



Department of Planning & Community & Economic Development

Planning Division

Meagan Tuttle, Director

Madison Municipal Building, Suite 017

215 Martin Luther King, Jr. Blvd

P.O. Box 2985

Madison, Wisconsin 53701-2985

Phone: (608) 266-4635

www.cityofmadison.com

October 13, 2025

Mylena Oliveira
Plaza Street Partners
3400 College Blvd, Suite 200
Leawood, KS 66211

RE: Consideration of a conditional use for a major alteration to a planned multi-use site with 40,000 square feet or more of floor area of which 25,000 square feet or more is designed as retail, a hotel or motel, and consideration of a conditional use in the Regional Mixed-Use (RMX) District and Transit-Oriented Development (TOD) Zoning Overlay for a drive-through window for a coffee shop at 53 West Towne Mall. (LNDUSE-2025-00067; ID [89479](#))

Dear Mylena,

On October 6, 2025, the Plan Commission found the standards met and **approved** your client's conditional use request for 53 West Towne Mall 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 Jessica Vaughn, Urban Design Commission Secretary, at (608) 267-8740 if you have any questions regarding the following three items:

1. The paving shall be minimized as much as possible,
2. The landscape plan shall be reviewed to replace the Stella D'Oro day lilies with an alternative species of perennial or day lily, and
3. The continued review can be completed administratively.

Conditions from Reviewing Agencies

Please contact Kathleen Kane of the City Engineering Division–Main Office at (608) 261-9671 if you have questions regarding the following ten (10) items:

4. Applicant shall confirm the location of existing sanitary sewer lateral and provide a private sanitary sewer easement that confirms that the sewer lateral can be used by the proposed lot development.

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 sign-off. (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. This site appears to disturb less than one (1) acre of land. No submittal to the WDNR, CARPC or Department of Safety and Professional Services (DSPS) is required as the City of Madison Building Inspection Department is an approved agent for DSPS.
9. Based on WDNR BRRTS #s 02-13-188156, 09-13-295156, and 09-13-580610 associated with the former Sears Auto Center and Store, the property may contain residual contamination. If contamination is encountered, follow all WDNR and DSPS regulations for proper handling and disposal.
10. 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)
11. 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, or Daniel Olivares (east) at 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.

12. 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.

13. 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 (East) or ttroester@cityofmadison.com (West)

Please contact Julius Smith of the City Engineering Division–Mapping Section, at (608) 264-9276 if you have questions regarding the following six (6) items:

14. Grant a new Public Sidewalk easements on the face of the concurrent land division. The final width and location to be approved by City Engineering and Traffic Engineering for a public sidewalk along the North line of Lot 1.

Contact Jule Smith of Engineering Mapping (jsmith4@cityofmadison.com, 608-266-4097) to receive the appropriate easement terms/conditions language for inclusion on this CSM/Plat.

15. Under MGO section 16.23(3)(a)2.c.i, the Applicant shall dedicate/plat a 66' foot wide strip of Right-of-Way along the route of the officially mapped street per Resolution RES_23_00195 with the Concurrent CSM. Or in lieu of immediate dedication, enter into a deferred dedication agreement.

16. Provide for review, comprehensive reciprocal easements and agreements including, but not limited to, access, parking, utilities, common areas, storm management that are necessary for the site development as proposed prior to final sign off. The document(s) shall be executed and recorded immediately subsequent to the CSM recording and prior to building permit issuance.

Amend Document No. 5812957 to allow for the new Pad Site and define the responsibility's for the new shared use of utilities and drainage rights

17. Coordinate and request from the utility companies serving this area the easements required to serve this development.
18. The address of the proposed building is 7222 West Towne Way. 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.
19. The pending Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds (ROD), the new parcel data created by the Assessor's Office and the parcel data available to zoning and building inspection staff prior to issuance of building permits for new construction.

Please contact Sean Malloy of the Traffic Engineering Division at (608) 266-5987 if you have any questions regarding the following thirteen (13) items:

20. 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.
21. 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.
22. 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.
23. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
24. All bicycle parking adjacent pedestrian walkways shall have a 2 foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.

25. The applicant shall provide a clearly defined 5' walkway 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.
26. "Stop" signs shall be installed at a height of seven (7) feet from the bottom of the sign at all exiting 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.
27. 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.
28. 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.
29. Applicant shall submit for review a Waste Removal Plan. This shall include vehicular turning movements, times, vehicle size, use of loading zones and all related steps to remove trash from its location.
30. All vehicle service window access aisles shall have a minimum outside turning radius of thirty (30) feet.
31. Applicant shall submit for review a vehicular turning movement template demonstrating the use of the order board and pick-up window.
32. Developer shall provide a recorded copy of any joint driveway ingress/egress and crossing easements and shall be noted on face of plan.

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

33. The agency reviewed this project and determined a Transportation Demand Management (TDM) Plan is not required as part of approving the proposed site changes, based on the proposed building size (2,667 sq. ft.) and amount of on-site parking (4 stalls).

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

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| <ol style="list-style-type: none">34. Verify whether spandrel glass is proposed. Provide the window and door schedule. Glass on windows and doors shall be clear or slightly tinted, allowing views into and out of the interior. Spandrel glass that mimics the appearance of windows may be used for up to twenty percent (20%) of the required area of the openings. |
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35. Bicyclist use of drive-through sales and service windows shall not be prohibited. Pedestrian access to the establishment must also be provided.

36. Verify the capacity of the proposed coffee shop. The minimum bicycle parking and maximum vehicle parking requirements are based on the capacity of the proposed coffee shop use.
37. 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.
38. 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.
39. 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.

Please contact Jeff Belshaw of the Water Utility at (608) 261-9835 if you have any questions regarding the following two (2) items:

40. Update the utility plan to show the size of the proposed water service.

41. A Water Service Application Form and fees must be submitted before connecting to the existing water system. Provide at least two working days notice between the application submittal and the requested installation or inspection appointment. Application materials are available on the Water Utility's Plumbers & Contractors website (<http://www.cityofmadison.com/water/plumbers-contractors>), otherwise they may be obtained from the Water Utility Main Office at 119 E Olin Ave. A licensed plumber signature is required on all water service applications. For new or replacement services, the property owner or authorized agent is also required to sign the application. A Water Meter Application Form will subsequently be required to size & obtain a water meter establish a Water Utility customer account and/or establish a Water Utility fire service account. If you have questions regarding water service applications, please contact Madison Water Utility at (608) 266-4646.

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

42. Metro Transit operates daily all-day transit service along South Gammon Road adjacent this property – with trips at least every 30 minutes. Metro Transit operates additional daily all-day rapid transit service along Mineral Point Road near this property - with trips at least every 30 minutes (every 15 minutes or less during the day on weekdays and Saturdays).
43. Metro Transit would initially estimate the following counts of potentially eligible trips towards US Green Building Council/LEED Quality Access to Transit points: 133 Weekday & 99 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. (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 or (608) 261-9135.

Sincerely,



Chris Wells
Planner

cc: Kathleen Kane, City Engineering Division
Julius Smith, City Engineering Division–
Mapping Section
Sean Malloy, Traffic Engineering Division
Trent Schultz, Parking
Jenny Kirchgatter, Zoning Administrator
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-2025-00067			
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 type="checkbox"/>	Forestry
<input checked="" type="checkbox"/>	Parking	<input type="checkbox"/>	