



Legislation Text

File #: 26-0061, Version: 1

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)