



PREPARED FOR THE PLAN COMMISSION

**Project Address:** 6501 Watts Road  
**Application Type:** Conditional Use  
**Legistar File ID #** [64903](#)  
**Prepared By:** Chris Wells, Planning Division  
Report Includes Comments from other City Agencies, as noted  
**Reviewed By:** Kevin Firchow, AICP, Principal Planner

## Summary

**Applicant & Contact:** James McFadden; McFadden & Company; 380 W. Washington Ave; Madison, WI 53703  
**Property Owner:** 6501 Watts Road, LLC; 6555 Shady Lane; Burr Ridge, IL 69527

**Requested Actions:** The applicant requests conditional use approval in the Suburban Employment (SE) District to convert an office building into a private school at 6501 Watts Road.

**Proposal Summary:** The applicant, Madinah Academy of Madison, is proposing to convert an existing, two-story, 7,850-gross-square-foot office building into a private school. Regarding building changes, all renovations will be internal. The primary site improvement will be the addition of a play area at the southeastern corner of the site.

**Applicable Regulations & Standards:** This proposal is subject to the standards for Conditional Uses [MGO §28.183], as §28.082 of the Zoning Code lists *Schools, Public and Private* as a conditional use in the Suburban Employment (SE) District. The Supplemental Regulations [MGO §28.151] contain further regulations for this type of use. As the subject site is located in Urban Design District #2, this proposal is also subject to the review standards for that district [MGO §33.24(6)(c)].

**Review Required By:** Plan Commission (PC). (The Secretary of the Urban Design Commission reviewed this request administratively on behalf of the Urban Design Commission).

**Summary Recommendation:** The Planning Division recommends that the Plan Commission find that the standards for conditional uses can be found met and **approve** the conditional use to convert an office building into a private school in Suburban Employment (SE) District Zoning at 6501 Watts Road. This request is subject to input at the public hearing and the comments and conditions recommended by reviewing agencies.

## Background Information

**Parcel Location:** The 113,874-square-foot (2.61-acre) parcel is located on the south side of Watts Road, between Struck Street and Exact Lane. It is also located within Alder District 19 (Furman), in Urban Design District #2, and is within the limits of the Middleton/Cross Plains School District.

**Existing Conditions and Land Use:** The parcel contains two buildings. On the northern end of the site and oriented along Watts Road, is a two-story, roughly 13,000-gross-square-foot office building with underbuilding parking. On the eastern side of the site is a two-story, roughly 7,850-gross-square-foot office building with full basement. The two buildings are connected via a narrow two story mass which provides pedestrian connections between the two buildings as well as a stairwell. The rest of the site is surface parking.

**Surrounding Land Use and Zoning:**

North: Across Watts Road, is the Madinah Community Center, zoned Commercial Center (CC);

South: A USPS facility, zoned Suburban Employment (SE);

East: A vacant parcel, zoned SE; and

West: A two-story office building, zoned SE.

**Adopted Land Use Plan:** The [Comprehensive Plan \(2006\)](#) recommends Employment (E) uses for the subject parcel while the [Southwest Neighborhood Plan \(2008\)](#) does not provide a specific recommendation for said parcel.

**Zoning Summary:** The subject property is zoned Suburban Employment (SE) District:

Requirements	Required	Proposed
Lot Area (sq. ft.)	20,000 sq. ft.	113,874 sq. ft.
Lot Width	65'	325'
Front Yard Setback	None	Adequate
Side Yard Setback	15' or 20% of building height	Adequate
Rear Yard Setback	30'	Adequate
Maximum Lot Coverage	75%	TBD <i>(See Comment #17)</i>
Minimum Building Height	22' measured to building cornice	2 story existing building
Maximum Building Height	5 stories/ 68'	2 story existing building

Site Design	Required	Proposed
Number Parking Stalls	No minimum required	106
Accessible Stalls	Yes	4 <i>(See Comment #18)</i>
Loading	Not required	None
Number Bike Parking Stalls	Schools, public and private: 1 space per 5 students (24)	8 <i>(See Comments #19 &amp; #20)</i>
Landscaping and Screening	Not required	Existing landscaping <i>(See Comments #21 &amp; #22)</i>
Lighting	Not required	Existing site lighting
Building Forms	Not required	Existing building

<b>Other Critical Zoning Items</b>	UDD #2, Utility Easements, Barrier Free (ILHR 69)
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*Table Prepared by Jenny Kirchgatter, 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 including seven-day-a-week Metro service with half hour service frequency located 0.1 miles to the west, at the intersection of Watts Road and Struck Street.

