



PLAN COMMISSION MEETING AGENDA

TUESDAY, February 10, 2015
AT 6:00 PM

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- 1) ROLL CALL
 - 2) Minutes of the January 27, 2015 meeting
 - 3) Significant Common Council Actions - None
 - 4) OLD BUSINESS
 - a) CONDITIONAL USE PERMIT – Review a request submitted by Jason Hill, Chick-fil-A, Inc., for a conditional use permit for a restaurant with drive-through facility on the property at 150 W. Town Square Way (Tax Key No. 813-9047). Follow this item on Twitter **@OakCreekPC#OCPCChickfilA**.
 - 5) NEW BUSINESS
 - a) CERTIFIED SURVEY MAP - Review a certified survey map submitted by John Casucci, RA Smith National, Inc., for the property at 7902 S. 6th St. (Tax Key No. 813-9052). Follow this item on Twitter **@OakCreekPC#OCPCDrexelCSM**.
 - b) CERTIFIED SURVEY MAP - Review a certified survey map submitted by Joseph Frederick for the property at 601 W. Drexel Ave. (Tax Key No. 813-9023-002). Follow this item on Twitter **@OakCreekPC#OCPC6thStCSM1**.
 - c) CERTIFIED SURVEY MAP - Review a certified survey map submitted by Joseph Frederick for the property at 601 W. Drexel Ave. (Tax Key No. 813-9023-002). Follow this item on Twitter **@OakCreekPC#OCPC6thStCSM2**.
 - d) TEMPORARY USE - Review a request for a temporary use permit submitted by April Bargar, Continental 77 Fund, for a seasonal flower mart/garden center on the property at 9035 S. Howell Ave. (Tax Key No. 859-9035). Follow this agenda item on Twitter **@OakCreekPC#OCPCStein**.
 - 6) ADJOURN

PLEASE NOTE

Upon reasonable notice, a good faith effort will be made to accommodate the needs of disabled individuals through sign language interpreters or other auxiliary aid at no cost to the individual to participate in public meetings. Due to the difficulty in finding interpreters, requests should be made as far in advance as possible, preferably a minimum of 48 hours. For additional information or to request this service, contact the Oak Creek City Clerk at 768-6511, (FAX) 768-9587, (TDD) 768-6513 or by writing to the ADA Coordinator at the Health Department, City Hall, 8640 South Howell Avenue, Oak Creek, Wisconsin 53154. There is the potential that a quorum of the Committee of the Whole will be present at this meeting. Copies of staff reports and other supporting documentation are available for review at the Department of Community Development, City Hall, 8640 South Howell Avenue during operating hours. (7:30 am-4 pm weekdays).

MINUTES OF THE
OAK CREEK PLAN COMMISSION MEETING
TUESDAY, JANUARY 27, 2015

Mayor Scaffidi called the meeting to order at 6:00 p.m. The following Commissioners were present at roll call: Commissioner Johnston, Commissioner Carillo, Alderman Bukiewicz, Alderman Guzikowski, Commissioner Correll, Commissioner Siepert and Commissioner Chandler. Excused: Commissioner Dickmann. Also present: Kari Papelbon, Planner; Doug Seymour, Director of Community Development; Peter Wagner, Planner/Zoning Administrator; and Mike Kressuk, Assistant Fire Chief.

Alderman Bukiewicz moved to approve the December 9, 2014 meeting minutes. Alderman Guzikowski seconded. All voted aye, except Commissioner Chandler, who abstained. Motion carried.

Alderman Bukiewicz moved to approve the January 13, 2015 meeting minutes. Commissioner Siepert seconded. All voted aye, except Mayor Scaffidi and Commissioner Correll, who abstained. Motion carried.

Conditions and Restrictions
Autumn Creek II CQS, LLC
1326 W. Willow Drive
Tax Key No. 811-9008-002

Ms. Papelbon noted that the applicant submitted an updated proposed site plan showing that the garage and parking area was flipped from the west to the east side per the conversation at the last meeting. This was done because of the floodplain and floodway on the western side of the property.

Steven Czysz, 561 W. Field Way, Pewaukee, stated he added more parking to the facility. They originally had parking for two in the garage and two other spots in the driveway. They now are showing a total of 7 spots, which he felt is more than enough.

Commissioner Chandler mentioned putting parking on the other side of the building. Mr. Czysz stated they could park on the east side; however, they would probably have to eliminate the garage, and that would make it look more institutionalized. Mr. Czysz mentioned the possibility of putting additional parking in the floodway if the elevation is not changed. Mr. Seymour stated that this is a conditional use permit in a single-family residential zoning district, so one of the proposed conditions with regard to the setbacks is to treat it like a residential property. As such, the parking would be limited in the front to within the garage, driveway or on a spur. The goal is to not use the entire front yard as a parking lot for what is essentially supposed to blend into a residential neighborhood.

Commissioner Johnston asked if there is a minimum requirement for parking spaces for a CBRF. Ms. Papelbon responded that for residential use, it is one per bedroom. With this facility, that would mean eight bedrooms with 16 beds. Ms. Papelbon stated that staff would continue to work with the applicant during site plan review to ensure that the proposed parking meets all of the requirements of the Code and is still sufficient for the proposed use. It would still have to meet the residential requirements. Commissioner Johnston stated his concern about the parking and access (Section 3, Page 2, Item 1) being in accordance with Section

17.0403(j)(6)(f). If the parking is reduced, should that statement be changed in the conditions and restrictions? Ms. Papelbon responded that they could take off the (6)(f) requirement and change the number that is required to no less than two.

Arden Degner, 8540 S. Pennsylvania Avenue, suggested that, off the main driveway, porous brick could be installed for parking purposes

Ms. Papelbon stated that the parking requirements are based off of residential uses in the Code as the Code does not address parking in a CBRF. The Code states two spaces per dwelling unit. It would be up to the Plan Commission to determine how many spaces would be appropriate for this use as part of the conditional use.

Alderman Bukiewicz stated he does not want parking on the street. He suggested the driveway coming up and widening out. Mr. Czysz stated he could do that and would actually prefer to just have a normal driveway.

Ms. Papelbon clarified that this is still a conceptual plan. They are still working on the driveway and parking areas. It is a matter of how many parking spaces are going to be required for this CBRF for the conditional use. Ms. Papelbon also clarified that the driveway does not have to be 30' off the street, but rather the parking must be 30' off the street.

Commissioner Correll asked what the minimum parking requirement would be. Ms. Papelbon stated that this is treated as a single family dwelling, which only requires two. If the Plan Commission wants to increase the number of spaces based on this particular use, that would be part of the conditional use permit.

Ralph Sharafinski, 8120 S. Woodridge Drive, stated that if they can't plan enough parking, then they should not be able to build this. Parking on the streets should not be allowed. Mayor Scaffidi responded that the applicant has stated that these residents are very rarely visited, and the parking spots are basically for employees.

Commissioner Correll moved that the Plan Commission recommends that the Common Council adopts the Conditions and Restrictions as part of the Conditional Use Permit allowing a Community-Based Residential Facility (CBRF) with a capacity of at least nine (9) but no more than twenty (20) persons located at 1326 W. Willow Dr. after a public hearing. Alderman Guzikowski seconded. Ms. Papelbon asked for clarification of the number of parking spaces. Commissioner Correll added to his motion that the parking is not to exceed six (6). Mr. Seymour clarified that the motion should state a minimum of six (6).

Ms. Papelbon stated there has been communication about putting parking spaces at the rear of the property. Commissioner Chandler asked how the parking in the back would be accessed. Ms. Papelbon stated there would be an access drive to the back. Alderman Bukiewicz stated that he does not think parking in the back is a viable option.

Commissioner Johnston stated six parking spaces might be a problem with the floodplain and keeping the parking spaces out of the 30' setback.

Commissioner Correll changed his motion to state the minimum number of parking spaces is three (3), which includes the garage.

On roll call: all voted aye. Motion carried.

**Conditional Use Permit Amendment
MD Holdings, LLC
7350 S. 6th Street
Tax Key No. 765-9044**

Ms. Papelbon provided an overview of the proposal. Alderman Bukiewicz stated he has no issues giving this time extension given their circumstances.

