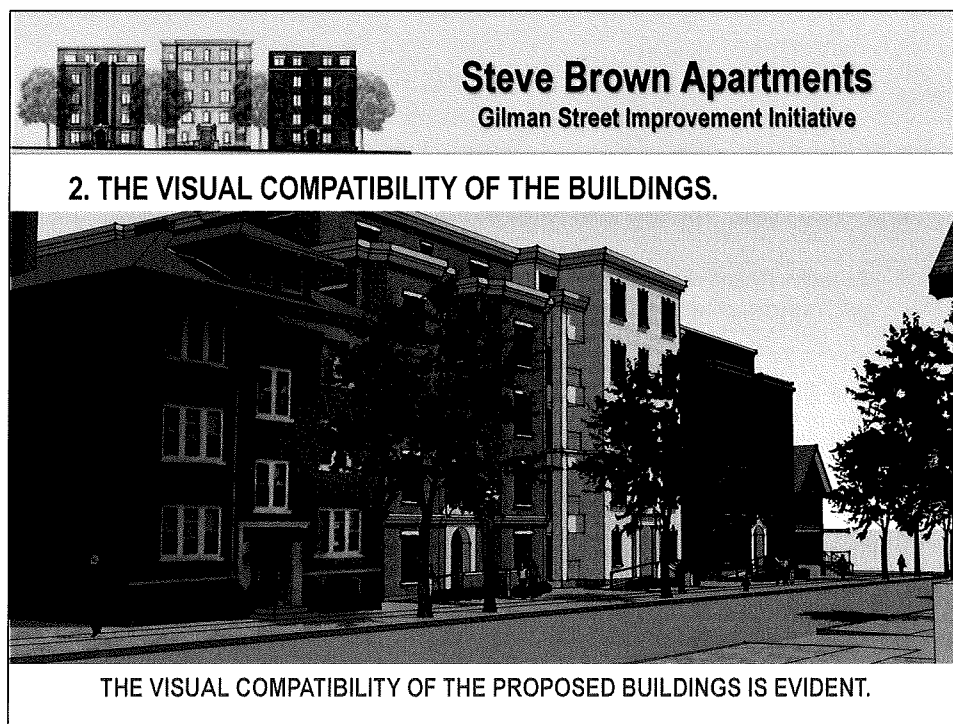
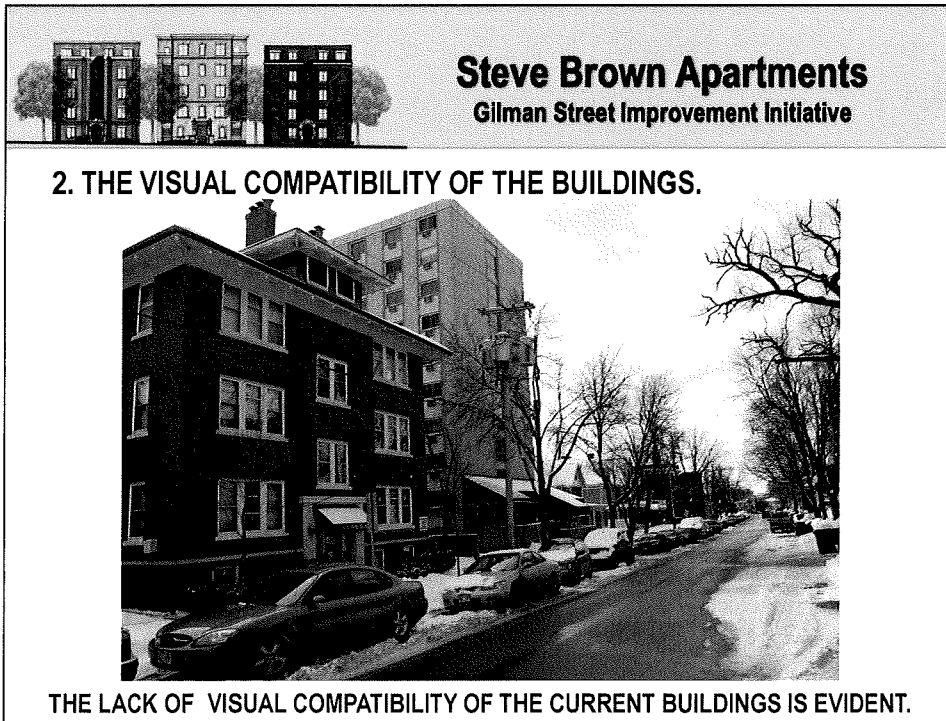
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Standards - The standards contained in the ordinance - MGO 33.19(10)(e)

1. The gross volume of any new structure shall be visually compatible with the buildings and environment with which it is related (visually related area).

