



Department of Planning & Community & Economic Development

## Planning Division

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**\*\*BY E-MAIL ONLY\*\***

March 6, 2025

Mylena Oliveira  
Plaza Stret Partners  
3400 College Blvd, Suite 200  
Leawood, Kansas 66211

RE: Consideration of a conditional use in the Commercial Corridor-Transitional (CC-T) District and Transit-Oriented Development (TOD) Overlay District for a drive-through window to allow construction a coffee shop with drive-through window at 3915 Lien Road. (LNDUSE-2024-00110; ID [86523](#))

Dear Mylena,

On March 3, 2025, the Plan Commission found the standards met and **approved** your conditional use request for 3915 Lien Road subject to the conditions that follow. Prior to issuance of building permits for your project, the conditions of approval in the following sections shall be satisfied:

**Please contact my office at [cwells@cityofmadison.com](mailto:cwells@cityofmadison.com) or (608) 261-9135 if you have questions regarding the following three items, including Condition #3, which was added by the Plan Commission at their March 3, 2025 meeting:**

1. The applicant shall incorporate a more direct pedestrian connection from the bottom of the ramp/stairs at the north corner of the site to the building that does not cross over the drive-through lanes. Plans shall be reviewed and approved by Planning, UDC, and Traffic Engineering Staff prior to final sign off.
2. The applicant shall revise the site plan so the walkway which currently wraps around the east side of the building shall extend to also provide access to the door which leads up to the building's second floor. Plans shall be reviewed and approved by Planning, UDC, and Traffic Engineering Staff prior to final sign off.
3. Consistent with Standard #6, work with staff on a plan to add wayfinding signage to improve pedestrian access to the site consistent with MGO Chapter 31, Sign Codes.

**The following conditions have been submitted by reviewing agencies:**

**Please contact Brenda Stanley of the City Engineering Division at (608) 261-9127 if you have any questions regarding the following eleven (11) items:**

4. This site will need to have an interlot drainage agreement with the lands to the south where the drainage system is directed.

5. Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Mark Moder (608-261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff. (MGO 16.23(9)(d)(4))
6. An Erosion Control Permit is required for this project. See Storm comments for permit specific details and requirements.
7. A Storm Water Management Report and Storm Water Management Permit is required for this project. See Storm comments for report and permit specific details and requirements.
8. A Storm Water Maintenance Agreement (SWMA) is required for this project. See Storm comments for agreement specific details and requirements.
9. Revise the site plan to show all existing public sanitary sewer facilities in the project area as well as the size, invert elevation, and alignment of the proposed service. (POLICY)
10. Revise the plans to show a proposed private internal drainage system on the site. Include the depths and locations of structures and the type of pipe to be used. (POLICY AND MGO 10.29)
11. This project falls in the area subject to increased erosion control enforcement as authorized by the fact that it is in a TMDL ZONE and therefore will be regulated to meet a higher standard.
12. This project will disturb 20,000 sf or more of land area and require an Erosion Control Plan. Please submit an 11" x 17" copy of an erosion control plan (pdf electronic copy preferred) to Megan Eberhardt (west) at [meberhardt@cityofmadison.com](mailto:meberhardt@cityofmadison.com), or Daniel Olivares (east) at [daolivares@cityofmadison.com](mailto:daolivares@cityofmadison.com), for approval.

Demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. Include Universal Soil Loss Equation (USLE) computations for the construction period with the erosion control plan. Measures shall be implemented in order to maintain a soil loss rate below 5.0 tons per acre per year. The WDNR provided workbook to compute USLE rates can be found online at <https://dnr.wi.gov/topic/stormwater/publications.html>

Complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website - as required by Chapter 37 of the Madison General Ordinances.

13. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to submit a Storm Water Management Permit application, associated permit fee, Stormwater Management Plan, and Storm Water Management Report to City Engineering. The Stormwater Management Permit application can be found on City Engineering's website at <http://www.cityofmadison.com/engineering/Permits.cfm>.