Alderman Bukiewicz moved that Plan Commission recommends that the Common Council approve a conditional use permit amendment extending Section 11, Time of Compliance to a deadline of December 31, 2015 for the property located at 7350 S. 6th St. after a public hearing and subject to conditions and restrictions. Commissioner Siefert seconded. On roll call: all voted aye. Motion carried.

**Plan Review
Barrett Visionary Development – Emerald Row Apartments
601 W. Drexel Avenue
Tax Key No. 813-9023-002**

Ms. Papelbon provided an overview of the proposal, and noted that the lighting package has changed from what is in the Plan Commission packets to comply with the Drexel Town Square specifications.

Mr. Seymour stated that this is the same plan that was approved as part of the first generation development proposal for the entire PUD. In the PUD document itself, several of these uses are prohibited in the residential areas. The City wants uses that are complementary to the scale and types of units that are being proposed for this residential community. As an amendment to the PUD document, they will be looking toward making certain commercial uses either permitted or conditional uses within that residential area. It was not the intent of the first generation development plan to prohibit those types of activities.

Chad Griswold and Justin Stuebs, Rinka Chung Architecture, 756 N. Milwaukee Street, Milwaukee, Wisconsin, represented the applicant.

Mr. Stuebs distributed material samples and described the materials being used on the building.

Commissioner Correll stated this is what was originally planned and is pleased that we stayed with the original plan.

Alderman Bukiewicz stated this will fit in very well with the rest of the project.

Alderman Guzikowski asked if anything has changed on the underground parking. Mr. Seymour responded that the footprint of the site has changed a little bit. The underground parking counts have increased. Mr. Stuebs stated they are now planning on using the entire footprint of the building for parking, so the parking has almost tripled what was originally planned.

Commissioner Siefert asked about Fire Department access to the underground parking. Asst. Chief Kressuk responded that they have been in contact with Mr. Stuebs on this. He stated they are looking for a sprinkler system. Asst. Chief Kressuk has worked a lot with the applicant on getting access to the property. As development occurs on this site, they are going to see the access increased to the north of this structure.

Commissioner Chandler asked if the tripled amount of underground parking spaces will be enough for the residents. Mr. Stuebs responded that they would be using the south parking lot as reserved parking for the residents. That is part of the 214-parking stall total (149 underground and 65 surface spots.)

Commissioner Johnston asked if there is a consensus from the Commission that the sign review needs to come back to the Plan Commission, or can the Director of Community Development approve the sign plans. Commissioner Carillo responded she would like the sign approval to come back before the Plan Commission. All agreed.

Mr. Degner stated his concern with the construction using fiber cement board. He strongly suggested that masonry be substituted. Commissioner Johnston responded that he is not concerned about the structure of this building, and that this is an approved material for the zoning requirements. Alderman Bukiewicz stated that the fiber cement board is a masonry product.

Commissioner Carillo asked where the visitor and retail parking spaces are being planned. Mr. Stuebs responded that currently they do not have on the site any deeded stalls to visitor parking or retail functions. Commissioner Carillo stated her concern that they would fill up the parking lots with the Library and City Hall being there. Mr. Stuebs stated there is some flexibility on the circle drive. There are some stalls around that that the developer may use at his discretion. Commissioner Correll stated that he does not recall any other apartment projects coming before the Plan Commission without making provision for visitor spaces. Mr. Seymour stated that typical stand-alone residential communities do have some set aside for visitor parking. Given the unique nature of this residential community and its relationship with the public streets and shared parking facilities throughout the western mixed-used portion of Drexel Town Square, the parking friction is a built-in design of the more urban nature of this proposal.

Commissioner Chandler asked about outdoor/rooftop mechanicals. Mr. Stuebs stated they are set back on the roof as far as they can on the footprint of the building. The nearest condensing unit is no closer than 23' to the building edge.

Commissioner Chandler asked if there will be a green roof on the building. Mr. Stuebs responded no, it will be a rubber membrane roof.

Alderman Bukiewicz moved that the Plan Commission approves the site and building plans submitted by Rick Barrett, Barrett Visionary Development, for the property located at 601 W. Drexel Ave., with the following conditions:

1. That all building and fire codes are met.
2. That the plans are updated to incorporate the public access easement and sidewalk on the south side of the parking lot (wetland park connection) as part of Phase I.
3. That all landscaping plans are submitted for review and approval by the Director of Community Development prior to the issuance of building permits.
4. That updated detailed lighting plans are submitted for review and approval by the Department of Community Development, upon recommendation of the Electrical Inspector, prior to the issuance of building permits.
5. That detailed plans for signage are reviewed and approved by the Plan Commission.

6. That plans addressing grading, drainage, and stormwater quality (including the use of stormwater best management practices) be approved by the City Engineer prior to the issuance of building permits.
7. That all mechanical equipment is screened from view.
8. That all water and sewer utility connections are coordinated with the Oak Creek Water & Sewer Utility.

Alderman Guzikowski seconded. On roll call: all voted aye. Motion carried.

Conditional Use Permit
Chick-fil-A
150 W. Town Square Way
Tax Key No. 813-9047

Ms. Papelbon provided an overview of the proposal.

Mr. Seymour stated this is part of the plan to have this type of business on the outer side of the Drexel Town Square development. Any properties to the east of Delco Drive are part of the perimeter commercial portion of Drexel Town Square. They were envisioned as some of the more suburban retail that you see throughout the community. Early on in the Drexel Town Square design process, the emphasis was on creating two distinct zones as part of this mixed use. One of the goals was to bring in uses and retail that were not presently in Oak Creek. Mr. Seymour stated that it is new to the marketplace, and has been very well received. It is consistent with the goal of bringing in new businesses that are not necessarily in the community right now.

Water Street Brewery had their site plans approved on the corner of Howell and Drexel, and one of their requirements for securing a business of that stature was that the lots on either side of them would be restricted so that there would not be a similar type of sit-down restaurant. The proposed use by Chick-fil-A has been vetted through the owners of the Water Street Brewery and they have made an exception to that.

Jerry Franke, WisPark, 301 W. Wisconsin Avenue, Milwaukee, Wisconsin, stated that Water Street Brewery did not approve this; rather they knew about this before they bought their property. They were interested in that type of use being adjacent to them.

Mr. Franke stated there are two remaining parcels in this area that will have to be restaurants by default. The plan is to have all of the retail west of Delco Drive. He stated there are at least four restaurants looking at the Main Street properties. Mr. Franke stated that although he said there would be no McDonald's or Burger King restaurants, Chick-fil-A was not in the marketplace at that time. Chick-fil-A has been very well received in Brookfield and in Greenfield. He feels this is going to be a positive aspect of Drexel Town Square.

Commissioner Correll stated that this is a quick service restaurant (QSR) and QSR's were not going to be allowed. It is new to the market and a great concept, but he stated this is going in at the wrong spot. Traffic will be brought in for a drive-through and there will be queuing issues. He noted that the last item on the agenda (Emerald Row Apartments) was compared to the Third Ward; however, there are not any Chick-fil-As in the Third Ward. He stated he does not see how it fits and with the traffic concerns, and he foresees some problems.

Mr. Franke responded that the suburban portion of this development is the part that is easy to do. The stuff that is on the west side of Delco is very difficult. They could have done the whole parcel as a suburban outlot development. They could not have done this whole parcel as a town center. What they are trying to do is get uses that generate traffic. He said the biggest complaint with this proposal is that they are not open on Sunday because they want as much traffic coming in here as possible. Commissioner Correll responded he understands the traffic needs, but increased traffic through a drive-through is different than what he envisioned and what he thought the plan originally showed.

Mr. Seymour stated there are going to be different opinions as to what fits there and what doesn't. Mr. Seymour stated that the real estate agreement with Water Street Brewery restricts the types of restaurants that can go on those parcels. The choice is between a high-quality use that is not currently in the market, or having more of a multi-tenant retail, which is more out of character with what they are trying to accomplish there. Commissioner Correll stated it is an excellent concept and well-received and will create traffic, so much so that there may even be traffic issues initially.

Mayor Scaffidi stated that in the history of the City's Facebook page, the post on Chick-fil-A is most viewed post ever with an estimated 27,000 views. He stated that they need to be open that on this part of Drexel Town Square, it is much different than the square itself and west.