SBA asks the Common Council to consider four factors on this remaining “Standards” criteria.

1. The ordinance specifically calls for “visual compatibility”. There is no “ambiguity” in this language that either justifies the substitution of volumetrics as a criteria or that would trigger the use of guidelines in an unofficial handbook.
2. The visual compatibility of the buildings.
3. The LMC approved a recommendation to the Plan Commission saying our proposal was “not so large or visually intrusive that it negatively impacts the adjacent Landmark.” (120 W. Gorham St.)
4. The standard is language originally used in a variety of historic districts across the country. It was not developed for, not adjusted to address, the unique area known as the Mansion Hill District.

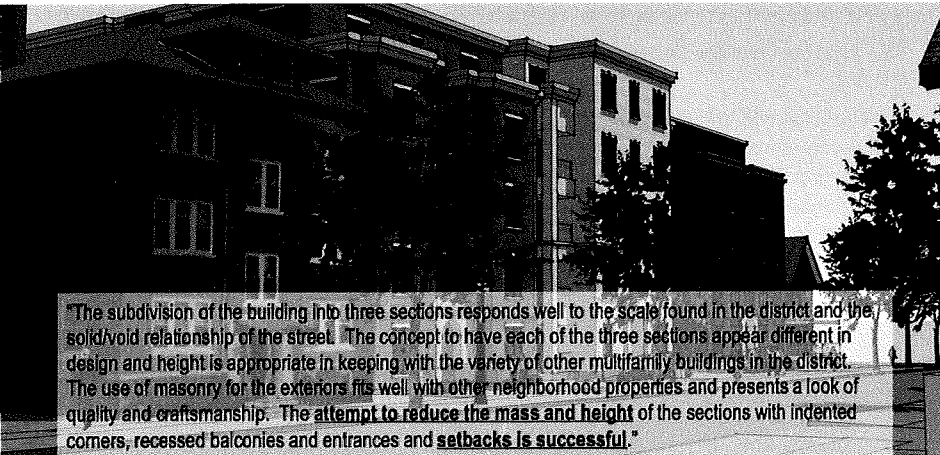




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3. HIGHLY QUALIFIED PRESERVATIONIST CHARLES QUAGLIANA BELIEVES THE BUILDINGS SHOULD BE APPROVED



"The subdivision of the building into three sections responds well to the scale found in the district and the solid/void relationship of the street. The concept to have each of the three sections appear different in design and height is appropriate in keeping with the variety of other multifamily buildings in the district. The use of masonry for the exteriors fits well with other neighborhood properties and presents a look of quality and craftsmanship. The attempt to reduce the mass and height of the sections with indented corners, recessed balconies and entrances and setbacks is successful."

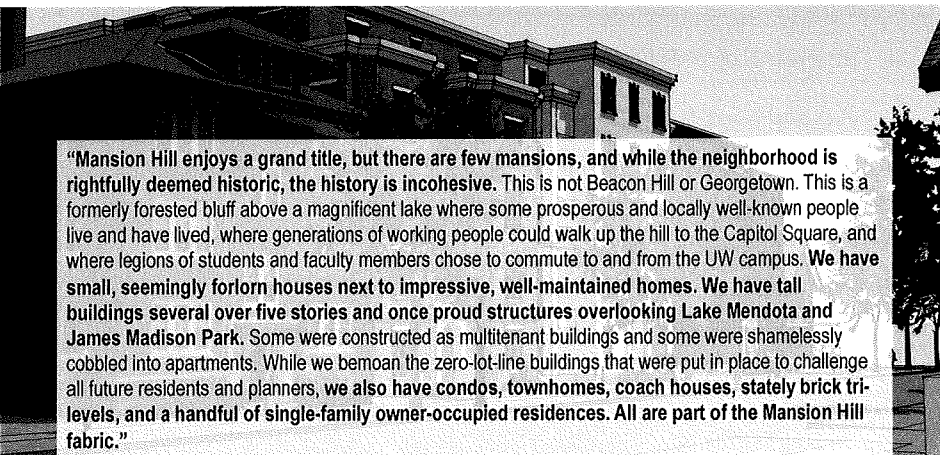
THE VISUAL COMPATIBILITY OF THE PROPOSED BUILDINGS IS EVIDENT.