The Storm Water Management Plan & Report shall include compliance with the following:

Report: Submit prior to plan sign-off, a stormwater management report stamped by a P.E. registered in the State of Wisconsin.

Electronic Data Files: Provide electronic copies of any stormwater management modeling or data files including SLAMM, RECARGA, TR-55, HYDROCAD, Sediment loading calculations, or any other electronic modeling or data files. If calculations are done by hand or are not available electronically, the hand copies or printed output shall be scanned to a PDF file and provided to City Engineering. (POLICY and MGO 37.09(2))

Rate Control Redevelopment: By design detain the 10-year post construction design storm such that the peak discharge during this event is reduced 15% compared to the peak discharge from the 10-year design storm in the existing condition of the site. Further, the volumetric discharge leaving the post development site in the 10-year storm event shall be reduced by 5% compared to the volumetric discharge from the site in an existing condition during the 10-year storm event. These required rate and volume reductions shall be completed, using green infrastructure that captures at least the first 1/2 inch of rainfall over the total site impervious area. If additional stormwater controls are necessary beyond the first 1/2 inch of rainfall, either green or non-green infrastructure may be used.

TSS Redevelopment with TMDL: Reduce TSS by 80% off of the proposed development when compared with the existing site.

Oil/Grease Control: Treat the first 1/2 inch of runoff over the proposed parking facility and/or drive up window.

Submit a draft Stormwater Management Maintenance Agreement (SWMA) for review and approval that covers inspection and maintenance requirements for any BMP used to meet stormwater management requirements on this project.

14. Submit, prior to plan sign-off but after all revisions have been completed, digital PDF files to the Engineering Division. Email PDF file transmissions are preferred to: [bstanley@cityofmadison.com](mailto:bstanley@cityofmadison.com) (East) or [ttroester@cityofmadison.com](mailto:ttroester@cityofmadison.com) (West).

**Please contact Jeff Quamme of the City Engineering Division–Mapping Section, at (608) 266-4097 if you have questions regarding the following six (6) items:**

15. There is a sanitary sewer lateral serving this site proposed to be constructed over and across the lands to the southeast at 3917 Lien Rd to connect to public sanitary sewer facilities. Per Doc No. 5980087 Reciprocal Easements and Covenants Agreement a Utilities Construction Notice is to me made to the affected property Owner. Provide confirmation of the notice being provided.

16. Adjacent Lot 1 of CSM 16565 (Car Wash Site) is per Document No. 5980087 to construct the Shared Driveway Improvements. Show and label the shared driveway improvements to be constructed by that party versus the improvements to be constructed as part of this development on the site plans
17. Show and label the offsite parking stalls benefitting this site. Also provide the recorded agreement with the adjoining parcel allowing for the offsite parking.
18. There is storm sewer serving this site proposed to be constructed over and across the lands to the southeast at 3917 Lien Rd to connect to public storm sewer facilities. Per Doc No. 5979918 Declaration of Storm Water Easement a Storm Water Improvements Construction Notice is to me made to the affected property Owner. Provide confirmation of the notice being provided.
19. Add a note to the storm sewer to be constructed over the northwesterly corner of this site serving the adjacent car wash site referencing the easement rights per Doc No. 5979918. Also confirm the configuration as the car wash plan shows the private storm manhole further northeast opposite the southeastern most inlet in E Washington Ave.
20. Note: The applicant shall confirm the allowance of the concrete pad in front of the trash enclosure within the access easement area does not violate the shared access easement terms.

**Please contact Sean Malloy of the Traffic Engineering Division at (608) 266-5987 if you have any questions regarding the following ten (10) items:**

21. 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.
22. 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.
23. 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.
24. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
25. All bicycle parking adjacent pedestrian walkways shall have a 2 foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.