Commissioner Carillo stated that they went over the plans extensively to make this town center the focal point of the City. She stated that this drive-through is not the high-quality use that was envisioned for this area. Even though many people want it (in the City of Oak Creek), she does not believe this is the place for it. She is also concerned about the back-up in traffic. Commissioner Carillo stated that the parking lot is twice of what is needed. She stated that the Plan Commission does not know what agreement was made with Water Street Brewery as far as what can and cannot go in there.

Mr. Seymour asked what would be a good use there knowing now that a sit-down restaurant will not go on parcels 3 and 5. Commissioner Carillo stated if they go back to the original plan, there must be a list of 50 things that can go in there. Mr. Seymour stated that yes, retail could go in there. Mr. Franke said it would be horrible because what they want is for retail to be walkable. They don't want people to have to move their car. Mr. Franke stated the development team has told the broker to focus retail on the west side of Delco. They have turned down buyers for those parcels who are willing to pay more than anyone else.

Commissioner Chandler asked if there is a pass lane at the pick-up window in case a car stalls. Todd Richards, HR Green, 420 N. Front Street, McHenry, IL, stated that there is not. Chick-fil-A has looked into this throughout their history, and they have never had a need for a pass-through lane. All the team members are taught what to do and have plans in place if a car should stall.

Alderman Bukiewicz stated he was caught by surprise because he was under the impression when they did the master plan that no drive-throughs were approved for Drexel Town Square. Alderman Bukiewicz stated the Drexel Town Square plan was amended in March, 2014 with Ordinance No. 2713 and that was in connection with the hotel. Buried within that was allowance of drive-throughs at Drexel Town Square. Ms. Papelbon stated that such was not the case. Mr. Seymour stated that that was part of the original plan approved by the Common Council.

Commissioner Correll stated that they received correspondence before the meeting that the original plan was no Wendy's and McDonald's along with an explanation of why we have

evolved from that. Mr. Seymour stated that that was a memo from Jerry Franke. Mr. Franke stated that there would be no McDonald's or Burger King, he never said there would be no establishments with drive-throughs, but he can see why people could interpret it that way. Commissioner Correll stated that it is a great concept, a great operator, they deliver a great product, but the spot is wrong based on the overall plan. He did not feel the guests of Chick-fil-A are going to be frequenting the rest of Drexel Town Square. They will be coming in at one of the two entrances, working their way into that queue to get their food, and will be moving on their way. Mr. Franke stated that they will be able to see a lot of the other businesses as they pass through the drive-through.

Mayor Scaffidi asked Mr. Richards to go back to the people at Chick-fil-A and rethink this, because there are questions from the Commission about whether this is appropriate. He stated he has questions about where the drive-through lanes are situated on the lot. Alderman Bukiewicz referred to the Drexel Town Square plan which states on page 8 that drive-up windows and lanes shall not be permitted on the Main Street side or on the side of the building facing Drexel Town Square, which this development does. Alderman Bukiewicz suggested the lanes be moved from east to west. Mr. Richards stated they oriented the site to provide enough stack in the drive-through lane. Also, when queuing up to get to the drive-through lane, they separated that from the main portion of the parking lot. They feel this already is one of the better layouts.

Mayor Scaffidi asked Mr. Richards if he would be willing to pull back and readdress this at a future meeting. Mr. Richards responded that he would like to get all of the comments and questions.

Mr. Richards stated they do have quite a bit of landscape area adjacent to the drive-through on the north. He stated they could definitely enhance that along there to protect that view from the traveling public.

Alderman Bukiewicz asked if the majority of their business is drive-through or sit-down. Mr. Richards responded that 65% of their business is drive-through.

Mayor Scaffidi placed this item on hold, and asked the applicant to come back to the Plan Commission after hearing comments and concerns from the Commissioners.

**Temporary Use Permit
WE Energies
9000 S. Nicholson Road
Tax Key No. 862-9991**

Mr. Wagner provided an overview of the proposal.

Linda Sodemann, WE Energies, stated that they will be using this as a lay-down area for utility poles as it is a centralized location for their work.

Mark Verhalen, 1200 E. Ryan Road, stated his concern that this area has to be cleaned up before they can store their poles at this location. Mr. Verhalen stated he was representing the neighborhood, and that they would like to see a sunset date for how long they are going to be there. He also stated his concerns about hours of operation, the number of vehicles going in and out of the area, and the house opposite one of the driveways. Ms. Sodemann stated this temporary use is only until November, 2015. She also stated that using the gate to the north is

not a problem. Ms. Sodemann stated there would be about 12 trucks coming in and out, and they would be heading south on Nicholson Road. Ms. Sodemann stated the hours of operation will be between 6:30 / 7:15 a.m. and 4:00 p.m., Monday through Friday.

Commissioner Johnston asked if there will be any internal fencing to mark off the area. Ms. Sodemann responded no.

Commissioner Siefert asked what happens to the property after they are done using it. Ms. Sodemann responded that they are leasing the property from the bank, and could be asked to leave at any time the property is sold.

Commissioner Siefert moved that the Plan Commission approves the temporary use permit for the outdoor storage of equipment and materials in the specified locations as illustrated on the site plan until December 31, 2015. Alderman Guzikowski seconded. On roll call: all voted aye. Motion carried.

Zoning Text Amendment
Section 17.0403(e) Zoning Ordinance Parking Setback
M-1 Manufacturing District

Ms. Papelbon provided an overview of the proposal.

Commissioner Correll moved that the Plan Commission recommends to the Common Council that the M-1, Manufacturing parking setback to street rights-of-way section of the Zoning Ordinance, Section 17.0403(3), be amended as proposed following a public hearing. Alderman Guzikowski seconded. On roll call: all voted aye. Motion carried.

Commissioner Carillo moved to adjourn. Commissioner Correll seconded. On roll call: all voted aye. Motion carried. The meeting was adjourned at 8:00 p.m.



Plan Commission Report

ITEM: 4a
DATE: February 10, 2015

PROJECT: Conditional Use – Jason D. Hill, Chick-fil-A

ADDRESS: 150 W. Town Square Way

TAX KEY NO: 813-9047

STAFF RECOMMENDATION: That the Plan Commission recommends that the Common Council approves a Conditional Use permit allowing a restaurant with drive-through facilities located at 150 W. Town Square Way after a public hearing and subject to conditions and restrictions that will be prepared for the Commission at the next meeting (February 24, 2015).

Ownership: One West Drexel, LLC, 301 W. Wisconsin Ave., Ste. 400, Milwaukee, WI 53203

Size: 1.63 acres

Existing Zoning: DTSMUPDD, Drexel Town Square Mixed Use Planned Development District

Adjacent Zoning:

North –	I-1, Institutional;	B-2 (CCU), Community Business
East –	DTSMUPDD, Drexel Town Square Mixed Use Planned Development District	
South –	DTSMUPDD, Drexel Town Square Mixed Use Planned Development District	
West –	DTSMUPDD, Drexel Town Square Mixed Use Planned Development District	

Comprehensive Plan: Planned Mixed Use.

Wetlands: N/A.

Floodplain: N/A.

Official Map: N/A.

Commentary: This item was held at the January 27, 2015 meeting. A revised conceptual site plan is included in this packet, which shows some additional vegetation along the north side to screen the drive-through. Site, building, landscaping, lighting, signage, and related reviews will occur at a later date.

January 27, 2015

The Applicant is requesting a Conditional Use Permit for a Chick-fil-A restaurant with drive-through facilities on the property at 150 W. Town Square Way. The review of the Conditional Use Permit request is governed by the general development plan and regulating plan for the Drexel Town Square Mixed Use Planned Development as well as Chapter 17 of the Municipal Code. A conceptual site plan is included with this packet. Site, building, landscaping, lighting, signage, and related reviews will occur at a later date.

The lot is located in the Perimeter Commercial Sub-District, which considers restaurants with drive-through facilities to be conditional uses. Information provided by the Applicant estimates a 4,876 square-foot restaurant with an indoor play area and outdoor seating area, a drive-through with two

“stacking lanes” along the north side of the building, and approximately 45 employees. Typical hours of operation for Chick-fil-A restaurants are 6:00 AM to 10:30 PM Monday through Saturday (closed Sundays). Weekly deliveries are anticipated to the site, some of which will occur every few days.

