

PLANNING DIVISION STAFF REPORT

February 26, 2024



PREPARED FOR THE PLAN COMMISSION

Project Address: 5702 South Hill Drive (District 19 – Alder Guequierre)
Application Type: Conditional Use
Legistar File ID # [81555](#)
Prepared By: Colin Punt, Planning Division
Report includes comments from other City agencies, as noted.
Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Contact: David L Berner; 610 Whitehall Dr, Madison, WI 53714

Applicant: Charis Classical Academy, Inc; PO Box 5642, Madison, WI 53705

Requested Action: The applicant is seeking approval of a conditional use for a school in the SR-C1 district per §28.035(1), MGO.

Proposal Summary: The applicant is seeking approvals to convert an existing place of worship into a private school.

Applicable Regulations & Standards: Standards for conditional use approval are found in §28.183(6), MGO. Schools are subject to supplemental regulations found in §28.151, MGO.

Review Required By: Plan Commission

Summary Recommendations: The Planning Division recommends that the Plan Commission find that the conditional use standards are met and **approve** the requests for a conditional use for a school at 5702 South Hill Drive. This recommendation is subject to input at the public hearing and the conditions recommended by the Planning Division and other reviewing agencies beginning on page 4.

Background Information

Parcel Location: The subject site is 2.58 acres located at the northwest quadrant of the intersection of South Hill Drive and South Rosa Road. The site is within Alder District 19 (Alder Guequierre) and the Madison Metropolitan School District.

Existing Conditions and Land Use: The site, zoned SR-C1 (Suburban Residential - Consistent 1), is currently occupied with a 18,000-square foot, two-story church building and a large surface parking lot.

Surrounding Land Uses and Zoning:

North: Glenn Stephens Elementary School zoned SR-C1;

West: Single-family residences zoned SR-C1;

South: Across South Hill Drive, single-family residences zoned SR-C1; and

East: Across South Rosa Road, single-family residences zoned SR-C1.

Adopted Land Use Plan: The [Comprehensive Plan](#) (2018) recommends Low Residential (LR) land uses for the site. The site is not within the boundaries of any special area plans.

Zoning Summary: The subject property is zoned SR-C1 (Suburban Residential - Consistent 1 District):

Requirements	Required	Proposed
Lot Area (sq. ft.)	8,000	112,570
Lot Width	60 ft	285 ft
Front Yard Setback	30 ft	Existing, no change
Side Yard Setback	6 ft	Existing, no change
Reverse Corner Side Yard Setback	30 ft	Existing, no change
Rear Yard Setback	35 ft	Existing, no change
Maximum Lot Coverage	60%	Existing, no change
Maximum Building Height	35 ft	Existing, no change

Site Design	Required	Proposed
Number Parking Stalls	1 per classroom + 1 space per 5 students of legal driving age = 13	58
Electric Vehicle Stalls	None	None
Accessible Stalls	3	3 (Zoning comment 1)
Loading	No	No
Number Bike Parking Stalls	1 per 5 students = 34	Unknown (Zoning comment 2)
Landscaping and Screening	Yes	Existing, no change
Lighting	No	Existing, no change
Building Form and Design	Yes	Existing, no change

Other Critical Zoning Items	Utility Easements
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Table Prepared by Jacob Moskowitz, Assistant Zoning Administrator

Environmental Corridor Status: The property is not located within a mapped environmental corridor.

Public Utilities and Services: The site is served by a full range of urban services.

Project Description

The applicant, Charis Classical Academy, is a private K-12 school requesting conditional use to use a former place of worship as a school. The school has operated since 2012 without a permanent physical location and currently enrolls approximately 170 students. Students will attend school in the building at 5702 South Hill Drive on Mondays, Wednesdays, and Fridays, and will be homeschooled on Tuesdays and Thursdays. Some staff will use the building on Tuesdays and Thursdays and approximately 20 students will attend the school on Tuesday mornings for additional assistance.

Proposed interior changes include remodeling to better configure rooms for classroom use as well as the addition to a lift and sprinkler system as interior improvements. Intended exterior changes include minor roofing and siding repairs and installation of bicycle racks near the primary entrance at the southwest corner of the building and a fenced playground to the north of the building. Recess will be staggered over the lunch hour so that there will be approximately 60 students outside in the fenced play area at any one time.

Student drop-off is planned between 8:20 and 8:40 a.m. and pick-up between 3:15 and 3:35 p.m. On Fridays, younger children (K-4) will be picked up at noon. The school’s letter of intent anticipates approximately 50 private vehicles would participate in pick-up and drop-off during those times. Vehicular traffic will enter the western

driveway from South Hill Drive and proceed clockwise around the perimeter of the 55-stall surface parking lot to the pick-up and drop-off location directly outside the building's main entrance, after which the vehicle will exit the site back onto South Hill Drive from the eastern driveway. The school does not use school buses.

According to the letter of intent, the applicant intends to begin interior build-out in April 2024, with occupancy at the beginning of the school year in August 2024.

