



Legislation Details (With Text)

**File #:** 26-0061      **Version:** 1      **Name:** 2/2/26 - The Dean (558 S Fifth Ave) Rezoning with Conditions  
**Type:** Ordinance      **Status:** Passed  
**File created:** 2/2/2026      **In control:** City Council  
**On agenda:** 3/2/2026      **Final action:** 3/2/2026  
**Enactment date:** 3/2/2026      **Enactment #:** ORD-26-06

**Title:** An Ordinance to Amend the Zoning Map of Chapter 55 (Unified Development Code), Rezoning of 0.95 Acres from R4C (Multiple-Family Dwelling) and M1 (Limited Industrial) to D1 (Downtown Core), Midtown Character Overlay, Secondary Street Frontage with Conditions, The Dean, 558 S Fifth Ave (CPC Recommendation: Approval - 8 Yes, 0 No) (ORD-26-06) (8 Votes Required)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD-26-06 Briefed and Approved.pdf, 2. ORD-26-06 Briefed.pdf, 3. Ordinance The Dean Rezoning w Conditions.pdf, 4. Conditional Zoning Statement of Conditions-The Dean-draft.pdf, 5. December 2, 2025 Planning Staff Report Packet (The Dean RZ), 6. December 2, 2025 Planning Commission Minutes, 7. 554-558 S Fifth Ave with 541-553 S Fourth Ave and 201-215 E Madison St Zoning Map.pdf, 8. RWSP Properties LLC Zoning Letter - The Dean PDF SIGNED.pdf, 9. 4922-7178-5866.1 - Cabrio Zoning Letter--The Dean PDF SIGNED.pdf, 10. ORD-26-06 Approval Notice.pdf, 11. WLN news clipping ORD-26-06 Approval Notice.pdf

Date	Ver.	Action By	Action	Result
3/2/2026	1	City Council	Held and Closed	
3/2/2026	1	City Council	Adopted on Second Reading	Pass
2/2/2026	1	City Council	Approved on First Reading	Pass

An Ordinance to Amend the Zoning Map of Chapter 55 (Unified Development Code), Rezoning of 0.95 Acres from R4C (Multiple-Family Dwelling) and M1 (Limited Industrial) to D1 (Downtown Core), Midtown Character Overlay, Secondary Street Frontage with Conditions, The Dean, 558 S Fifth Ave (CPC Recommendation: Approval - 8 Yes, 0 No) (ORD-26-06) **(8 Votes Required)**

Approval of this ordinance will change the zoning designation of a 41,461-square foot site on the north side of East Madison Street between South Fourth and Fifth Avenues from R4C (Multiple-Family Dwelling) and M1 (Limited Industrial) to D1 (Downtown Core) base, Midtown Character overlay, and Secondary Street frontage designation with conditions to allow the construction of a high-rise residential building. Three voluntary conditions were offered to the zoning designation to 1) limit the maximum height to 161 feet, 2) adhere to design requirements of the Downtown Development Authority, and 3) provide a 10-foot setback adjacent to residential zoning.

At its December 2, 2025 meeting, the Planning Commission determined that the proposed rezoning will be consistent with the adjacent zoning, the current and future surrounding land uses, are consistent with the overarching goals of the 2009 Comprehensive Plan and align with the draft recommendations of the 2026 Comprehensive Plan. Further, the Planning Commission determined that the offers to limit the maximum height and adhere to DDA design requirements should be rejected as unnecessary and adequately addressed by existing standards but the offer to provide a

setback adjacent to residential zoning should be accepted as an appropriate condition to fill a newly created gap in the existing code. The property owners have submitted new proposed conditions requesting only the setback.

The rezoning will allow the construction of a high-rise residential building as illustrated on the accompanying area plan. A separate site plan application for a 14-story building with two levels of parking and 12 floors of residential use providing around 180 apartments is being reviewed concurrently.

Attachments:       The Dean Conditional Zoning Statement  
                          December 2, 2025 Planning Staff Report Packet  
                          December 2, 2025 Planning Commission Minutes  
Prepared by:       Alexis DiLeo, Principal Planner  
Reviewed by:       Brett Lenart, Planning Manager  
Derek Delacourt, Community Services Area Administrator  
Approved by:       Milton Dohoney Jr., City Administrator  
(See attached ordinance)