



PREPARED FOR THE PLAN COMMISSION

**Project Address:** 711 State Street (8<sup>th</sup> Aldermanic District – Ald. Reddy)  
**Application Type:** Conditional Use  
**Legistar File ID #** [56388](#)  
**Prepared By:** Chris Wells, Planning Division  
Report Includes Comments from other City Agencies, as noted  
**Reviewed By:** Kevin Firchow, AICP, Principal Planner

## Summary

**Applicant:** University Book Store; 711 State Street; Madison, WI 53703  
**Contact:** Bill Montelbano; Bill Montelbano Architect; 5590 Reeve Road; Mazomanie, WI 53560  
**Property Owner:** SWD – Lutheran Church – Missouri Synod; 8100 W. Capital Drive; Milwaukee, WI 53222

**Requested Action:** The applicants request approval of a conditional use to add a walk-up service window within ten (10) feet of the public right of way in the Downtown Core (DC) zoning district at 711 State Street.

**Proposal Summary:** The applicant proposes to construct a walk-up service window for a small coffee kiosk located within the lobby of the UW Book Store retail space. It will face onto the Library Mall and have a counter and four permanent stools located outside but on private property.

**Applicable Regulations & Standards:** This proposal is subject to the standards for Conditional Uses [MGO §28.183], as §28.072(1) states that a walk-up service window located within ten feet of a public right-of-way is a Conditional Use. It is also subject to the Supplemental Regulations (Section 28.151).

**Review Required By:** Plan Commission

**Summary Recommendation:** The Planning Division recommends that the Plan Commission find that the conditional use standards met and **approve** the request to add a walk-up service window within ten (10) feet of the public right of way in the Downtown Core (DC) zoning district **711 State Street**. This recommendation is subject to input at the public hearing and the conditions recommended by the reviewing agencies.

## Background Information

**Parcel Location:** The 22,700-square-foot (0.52-acre) subject property is located on the west side of N. Lake Street, just south of the intersection with State Street. The site is within Aldermanic District 8 (Ald. Reddy) as well as the limits of the Madison Metropolitan School District.

**Existing Conditions and Land Use:** The subject site contains one large building – a roughly three-story, 57,000-square-foot structure which, while primarily housing the Cavalry Lutheran Church, also has retail space (occupied by the UW Book Store) along the northern side of the ground floor (i.e. the façade fronting the Library Mall). It is zoned DC (Downtown Core) District.

**Surrounding Land Use and Zoning:**

**North:** Across the Library Mall, is the Memorial Library, zoned CI (Campus Institutional);

**South:** A UW-Extension building, zoned CI;

**East:** Across State Street, a US Post Office branch along with a 7-Eleven convenience store with 14 residential units above, both zoned DC (Downtown Core); and

**West:** Across Fitch Court is St. Paul’s University Catholic Church, zoned Planned Development (PD).

**Adopted Land Use Plan:** The [Comprehensive Plan](#) (2018) recommends Downtown Mixed-Use Uses or the subject site which it describes as “*outside the core of the downtown, but still appropriate for intensive mixed-use development. [These] areas are generally more focused on residential, retail, and service uses than Downtown Core (DC) areas.*” It does not provide specific recommendations which pertain to walk-up service windows, it does defer to the [Downtown Plan \(2012\)](#) for direction.

The [Downtown Plan \(2012\)](#), recommends Downtown Mixed-Use development for the subject site and locates it within the State Street District. For this district, while also not providing specific recommendations as far as walk-up service windows are concerned, the Plan does recommend “*maintaining and enhancing the State Street district as Madison’s premier shopping, dining, and entertainment and cultural destination, with a unique sense of place characterized by a vibrant, diverse and dynamic mix of uses, a distinctive pedestrian-oriented streetscape, and human-scale developments that actively engage the street and promote synergy and interaction.*”

**Zoning Summary:** The property is in the DC (Downtown Core) District.

Requirements	Required	Proposed
Lot Area (sq. ft.)	No minimum	22,704 sq. ft.
Front Yard Setback	No minimum	Existing front setback
Max. Front Yard Setback	5’	Existing front setback
Side Yard Setback	The first two (2) stories of one side of all buildings: 0	Existing side setback
Rear Yard Setback	0	Existing rear setback
Maximum Lot Coverage	No maximum	Existing lot coverage
Minimum Building Height	2 stories	Existing building
Maximum Building Height: See Downtown Height Map	12 stories	Existing building
Stepback: See Downtown Stepback Map	A 4 story height limit extends 30’ back from State St right-of-way line A 6 story height limit extends 132’ back from State St right-of-way line	Existing building

Site Design	Required	Proposed
Number Parking Stalls	No minimum: Central Area	None
Accessible Stalls	None	None
Loading	None	None
Number Bike Parking Stalls	Not required	None
Landscaping and Screening	Not required	None
Lighting	Not required	None
Building Forms	Not required	Existing building

<b>Other Critical Zoning Items</b>	Urban Design (Downtown Core (DC) District); Barrier Free (ILHR 69)
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**Environmental Corridor Status:** The subject site is not located in a mapped environmental corridor.

