



PREPARED FOR THE PLAN COMMISSION

Project Address: 3 Point Place & 581 D'Onofrio Drive
Application Type: Planned Development (PD) Zoning Map Amendment & Conditional Use
Legistar File IDs # [65514](#) & [65142](#)
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: Kirk Keller; Plunkett Raysich Architects, LLP; 2310 Crossroads Drive, Suite 2000; Madison, WI 53718

Property Owner: Arthur Goldner, President Arthur Goldner & Associates, Inc.; 707 Skokie Boulevard, Suite 100; Northbrook, IL 60062

Requested Actions: The applicant proposes three requests, including two Planned Development zoning map amendment requests – 1) to approve an Amended General Development Plan (PD-GDP) on property located at 3 Point Place & 581 D'Onofrio Drive; 2) to approve a Specific Implementation Plan (PD-SIP) for the same property; and 3) to approve a conditional use in Planned Development (PD) zoning – all to add a school in an existing office building at 3 Point Place & 581 D'Onofrio Drive.

Proposal Summary: The applicant, St. Ambrose Academy, is proposing to convert roughly half of an existing, 25,000-gross-square-foot, one-story office building into a private school for Grades 6-12. No exterior changes to the building or site are proposed and only minimal interior changes to the building are anticipated.

Applicable Regulations & Standards: This proposal is subject to the approval standards for Zoning Map Amendments [MGO Section 28.182(6)], Planned Developments [MGO 28.098], and Conditional Uses [MGO §28.183]. The Supplemental Regulations [MGO §28.151] contain further regulations for private school uses.

Review Required By: Plan Commission (PC) and Common Council. (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 the standards for Zoning Map Amendments and Planned Developments are met and forward Zoning Map Amendment 28.022-00502, rezoning 3 Point Place and 581 D'Onofrio Drive from Amended PD-GDP (Planned Development Plan - General Development Plan) to Amended PD-GDP and forward Zoning Map Amendment 28.022 – 00503, approving an PD-SIP (Planned Development – Specific Implementation Plan) at 3 Point Place and 581 D'Onofrio Drive with a recommendation of **approval**. The Planning Division also 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 Planned Development (PD) District Zoning at 3 Point Place and 581 D'Onofrio Drive. These recommendations are subject to input at the public hearing and the conditions recommended by the reviewing agencies.

Background Information

Parcel Location: The 454,150-square-foot (10.42-acre) parcel is located to the southeast side of the intersection of S High Point Road and D'Onofrio Drive. The site is completely bordered on the south by the Beltline and partially on the east by Point Place. It is also located within Alder District 9 (Conklin) and within the limits of the Madison Municipal School District.

Existing Conditions and Land Use: The parcel contains eight buildings. Six of the buildings, all two-story office buildings, are loosely grouped in a circle around a central green near the center of the site. Surface parking surrounds these buildings. The other two buildings are located at the southeastern corner of the site, along the eastern property line. They are both oriented north-south, are both one story in height, and due to the fact that they are immediately adjacent to each other and have the same architectural design, appear as if they were all one building. It is within these two southeastern buildings (technically the more northerly of the two), where the applicant is proposing to add the private school. The entire site is zoned Planned Development (PD) District.

Surrounding Land Use and Zoning:

- North: A two-story office building, zoned Suburban Employment (SE);
- South: The Beltline Highway (US 12 & 18), beyond which are multi-family apartments, zoned Planned Development (PD);
- East: The former Zor Temple site, zoned SE; and
- West: The other six office buildings on the subject site. Beyond that, on the other side of S High Point Road is a one-story office building in the Commercial Center (CC) District.

Adopted Land Use Plan: The [2018 Comprehensive Plan](#) 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.)	As per approved plans.	As per approved plans.
Lot Width	As per approved plans.	As per approved plans.
Front Yard Setback	As per approved plans.	As per approved plans.
Side Yard Setback	As per approved plans.	As per approved plans.
Rear Yard Setback	As per approved plans.	As per approved plans.
Maximum Lot Coverage	As per approved plans.	As per approved plans.
Minimum Building Height	As per approved plans.	As per approved plans.
Maximum Building Height	As per approved plans.	As per approved plans.

Site Design	Required	Proposed
Number Parking Stalls	As per approved plans.	As per approved plans.
Accessible Stalls	Yes	3 existing stalls
Loading	As per approved plans.	As per approved plans.
Number Bike Parking Stalls	Schools, public and private: 1 space per 5 students (25)	None <i>(See Comment #10)</i>
Landscaping and Screening	Not required	As per previously approved plans.
Lighting	Not required	As per previously approved plans.
Building Forms	As per approved plans.	As per approved plans.

Other Critical Zoning Items	Urban Design (PD), Utility Easements, Barrier Free (ILHR 69)
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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 0.2 miles to the northeast, at the intersection of D'Onofrio Drive and West Towne Way.

Related Approvals

On April 20, 1993, the City of Madison Common Council approved the rezoning of 3 Point Place from C3L and PUD(SIP) to Amended PUD(SIP) to building a one-story, roughly 18,250-square-foot office building at 3 Point Place.

In 1998, an alteration to the SIP was approved to put a roughly 7,175-square-foot, one-story addition on the north side of the existing building at 3 Point Place.

Project Description, Analysis, and Conclusion

The applicant, St. Ambrose Academy, is proposing to convert roughly half of an existing, 25,000-gross-square-foot, one-story office building into a private school. According to submitted materials, the Academy is a private school serving 115 students across Grades 6 through 12. The Academy has operated out of the St. Thomas Aquinas church on Old Sauk Road in Madison for the past 20 years. This move to 3 Point Place is an interim step as they plan to construct a new facility in the future at another location in order to accommodate more students. They currently employ nine full-time teachers, four part-time teachers, and five support staff. The proposed hours of operation of the school facility are Monday to Friday, 7:30 am to 4:00 pm, with some after-hours activity anticipated on nights and weekends.

