

PLANNING DIVISION STAFF REPORT

November 3, 2025



PREPARED FOR THE PLAN COMMISSION

Project Address: 511-515 West Dayton Street (District 4, Alder Verveer)
Application Type: Conditional Use
Legistar File ID #: [90014](#)
Prepared By: Lisa McNabola, AICP, Planning Division
Report Includes Comments from other City Agencies, as noted
Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Owner: Jeff Rood; Madison Pads, LLC; 9 Payson Court, Madison, WI 53719

Applicant & Contact: Paul Cuda; CaS4 Architecture; 401 Regent Street, Madison, WI 53705

Requested Action: Consideration of a conditional use in the Downtown Residential 2 (DR2) District for a residential building complex containing two new two-family dwellings in the rear yard of two existing three-family dwellings with shared pedestrian access.

Proposal Summary: The project site includes two properties. There is a two-story, three-unit building on 511 West Dayton Street and a two-story, three-unit building on 515 West Dayton Street. A new two-story, two-unit building would be built behind each building. There would be a total of four buildings on the site. The rear buildings are accessed by a shared walkway between the two existing buildings.

Applicable Regulations & Standards: Standards for conditional uses are found in MGO Section 28.183(6).

Review Required By: Urban Design Commission, Plan Commission

Summary Recommendation: The Planning Division recommends that the Plan Commission find the approval standards for conditional uses met and **approve** the request for a residential building complex in the Downtown Residential 2 (DR2) District at 511-515 West Dayton Street, subject to input at the public hearing and the conditions recommended by the reviewing agencies.

Background Information

Parcel Location: The site includes two properties and is 8,712 square feet (.2-acres). It is on West Dayton Street between North Bedford Street and North Bassett Street. The site is within Alder District 4 (Alder Verveer) and the Madison Metropolitan School District.

Existing Conditions and Land Use: The site is zoned Downtown Residential 2 (DR2) District. There are two properties. The two-story, 2,898 square-foot residential building at 511 West Dayton Street was built in 1915. The two-story, 2,799 square-foot residential building at 515 West Dayton Street was built in 1914.

Surrounding Land Use and Zoning:

Northwest: Across Mifflin Street, five-story 75-unit multifamily building, zoned Planned Development (PD) District;

Northeast: Two story two-unit and three-unit buildings, zoned Downtown Residential 2 (DR2) District;

Southeast: Two story two-unit and three-unit buildings, zoned DR2 District; and

Southwest: Two story two-unit and three-unit buildings, zoned DR2 District.

Adopted Land Use Plan: The [Comprehensive Plan](#) (2024) recommends Medium Residential development. The [Mifflandia Plan](#) (2017) recommends Residential development. The [Downtown Plan](#) (2012) recommends Predominant Residential development.

Zoning Summary: The property is zoned Downtown Residential 2 (DR2) District.

Requirements	Required	Proposed
Lot Area (sq. ft.)	3,000	8,712
Lot Width	30 ft	66 ft
Front Yard Setback	10 ft	Existing
Side Yard Setback	5 ft	3.5 ft See comment #8
Rear Yard Setback	20 ft	10 ft See comment #8
Maximum Lot Coverage	80%	76%
Minimum Building Height	2 stories	2 stories
Maximum Building Height	6 stories	2 stories

Site Design	Required	Proposed
Number Parking Stalls	None	None
Electric Vehicle Stalls	None	None
Accessible Stalls	None	None
Loading	None	None
Number Bike Parking Stalls	None	18
Landscaping and Screening	None	Yes
Lighting	Yes	Yes
Building Form and Design	Yes	Two-Unit

Table Prepared by Jacob Moskowitz, Assistant Zoning Administrator

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

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

Project Description, Analysis, and Conclusion

Project Description

The project site includes two properties. There is a two-story, three-unit building on 511 West Dayton Street and a two-story, three-unit building on 515 West Dayton Street. Each building has nine bedrooms. The existing buildings are covered in a blue horizontal siding. There is a two-story porch on the front of the buildings. Although the existing buildings are considered two-story buildings per the Zoning Code, they do have an occupiable unit in the attic. Each unit has a balcony at the back of the building. The existing shared driveway between the buildings would be removed and replaced with a pedestrian walkway.