Preliminary plans call for 63 total parking stalls. According to the Approximate Parking Supply and Demand for Users and Employees chart in the general development plan and regulating plan, fast food restaurants typically require 20 stalls per 1,000 gross square feet. Approximately 1,500-1,600 square feet of the 4,876 square-foot restaurant will be dining space. Therefore, 30-32 stalls would be required for patrons, and at least one stall per employee for the largest shift would be required.

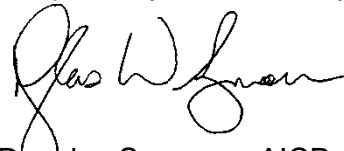
If the Commission agrees that the conditional use is appropriate for this location, staff will prepare conditions and restrictions for review at the February 10, 2015 Plan Commission meeting.

Prepared by:



Kari Papelon, CFM, AICP
Planner

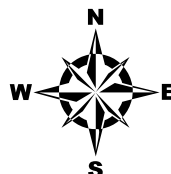
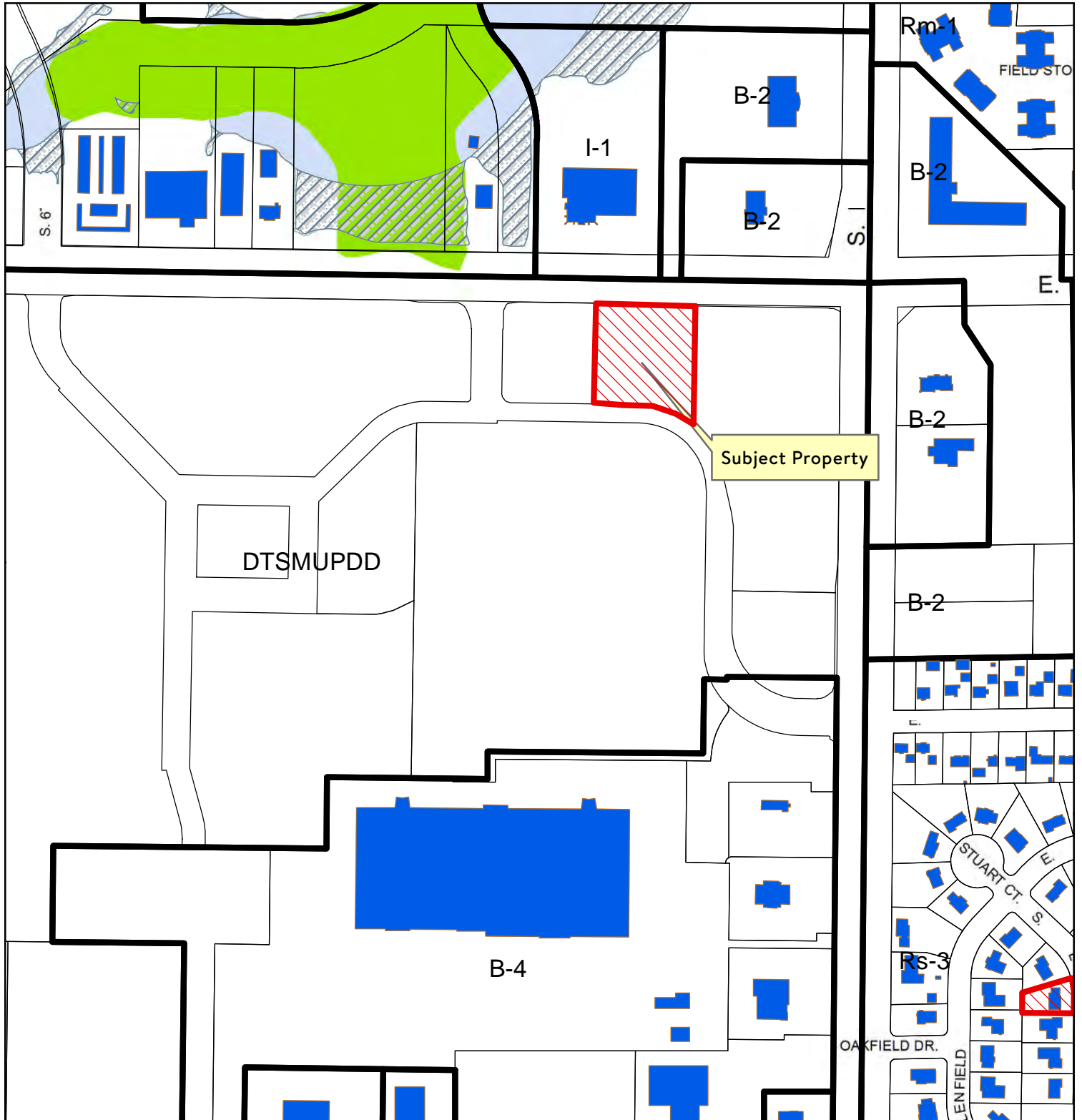
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








Douglas Seymour, AICP
Director of Community Development

Location Map

150 W. Town Square Way



Legend	
	150 W. Town Square Way
	Floodfringe
	Floodway
	Flood Fringe (FF)
	Shoreland Wetland Conservancy (C-1)
	Lakelront Overlay District (LOD)
	Mixed Use Neighborhood Overlay (NO)
	Mixed Use Office Overlay (OO)
	Regional Retail Overlay District (RR)



Chick-fil-A, Inc.
5200 Buffington Road
Atlanta, Georgia 30349-2998
Telephone 404-765-8900

Company Information & Project Description

The Chick-fil-A Story

It's a story that actually began 91 years ago when a man named Truett Cathy was born in 1921 in the small town of Eatonton, Georgia, about 80 miles from Atlanta, where he grew up. Truett's mom ran a boarding house, which meant she had to cook a lot of meals – but Truett helped, and he paid close attention, and picked up cooking and serving tips that would come in quite handy later. Along the way, he also learned to be quite the entrepreneur. He sold magazines door to door, delivered newspapers all over the neighborhood, and sold Coca-Colas from a stand in his front yard and all the while he was learning the importance of good customer service.

After serving his country in World War II, in 1946 Truett used the business experience he gained growing up and opened his first restaurant with his brother, Ben, calling it the Dwarf Grill (later renamed the Dwarf House). Hamburgers were on the menu but, ironically, no chicken because he said it took too long to cook. Truett worked hard with that first venture, but considered Sunday to be a day of rest, for himself and his employees and as you know, that's a practice that Chick-fil-A honors to this day.

The early 60s would be a pivotal time in Truett's life. That's when he first took a boneless breast of chicken and spent the next few years experimenting until he found the perfect mix of seasonings, he breaded and cooked the filet so that it stayed juicy, put it between two buttered buns and added two pickles for extra measure and in 1963 unveiled what we now know as the Chick-fil-A Chicken Sandwich. As far as the name, Truett says it just came to him. He had it registered that year in 1963 and created a logo that has been updated but is still very similar to the original designed 50 years ago.

The Chick-fil-A sandwich was a huge hit, and in 1967 Truett opened his first Chick-fil-A restaurant in an enclosed shopping mall where, up to that point, food normally wasn't sold. Frankly, the developer of the Greenbriar Shopping Center in Atlanta wasn't too keen on serving food inside his mall, but as we know that turned out to be a very smart decision on his part, and especially Truett's. Today, Truett is recognized as the pioneer in quick-service mall food. It wasn't until 1986 that Chick-fil-A opened its first "freestanding" restaurant on North Druid Hills Road in Atlanta. Today there are close to 1,600 restaurant locations in 39 states and it's become so popular that people literally camp out in the parking lot the night before a grand opening of a new restaurant; they're hoping to be one of the first 100 people in line because they'll be rewarded with free Chick-fil-A for a year, which gives new meaning to the phrase "happy campers!"

Chick-fil-A is now the largest quick-service chicken restaurant and one of the largest that's privately-held. Three generations of Cathy family members are involved in the business, including Truett (CEO), his sons Dan (the president and COO) and Bubba (senior VP) and now, his grandchildren.



