



Department of Planning & Community & Economic Development

## Planning Division

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

November 7, 2025

Paul Cuta

[paul@cas4arch.com](mailto:paul@cas4arch.com)

RE: Consideration of a conditional use in the Downtown Residential 2 (DR-2) District for a residential building complex at 511-515 West Dayton Street (Legistar ID [90014](#)).

Paul,

On November 3, 2025, the Plan Commission found the standards met and **conditionally approved** your conditional use for 511-515 West Dayton 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 two (2) items:**

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.

**Please contact UDC Secretary Jessica Vaughn at (608) 267-8740 if you have any questions regarding the following four (4) items:**

3. The project shall return to the UDC Secretary for final review and approval of UDC-recommended conditions of approval.
4. The building design shall be revised to show a consistent cladding on each elevation.
5. Add windows on the side 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.

**Please contact Kathleen Kane of the Engineering Division at (608) 266-4098 if you have any questions regarding the following three (3) items:**

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](http://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))

**Please contact Jacob Moskowitz, Assistant Zoning Administrator at (608) 266-4560 if you have any questions regarding the following nine (9) items:**

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.

**Please contact Matt Hamilton of the Fire Department at (608) 266-4457 if you have any questions regarding the following one (1) item:**

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

**Please contact Emma Krug of the Parks Division at (608) 263-6850 if you have any questions regarding the following one (1) item:**

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.

**Please contact Bradley Hofmann of the Forestry Section at (608) 267-4908 if you have any questions regarding the following eleven (11) items:**

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.

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

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.

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

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.

**Please contact Jeffrey Quamme of the City Engineering Division – Mapping Section at (608) 266-4097 if you have any questions regarding the following nine (9) items:**

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.

**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](mailto: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](mailto: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 checked="" type="checkbox"/>	Urban Design Commission
<input type="checkbox"/>	Traffic Engineering	<input type="checkbox"/>	Recycling Coord. (R&R)
<input checked="" type="checkbox"/>	Fire Department	<input checked="" type="checkbox"/>	Water Utility
<input type="checkbox"/>	Metro Transit	<input checked="" type="checkbox"/>	Other: Forestry