One new two-story, two-unit building would be built behind 511 West Dayton Street. And one new two-story, two-unit building would be built behind 515 West Dayton Street. Each proposed unit has four bedrooms, resulting in building has 8 bedrooms per new building. Each building has a covered entry and a partial two-story balcony. There is also a two-story balcony at the back of the buildings. Each building has six bicycle stalls located under the covered entries. The new buildings would have fire sprinkler systems.

The buildings would be located in the backyard, which is currently used for parking. The new building at 511 West Dayton Street is setback 20 ft. 9 in. from the rear wall of the existing building. The new building at 515 West Dayton Street is setback 22 ft. 9 in. The distance from the rear balconies of the existing buildings to the front balconies of the new buildings is 10 ft. 1 in.

The proposed side setback for each building is 3 ft. 5 in. The proposed rear setback is 10 feet. The applicant is requesting a side setback and rear setback that is less than what is required in the DR-2 District. In the DR-2 District the side setback is 5 feet and the rear setback is 20 feet. Setback modifications are allowed for residential building complexes as part of a conditional use. Should the setback waiver not be granted, the site plan and landscape plan would need to be revised.

The primary building materials for 511 West Dayton Street are dark blue board and batten siding and a light grey horizontal siding. The primary building materials for 515 West Dayton Street are a light blue board and batten siding and a dark grey horizontal siding.

The rear buildings are accessed by a shared walkway. A masonry and wood arbor is shown at the entrance of the walkway. The walkway leads to a paved common area located between the buildings. A 6-foot wooden fence would enclose the rear half of the site. The landscape plan shows plantings in the front yard and along the walkway. Plantings include deciduous shrubs, deciduous shrubs, and perennials. The side yard and rear yard would be planted with grass.

Supplemental Regulations

Supplemental Regulations address the unique characteristics of certain land uses.

Supplemental Regulations for residential building complexes:

- a) Recreational areas may be required to serve the needs of the anticipated population.
- b) Setback requirements may be reduced as part of the conditional use approval.
- c) Minimum distances between buildings shall equal the combination of the required side yards for each building, unless reduced by the Plan Commission as part of the conditional use approval.
- d) An appropriate transition area between the use and adjacent property may be required, using landscaping, screening, and other site improvements consistent with the character of the neighborhood.
- e) In the TE District, new residential uses, whether in new or existing buildings, shall not be located where potential nuisances exist, including but not limited to: excessive vibration, dust, noise, light, glare, smoke, odor, or truck traffic.
- f) In the TE District, new residential uses shall be adequately separated or buffered from adverse impacts from existing industrial uses.
- g) Shall be reviewed by the UDC pursuant to Sec. 33.24(4)(c), MGO.
- h) All Residential Building Complexes shall be submitted with a plan for building placement, circulation, access and parking, and information on the architectural design of the development.
- i) Each building in a Residential Building Complex shall provide the lot area and usable open space required for the building type by the zoning district.
- j) Entrance orientation requirements for buildings that do not front a public street and are located behind buildings that do front a public street may be modified by the Plan Commission as part of the conditional use approval, provided that the modification results in entrances being oriented to a courtyard, open space, or other common amenity of the residential building complex.

Conformance with Adopted Plans

The [Comprehensive Plan](#) (2024) recommends Medium Residential development. Medium Residential areas may include a variety of relatively intense housing types, including rowhouses, small multifamily buildings, and large multifamily buildings. Buildings are expected to be two to five stories and are generally recommended for 20-90 dwelling units per acre.

The [Mifflandia Plan](#) (2017) recommends Residential development. The recommended building height is six stories. The [Downtown Plan](#) (2012) recommends Predominant Residential development. The recommended building height is six stories.

The buildings are two stories. The proposed density is 50 dwelling units per acre. Staff believe the proposed project is consistent with the Plan recommendations.

Conditional Use Standards

The proposed development is a residential building complex. This is a conditional use in the Downtown Residential 2 (DR2) District.

The conditional use approval standards state that the Plan Commission shall not approve a conditional use without due consideration of the City's adopted plan recommendations, design guidelines, supplemental regulations, and finding that all of the conditional use standards of MGO §28.183(6) are met. Please note, state law requires that conditional use findings must be based on "substantial evidence" that directly pertains to each standard and not based on personal preference or speculation. State law also states that if an applicant for a conditional use meets or agrees to meet all of the requirements and conditions specified in the city ordinance or those imposed by the Plan Commission, the city shall grant the conditional use permit.

Standard 6 states, "The conditional use conforms to all applicable regulations of the district in which it is located."

