



Department of Planning & Community & Economic Development

Planning Division

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****BY E-MAIL ONLY****

August 8, 2025

Rachel Foley

rachelf@engberganderson.com

RE: Consideration of a rezone to change the zoning of 1802 and 1804 Roth Street from the TR-U1 (Traditional Residential-Urban 1) District to the TR-U2 (Traditional Residential-Urban 2) District (Legistar ID [88719](#)); and consideration of a conditional use in the Traditional Residential-Urban 2 (TR-U2) District for an office for a human service program in a 16-unit mixed-use building (Legistar ID [88561](#))

Rachel,

On August 5, 2025, the Common Council approved the zoning map amendment to rezone property at 1802-1804 Roth Street to the TR-U2 District. On July 28, 2025 the Plan Commission found the standards met and **conditionally approved** your conditional use for 1802-1804 Roth Street. In order to receive final approval of the conditional use and for any other permits that may need to be issued for your project, the following conditions shall be met:

Please contact Lisa McNabola of the Planning Division at (608) 243-0554 if you have any questions regarding the following one (1) item:

1. Contact Zoning to determine if the proposed mural is subject to Chapter 31 Sign Codes of the Madison General Ordinances.

Please contact Brenda Stanley of the Engineering Division at (608) 261-9127 if you have any questions regarding the following nine (9) items:

2. Revise utility plan to show installation of a electronic marker ball above proposed lateral at the sewer main and the property line. Electronic marker balls are provided by City Engineering inspection.

3. The applicant shall connect to or extend public storm sewer connecting directly to a public storm structure that is either in the public sidewalk or terrace area, or inlet at the curb on the side of the street, adjacent to the development. Any storm lateral extension crossing any lanes of traffic

or running longitudinally within a public street right of way for over 20ft, in order to connect to the public system, shall be considered a private storm sewer lateral and will require an approved and recorded privilege in streets agreement. (POLICY)

4. Enter into a City / Developer agreement for the required infrastructure improvements. Agreement to be executed prior to sign off. Allow 4-6 weeks to obtain agreement. Contact City Engineering to schedule the development and approval of the plans and the agreement. (MGO 16.23(9)c)
5. Construct sidewalk, terrace, curb, gutter, and pavement along Ruskin Street and Roth Street to a plan as approved by City Engineer.
6. Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Mark Moder (608-261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff. (MGO 16.23(9)(d)(4))
7. Obtain a permanent sewer plug permit for each existing sanitary sewer lateral serving a property that is not to be reused and a temporary sewer plug permit for each sewer lateral that is to be reused by the development. The procedures and fee schedule is available online at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 35.02(14))
8. An Erosion Control Permit is required for this project. See Storm comments for permit specific details and requirements.
9. This site appears to disturb less than one (1) acre of land. No submittal to the WDNR, CARPC or Department of Safety and Professional Services (DSPS) is required as the City of Madison Building Inspection Department is an approved agent for DSPS.
10. Revise plan to show the location of all rain gutter down spout discharge locations. Downspouts shall be directed to drain to public Right of Way (ROW). (POLICY)

Please contact Jenny Kirchgatter, Assistant Zoning Administrator at (608) 266-4429 if you have any questions regarding the following nine (9) items:

Zoning (Contact Jenny Kirchgatter, 266-4429)

11. The accessible parking stall located within the Ruskin Street side yard setback area is an allowed encroachment within the street side yard setback under the following restrictions per Section 28.132(2)(d)2. Off-street parking and loading spaces are an allowed encroachment only if any vehicle parked in the space displays a current parking identification card or license plate for persons with disabilities, issued to a resident at the address; the space has access from a public street, and all other applicable off-street parking requirements are met. If a person requiring a parking space for people with disabilities no longer resides in the dwelling unit, the off-street parking and loading space shall be made to conform to the zoning code either by removal or being rendered incapable of use as an off-street parking or loading space.

