PLANNING DIVISION STAFF REPORT

July 13, 2026

PREPARED FOR THE PLAN COMMISSION

Project Address:	**3602 Atwood Avenue** (District 15, Alder Martinez-Rutherford)
Application Type:	Conditional Use
Legistar File ID #:	93509
Prepared By:	Lisa Ernest, AICP, Planning Division Ella Jones, Intern, Planning Division Report Includes Comments from other City Agencies, as noted
Reviewed By:	Kevin Firchow, AICP, Principal Planner

Summary

Owner & Contact: Roger Lippitt; Midwest Property Management; 3602 Atwood Avenue, Madison WI, 53714

Requested Action: Consideration of a conditional use in the Neighborhood Mixed-Use (NMX) District for a two-family dwelling – two-unit to allow an office building to be converted into a two-unit residence at 3602 Atwood Avenue.

Proposal Summary: The applicant proposes to convert an existing two-story office building into a two-unit residential building. The applicant is not proposing changes to the exterior of the building or the site. A two-family dwelling – two-unit is defined as a building containing two dwelling units, other than a two-family twin , with a separate entrance to each unit and with yards on all sides.

Applicable Regulations & Standards: Approval standards for conditional uses are found in MGO Section 28.183(6). MGO Section 28.151 lists the Supplemental Regulations for a two-family dwelling - two-unit.

Review Required By: Plan Commission

Summary Recommendation: The Planning Division recommends that the Plan Commission find the approval standards for conditional uses met and **approve** the request in the Neighborhood Mixed-Use (NMX) District for a two-family dwelling – two-unit to allow an office building to be converted into a two-unit residence at 3602 Atwood Avenue.

Background Information

Parcel Location: The site is 0.12-acres (5,388 square feet). It is located at the southeast corner of Atwood Avenue and Dennett Drive. The site is within Alder District 15 (Alder Martinez-Rutherford) and the Madison Metropolitan School District.

Existing Conditions and Land Use: The site is in the Neighborhood Mixed-Use (NMX) District. There is a two-story office building on the site.

Surrounding Land Use and Zoning:

North: Across Dennett Drive, four-story multifamily building, zoned Planned Development (PD) District; single family buildings, zoned Traditional Residential - Consistent 2 (TR-C2) District; three-story multifamily building, zoned Suburban Residential - Varied 2 (SR-V2) District;

East: Single family buildings, zoned TR-C2 District;

South: Single family buildings, zoned TR-C2 District;

West: Across Atwood Avenue, Olbrich Park, Parks and Recreation .

Adopted Land Use Plan: The Comprehensive Plan (2026) and Southeast Area Plan (2026) recommend Medium Residential (MR) development for the property.

Zoning Summary: The property is in the Neighborhood Mixed-Use (NMX) District and the Transit Oriented Development (TOD) Overlay District.

Requirements	Required	Proposed
Lot Area (sq. ft.)	1,000	5,388
Lot Width	None	45 ft
Front Yard Setback	5 ft	20 ft
Side Yard Setback	5 ft	11.3 ft
Rear Yard Setback	20 ft	45 ft
Maximum Lot Coverage	75%	62%
Minimum Building Height	2 stories (TOD)	2 stories
Maximum Building Height	4 stories/60 ft	2 stories

Site Design	Required	Proposed
Number Parking Stalls	No minimum	Existing, no change
Electric Vehicle Stalls	None	None
Accessible Stalls	None	None
Loading	None	None
Number Bike Parking Stalls	None	None
Landscaping and Screening	None	None
Lighting	None	None
Building Form and Design	Yes	Two-Unit Building

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

There is an existing two-story, 3,100 square foot office building on the property. The building has four office spaces. The existing parking lot has four vehicle stalls. The applicant is proposing to convert it into a residential building with two units. One unit has three bedrooms and is 1,750 square feet. The second unit has two bedrooms and is 1,060 square feet. The applicant is not proposing changes to the outside of the building or the site at this time.

Conformance with Adopted Plans

The Comprehensive Plan (2026) and Southeast Area Plan (2026) recommend Medium Residential (MR) development for the property. Medium Residential areas may include a variety of relatively intense housing types, including rowhouses, small multifamily buildings, and large multifamily buildings.

Supplemental Regulations

Two-Family Dwelling - Two-Unit buildings are subject to the following Supplemental Regulation: In the NMX, TSS, and CC-T Districts, two-unit dwellings constructed after the effective date of this ordinance require conditional use approval.

Conditional Use Standards

The applicant is requesting approval of a conditional use for a Two-Family Dwelling - Two-Unit. A two-family dwelling – two-unit is defined as a building containing two dwelling units, other than a two-family twin , with a separate entrance to each unit and with yards on all sides.

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, 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.

MGO Section 28.183(6) lists sixteen approval standards, of which not all are applicable to every conditional use. For this request, Standards 7 and 9-16 do not apply, while standards 1-6 and 8 are applicable. Staff believe that the Plan Commission can find standards 1-6 and 8 to be met. This report provides a discussion of standard 4. Standards 4 states, "The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district."