**Project Description, Analysis, and Conclusion**

The applicant, Madinah Academy of Madison, is proposing to convert an existing, two-story, 7,850-gross-square-foot office building into a private school. According to submitted materials, the Academy is a private PreK - 8<sup>th</sup> Grade school, which temporarily operates out of the Westminster Presbyterian Church on Nakoma Road. Currently serving 70 students, they anticipate enrolling 120 students for the 2021-2022 academic year and

aspire to expand up to 200. Their eight current staff would increase to 15, and eventually 17 to accommodate such an increase in enrollment. The proposed hours of operation of the school facility are Monday to Friday, 8:00 am to 3:30 pm, with limited after-hours activity anticipated.

Currently a vacant office building, the changes to the building will be exclusively interior and consist of repartitioning the space on the three floors to suit the school's academic, administrative, and support needs.

Regarding site improvements, the primary site change will be the addition of a roughly 10,000-square-foot play area at the southeastern corner of the site. The play area will be enclosed by a four-foot tall wooden fence along its northern and western sides and an eight-foot tall wooden fence along its southern and eastern sides. A marked cross-walk will also be added from the play area across the drive aisle which separates the play area from the school building.

Regarding site access, the site's western entrance off Watts Road is two-way and is anticipated to be used by school staff while continuing to be the primary access point for the users of the site's other building. The site's other entrance, located to the east of the building, will be converted to one-way (ingress) and provide access to the two drop off areas located along the eastern and southern sides of the school building. Bicycle racks will also be added near the eastern drop off point, and the nearby sidewalk which leads to the school will be rebuilt. The applicant has noted the school buses will not serve the school. Instead, the students are anticipated to be dropped off and picked up by parents/guardians via automobile.

Traffic Engineering has recommended that the applicant install a mid-block crosswalk with refuge island and marked crosswalk across Watts Road, roughly 20 feet west of the site's secondary entrance. This is due to the anticipated need for safe crossings to the Madinah Community Center located directly across Watts Road given what the applicant referred to as the *"mutually supportive roles with the Madinah Academy devoted to the education of the community's youth and the Madinah Community Center, which is currently under construction directly across Watts Road, providing prayer and fellowship space for the adults."*

**Land Use and Plan Consistency** – The Planning Division believes that this request can be found compatible with the [Comprehensive Plan \(2006\)](#), which recommends Employment for the subject site. While the [Comprehensive Plan](#) notes the employment areas include such land uses as corporate and business offices, research facilities, laboratories, hospitals, medical clinics, and other similar uses, Staff believes the proposed use, if well-managed, would be compatible with the surrounding uses.

**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 §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.

Based on the provided information, the Planning Division believes the conditional use standards can be found met. Staff does not anticipate that the inclusion of the proposed educational use in the existing office building will result in negative impacts on surrounding properties. Impacts are anticipated to be limited due to such factors as the school's moderate size and enrollment, and limited hours of operation. Finally, if approved, the Plan Commission retains continuing jurisdiction over both conditional uses, meaning that should complaints be filed, the Plan Commission could take further action on either, as allowed in MGO Section 28.183(9)(d).

**Supplemental Regulations for Private Schools** – Public and Private Schools are also subject to the Supplemental Regulations of M.G.O. §28.151. The two supplemental regulations for these uses are the following:

- (a) *A facility established after the effective date of this ordinance within a predominantly residential or mixed-use area shall have vehicular access to a collector or higher classification street.*
- (b) *Where the use is conditional, an appropriate transition area between the use and adjacent property may be required, using landscaping, screening, and other site improvements consistent with the character of the neighborhood.*

The Planning Division believes the supplemental regulations listed above are satisfied by the proposal.

**Public Input** – At the time of report writing, staff was not aware of any concerns regarding this proposal.

**Conclusion** – Staff believes the conditional use standards can be found met and supplemental regulations satisfied and recommends this proposal be approved by the Plan Commission.

