PLANNING DIVISION STAFF REPORT

July 28, 2025

PREPARED FOR THE PLAN COMMISSION

Project Address: **1802-1804 Roth Street** (District 12, Alder Matthews)

Application Type: Zoning Map Amendment (Rezone) and Conditional Use

Legistar File ID #: 88719, 88561

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: Jacob Meir; Meir Properties, LLC; 703 Commercial Avenue, Sun Prairie, WI 53590

Applicant: Bradley Hinkfuss; Housing Initiatives; 1110 Ruskin Street, Madison, WI 53704

Contact: Rachel Foley; Engberg Anderson; 320 East Buffalo Street, Milwaukee, WI 53202

Requested Action:

- Legistar ID 88719 – 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 88561 – 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.

Proposal Summary: The applicant is requesting to rezone the property so that a 16-unit mixed-use building with office space can be constructed at 1802-1804 Roth Street. The office space would be used by Housing Initiatives to provide services to their clients, including residents of the building. The 16 residential units would be a permitted use if the property is rezoned. The office space is considered an office for a human service program, which would be a conditional use.

Applicable Regulations & Standards: MGO Section 28.183(6) lists the approval standards for zoning map amendments. MGO Section 28.183(6) lists the standards of approval for conditional uses. MGO Section 28.151 lists the Supplemental Regulations for Offices for a Human Service Programs.

Review Required By: Plan Commission and Common Council

Summary Recommendation: The Planning Division recommends the following to the Plan Commission regarding the applications for 1802-1804 Roth Street. All recommendations are subject to input at the public hearing and the conditions recommended by the reviewing agencies.

- That the Plan Commission find the approval standards for zoning map amendments met and forward Zoning Map Amendment Section 28.022-00723 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 to the Common Council with a recommendation of **approval**.
- That the Plan Commission find the approval standards for conditional uses are met and **approve** an office for a human service program at 1802-1804 Roth Street.

Background Information

Parcel Location: The project site includes two parcels that total 8,885 square feet (.2 acres). The project site is

located at the northeast corner of Roth Street and Ruskin Street. It is within Alder District 12 (Alder Matthews) and the Madison Metropolitan School District.

Existing Conditions and Land Use: There is a two-story, two-unit building at 1802 Roth Street. It was built in 1932. The property at 1804 Roth Street is vacant.

Surrounding Land Use and Zoning:
North: Single family residential, zoned TR-U1 (Traditional Residential-Urban 1) District; commercial buildings, zoned CC-T (Commercial-Corridor Transitional) District;

East: Personal storage building, zoned TR-U1; across O'Neill Avenue, restaurant and commercial buildings zoned CC-T,

South: Across Roth Street, City of Madison park land, zoned CN (Conservancy) District;

West: Across Ruskin Street, multifamily buildings, commercial buildings and shopping center, zoned CC-T District.

Adopted Land Use Plan: The Comprehensive Plan (2023) and Oscar Mayer Special Area Plan (2020) recommend Medium Residential (MR) development for the property and adjacent properties. Properties to the northwest, which includes the Northgate shopping center, are recommended for Community Mixed-Use (CMU). The older Emerson East Eken Park Yahara Neighborhood Plan (2016) and Northport Warner Park Sherman Neighborhood Plan (2009) recommend Community Mixed-Use (CMU) development for the property and surrounding properties.

Zoning Summary: If the property is rezoned it will be in the TR-U2 (Traditional Residential-Urban 2) District.

Requirements	Required	Proposed
Lot Area (sq. ft.)	350 sq. ft./d.u. (5,600 sq. ft.)	8,869 sq. ft.
Lot Width	30'	80.11'
Front Yard Setback	15'	15.0'
Max. Front Yard Setback	30' or up to 20% greater than block average	15.0'
Side Yard Setback	5'	10.0'
Reverse Corner Side Yard Setback	12'	13.9'
Rear Yard Setback	Lesser of 25% lot depth or 20'	20.5'
Maximum Lot Coverage	75%	67.6%
Maximum Building Height	4 stories/52'	3 stories/<52'

Site Design	Required	Proposed
Number Parking Stalls	Multi-family dwelling: 1 per dwelling (16) Offices for human service programs: 1 per 400 sq. ft. floor area (1) (17 total)	2 See Comment #12
Electric Vehicle Stalls	Not required	None
Accessible Stalls	Yes	1 See Comment #11
Loading	Not required	None
Number Bike Parking Stalls	Multi-family dwelling: 1 per unit up to 2-bedrooms, ½ space per add'l bedroom (16) 1 guest space per 10 units (2) Offices for human service programs: 1 per 2,000 sq. ft. floor area (2 minimum) (20 total)	3 surface 16 interior (19 total) See Comment #13