26. All pedestrian walkways adjacent parking stalls shall be 7 feet wide to accommodate vehicle overhang, signage and impediments to walkway movements. Any request for variance shall be submitted to and reviewed by City Traffic Engineering.
27. The applicant shall provide a clearly defined 5' walkway, from the front door to the public sidewalk, clear of all obstructions to assist citizens with disabilities, especially those who use a wheelchair 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.
28. Applicant shall submit for review a waste removal plan. This shall include vehicular turning movements.
29. Applicant shall submit for review a Commercial Delivery Plan. This plan will include times, vehicle size, use of loading zones and all related turning movements.
30. The applicant shall maintain the existing pedestrian walkway across the site from the southeast to the northwest.

**Please contact Trent Schultz of the Parking Division at (608) 246-5806 if you have any questions regarding the following item:**

31. The agency reviewed this project and determined a Transportation Demand Management (TDM) Plan is not required, based on the proposed building size (2,006 sq. ft.) and on-site parking (4 stalls). Any changes to the building size and parking count could require compliance with TDM requirements.

**Please contact Jenny Kirchgatter, Assistant Zoning Administrator at (608) 266-4429 if you have any questions regarding the following six (6) items:**

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| <p>32. Increase the glazed area of the ground floor of the west street facing façade to a minimum of forty percent (40%). For nonresidential uses at ground floor level, windows and doors or other openings shall comprise at least sixty percent (60%) of the length and at least forty percent (40%) of the area of the ground floor of the primary street facade. At least fifty percent (50%) of windows on the primary street facade shall have the lower sill within three (3) feet of grade. Spandrel glass that mimics the appearance of windows may be used for up to twenty percent (20%) of the required area of the openings.</p> |
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33. Submit a bike rack detail of the model of bike rack to be installed. The bike rack shall permit the locking of the bicycle frame and one (1) wheel to the rack and shall support a bicycle in a stable position. Note: The Madrax Capital Square bike rack is not an approved style of bike rack.
  34. On the landscape plan, label and number the proposed trees and plantings with the planting code in addition to the identification symbol. Submit the landscape plan and landscape worksheet stamped by the registered landscape architect. Per Section 28.142(3) Landscape Plan and Design Standards, landscape plans for zoning lots greater than ten thousand (10,000) square feet in size must be prepared by a registered landscape architect.

35. 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.
36. 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.
37. 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.

**Please contact Jeff Heinecke of the Forestry Section at (608) 266-4890 if you have any questions regarding the following four (4) items:**

38. All proposed street tree removals within the right of way shall be reviewed by City Forestry before the Plan Commission meeting. Street tree removals require approval and a tree removal permit issued by City Forestry. Any street tree removals requested after the development plan is approved by the Plan Commission or the Board of Public Works and City Forestry will require a minimum of a 72-hour review period which shall include the notification of the Alderperson within who's district is affected by the street tree removal(s) prior to a tree removal permit being issued. Add as a note on the street tree plan set.
39. 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 at (608) 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 site, grading, utility, and demolition plan sets.
40. On this project, street tree protection zone fencing is required. 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 site plan.
41. Street tree pruning shall be coordinated with City Forestry at a minimum of two weeks prior to the start of construction for this project. Contact City Forestry at (608)266-4816. All pruning shall follow the American National Standards Institute (ANSI) A300 - Part 1 Standards for pruning. Add as a note on the site plan.

**Please contact Jeff Belshaw of the Water Utility at (608) 261-9835 if you have any questions regarding the following item:**

42. This property is in a Wellhead Protection District–Zone (WP-15). Applicant shall provide the Madison Water Utility with confirmation that no hazardous and/or toxic materials will be stored on site, and that all proposed uses of this site comply with the City of Madison Wellhead Protection Ordinance. Any future change in use for this property will require review by the Madison Water Utility General Manager or his designated representative. Contact Sarah Scroggins at [Sscroggins@madisonwater.org](mailto:Sscroggins@madisonwater.org) for additional information, including a summary of the submittal requirements.