Chick-fil-A, Inc.
5200 Buffington Road
Atlanta, Georgia 30349-2998
Telephone 404-765-8900

Our Food

There are a lot of things people say they like about Chick-fil-A, but it all begins with the food, and especially the Original Chick-fil-A Chicken Sandwich. It was a significant product innovation, and it remains our best-selling item on the menu. Our innovations didn't stop with the chicken sandwich. In 1982, we were the first restaurant to sell chicken nuggets nationally, and three years later added our trademark Waffle Potato Fries to the menu, and we still use 100% fully refined peanut oil, which is cholesterol and trans fat free. In 2010, we introduced the Chick-fil-A Spicy Chicken Sandwich. With its special blend of peppers and other seasonings, it became such a "hot" selling item that we soon after introduced the Spicy Chicken Biscuit. More recently last year we introduced to our menu a new grilled chicken sandwich and grilled chicken nuggets. People also like the fact that we offer a variety of menu options for those wanting foods that are lower in calories, carbs or fats, such as the Chick-fil-A Chargrilled Chicken Sandwich, entrée salads and fruit cups and by the way, fruit cups are an option with our kids meals these days. In fact, Men's Health magazine named us "America's Healthiest Chain Restaurant for Kids." The high quality of our food is the number one reason people keep coming back to Chick-fil-A but there are a few more reasons – and one has four legs and is a terrible speller.

Serving our Customers

Whenever you ask people what they like about Chick-fil-A, one of first things they say is "the service" and it's an important part of our story, because it goes back to Truett's experience as a young businessman and to the values he instilled in Chick-fil-A. We call it Second Mile Service, and it's based on the belief that if someone asks you to carry something for them one mile, you do one better and carry it for them two. It's doing those unexpected things that make people feel special. Our drive-thru has been voted "America's #1 drive-thru" for six years in a row. We do our best to ensure a quick and pleasurable experience, and might even have a nugget for the family pet when you arrive at the window. But no matter if you're being served in our restaurants, at our drive-thrus, or with an outside delivery, you can always count on our team members responding to your words of thanks with two special words of their own – "My pleasure."

Chick-fil-A Philosophy & Operator/Employment Model

The Company's philosophy is that their restaurants become integral parts of the communities in which they are located. Toward that end, Chick-fil-A makes scholarships available to store employees and sponsors the Winshape Foundation which supports a family of programs designed to encourage outstanding young people nationwide. The Foundation has a college program and operates a series of camps, homes, and retreats. On the local level, individual restaurant operators typically engage in community support activities such as sponsoring youth sports teams, supporting educational activities, and leadership initiatives. Finally, and in accordance with company policy, the operators and employees in each Chick-fil-A Restaurant strive for a level of customer service unequaled in the quick-service food industry. It is quite common to go into a Chick-fil-A and have your tray carried to your table, have people clear your table, and ask if they can come and refresh your beverage.



Chick-fil-A, Inc.
5200 Buffington Road
Atlanta, Georgia 30349-2998
Telephone 404-765-8900

Beyond the above, Chick-fil-A's operators model is very unique in the fast food industry. In their situation, the operator is part owner with Chick-fil-A. It's similar to a franchise except they usually have one location. Sometimes they have two but for the most part they have one location and what that provides is a situation where they have very competent partners with great character in the restaurants and they are involved in the community, are part of the community, and they spend a lot of time in the community. What Chick-fil-A likes to say is that their operators are in business for themselves, but not by themselves. It is very unusual for an operator to shut down and the retention rate for operators is about 98%. A typical Chick-fil-A store will employ approximately 45 permanent jobs with approximately 120 jobs created for temporary construction employment. A typical store will operate between the hours of 6:00am to 10:30pm; Monday thru Saturday and are always closed on Sundays.

Project Description

The subject property is located on Lot 2 of the Drexel Town Square development which is located at the southwest corner of Howell Avenue and West Drexel Avenue. The site area is approximately 1.63 acres. The site is currently a vacant outlot of the development. The subject property is zoned Perimeter Commercial Sub-district. The project will consist of constructing the proposed restaurant which will contain approximately 4,876 square feet of floor area, will be attractively landscaped, and will feature an outdoor seating area adjacent to the West Drexel Avenue frontage. A drive-thru service facility is also proposed which will feature two stacking lanes up to the order points that will merge into one lane leading up to the pickup window. Chick-fil-A has found that this drive-thru configuration increases efficiency and minimizes vehicle overflow into the parking lot. Vehicular access to the proposed restaurant will be provided by the subject property's two planned driveways which will minimize impacts to the existing roadways. Sixty Three off-street parking spaces will be located within the subject property which includes three handicap spaces.

The site has been oriented to locate the building along the western property line with the playground facing West Drexel Avenue. This allowed us to isolate the drive thru traffic from the dine-in traffic to eliminate the need for customers accessing the building to cross over multiple drive-thru lanes. The drive-thru lanes have been laid out to provide for ample stacking both before the order boards and between the order boards and pick-up window to minimize overflow into the parking lot. The main parking field that is situated east of the building has been laid out with a combination of 90 degree and 60 degree parking stalls to create an efficient traffic flow scenario while minimizing conflict with drive-thru traffic. Provisions have also been made for development of an internal roadway that will connect to the stub provided by the Water Street Brewery development that is immediately east of this project. Having this internal roadway connection between outlots will reduce the traffic load on West Town Square for vehicles traveling between adjacent uses. Deliveries to the site will occur weekly with



Chick-fil-A, Inc.
5200 Buffington Road
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the larger delivery vehicle visiting the site once a week to the smaller single axel vendor trucks coming in every couple days. A trash enclosure is proposed at the rear of the building which will be constructed out of CMU with brick veneer to match the building. The gates for the enclosure will be constructed out of a plastic resin that we've found to be more durable than metal and certainly wood.

O:\86140342\Written Explanation D10715.doc

SITE PLAN DESIGN NOTES & KEY PLAN

- 1 DIRECTIONAL ARROW
- 2 DRIVE-THRU GRAPHICS
- 3 STOP LINE GRAPHIC
- 4 PAINTED HANDICAP PARKING SYMBOL
- 5A STANDARD PARKING STALL (9'x19') PER CODE
- 5B STANDARD 60' PARKING STALL (9'x19') PER CODE
- 5C 4" SOLID WHITE STRIPING
- 5D 4" SOLID YELLOW STRIPING
- 5E 4" SKIP DASH YELLOW STRIPING

ALL SIGNS SHALL CONFORM TO THE "MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES" BY THE U.S. DEPARTMENT OF TRANSPORTATION. (SEE SIGN LEGEND)

- 6A DENOTES "STOP" R1-1, 30" X 30" (TYP.)
- 6B DENOTES "HANDICAPPED PARKING" R7-8, 12" X 18" (TYP.)
- 6C DENOTES "DO NOT ENTER" R5-1, 30" X 30" (TYP.)
- 6D DENOTES "PEDESTRIAN CROSSWALK" 12" X 18"

SITE DATA:

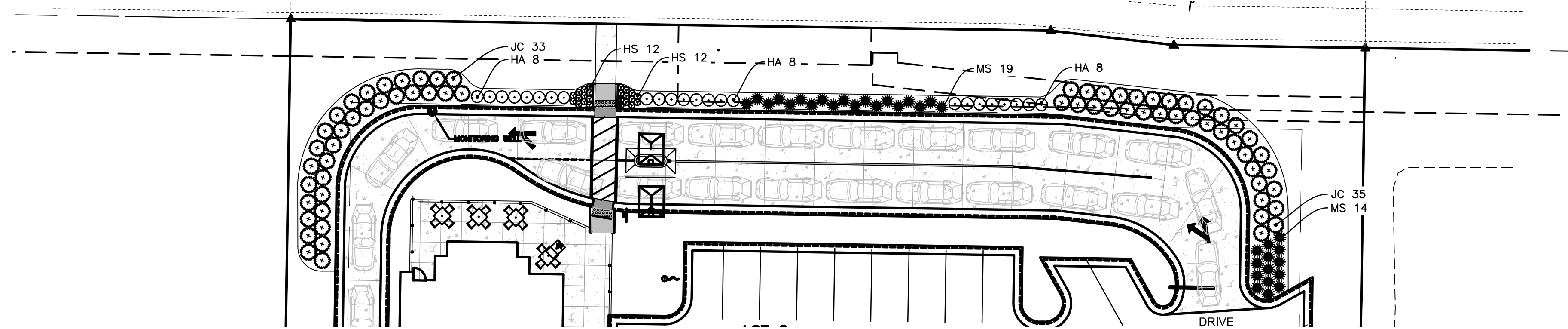
- LOT SIZE: 71,003± SQ. FT. (1.63 AC.)
- BUILDING AREA:**
- BUILDING FOOT PRINT: 4,876± SQ. FT.
- FLOOR AREA RATIO (F.A.R.) = 0.069
- PARKING DATA:**
- NUMBER OF (9.0'x18.0') PARKING STALLS: 47
- NUMBER OF (9.0'x18.0') 60' PARKING STALL: 13
- NUMBER OF ADA (9.0'x18.0') STALLS: 3
- TOTAL NUMBER OF STALLS PROVIDED: 63
- TOTAL NUMBER OF STALL REQUIRED: 48
- TYPICAL PARKING WIDTH: 9.0'
- TYPICAL PARKING LENGTH: 18.0'
- TYPICAL ISLE WIDTH: 24.0'
- PARKING FORMULA: 1 SPACE PER 50SF OF GROSS DINING AREA; PLUS 1 SPACE PER EMPLOYEE FOR THE WORK SHIFT WITH THE LARGEST NUMBER OF EMPLOYEES.