Supplemental regulation (b) states, "Setback requirements may be reduced as part of the conditional use approval." In the DR-2 District the side setback is 5 feet and the rear setback is 20 feet. The applicant is proposing a 3-foot-5-inch side setback and 10-foot rear setback. Setback modifications are allowed for residential building complexes as part of a conditional use, which falls under the purview of the Plan Commission. Should the setback waiver not be granted, the site plan and landscape plan would need to be revised. Staff raised questions regarding the granting of this waiver during pre-application meetings with the applicant. Staff asked the applicant to explain the why the reduced setbacks are needed. Per the applicant the reduced rear setback allows for a larger common area between the two buildings. The applicant prefers to locate the open space between the buildings instead of locating open space behind the buildings, which could be adjacent to open space on adjacent properties. Staff note that allowing reduced setbacks here could result in other property owners on this block asking for a similar reduction, though such a reduction would only be available for residential building complexes and not other development forms.

Supplemental regulation (c) states, "Minimum distances between buildings shall equal the combination of the required side yards for each building, unless reduced by the Plan Commission as part of the conditional use approval." In the DR-2 District the side setback is 5 feet. The applicant is proposing a 3-foot-5-inch side setback and 6-foot-10-inch distance between the new buildings.

Standard 8 states, “When applying the above standards to any new construction of a building or an addition to an existing building the Plan Commission shall find that the project creates an environment of sustained aesthetic desirability compatible with the existing or intended character of the area and the statement of purpose for the zoning district.”

Supplemental regulation (g) states, “Shall be reviewed by the UDC pursuant to Sec. 33.24(4)(c), MGO.” Per MGO Section 33.24(4)(c) the Urban Design Commission (UDC) shall review the exterior design and appearance of all principal buildings or structures and the landscape plans of all proposed residential building complexes., and it shall report its findings and recommendations to the Plan Commission. The UDC Secretary prepared a [Staff Report for the October 22, 2025 UDC meeting](#) (Legistar ID [90048](#)).

On October 22, 2025, the UDC provided an advisory recommendation, recommending approval with the following conditions, which are included in the recommended conditions of approval at the end of the report.

- The project shall return to the UDC for Final Approval.
- The building design shall be revised to show a consistent cladding on each elevation.
- Add windows on the side and front elevations to break up the blank wall expanses.
- Revise the landscape plan to increase plant groupings to three and add more upright plantings to create a layered effect and multi-seasonal structure.

As the approving body, the Plan Commission has the ability to accept all or parts of the UDC’s advisory recommendation should it find that these recommendations are necessary to meet conditional use standard 8. From a design standpoint, the UDC recommended simplifying the exterior materials. This would include removing the material transition on the side elevations, and that two additional windows be added in the blank wall spaces, one on the side elevation and one on the front elevation. Staff understands that the proposed side elevations that UDC reviewed were prepared in response to feedback from neighborhood meetings, prior to the UDC meeting

From a process standpoint, the UDC has requested that the Plan Commission require the project return to the UDC for final review and meet the UDC’s proposed conditions. For this review, UDC’s purview would be limited to evaluating only those design-related conditions noted above.

In closing, staff believe that the conditional use approval standards can be found met, subject to the recommended conditions of approval.

Recommendation

Planning Division Recommendation (Contact Lisa McNabola, 243-0554)

The Planning Division recommends that the Plan Commission find the approval standards for conditional uses met and **approve** the request for a residential building complex in the Downtown Residential 2 (DR2) District at 511-515 West Dayton Street, subject to input at the public hearing and the conditions recommended by the reviewing agencies.

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

Planning Division (Contact Lisa McNabola, 243-0554)

1. The Plan Commission approves a reduction of the side and rear setbacks as required in the DR-2 (Downtown Residential 2) District. The approved side setback is 3-feet-5-inches. The approved rear setback is 10 feet.
2. That in order for the development to meet Conditional Use Standard 8 (28.183(6)8 MGO), the Plan Commission finds, based on the recommendations and comments of the Urban Design Commission, that the following modifications and additional information are necessary as specified in the Urban Design Commission conditions of approval. Prior to final sign-off and the issuance of building permits, a complete plan set with the following modifications and supplemental information shall be presented to the Urban Design Commission for their final review. The UDC shall confirm that the modifications satisfy the intent of their initial recommendation and meet the applicable approval standards of §28.183(6)(9) and §28.076(4)(b), MGO. The UDC's final review shall be limited to these specified items. Following this review, the Plans shall be revised to reflect the UDC final review comments and information shall be incorporated into final sign-off plans to be approved by the Planning Division Director and Urban Design Commission Secretary. Plans determined not be consistent with this recommendation will require a conditional use alteration as specified in §28.183(8), MGO.