**Please contact Tim Sobota of Metro Transit at (608) 261-4289 if you have any questions regarding the following two (2) items:**

43. Metro Transit operates daily all-day rapid transit service along East Washington Avenue near this property - with trips at least every 30 minutes (every 15 minutes or less during the day on weekdays and Saturdays).
44. Metro Transit would initially estimate the following counts of potentially eligible trips towards US Green Building Council/LEED Quality Access to Transit points: 67 Weekday & 48 Weekend. Please contact Metro Transit if additional analysis would be of interest.

**Specific questions regarding the comments or conditions contained in this letter should be directed to the commenting agency.**

**Please now follow the procedures listed below for obtaining permits for your project:**

1. The applicant shall resubmit a PDF copy of the plan set and any other supporting materials that are necessary, as specified in this letter to [sprapplications@cityofmadison.com](mailto:sprapplications@cityofmadison.com). (Note: A 20MB email limit applies and multiple transmittals may be required.). A check for the **site plan review fee** shall be mailed to the City of Madison Building Inspection Division; PO Box 2984; Madison, WI 53701-2984.
2. City Agencies who submitted conditions of approval will review your revised plans to verify that their conditions, along with any applicable requirements, have been satisfied. When the revised plans are submitted, the applicant will be emailed a hyperlink to a website to follow, in real time, which agencies have reviewed the revised documents, and signed off or need additional information.
3. This letter shall be signed by the applicant and property owner (if not the applicant) to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting building permit approval. [Signature block on last page]
4. No alteration of this proposal shall be permitted unless approved by the Plan Commission, provided, however, the Zoning Administrator may issue permits for minor alterations. No alteration of a conditional use shall be permitted unless approved by the Plan Commission provided, however, the Zoning Administrator following consideration by the alderperson of the district, may approve minor alterations or additions which are approved by the Director of Planning and Community and Economic Development and are compatible with the concept approved by the Plan Commission and the conditional use standards.
5. The Plan Commission shall retain jurisdiction over this matter for the purpose of resolving complaints against the approved conditional use permit.

If you have any questions regarding obtaining your building permits, please contact the Zoning Administrator at (608) 266-4551. If you have any other questions or if you may be of any further assistance, please do not hesitate to contact my office at [cwells@cityofmadison.com](mailto:cwells@cityofmadison.com) or (608) 261-9135.

Sincerely,



Chris Wells  
Planner

cc: Brenda Stanley, City Engineering Division  
Jeff Quamme, City Engineering Division—Mapping Section  
Sean Malloy, Traffic Engineering Division  
Trent Schultz, Parking  
Jenny Kirchgatter, Zoning Administrator  
Matt Hamilton, Madison Fire Department  
Jeffrey Heinecke, Parks Division—Forestry Section  
Jeff Belshaw, Madison Water Utility  
Tim Sobota, Metro Transit

I hereby acknowledge that I understand and will comply with the above conditions of approval for this project.

\_\_\_\_\_  
*Signature of Applicant*

\_\_\_\_\_  
*Signature of Property Owner  
(If Not Applicant)*

LNDUSE-2024-00110			
For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Div. (Wells)	<input checked="" type="checkbox"/>	Engineering Mapping Sec.
<input checked="" type="checkbox"/>	Zoning Administrator	<input type="checkbox"/>	Parks Division
<input checked="" type="checkbox"/>	City Engineering	<input checked="" type="checkbox"/>	Urban Design Commission
<input checked="" type="checkbox"/>	Traffic Engineering	<input type="checkbox"/>	Recycling Coord. (R&R)
<input checked="" type="checkbox"/>	Fire Department	<input checked="" type="checkbox"/>	Water Utility
<input checked="" type="checkbox"/>	Metro Transit	<input checked="" type="checkbox"/>	Forestry
<input checked="" type="checkbox"/>	Parking	<input type="checkbox"/>	