CHICK-FIL-A - OAK CREEK, WI
February 2, 2015

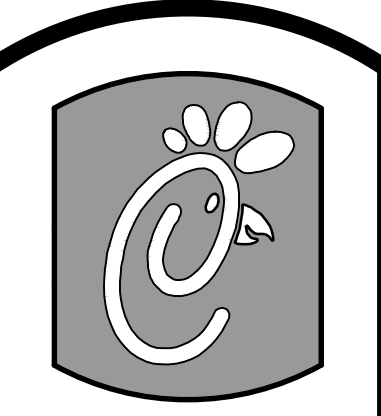
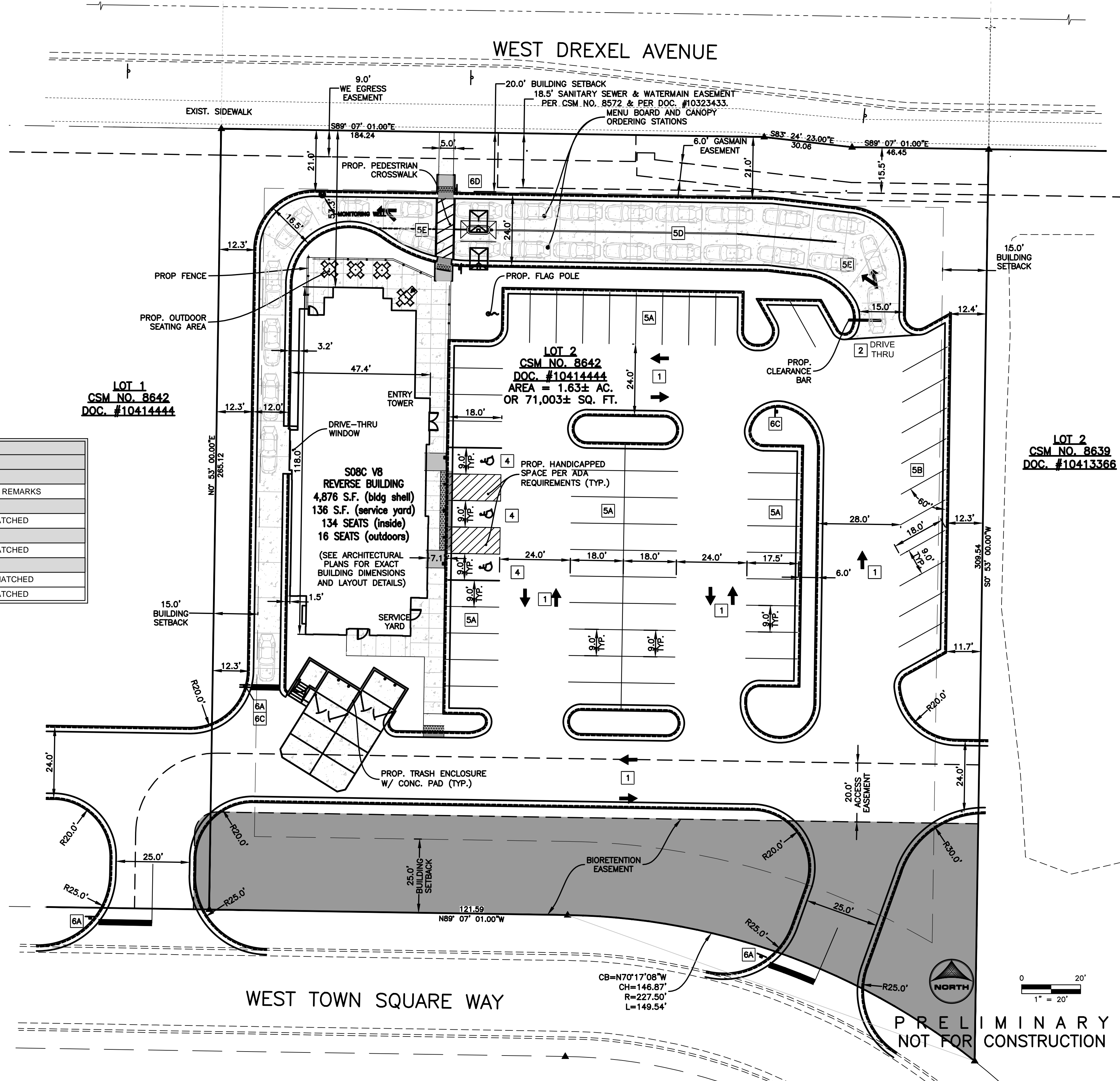
MATERIALS SCHEDULE

QTY	KEY	BOTANICAL NAME/ITEM	COMMON NAME	SIZE	COND	REMARKS
DECIDUOUS SHRUBS						
24	HA	HYDRANGEA ARBORESCENS 'NCHA1'	HYDRANGEA	#3	CONT.	3' O.C.; MATCHED
EVERGREEN SHRUBS						
68	JC	JUNIPERUS CHINENSIS 'SEA GREEN'	JUNIPER	#6	CONT.	4' O.C.; MATCHED
PERENNIALS AND GRASSES						
24	HS	HEMEROCALLIS 'STELLA DE ORO'	DAYLILY	#1	CONT.	18" O.C.; MATCHED
33	MS	MISCANTHUS SINENSIS 'HURON SUNRISE'	MAIDEN GRASS	#1	CONT.	3' O.C.; MATCHED

PRELIMINARY LANDSCAPE SCREENING:



SITE PLAN:



Chick-fil-A
5200 Buffington Rd.
Atlanta Georgia,
30349-2998

Revisions:

Mark	Date	By
△		
△		
△		



STORE #3576
OAKCREEK
FSU S08C-V8

DREXEL TOWN SQUARE
OAKCREEK, WI 53154

SHEET TITLE
CONCEPT PLAN A

DWG EDITION
REVISION

Job No. : 86140342
Store : #3576
Date : 12/09/14
Drawn By : TRE
Checked By: PJH

Sheet
CON-A

Plotted By: adavis, PlotDate: Feb 03, 2015, 1:51pm, PlotPath: C:\Users\adavis\Documents\86140342\A1_Survey.dwg; 86140342_x1-dgn.dwg; C:\00_P\Cont_L_15000_2010.dwg;
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Plan Commission Report

ITEM: 5a

DATE: February 10, 2015

PROJECT: Certified Survey Map – John Casucci, RA Smith National

ADDRESS: 7902 S. 6th St. (formerly 331 W. Drexel Ave.)

TAX KEY NO: 813-9052 (formerly 813-9031)

STAFF RECOMMENDATION: That Plan Commission recommends to the Common Council that the Certified Survey Map submitted by John Casucci, RA Smith National, for the property at 7902 S. 6th Street be approved with the condition that any technical corrections are made prior to recording.

Ownership: One West Drexel, LLC, 301 W. Wisconsin Ave., Ste. 400, Milwaukee, WI 53202

Size: 2.5006 acres

Existing Zoning: DTSMUPDD, Drexel Town Square Mixed Use Planned Development District

Adjacent Zoning:

- North – M-1, Manufacturing; C-1, Shoreland Wetland Conservancy; FF, Flood Fringe; FW, Floodway
- East – DTSMUPDD, Drexel Town Square Mixed Use Planned Development District
- South – DTSMUPDD, Drexel Town Square Mixed Use Planned Development District
- West – DTSMUPDD, Drexel Town Square Mixed Use Planned Development District

Comprehensive Plan: Planned Mixed Use.