There are no exterior changes proposed to the site or building. On the interior, given the fact that the tenant space previously housed a private college and therefore already has the various rooms needed – 12 full-sized classrooms, six smaller meeting rooms, and sufficient office space for administrative needs – minimal (if any) interior modifications are anticipated.

Regarding transportation, the submitted materials note that the school does not have any bussing for normal school hours, but it is expected that there will be off-site events that would require a bus to pick-up and drop-off at the main entrance. It is expected that most of the automobile traffic (roughly 70 percent) would be for student drop-off (morning) and pick-up (afternoon). The school also anticipates that most students would be dropped off up by a parent/guardian directly in front of the building, while some older students will drive/carpool.

Schools are not currently allowed in the approved zoning text. As such, part of this proposal is to add 'Educational' uses to the list of uses in the underlying Planned Development – General Development Plan (PD-GDP) for this development. At the suggestion of staff, these have been listed as conditional uses, recognizing that different types and sizes of schools may result in different impacts and needs, which could be evaluated as part of future conditional use requests.

Conformance with Adopted Plans

The Planning Division believes that this request can be found compatible with the [2018 Comprehensive Plan](#), 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).

Zoning Map Amendment Standards

Staff believe that the standards for Zoning Map Amendments can be met. The Zoning Map Amendment standards are broad and state that such amendments are legislative decisions of the Common Council that shall be based on public health, safety and welfare, shall be consistent with the Comprehensive Plan, and shall comply with Wisconsin and federal law. Chapter 66.1001(3) of Wisconsin Statutes requires that zoning ordinances (of which the zoning map is part) enacted or amended after January 1, 2010 be consistent with the City's Comprehensive Plan. 2010 Wisconsin Act 372 clarified "consistent with" as "furthers or does not contradict the objectives, goals and policies contained in the comprehensive plan." As noted above, Staff believes that the project is consistent with the Comprehensive Plan.

Planned Development Standards

Planned Developments are intended to facilitate the development of land in an integrated and innovative fashion, to allow for flexibility in site design, and to encourage development that is sensitive to environmental, cultural and economic considerations. The specific approval standards for Planned Developments are provided in Section 28.098(2) of the Zoning Code. In summary, Staff believe the standards can be found met. As noted above, Staff believe if well-managed, the addition of educational uses within the existing office development will result in negative impacts on the surroundings.

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 Zoning Map Amendment, Planned Development, and 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 the standards for Zoning Map Amendments and Planned Developments are met and forward Zoning Map Amendment 28.022-00502, rezoning 3 Point Place and 581 D'Onofrio Drive from Amended PD-GDP (Planned Development Plan - General Development Plan) to Amended PD-GDP and forward Zoning Map Amendment 28.022 – 00503, approving an PD-SIP (Planned Development – Specific Implementation Plan) at 3 Point Place and 581 D'Onofrio Drive with a recommendation of **approval**. The Planning Division also 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 Planned Development (PD) District Zoning at 3 Point Place and 581 D'Onofrio Drive. These recommendations are subject to input at the public hearing and the conditions recommended by the reviewing agencies.

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

Planning Division (Contact Chris Wells, (608) 261-9135)

1. The Plan Commission's approval of the Conditional Use will be conditional, pending approval of the associated Planned Development Zoning Map Amendments by the Council.
2. Final approval of the zoning text language shall be approved by the Planning Division and Zoning Administrator prior to final approval and recording of the revised Planned Development

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

3. 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.

4. 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.
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. The applicant shall provide a clearly defined 5' walkway from the front door to the public Right of Way 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.
8. Include a parking plan demonstrating how specific stalls, to be used by the commercial site and education facility, will be reserved. Include any signage to be used to achieve this goal in the submitted plans.
9. Developer shall provide a recorded copy of any joint driveway ingress/egress and crossing easements and shall be noted on face of plan.

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

10. The applicant proposes a development that does not comply with the bicycle parking requirements of Sections 28.141(4)(g) and 28.141(11). One (1) bicycle parking space is required per five (5) students (23 stalls). A Planned Development shall comply with all standards, procedures, and regulations of the Zoning ordinance that are applicable to the individual uses within the development, including the General Regulations of Subchapter 28I and the Supplemental Regulations of Subchapter 28J. Where the applicant proposes a development that does not comply with one or more of the regulations in those subchapters, they shall specifically request that the Plan Commission consider the application of those regulations in making its recommendations on the development, including specific language in the zoning text or depiction on the plans.
11. Work with Zoning and Planning staff to update the Zoning text.
 12. 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.
 13. 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. 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)

14. The annual inspection, testing & maintenance of the fire alarm and fire sprinkler system shall be completed and recorded with MFD prior to occupancy. See our website for further details: <https://www.cityofmadison.com/fire/permits-inspections/fire-inspection-code-standards>
15. The fire sprinkler system is past due and the fire alarm system appears to be due in May.

Metro Review (Contact Timothy Sobota, (608) 261-4289)

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| <ol style="list-style-type: none">16. To facilitate City transit planning efforts, the applicant shall identify the accessible pedestrian connection between the building entrance(s) and the existing public sidewalk along D'Onofrio Drive.17. The applicant shall include the location of these facilities on the final documents filed with their permit application, so that Metro Transit may review and effectively plan for City transit access to this property. |
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The following agencies reviewed this request and have recommended no conditions of approval:

Engineering-Main Office; Engineering-Mapping; Parks; Forestry; Water Utility