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4. THE TEMPLATE LANGUAGE IN THE ORDINANCE IGNORES THE DIVERSE HISTORIC NATURE OF THE MANSION HILL DISTRICT.



"Mansion Hill enjoys a grand title, but there are few mansions, and while the neighborhood is rightfully deemed historic, the history is incohesive. This is not Beacon Hill or Georgetown. This is a formerly forested bluff above a magnificent lake where some prosperous and locally well-known people live and have lived, where generations of working people could walk up the hill to the Capitol Square, and where legions of students and faculty members chose to commute to and from the UW campus. We have small, seemingly forlorn houses next to impressive, well-maintained homes. We have tall buildings several over five stories and once proud structures overlooking Lake Mendota and James Madison Park. Some were constructed as multitenant buildings and some were shamelessly cobbled into apartments. While we bemoan the zero-lot-line buildings that were put in place to challenge all future residents and planners, we also have condos, townhomes, coach houses, stately brick tri-levels, and a handful of single-family owner-occupied residences. All are part of the Mansion Hill fabric."

THE VISUAL COMPATIBILITY OF THE PROPOSED BUILDINGS IS EVIDENT.




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Balance - The interest of the public in preserving the status quo.

SBA asks the Common Council to consider these factors when evaluating the public interest.

1. The Gilman Street initiative will significantly improve the public's "status quo" on a variety of fronts.
2. The Gilman Street initiative will significantly enhance the Mansion Hill District's long-term viability.
3. The Gilman Street initiative will not diminish the historic significance of the Mansion Hill District.




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Balance - The interest of the public in preserving the status quo.

1. THE INITIATIVE SIGNIFICANTLY IMPROVES THE PUBLIC'S "STATUS QUO."

- ✓ MORE SHORT AND LONG TERM JOBS.
- ✓ MORE PROPERTY TAX REVENUES TO SUPPORT SCHOOLS AND SERVICES.
- ✓ MORE DIVERSE HOUSING OPTIONS TO SUPPORT THE CITY'S DOWNTOWN PLAN GOALS.
- ✓ MORE ENERGY-EFFICIENT, SAFER HOUSING OPTIONS.




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Balance - The interest of the public in preserving the status quo.

2. THE INITIATIVE SIGNIFICANTLY ENHANCES THE MANSION HILL DISTRICT LONG-TERM VIABILITY.

- ✓ POSITIVE ECONOMIC DIVERSITY SUPPORTS PROPERTY VALUES AND LOCAL MERCHANTS.
- ✓ LESS TRAFFIC AND OFF-STREET PARKING IMPROVE PEDESTRIAN SAFETY AND ENHANCE NEIGHBORHOOD AESTHETICS.




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Balance - The interest of the public in preserving the status quo.

3. THE INITIATIVE DOES NOT DIMINISH THE HISTORIC SIGNIFICANCE OF THE MANSION HILL DISTRICT.

- ✓ THE HIGHLANDER IS NOT AN HISTORIC PROPERTY.
- ✓ 127 W. GILMAN IS NOT A SALVAGEABLE HISTORIC PROPERTY.
- ✓ 123 W. GILMAN WILL BE AVAILABLE LESS THAN A BLOCK AWAY IN A LOCATION ALREADY DEEMED APPROPRIATE BY THE LMC.




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Reasonable Use - Whether denial of the COA will prevent "reasonable use of the property"

SBA asks the Common Council to consider these factors when identifying reasonable use.