Wetlands: N/A.

Floodplain: N/A

Official Map: Yes, South 6th Street to the west.

Commentary: The Applicant is requesting approval of a Certified Survey Map (CSM) that would split the property at 331 W. Drexel Ave. into two lots of conforming size and width. Lot 1 will be 1.4894 acres following division; Lot 2 will be 1.0174 acres following division. It is anticipated that a multitenant building will be constructed on Lot 1, which will share a parking lot with Lot 2. Mixed use buildings similar to those on the southern part of Main Street are anticipated for Lot 2 at this time.

Prepared by:

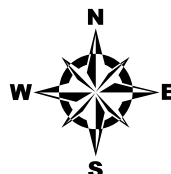
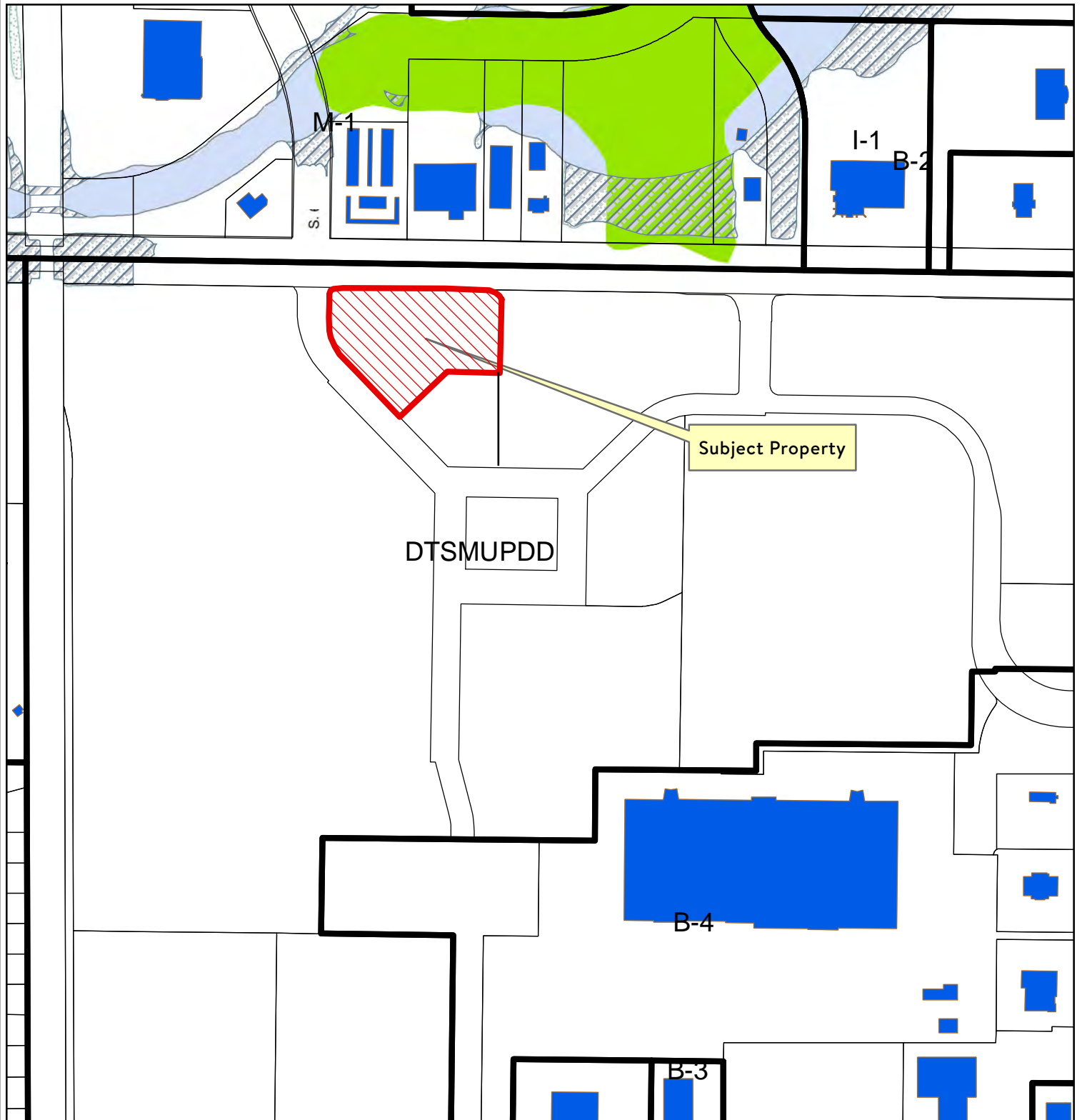
Kari Papelbon, CFM, AICP
Planner

Respectfully Submitted by:

Douglas Seymour, AICP
Director of Community Development

Location Map

7902 S. 6th St.



This map is not a survey of the actual boundary of any property this map depicts.

Legend	
	7902 S. 6th St.
	Floodfringe
	Floodway
	Flood Fringe (FF)
	Shoreland Wetland Conservancy (C-1)
	Lakefront Overlay District (LOD)
	Mixed Use Neighborhood Overlay (NO)
	Mixed Use Office Overlay (OO)
	Regional Retail Overlay District (RR)

CERTIFIED SURVEY MAP NO. _____

A division of Lot 1 of Certified Survey Map No. 8643 and part of vacated South 6th Street, in the Northeast 1/4 of the Northeast 1/4 of Section 17, Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

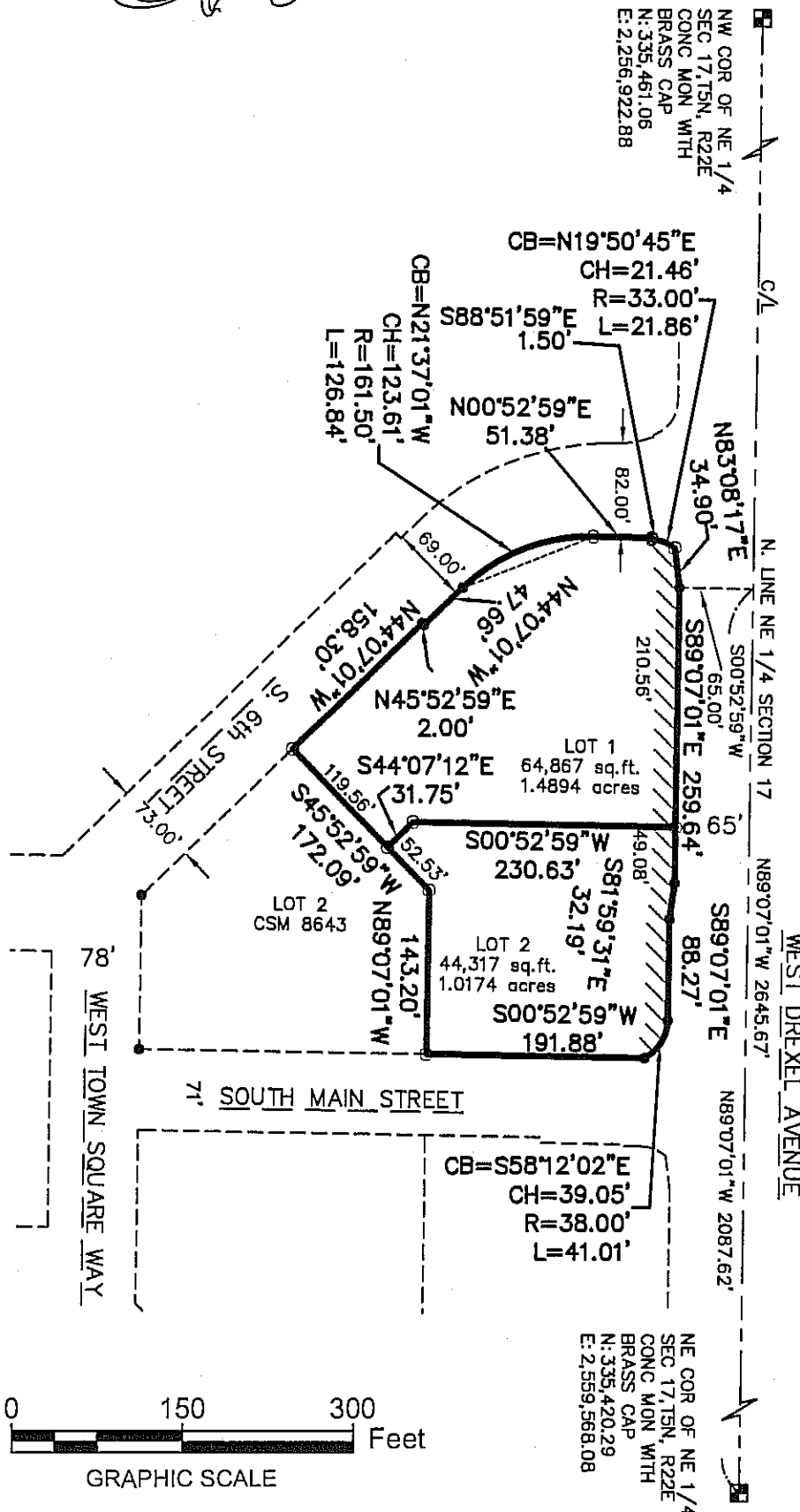
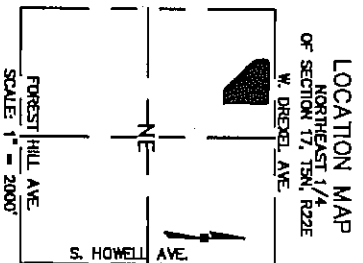
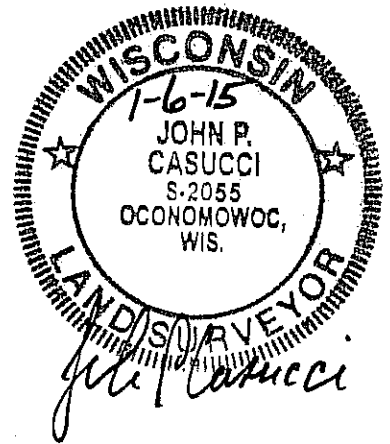
THESE PARCELS ARE AFFECTED BY OFFICIALLY MAPPED STREETS.