The Comprehensive Plan (2023) recommends Medium Residential development. Per the Comprehensive Plan, a two-unit building is not identified among the recommended building forms in Medium Residential areas. However, staff do not believe or have evidence that the conversion of this small, roughly 3,100 square foot office building into a two-unit building would preclude the normal and orderly development of uses permitted in neighboring districts.

In conclusion, staff believe, given due consideration of adopted Plans, that the approval standards can be found met subject to the recommended conditions of approval.

Recommendation

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

The Planning Division recommends that the Plan Commission find the approval standards for conditional uses met and **approve** the request in the Neighborhood Mixed-Use (NMX) District for a two-family dwelling – two-unit to allow an office building to be converted into a two-unit residence at 3602 Atwood Avenue.

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

Engineering Division (Contact Brenda Stanley, 261-9127)

1. Serve each unit of a duplex building by a separate and independent sanitary sewer lateral or put in place an ownership/maintenance agreement (recorded) prior to plan approval. (POLICY)

Traffic Engineering (Contact William Putnam, 266-5987)

2. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawings shall be to engineering scale and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; vision triangles; pavement markings; signing; building placement; items in the terrace such as signs, street light poles, hydrants; surface types such as asphalt, concrete, grass, sidewalk; driveway approaches, including those adjacent to and across street from the project lot location; parking stall dimensions, including two (2) feet of vehicle overhang; drive aisle dimensions; semitrailer movement and vehicle routes; dimensions of radii; and percent of slope.

3. The Developer shall post a security deposit prior to the start of development. In the event that modifications need to be made to any City owned and/or maintained traffic signals, street lighting, signing, pavement marking and conduit/handholes, the Developer shall reimburse the City for all associated costs including engineering, labor and materials for both temporary and permanent installations.

4. The City Traffic Engineer may require public signing, marking and street lighting related to the development; the Developer shall be financially responsible for such signing, marking and street lighting.

5. All parking facility design shall conform to MGO standards, as set in section 10.08(6).

6. "Stop" signs shall be installed at a height of seven (7) feet from the bottom of the sign at all class III driveway approaches, including existing driveways, behind the property line and noted on the plan. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.

7. The applicant shall show the dimensions for the proposed class III driveway including the width of the drive entrance, width of the flares, and width of the curb cut.

8. All existing driveway approaches on which are to be abandoned shall be removed and replaced with curb and gutter and noted on the plan. Terrace shall be restored and seeded with grass.

9. The applicant shall adhere to all vision triangle requirements as set in MGO 27.05 (No visual obstructions between the heights of 30 inches and 10 feet at a distance of 25 feet behind the property

line at streets and 10 feet at driveways.). If applicant believes public safety can be maintained they shall apply for a waiver of MGO 27.05(2)(bb) - Vision Clearance Triangles at Intersections Corners. Approval or denial of the waiver shall be the determination of the City Traffic Engineer. Contact Jeremy Nash with Traffic Engineering at 608-266-6585 or jnash@cityofmadison.com to begin waiver process.

10. The applicant shall provide a clearly defined 5' walkway from their entrance to the public sidewalk clear of all obstructions to assist citizens with disabilities, especially those who use a wheel chair or are visually impaired. Obstructions include but are not limited to tree grates, planters, benches, parked vehicle overhang, signage and doors that swing outward into walkway.

11. Developer shall provide a recorded copy of any joint driveway ingress/egress and crossing easements and shall be noted on face of plan.

Fire Department (Contact Matt Hamilton, 266-4457)

12. Madison Fire Department recommends the installation of a residential fire sprinkler system in accordance with NFPA 13D. Additional information is available at the Home Fire Sprinkler Coalition website: https://homefiresprinkler.org

Parks Division (Contact Brian Kowalski, 243-2848)

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 East Park-Infrastructure Impact Fee district. The Park Impact Fee ID# for this project is 26034. Visit https://www.cityofmadison.com/parks/about/impactFees.cfm for information about Park Impact Fee rates, calculations, and payment process.

City Engineering Division – Mapping Section (Contact Josh Sherrod, 266-4831)

14. Traffic Engineering is requiring a clearly defined sidewalk connection to the public sidewalk. This and all improvements and the existing sidewalks shall be shown on the final site plan.

15. The apartments will use a Dennett Dr address. The addresses will be determined when addressing floor plans are received.

16. 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.

17. 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. Indicate the primary entrances to each unit. Provide a directional true north arrow.

    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.

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.

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)

18. The agency reviewed this project and determined a Transportation Demand Management (TDM) Plan is not required as part of the proposed change of use. Per MGO 16.03(3)(a), residential uses with fewer than 10 dwelling units are not subject to TDM Ordinance requirements.

The following agencies reviewed the request and recommended no conditions of approval: Assessor's Office, Forestry Section, Water Utility, Metro Transit, Zoning.