- ✓ CURRENT AND FUTURE MARKET DEMAND REQUIRE DEVELOPMENT OF ALTERNATIVE HOUSING OPTIONS FOR THE SPACE.
- ✓ THE HIGHLANDER IS AN INCREASINGLY UNPOPULAR PRODUCT AND WAS UNANIMOUSLY APPROVED FOR DEMOLITION ON 11/25/13 BY THE LMC.
- ✓ 127 W. GILMAN WILL VANISH REGARDLESS OF WHETHER THIS PROJECT ADVANCES OR NOT.
- ✓ SPECULATION ABOUT HOW THE LAND MIGHT BE USED MAY BE INTERESTING, BUT IT IS NOT A REASONABLE SUBSTITUTE FOR A SOUND BUSINESS PLAN.




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HARDSHIP- Whether "undue hardship" exists and whether it is "self-created"

SBA asks the Common Council to consider these factors when determining hardship.

- ✓ IF UNDUE HARDSHIP MEANS INHIBITING THE ABILITY TO EFFECTIVELY COMPETE WITH AN UNPRECEDENTED INCREASE IN SUPPLY – THE ANSWER IS YES.
- ✓ IF UNDUE HARDSHIP MEANS A LOSS OF A SIGNIFICANT INVESTMENT IN PLANNING AND DEVELOPMENT – THE ANSWER IS YES.
- ✓ IF UNDUE HARDSHIP MEANS A LOSS OF AN OPPORTUNITY TO OPERATE THE PROPERTY PROFITABLY – THE ANSWER IS YES.
- ✓ IF UNDUE HARDSHIP MEANS A LOSS OF BENEFITS TO THE PUBLIC, THE DISTRICT AND THE NEIGHBORHOOD– THE ANSWER IS YES.




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HARDSHIP- Whether "undue hardship" exists and whether it is "self-created"

SBA asks the Common Council to consider these factors when determining whether the hardships were self-created.

- ✓ THE ONLY PROFESSIONAL ASSESSMENTS OF THE CURRENT STATUS OF 127 W. GILMAN – INCLUDING THE ONE DONE BY THE CITY INSPECTOR – CONCLUDE THAT THE CONDITION OF THE BUILDING'S FOUNDATION MAKES THE STRUCTURE UNRESTORABLE AND UNSALVAGEABLE.
- ✓ THE LATEST PROFESSIONAL EXAMINATION OF THE FACILITY MAKES CLEAR THAT THE FOUNDATION HAD FAILED BEYOND REPAIR PRIOR TO 1994 WHEN STEVE BROWN APARTMENTS TOOK OWNERSHIP.



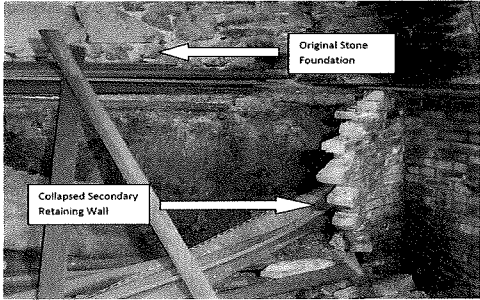
Steve Brown Apartments


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HARDSHIP- Whether "undue hardship" exists and whether it is "self-created"

SBA asks the Common Council to consider these factors when determining whether the hardships were self-created.

My conclusion is driven mainly by the fact that the building's basic structural components failed a very long time ago....**If this repair had been made at any point after the 1950's, it would have been made using reinforced poured concrete (poured concrete began being utilized in our area for foundation applications in the 1950's).** For perhaps a decade prior to that, pre-made products like concrete block were readily available and, with filled cores, these blocks would have provided a stronger retaining wall than common laid brick. Since the repair relied on brick and not concrete or concrete block, this repair could date to the 1930's.





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In reaching its decision, the Common Council has been advised to consider the following criteria


1. **Standards** – SBA meets all of the standards.
2. **Balance** - Community, Historic District and neighborhood interests are best served by moving this initiative forward.
3. **Reasonable Use** – Given market and economic realities and the nature of the buildings on the site, denial of the COA will prevent "reasonable use of the property."
4. **Hardship** – Undue hardship exists for taxpayers, residents, and the owner. There is no "self-created" challenge here.