Landscaping and Screening	Yes	Yes See Comment #14
Lighting	Yes	Yes
Building Form and Design	Yes	Large multi-family building See Comment #15

Table prepared by Assistant Zoning Administrator Jenny Kirchgatter

Environmental Corridor Status: The 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 applicant proposes to construct a three-story, 16-unit mixed-use building with 470 square feet of office space. The office space would be used by Housing Initiatives to provide services to their clients, including residents of the building. Housing Initiatives would provide permanent supportive housing for the residents. To qualify for the housing residents must make less than 50% of County Median Income, have a history of chronic homelessness, and who live with a serious and persistent mental illness that has been clinically diagnosed. Housing Initiatives employs case managers who provide direct supportive services to clients who reside in their buildings. Residents from other Housing Initiatives properties may also visit the office for support services. Hours of operation are expected to be Monday through Friday from 8 a.m. to 5 p.m. There would be 4-5 employees using the office with at least 2 employees on site at a given time. The applicant expects 10 off-site clients to visit the office each week.

The office will be located on the first floor. The central building entrance is located on Ruskin Street. The two parking stalls are also accessed from Ruskin Street.

Related Approvals

There is a single family building at 1802 Roth Street. A demolition permit application was reviewed by the Landmarks Commission on July 7, 2025. The Landmarks Commission found that the building has no known historic value (Legistar ID 88899). This demolition permit does not require further review by the Plan Commission. In February 2025 the Common Council adopted Ordinance 25-00010 (Legistar ID 86649) to change the demolition permit review process. The process now allows for administrative approval of demolition and removal permits when the Landmarks Commission finds that the building has no known historic value.

On May 20, 2025 the Common Council approved a Certified Survey Map (CSM) to combine the two existing lots into one (Legistar ID 87808). The CSM approval included a condition that requires the applicant to construct a sidewalk along Roth Street and Ruskin Street.

Conformance with Adopted Plans

The Comprehensive Plan (2023) and Oscar Mayer Special Area Plan (2020) recommend Medium Residential (MR) development for the property and adjacent properties. Properties to the northwest, which includes the Northgate Shopping Center, are recommended for Community Mixed-Use (CMU). The Emerson East Eken Park Yahara Neighborhood Plan (2016) and Northport Warner Park Sherman Neighborhood Plan (2009) recommend Community Mixed-Use (CMU) development for the property and surrounding properties. Staff consider the Comprehensive Plan and the Oscar Mayer Special Area Plan to be the more contemporary plans for this area.

MR areas may include a variety of relatively intense housing types, including rowhouses, small multifamily buildings, and large multifamily buildings. A limited number of nonresidential uses may also be located within residential areas. MR areas are generally recommended to develop with buildings that range from two to five stories with a density of 20 to 90 units per acre.

Zoning Map Amendment Standards

The zoning map amendment standards state that such amendments are legislative decisions of the Common Council that shall be based on public health, safety, and welfare, shall be consistent with the Comprehensive Plan, and shall comply with Wisconsin and federal law. Chapter 66.1001(3) of Wisconsin Statutes requires that zoning ordinances, which includes the zoning map, enacted or amended after January 1, 2010, be consistent with the City's Comprehensive Plan. 2010 Wisconsin Act 372 clarified "consistent with" as "furthers or does not contradict the objectives, goals, and policies contained in the comprehensive plan."

Per the zoning code, both the Traditional Residential – Urban Districts (TR-U1 and TR-U2) are established to stabilize and protect and encourage the essential characteristics of high-density residential areas and to accommodate a full range of life-cycle housing. The districts are also intended to maintain or increase compatibility between residential and other allowed uses, and between different housing types, where permitted, by maintaining consistent building orientation and parking placement and screening.

Staff note that the rezone from the TR-U1 District to the TR-U2 District could allow for more density on the site. In the TR-U1 District the maximum density for multifamily buildings is 58 dwelling units per acre (du/ac), compared to 124 du/ac units in the TR-U2 District. Both categories allow up to four stories and 75% lot coverage for multifamily buildings that are permitted uses, which would result in a similar building mass regardless of the overall density. Staff note that the TR-U2 District has been used in other parts of the city to implement the MR land use recommendations in some instances.