12. A vehicle parking reduction will be required per Section 28.141(5). A minimum of 17 parking stalls are required, and two (2) parking stalls are proposed. Submit a request for a parking reduction with the final plan submittal including information to support the request to reduce the required number of spaces.
13. Bicycle parking for the offices for human service programs shall comply with the requirements of Sections 28.141(4)(g) and 28.141(11). Provide a minimum of two (2) short-term bicycle parking stalls located in a convenient and visible area on a paved or pervious surface. Note: A bicycle stall is a minimum of two (2) feet by six (6) feet with a five (5) foot wide access area.
14. Submit a detail of the trash enclosure. The trash enclosure 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.
15. Provide details demonstrating compliance with bird-safe glass requirements Section 28.129. Provide the window and door schedule to verify glazed areas are less than 50 sq. ft. Mullions must be greater than 6" wide to divide larger glazed areas into smaller glazed areas less than 50 sq. ft.
16. 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.
17. 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

Please contact Morgan Matthews of the Parks Division at (608) 266-6517 if you have any questions regarding the following one (1) item:

18. Park Impact Fees (comprised of the Park Infrastructure Impact Fee, per MGO Sec. 20.08(2)), and Park-Land Impact Fees, per MGO Sec. 16.23(6)(f) and 20.08(2) will be required for all new residential development associated with this project. This development is within the North Park-Infrastructure Impact Fee district. The Park Impact Fee ID# for this project is 25019. Visit <https://www.cityofmadison.com/parks/about/impactFees.cfm> for information about Park Impact Fee rates, calculations, and payment process.
19. Low-cost housing is exempt from Park Impact Fees. This exemption only applies to those dwelling units or bedrooms within a development that are determined to be low-cost housing. This exemption does not extend to the land dedication requirements set forth under Sec. 16.23(8)(f), MGO, nor any other impact fees that may apply to a development.
20. The park impact fee will be exempt for developments that meet the "low-cost housing" requirements, as defined as rental or owner-occupied housing units that are affordable, as that term is defined in Sec. 4.22(2), MGO, and which meet the deed restriction requirements of Sec. 4.22(7). A low-cost housing certification from the Community Development Division is required for Park Impact Fee exemptions. For projects that do not receive funding from the Community

Development Division, a Land Use Restriction Agreement (LURA) with the Parks Division is required. If a Parks-LURA is required, requests can be emailed to parkimpactfees@cityofmadison.com

Please contact Jeffrey Heinecke of the Forestry Section at (608) 266-4890 if you have any questions regarding the following one (1) item:

21. City Forestry will issue a street tree removal permit for (3) trees (36" Sugar Maple, 18" Sugar and 30" Sugar Maple) due to sidewalk installation along Ruskin St. The Contractor shall contact City Forestry at (608)266-4816 to obtain permit. Add as a note on the demolition plan.

Please contact Timothy Sobota of Metro Transit at (608) 261-4289 if you have any questions regarding the following two (2) items:

22. Metro Transit operates daily all-day transit service along North Sherman Avenue thru the Roth Street intersection nearest this property - with trips at least every 30 minutes (every 15 minutes or less during the day on weekdays). Metro Transit operates additional daily all-day rapid transit service along Aberg Avenue near this property - with trips at least every 75 minutes.
23. Metro Transit would initially estimate the following counts of potentially eligible trips towards US Green Building Council/LEED Quality Access to Transit points: 32 Weekday & 17 Weekend. Please contact Metro Transit if additional analysis would be of interest.

Please contact Jeffrey Quamme of the City Engineering Division – Mapping Section at (608) 266-4097 if you have any questions regarding the following two (2) items:

24. The Applicant shall Dedicate right of way or grant a Public Sidewalk Easement on the pending Certified Survey Map along Roth Ave as required by Traffic Engineering for the required terrace width and future sidewalk.
25. The address of the proposed building is 1109 Ruskin St.
26. The site plan shall reflect a proper street address of the property as reflected by official City of Madison Assessor's and Engineering Division records.
27. The pending Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds (ROD), the new parcel data created by the Assessor's Office and the parcel data available to zoning and building inspection staff prior to issuance of building permits for new construction or early start permit.
28. Submit a site plan and a complete building Floor Plan in PDF format to Lori Zenchenko (lzenchenko@cityofmadison.com) that includes a floor plan of each floor level on a separate sheet/page for the development of a complete interior addressing plan. Also, include a per floor unit matrix for apartment buildings.
29. 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 verification submittal stage of this LNDUSE with Zoning. The final approved Addressing Plan shall be included in said Site

Plan Verification application materials or a revised plan shall provided for additional review and approval by Engineering.

30. Per 34.505 MGO, a full copy of the approved addressing plan shall be kept at the building site at all times during construction until final inspection by the Madison Fire Department.
31. 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.