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- ☒ Community, Historic District and neighborhood interests are best served by moving this initiative forward.
- ☒ Given market and economic realities and the nature of the buildings on the site, denial of the COA will prevent “reasonable use of the property”
- ☒ Undue hardship exists for taxpayers, residents, and the owner.
- ☒ There is no “self-created” challenge here.

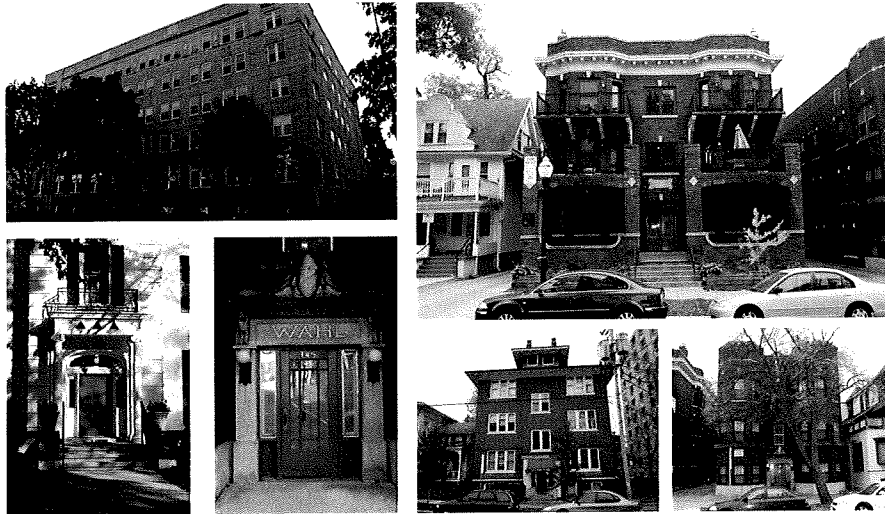


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**For all these reasons,
we ask for your support tonight.**

Thank you.