In addition to the above, the Plan Commission may also consider other site-specific factors that may support a more intense zoning district for this site. Based on this specific subject property, the TR-U1 District lot area requirements would allow for up to an 11-unit building while the TR-U2 District would allow for a 25-unit building. Looking at the surrounding context, the site is directly across the street from the CC-T zoned Northgate Shopping Center property that can already be developed more intensively than the TR-U1 district. Additionally, the subject property sits directly across the street from a future neighborhood park and very close access to transit access including the bus stop at North Sherman Avenue and Roth Street.

Staff believe that, on balance, the rezone to the TR-U2 District is generally consistent with the MR land use recommendation in the Comprehensive Plan and the Oscar Mayer Special Area Plan, and that the zoning map amendment approval standards can be found met.

Conditional Use Standards

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 Section 28.183(6) are met. Please note, recent changes to 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.

The applicant proposes to operate an office for a human service program in a mixed-use building with 16 residential units. An office for a human service program is a conditional use in the TR-U2 District. A 16 unit building

would be a permitted use under the proposed TR-U2 Zoning. The office space would be used by Housing Initiatives employees to provide support services to their clients and residents of the building. The proposed operations are further described in the Project Description section of this report.

Standard 6 states, "The conditional use conforms to all applicable regulations of the district in which it is located." Per the recommended conditions of approval from Zoning, the applicant will need to submit a request for a parking reduction. A minimum of 17 parking stalls are required, and two parking stalls are proposed. The applicant is also required to provide 2 short term bicycle parking stalls.

Staff believe the conditional use approval standards can be found met, subject to the recommended conditions of approval.

Supplemental Regulations

The Supplemental Regulations for Offices for Human Service Programs include:

a) The office shall be operated by a governmental or non-profit entity.
b) The office shall be located in a building with more than one unit and no single unit building shall be converted to multiple units for such use.
c) The office shall serve the neighborhood(s) where it is located.

Conclusion

There are two requests before the Plan Commission, a zoning map amendment and conditional use. Staff notes that while the proposed building is only 16 units, the proposed zoning change to the TR-U2 district could allow up to a 25-unit building. While that is only 14 more units than currently allowed, the calculated density of a maximum build-out would be approximately 125 du/ac, which exceeds the 20 to 90 du/ac density range generally recommended in MR areas. Staff note that other than this density range, the TR-U1 and TR-U2 have similar bulk requirements which would result in a similarly sized building in either the current or proposed zoning district.

In some instances, the TR-U2 District has been used to implement the MR land use recommendations in other parts of the city. When evaluating the appropriateness of the TR-U2 District for this site, staff considered the resulting size of allowed buildings and also the surrounding context. This site is directly across the street from the CC-T-Zoned Northgate Shopping Center property that can already be developed more intensively than the TR-U1 District. Additionally, the subject property sits directly across the street from a future neighborhood park and very close access to transit access including the bus stop at North Sherman Avenue and Roth Street. The Planning Division believes that, on balance, it is possible that the Plan Commission could find the approval standards for zoning map amendments met.

Regarding the conditional use for the office for a human service program in a portion of the mixed-use building, staff believes the 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 the following to the Plan Commission regarding the applications for 1802-1804 Roth Street. All recommendations are subject to input at the public hearing and the conditions recommended by the reviewing agencies.

- That the Plan Commission find the approval standards for zoning map amendments met and forward Zoning Map Amendment Section 28.022-00723 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 to the Common Council with a recommendation of **approval**.
- That the Plan Commission find the approval standards for conditional uses are met and **approve** an office for a human service program at 1802-1804 Roth Street.

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

Planning Division (Contact Lisa McNabola, 243-0554)

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

Engineering Division (Contact Brenda Stanley, 261-9127)

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)

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

Parks Division (Contact Morgan Matthews, 266-6517)

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

Forestry (Contact Jeff Heinecke, Contact 266-4890)

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.

Metro Transit (Contact Tim Sobota, 261-4289)

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.

Engineering Mapping (Contact Jeff Quamme, 266-4097)

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.

Parking Utility (Contact Trent Schultz, 246-5806)

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.

Water Utility (Contact Jeff Belshaw, 261-9835)

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.

The following agencies reviewed the request and recommended no conditions of approval: Traffic Engineering, Fire Department