Urban Design Commission (Contact Jessica Vaughn, 267-8740)

3. The project shall return to the UDC for Final Approval.
4. The building design shall be revised to show a consistent cladding on each elevation.
5. Add windows on the side and front elevations to break up the blank wall expanses.
6. Revise the landscape plan to increase plant groupings to three and add more upright plantings to create a layered effect and multi-seasonal structure.

Engineering Division (Contact Kathleen Kane, 266-4098)

7. This site drains to an enclosed depression offsite. The proposed development shall either discharge all stormwater to the public ROW or shall provide for volume control of all discharges offsite to the same volume for all storms up to and including the 100 year event. A stormwater management plan and recorded maintenance agreement for the proposed treatment system is required.
8. Obtain a permit to Excavate in the Right-of-Way to complete the improvements in the public Right-of-Way. The permit application is available on the City Engineering Division website at www.cityofmadison.com/engineering/permits/excavation-in-the-right-of-way-permit. As a condition of the permit a deposit to cover estimated City expenses will be required.
9. 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))

Zoning (Contact Jacob Moskowitz, 266-4560)

10. Setback requirements may be reduced as part of the conditional use approval.
11. Provide a detail of the proposed bike rack including any structured or wall mount bike racks.

Fire Department (Contact Matt Hamilton, 266-4457)

12. Provide fire sprinkler systems per NFPA 13D or NFPA 13R (as required for 1-2 unit / 3+ unit buildings) in new buildings.

Parks Division (Contact Emma Krug, 263-6850)

13. 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 Central Park-Infrastructure Impact Fee district. The Park Impact Fee ID# for this project is LNDUSE-2025-00073. Visit <https://www.cityofmadison.com/parks/about/impactFees.cfm> for information about Park Impact Fee rates, calculations, and payment process.

Forestry Division (Contact Bradley Hofmann, 267-4908)

14. The Developer shall submit a Street Tree Report performed by an International Society of Arboriculture Certified Arborist for City Forestry's review of project. This report shall identify all street trees on proposed project site, species type, canopy spread, tree condition, proposed tree removals, the impacts of proposed construction, and any requested pruning.

15. An existing inventory of street trees located within the right of way shall be included on the site, demo, utility, landscape, grading, fire aerial apparatus and street tree plan sets. The inventory shall include the following: location, size (diameter at 4 1/2 feet), and species of existing street trees. The inventory should also note if a street tree is proposed to be removed and the reason for removal.
16. All proposed street tree removals within the right of way shall be reviewed by City Forestry before the Plan Commission meeting. Street tree removals require approval and a tree removal permit issued by City Forestry. Any street tree removals requested after the development plan is approved by the Plan Commission or the Board of Public Works and City Forestry will require a minimum of a 72-hour review period which shall include the notification of the Alderperson within who's district is affected by the street tree removal(s) prior to a tree removal permit being issued. Add as a note on the street tree plan set.
17. City Forestry will issue a street tree removal permit for one 3" diameter Honeylocust tree due to construction conflicts and recently planted at 511 W Dayton Street. The Contractor shall contact City Forestry at (608)266-4816 to obtain permit. Add as a note on both the demolition and street tree plan set.