**Public Utilities and Services:** This property is served by a full range of urban services, including Metro Transit service located just east along State Street and just north along N. Lake Street.

## Project Description

The applicant requests conditional use approval to add a walk-up service window within ten (10) feet of the public right of way in the Downtown Core (DC) zoning district. It is for a small coffee kiosk located within the UW Book Store's within the lobby of the UW Book Store retail space. While the UW Book Store plans to remodel and expand slightly the existing coffee kiosk space on the interior, it will continue to occupy the entire 16 feet of space between the building's north elevation's two western-most doors. As stated by the applicant, the partition (backdrop) behind the display window – which spans this 16-foot-wide area of interest – will be removed in order to better connect the interior and the exterior and provide a visual and physical connection with the Library Mall. Some indoor seating will also be provided within the bookstore lobby.

On the exterior, the applicant plans to add a counter (stainless steel painted red to match the storefront entrances) along the entire length of the 16-foot-wide window section. The service window will be located at the far western end of the window section and four permanent stools (stainless steel with painted red tops and dark bronze painted bases) will be located to the east of the window, along the counter, to provide patrons a place to sit. The stools will be bolted to the ground. It should be noted that as this portion of the building's façade is recessed roughly three feet so the counter and stools will be all located on private property. The City's Zoning Administrator has determined that this is not considered an Outdoor Seating Area use as the establishment is not providing food service to the seats by staff employees. The applicant is proposing 7:00 am to 7:00 pm for the hours of operation.

## Analysis & Conclusion

This proposal is subject to the standards for Conditional Uses [MGO §28.183], as §28.072(1) of the Zoning Code states that a walk-up service window located within ten feet of a public right-of-way is a Conditional Use in the Downtown Core (DC) zoning district. It is also subject to the Supplemental Regulations (Section 28.151). In regards to the approval standards, the Plan Commission shall not approve a conditional use without due consideration of the City's adopted plan recommendations, design guidelines, and finding that all of the conditional use standards of MGO §28.183(6) are met.

### Conformance with Adopted Plans

The [Comprehensive Plan](#) (2018) recommends Downtown Mixed-Use Uses or the subject site which it describes as *“outside the core of the downtown, but still appropriate for intensive mixed-use development. [These] areas are generally more focused on residential, retail, and service uses than Downtown Core (DC) areas.”* It does not provide specific recommendations which pertain to walk-up service windows, it does defer to the [Downtown Plan \(2012\)](#) for direction.

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The Planning Division believes the proposal is consistent with the recommendations of the adopted plans. Staff also believes that if well-managed, the proposed service window and associated exterior counter and four outdoor stools should not result in significant negative impacts to the surrounding properties. Staff notes that the Traffic Engineering Division does not object to this request though has recommended further information on queuing be provided as part of final sign off. If approved, the Plan Commission retains continuing jurisdiction over this conditional use, meaning that should complaints be filed, the Plan Commission could take further action on this conditional use as allowed in MGO Section 28.183(9)(d).

Finally, please note that the Secretary of the Urban Design Commission reviewed this request administratively on behalf of the Urban Design Commission and has recommended no conditions of approval.

At the time of report writing, staff was not aware of any concerns regarding this proposal.

## Recommendation

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

The Planning Division recommends that the Plan Commission find that the conditional use standards met and **approve** the request to add a walk-up service window within ten (10) feet of the public right of way in the Downtown Core (DC) zoning district **711 State Street**. This recommendation is subject to input at the public hearing and the following conditions recommended by the reviewing agencies:

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

#### City Engineering Division - Main Office (Contact Brenda Stanley, (608) 261-9127)

The agency reviewed this request and has recommended no conditions of approval.

#### City Engineering Division – Mapping (Contact Jeffrey Quamme, (608) 266-4097)

The agency reviewed this request and has recommended no conditions of approval.

#### Traffic Engineering Division (Contact Sean Malloy, (608) 266-5987)

1. The applicant shall submit for review an operations plan, this plan shall include a queuing model or plan.

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

2. 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.

**Madison Fire Department** (Contact Bill Sullivan, (608) 261-9658)

3. Provide fire sprinkler coverage throughout the existing Entrance Lobby from the existing sprinkler system.

**Parks Division** (Contact Kathleen Kane, (608) 261-9671)

The agency reviewed this request and has recommended no conditions of approval.

**Forestry Division** (Contact Brad Hofmann, (608) 267-4908)

The agency reviewed this request and has recommended no conditions of approval.

**Water Utility** (Contact Adam Wiederhoeft, (608) 266-9121)

The agency reviewed this request and has recommended no conditions of approval.

**Metro Transit** (Contact Timothy Sobota, (608) 261-4289)

The agency reviewed this request and has recommended no conditions of approval.