## Recommendation

### Planning Division Recommendation (Contact Chris Wells, 261-9135)

The Planning Division recommends that the Plan Commission find that the standards for conditional uses can be found met and **approve** the conditional use to convert an office building into a private school in Suburban Employment (SE) District Zoning at 6501 Watts Road. This request is subject to input at the public hearing and the comments and conditions recommended by reviewing agencies.

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

### Engineering Division (Main Office) (Contact Timothy Troester, (608) 267-1995)

1. 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)
2. Construct Mid-block Crosswalk, Ramps & Island on Watts Road as required by City Traffic Engineer.

### City Engineering – Mapping (Contact Jeffrey Quamme, (608) 266-4097)

3. Show and label the 50' x 100' Parking and Improvement easement in the southeast corner of the lot per Document No. 2088026.
4. Show the 6' Public Utility Easement over the south 6 feet of the Lot.
5. Identify on the plans the lot and block numbers of recorded Certified Survey Map or Plat.

6. Provide a full and complete legal description of the site or property being subjected to this application on the site plan.
7. The address of the school building is 6505 Watts Rd. 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.

**Traffic Engineering Division** (Contact Sean Malloy, 266-5987)

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| <p>8. The applicant shall be responsible for the construction of a mid-block crosswalk on Watts Road including an island, curb ramps and a marked crosswalk according to plan approved by City Engineer. The applicant shall enter into a signed developer's agreement through City of Madison Engineering prior to sign off.</p> |
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9. 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.
  10. 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.
  11. The City Traffic Engineer may require public signing and marking related to the development; the Developer shall be financially responsible for such signing and marking.
  12. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
  13. All bicycle parking adjacent pedestrian walkways shall have a 2 foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
  14. "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.
  15. One way operation of the site shall be secured by placing a "One Way" sign at the entrance and a "Do Not Enter" sign at the Exit.
  16. Applicant shall submit for review a student drop off and pickup plan. This plan shall include the number of students, estimated modes of arrival by percentage, estimated arrival times and any requested passenger loading zones.

**Zoning Administrator** (Contact Jenny Kirchgatter, (608) 266-4429)

17. Provide a calculation and plan detail for lot coverage with the final submittal. The lot coverage maximum is 75%. Lot coverage is defined as the total area of all buildings, measured at grade, all accessory structures including patios, etc., and all paved areas as a percentage of the total area of the lot, with the following exceptions: sidewalks or paved paths no wider than five (5) feet, pervious pavement, green roofs and decks. If the existing site currently exceeds 75% maximum lot coverage, proposed site improvements may not further increase lot coverage above the maximum.
18. Provide an additional accessible stall for a total of five (5) accessible stalls. At least one (1) of the stalls must be a van accessible stall. A van accessible stall is a minimum of 8 feet wide with an 8 foot wide striped access aisle.
19. The applicant is proposing fewer than the required number of bicycle parking stalls (8 stalls). A minimum of one (1) bicycle parking space per five (5) students (24 stalls) is required. A bicycle parking reduction will be required per Section 28.141(5). Submit a request for a bicycle parking reduction with the final plan submittal including information to support the reduction.
20. Provide a detail of the proposed bike rack.
21. 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.
22. Submit details of the proposed play area fences.
23. 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.
24. 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 and Chapter 33 Urban Design District ordinances. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.

**Madison Fire Department** (Contact Bill Sullivan, (608) 261-9658)

25. Extend the existing partial sprinkler system to cover all portions of the proposed areas occupied by the Madinah Academy if these spaces are not already protected.
26. Establish a fire apparatus access plan based on existing site conditions.

**City Forestry Section** (Contact Wayne Buckley, 266-4892)

27. Damaging 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 266-4816. Penalties and remediation shall be required. Add as a note on the plan set.

28. 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 (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 plan set.
29. On this project, street tree protection zone fencing is required if any construction or storage of materials will be within the terrace area. 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 the plan set.
30. Section 107.13(g) of City of Madison Standard Specifications for Public Works Construction 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 the plan set.
31. An existing inventory of street trees located within the right of way shall be included on the landscape, site, demo, and utility plans. 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 to be preserved or proposed to be removed and the reason for removal.

**The following agencies reviewed this request and have recommended no conditions of approval:**

Parks; Metro; Water Utility