Existing Site and Context



04.05.2013

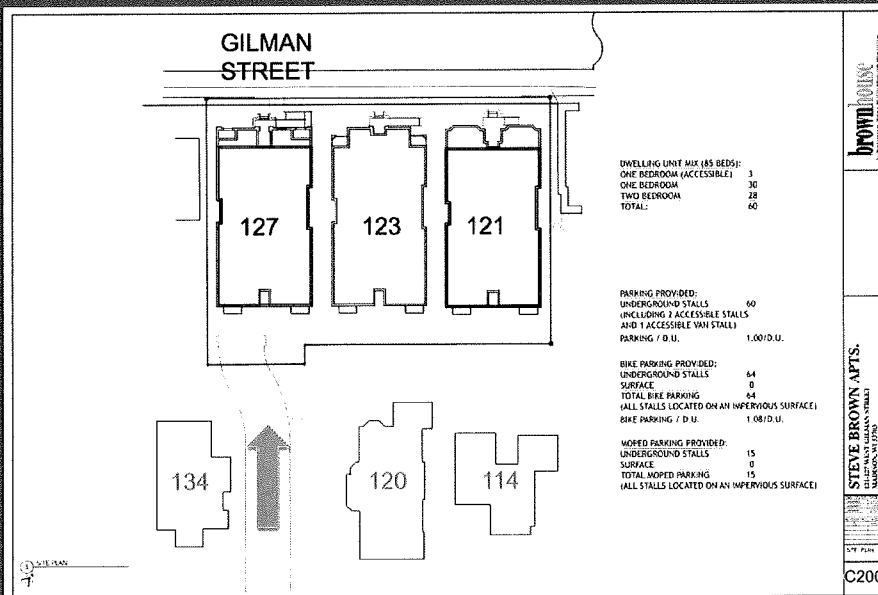
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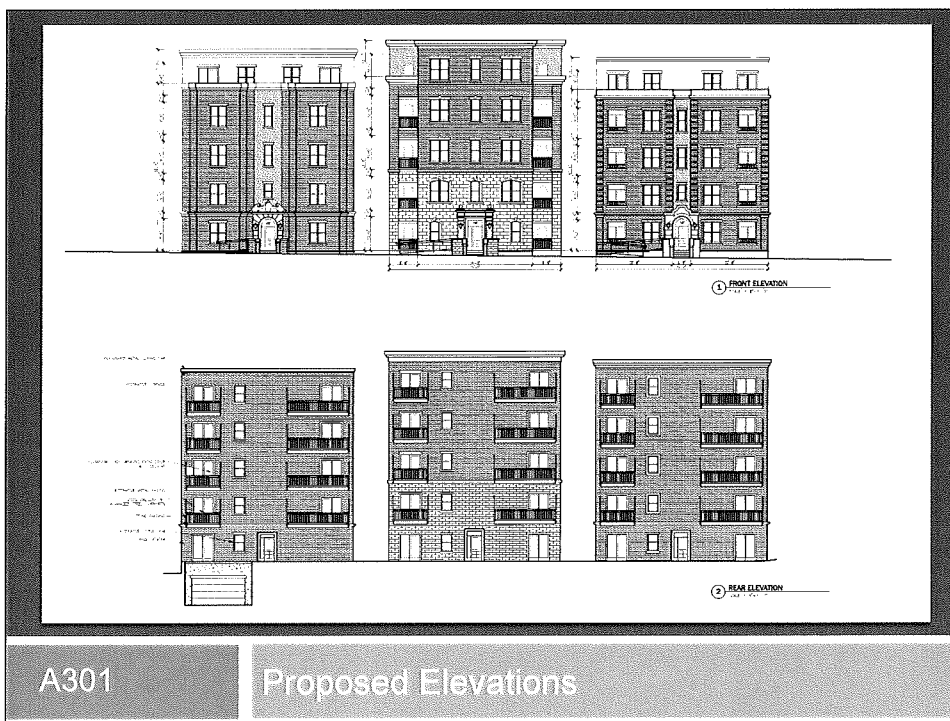
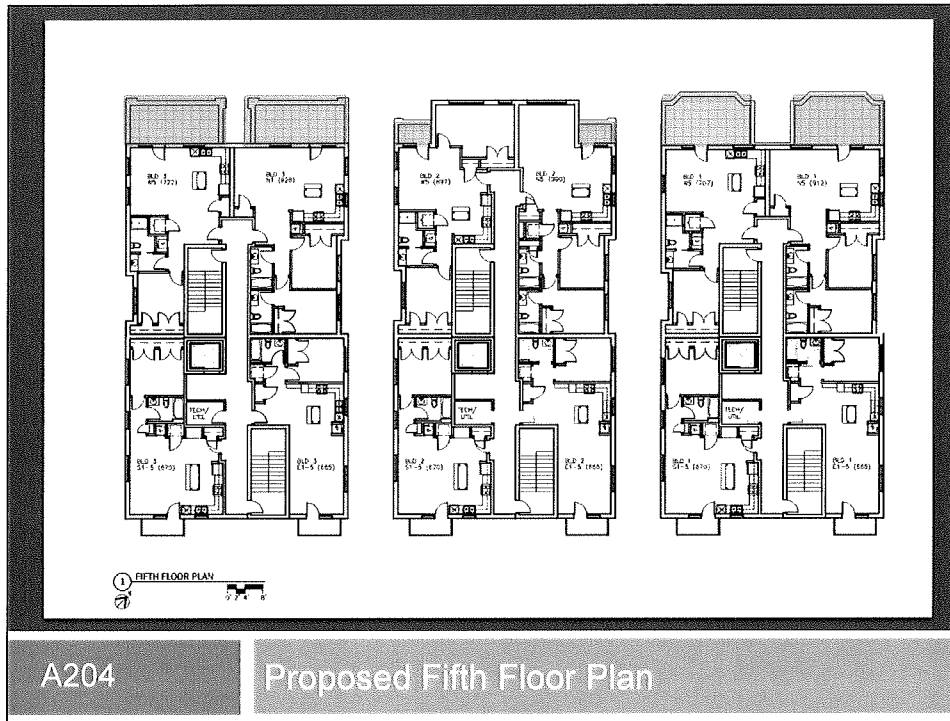
STEVE BROWN APARTMENTS

121, 123, and 127 West Gilman Street



C200

Proposed Site Plan



"The gross volume of any new structure **shall be visually compatible** with the buildings and environment with which it is visually relates (visually related area)."



Volume

Landmarks Commission Ordinance



Volume

Visually and Contextually Appropriate