Analysis & Conclusion

This request is subject to the standards for conditional uses. This section begins with a summary of adopted plan recommendations, conditional use standards, and finally a conclusion.

Conformance with Adopted Plans

The [Comprehensive Plan](#) (2018) recommends Low Residential (LR) land uses for the site. LR areas are predominantly made up of single-family and two-unit structures, but nonresidential uses within residential areas may also include elementary and middle schools. The site is not within the boundaries of any adopted neighborhood plans, but is within the boundaries of the in-progress West Area Plan.

Conditional Use Standards

The applicant is requesting approval of a conditional use within the SR-C1 district for a school. Regarding conditional use approval standards, 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 §28.183(6) MGO are met. Staff advises the Plan Commission that in evaluating the conditional use standards, 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.

Staff provides the following comments regarding standard five, that "adequate utilities, access roads, drainage, internal circulation improvements for pedestrians, bicyclists, public transit and vehicles, parking supply (in cases with minimum parking requirements) and other necessary site improvements have been or are being provided." Traffic Engineering staff have reviewed the drop-off and pick-up plan and believe the queuing as shown is adequate. Zoning staff have recommended a condition of approval requiring bicycle parking to comply with code minimums. When considering the provision of adequate bicycle parking, the size and arrangement of the parking lot for queuing, and the provided schedules and enrollment estimates in the letter of intent, staff believes that standard five can be found met.

Staff also notes that the supplemental regulations for schools found in §28.151 MGO require that a school established within a predominantly residential or mixed use area shall have vehicular access to a collector or higher classification street. The Zoning Administrator has found that the school's proposed access meets this requirement.

Conclusion

When considering the land use recommendations and recommended conditions of approval, staff believes that the Plan Commission can find the standards of approval for conditional uses to be met.

Staff have received written comments from the public, which are attached to the legislative file for this request.

Recommendation

Planning Division Recommendations (Contact Colin Punt 243-0455)

The Planning Division recommends that the Plan Commission find that the conditional use standards are met and **approve** the requests for a conditional use for a school at 5702 South Hill Drive. This recommendation is subject to input at the public hearing and the conditions recommended by the Planning Division and other reviewing agencies below:

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

Zoning Administrator (Contact Jacob Moskowitz, 266-4560)

1. Parking requirements for persons with disabilities must comply with City of Madison General Ordinances Section 28.141(4)(e) which includes all applicable State accessible requirements, including but not limited to:
 - a. Provide a minimum of 3 accessible stalls striped per State requirements. A minimum of one of the stalls shall be a van accessible stall 8 feet wide with an 8 foot wide striped access area adjacent.
 - b. Show signage at the head of the stalls. Accessible signs shall be a minimum of 48" between the bottom of the sign and the ground.
 - c. Show the accessible path from the stalls to the building. The stalls shall be as near the accessible entrance as possible. Show ramps, curbs, or wheel stops where required.
2. Bicycle parking for the project shall comply with the requirements of Sections 28.141(4)(g) and 28.141(11). Provide a minimum of 34 short-term bicycle parking stalls located in a convenient and visible area on a paved or pervious surface. Bicycle parking shall be located at least as close as the closest non-accessible automobile parking and within one hundred (100) feet of a principal entrance. Note: A bicycle stall is a minimum of two (2) feet by six (6) feet with a five (5) foot wide access area. Provide a detail of the proposed bike rack.

City Engineering Division – Mapping Section (Contact Jeff Quamme, 266-4097)

3. Identify on the plans the lot and block numbers of recorded Certified Survey Map. The west property line also is not shown
4. The site plan shall include all lot/ownership lines, all existing building locations, parking stalls, driveways and sidewalks. The attached plan is not an accurate representation of the site conditions.

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

5. 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.
6. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
7. All bicycle parking adjacent pedestrian walkways shall have a 2 foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
8. 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.). Alteration necessary to achieve compliance may include but are not limited to; substitution to transparent materials, removing sections of the structure and modifying or removing landscaping elements. If applicant believes public safety can be maintained they shall apply for a reduction of MGO 27.05(2)(bb) - Vision Clearance Triangles at Intersections Corners. Approval or denial of the reduction shall be the determination of the City Traffic Engineer.

9. "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.
10. 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.

Fire Department (Contact Matt Hamilton, 266-4457)

11. A fire alarm system and/or automatic fire suppression systems may be required. Ensure contractors submit applications for work permits along with construction documents for all fire protection and/or life safety systems as specified in MGO 34.02, to the Madison Fire Department for approval prior to installation.

Parking Utility (Contact Trent Schultz, 266-4457)

12. The agency reviewed this project and determined a Transportation Demand Management (TDM) Plan would be required if the proposed private school use contains any grade 9-12 classrooms/students.

The Planning Division, City Engineering Division, Parks Division, Water Utility, and Forestry Section has reviewed this request and has recommended no conditions of approval.