18. Contractor shall take precautions during construction to not disfigure, scar, or impair the health of any street tree. Contractor shall operate equipment in a manner as to not damage the branches of the street tree(s). This may require using smaller equipment and loading and unloading materials in a designated space away from trees on the construction site. Any damage or injury to existing street trees (either above or below ground) shall be reported immediately to City Forestry at (608) 266-4816. Penalties and remediation shall be required. Add as a note on the site, grading, utility, demolition, and street tree plan set.
19. As defined by the Section 107.13 of City of Madison Standard Specifications for Public Works Construction: No excavation is permitted within 5 feet of the trunk of the street tree or when cutting roots over 3 inches in diameter. If excavation is necessary, the Contractor shall contact Madison City Forestry at (608) 266-4816 prior to excavation. City of Madison Forestry personnel shall assess the impact to the tree and to its root system prior to work commencing. Tree protection specifications can be found on the following website: <https://www.cityofmadison.com/business/pw/specs.cfm> Add as a note on the site, grading, utility, demolition and street tree plan sets.
20. Section 107.13(g) of City of Madison Standard Specifications for Public Works Construction (website: <https://www.cityofmadison.com/business/pw/specs.cfm>) addresses soil compaction near street trees and shall be followed by Contractor. The storage of parked vehicles, construction equipment, building materials, refuse, excavated spoils or dumping of poisonous materials on or around trees and roots within five (5) feet of the tree or within the protection zone is prohibited. Add as a note on both the site and street tree plan sets.
21. On this project, street tree protection zone fencing is required. The fencing shall be erected before the demolition, grading or construction begins. The fence shall include the entire width of terrace and, extend at least 5 feet on both sides of the outside edge of the tree trunk. Do not remove the fencing to allow for deliveries or equipment access through the tree protection zone. Add as a note on both the site and street tree plan sets.
22. Street tree pruning shall be coordinated with City Forestry at a minimum of two weeks prior to the start of construction for this project. Contact City Forestry at (608)266-4816. All pruning shall follow the American National Standards Institute (ANSI) A300 - Part 1 Standards for pruning. Add as a note on both the site and street plan sets.
23. The Developer shall post a security deposit prior to the start of the development to be collected by City Engineering as part of the Developers Agreement. In the event that street trees are damaged during the construction process, City Forestry will draw from this deposit for damages incurred.
24. Additional street trees are needed for this project. Tree planting specifications can be found in section 209 of City of Madison Standard Specifications for Public Works Construction (website: <https://www.cityofmadison.com/business/pw/specs.cfm>) - All street tree planting locations and tree species within the right of way shall be determined by City Forestry. A landscape plan and street tree planting plan shall be submitted in PDF format to City Forestry for approval of planting locations within the right of way and tree species. All available street tree planting locations shall be planted within the project boundaries. Add following note on both the landscape and street tree plan sets: At least one week prior to street tree planting, Contractor shall contact City Forestry at (608) 266-4816 to schedule inspection and approval of nursery tree stock and review planting specifications with the landscaper.

Water Utility (Contact Jeff Belshaw, 261-9835)

25. Private wells may have served the parcels associated with this project prior to municipal water service connections. The existing properties will require an internal and external survey for potential unabandoned private wells prior to proceeding with demolition. 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.

26. 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 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.

Metro Transit (Contact Tim Sobota, 261-4289)

27. Metro Transit operates daily all-day transit service along University Avenue and West Johnson Street near this property - with trips at least every 60 minutes (every 30 minutes or less during the day on weekdays). Metro Transit operates additional daily all-day rapid transit service along State Street near this property - with trips at least every 30 minutes (every 15 minutes or less during the day on weekdays and Saturdays).

28. Metro Transit would initially estimate the following counts of potentially eligible trips towards US Green Building Council/LEED Quality Access to Transit points: 374 Weekday & 165 Weekend. Please contact Metro Transit if additional analysis would be of interest.

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

29. Addressing will be determined with the creation of an addressing plan. 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.

30. It is suggested that the existing Common Driveway Easement per Document No 327649 be released and all reciprocal rights between the parcels be part of the new reciprocal easement.

31. Provide for review, comprehensive declaration of reciprocal easements and agreement including, but not limited to, access, lighting, arbor shared storm sewer, surface drainage between lots, waste management, sewer and water services (ability to excavate for the construction, maintenance and repair), common areas and anything else that are necessary to accomplish the site development as proposed prior to final sign off. The document(s) shall be executed and recorded prior to building permit issuance. The document will require a statement of non title merger as both lots are currently commonly owned.
32. Identify on the plans the lot and block numbers of recorded Plat. Also the existing site plan and demolition plan shall have a solid line between the two separate parcels as they are to be treated as such. Provide dimensions of the parcels on the site plan
33. Provide a full and complete legal description of the site or property being subjected to this application on the site plan.
34. The existing addressing will need to be changed in order to fit in the infill apartment addresses. Submit a site plan and a complete building Floor Plan for the existing apartment buildings and new apartment buildings in PDF format to Lori Zenchenko (lzenchenko@cityofmadison.com) that includes a floor plan of each floor level on a separate sheet/page.
35. 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 be provided for additional review and approval by Engineering.
36. 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.
37. 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 following agencies reviewed the request and recommended no conditions of approval: Traffic Engineering, Assessor's Office, Parking Utility.