

From: [Planning](#)
To: [Plan Commission Comments](#)
Subject: FW: 53 West Towne Mall (7Brews) (File No. 89479)
Date: Tuesday, August 12, 2025 9:49:31 AM

From: Shaun Becker <shaun.becker1@gmail.com>
Sent: Tuesday, August 12, 2025 9:21 AM
To: Pritchett, Joann <district9@cityofmadison.com>; Planning <planning@cityofmadison.com>; Kirchgatter, Jenny <JKirchgatter@cityofmadison.com>
Subject: 53 West Towne Mall (7Brews) (File No. 89479)

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Dear Members of the Planning Commission,

I am writing to urge you to **vehemently deny** the conditional-use application for a standalone, two-story coffee shop at 53 West Towne Mall (7Brews) (File No. 89479)!! This proposal is fundamentally misaligned with the City's adopted **West Area Plan**, undermines the urgently needed housing strategy, and wastes a rare opportunity for high-intensity mixed-use development on one of Madison's most valuable parcels. Please do not approve it.

1. Incompatibility with the West Area Plan and Sec. 28.183(6) Approval Standards

Under **Sec. 28.183(6)(a) of the Madison General Ordinances**, *"The City Plan Commission shall not approve a conditional use without due consideration of the recommendations in the City of Madison Comprehensive Plan and any applicable, neighborhood, neighborhood development, or special area plan..."*

The **West Area Plan** clearly designates this parcel as **Regional Mixed Use**, with a **maximum height allowance of eight stories** to promote dense, walkable, transit-oriented development that integrates substantial housing with active ground-floor uses. A small, standalone two-story coffee shop falls far short of this vision, offering neither the density nor the integrated housing component required to fulfill the plan's intent.

Approving this project would directly contradict both the West Area Plan and the Comprehensive Plan's housing and land-use goals, and therefore fails the conditional-use approval standard in Sec. 28.183(6)(a).

2. Wasted Opportunity Given Existing Ground-Floor Retail Availability

It is especially illogical to construct a small, single-purpose building when **ample ground-floor retail space** is already available in nearby mixed-use developments. For example, the Merchant Place project at **6706–6714 Odana Rd** offers **1,100–3,084 square feet** of first-floor retail for lease ([loopnet.com listing](#)), ready for occupancy in 2026.

The West Area Plan encourages efficient land use and active street-level retail within larger, multi-story developments **NOT** the proliferation of low-density, standalone commercial

buildings that squander prime mixed-use sites.

3. The Urgent Need for Housing in Madison

Madison faces a **severe housing shortage**, with one of the lowest rental vacancy rates in the nation and a projected **population increase of over 115,000 by 2050** ([NBC15 News](#)). Mayor Satya Rhodes-Conway and city staff have repeatedly emphasized the urgent need to maximize housing production through zoning reforms and mixed-use development ([City of Madison press release](#)).

Approving a two-story coffee shop on a site zoned for eight-story **Regional Mixed Use** development is not only a missed opportunity **BUT** it actively undermines the city's stated housing priorities.

4. Require True Regional Mixed-Use

The Plan Commission should insist that this site be developed in alignment with its **Regional Mixed Use** designation **THIS MEANS** meaning a multi-story building that combines significant housing with active ground-floor commercial space. This would both satisfy **Sec. 28.183(6)(a)** and advance Madison's housing and urban design goals.

Conclusion

This project is inconsistent with the West Area Plan, the Comprehensive Plan, and the standards for conditional-use approval in **Sec. 28.183(6)(a)**. It represents a clear case where low-intensity commercial development would displace urgently needed housing and diminish the value of a strategically important parcel.

I strongly urge the Planning Commission to **deny this conditional-use request** and uphold Madison's vision for truly integrated, high-density, mixed-use development in this area. You have the power to make development on the West Side so much better than it is and to make this city such a better place. Please do so!!

From: [Planning](#)
To: [Plan Commission Comments](#)
Subject: FW: Missing Legal Applicant for 53 West Towne Mall (File ID 89479)
Date: Tuesday, August 12, 2025 9:49:31 AM

From: Shaun Becker <shaun.becker1@gmail.com>
Sent: Tuesday, August 12, 2025 9:39 AM
To: Planning <planning@cityofmadison.com>; Wells, Chris <CWells@cityofmadison.com>
Subject: Missing Legal Applicant for 53 West Towne Mall (File ID 89479)

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Dear Members of the Planning Commission,

I am writing to urge you to reject the pending land use application for a standalone commercial coffee shop at 53 West Towne Mall (File ID 89479) pursuant to Madison General Ordinances Sec. 28.181 due to a non-existent entity submitting the application. This is the sort of issue that should be addressed immediately in the process rather than later in the process when permits and approvals are issued to a non-existent entity and litigation ensues.

1. The Application Fails Under Sec. 28.181 – Eligible Applicant

Sec. 28.181(1) explains the purpose of the section — namely, that land development applications must follow specific procedures and that only eligible parties may file such applications.

Sec. 28.181(2) – Common Elements incorporates Table 28L-1, which states:

“Eligible Applicant: Unless otherwise specified, any person, firm, corporation, or organization that has any of the following interests that are specifically enforceable in the land that is subject to the application may file an application.”

The current land use application lists the applicant as Plaza Street Partners. However, Plaza Street Partners is not a registered company in the State of Wisconsin. As a result, it is a legal nullity—it does not exist in the eyes of Wisconsin law and therefore cannot have a “specifically enforceable” interest in the land. A non-existent entity is incapable for entering contract for the rather obvious reason that it is non-existent. This is why it is not possible to form a legal contract with an imaginary friend.

To put it plainly: this is no different than if *Wayne Industries* submitted a land use application; there is no legal entity standing behind the name, and thus no lawful applicant under Sec. 28.181.

2. A Null Applicant Cannot Confer Jurisdiction

Because Plaza Street Partners is not a legally recognized person, firm, corporation, or organization in Wisconsin, the application is jurisdictionally defective from the start. The City cannot legally process, approve, or permit a project based on an application submitted by a non-existent entity.

If a properly formed and authorized legal entity wishes to submit a new application, it is free to do so following the procedures outlined in Sec. 28.181. But this particular application must be rejected outright because it was never validly filed pursuant to Madison ordinance.

3. Request for Immediate Rejection

In light of these facts, I respectfully request that the Planning Commission:

1. Determine that Plaza Street Partners is not an eligible applicant under Sec. 28.181.
 2. Reject the current application on that basis without proceeding to substantive review.
 3. Require any future submissions to be made by a legally registered and authorized entity with enforceable interests in the subject property.
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Thank you for your careful attention to the requirements of the Madison General Ordinances and for upholding the integrity of the land use application process.