Please contact Trent Schultz of the Parking Utility at (608) 246-5806 if you have any questions regarding the following one (1) item:

32. The agency reviewed this project and determined a Transportation Demand Management (TDM) Plan is not required. Per MGO 16.03(4), residential developments within 10-25 dwelling units and a parking ratio less than 1.0 parking stalls/dwelling unit are exempt from TDM Ordinance requirements.

Please contact Jeff Belshaw of the Water Utility at (608) 261-9835 if you have any questions regarding the following two (2) items:

33. The A private well may have served this parcel prior to the municipal water service connection. Any remaining unused/unpermitted private wells existing on this parcel must be properly abandoned according to Wisconsin Administrative Code NR 812 and Madison General Ordinance 13.21 prior to the demolition of the property. Please contact water utility staff at (608) 266-4654 to schedule an on-site private well survey prior to demolition, otherwise for additional information regarding well abandonment procedures and potential well abandonment reimbursement programs. The Madison Water Utility shall be notified to remove the water meter at least two working days prior to demolition. Contact the Water Utility Meter Department at (608) 266-4765 to schedule the meter removal appointment

34. A Water Service Application Form and fees must be submitted before connecting to the existing water system. Provide at least two working days notice between the application submittal and the requested installation or inspection appointment. Application materials are available on the Water Utility's Plumbers & Contractors website (<http://www.cityofmadison.com/water/plumbers-contractors>), otherwise they may be obtained from the Water Utility Main Office at 119 E Olin Ave. A licensed plumber signature is required on all water service applications. For new or replacement services, the property owner or authorized agent is also required to sign the application. A Water Meter Application Form will subsequently be required to size & obtain a water meter to establish a Water Utility customer account and/or establish a Water Utility fire service account. If you have questions regarding water service applications, please contact Madison Water Utility at (608) 266-4646.

Specific questions regarding the comments or conditions contained in this letter should be directed to the commenting agency.

Please now follow the procedures listed below for obtaining your conditional use:

1. After the plans have been revised per the above conditions, please submit one (1) complete digital plan set in PDF format and any other supporting materials that are necessary, as specified in this letter to sprapplications@cityofmadison.com (note: A 20MB email limit applies and multiple transmittals may be required). The sets of final revised plans or documents will be circulated by Zoning staff to the City department staff listed above for their final approval.
2. A check for the site plan review fee shall be mailed to the City of Madison Building Inspection Division; PO Box 2984; Madison, WI 53701-2984.
3. This letter shall be signed by the applicant to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting conditional use approval.
4. The conditional use approval is valid for two (2) years from the date of the Plan Commission approval. During this time, the applicant must either lawfully commence the use or obtain a building permit and begin erecting the building. If the applicant obtains a valid building permit, construction must commence within six (6) months of the date of issuance. The building permit shall not be renewed unless construction has commenced as is being diligently prosecuted.
5. Any alteration in plans for a proposed alternative use shall require Plan Commission approval, except for minor alterations. The Zoning Administrator may issue permits for minor alterations or additions which are approved by the Director of Planning and Community and Economic Development and are compatible with the concept approved by the City Plan Commission and the conditional use approval standards.
6. The Plan Commission retains continuing jurisdiction over all conditional uses for the purpose of resolving complaints against all previously approved conditional uses.

If you have any questions regarding obtaining your demolition permit or building permits, please contact the Zoning Administrator at 266-4551. If you have any questions or if I may be of any further assistance, please contact my office at 243-0554 or lmcnabola@cityofmadison.com.

Sincerely,

Lisa McNabola
Planner

I hereby acknowledge that I understand and will comply with the above conditions of approval for conditional uses.

Signature of Applicant

Signature of Property Owner (if not the applicant)

LNDUSE-2025-00050			
For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Div.	<input checked="" type="checkbox"/>	Engineering Mapping Sec.
<input checked="" type="checkbox"/>	Zoning Administrator	<input checked="" type="checkbox"/>	Parks Division
<input checked="" type="checkbox"/>	City Engineering	<input type="checkbox"/>	Urban Design Commission
<input type="checkbox"/>	Traffic Engineering	<input type="checkbox"/>	Recycling Coord. (R&R)
<input type="checkbox"/>	Fire Department	<input checked="" type="checkbox"/>	Water Utility
<input type="checkbox"/>	Metro Transit	<input checked="" type="checkbox"/>	Other: Forestry, Parking Utility