- INDICATES 1" IRON PIPE (FOUND), UNLESS NOTED
- INDICATES SET 1.315" O.D. IRON PIPE AT LEAST 18" IN LENGTH, 1.68 LBS. PER LINEAL FOOT.

SEE SHEET 2 FOR EASEMENT DETAILS

ALL DIMENSIONS SHOWN ARE MEASURED TO THE NEAREST HUNDREDTH OF A FOOT.
 ALL BEARINGS ARE REFERENCED TO THE N. LINE OF THE NE 1/4 OF SECTION 17, T 5 N, R 22 E, WHICH BEARS N89°D'01"W OF THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE

LOT 1 AND LOT 2 RESTRICTED TO NO DIRECT VEHICULAR ACCESS TO WEST DREXEL AVENUE



TRAFFIC VISIBILITY

Per SEC. 17.0401 of the City of Oak Creek Zoning Code, No obstructions, such as structures, parking, or vegetation, shall be permitted in any district between the heights of two and one-half (2 1/2) feet and 10 feet above the plane through the mean curb grades within the triangular space formed by any two (2) existing or proposed intersecting street or alley right-of-way lines and a line joining points on such lines located a minimum of 15 feet from their intersection. In the Case of Arterial Streets intersecting with other streets or railways, the corner cut-off distances establishing the vision triangle clearance space shall be increased to 50 feet. Illustrations are provided in SEC 17 of the Zoning Code.

R.A. Smith National, Inc.

*Beyond Surveying
and Engineering*

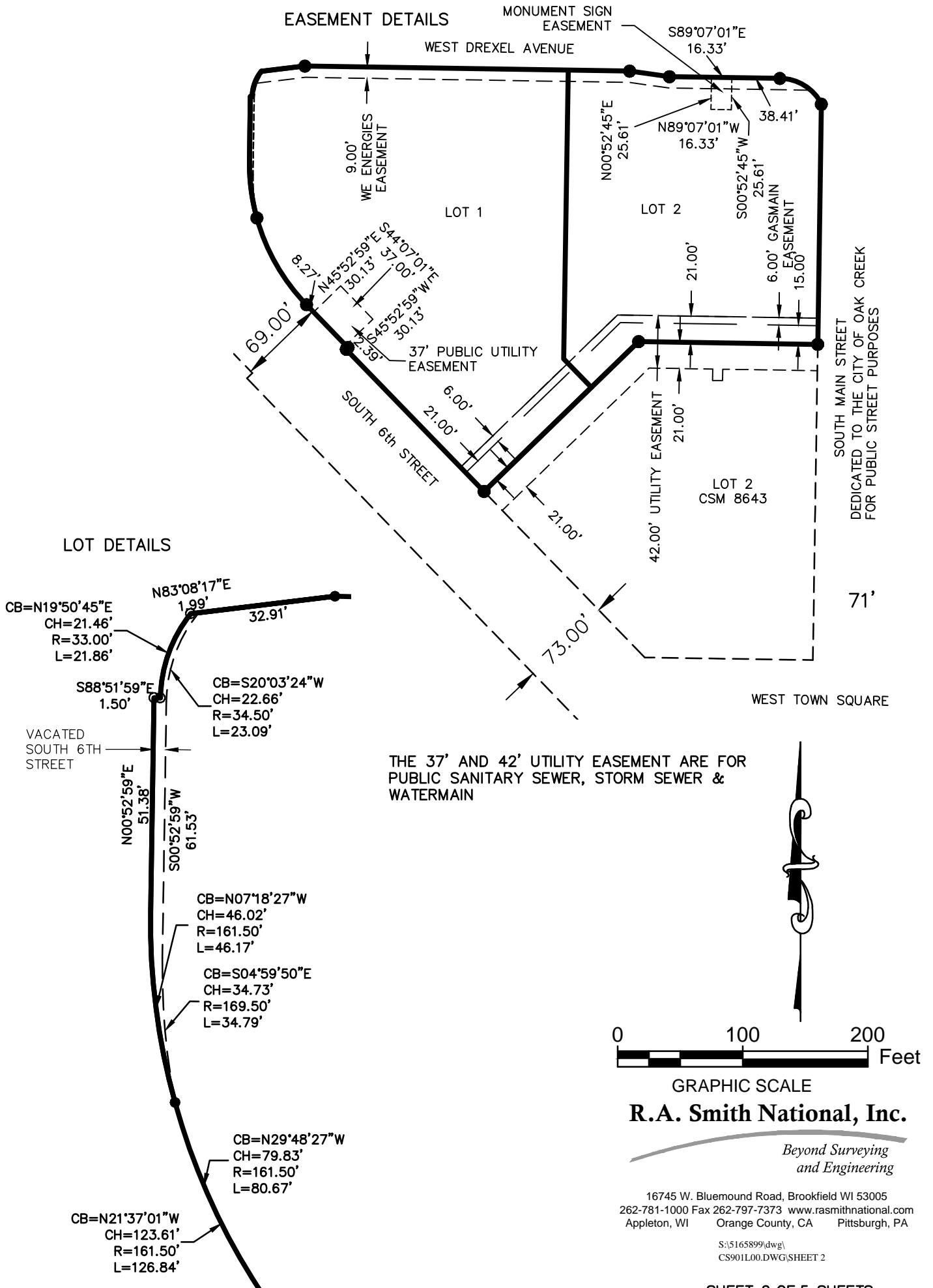
16745 W. Bluemound Road, Brookfield WI 53005
 262-781-1000 Fax 262-797-7373 www.rasmithnational.com
 Appleton, WI Orange County, CA Pittsburgh, PA

S:\5165899\dwg\CS901L00.DWG\SHEET 1



CERTIFIED SURVEY MAP NO. _____

A division of Lot 1 of Certified Survey Map No. 8643 and part of vacated South 6th Street, in the Northeast 1/4 of the Northeast 1/4 of Section 17, Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.





Plan Commission Report

ITEM: 5b
DATE: February 10, 2015

PROJECT: Certified Survey Map – John Casucci, RA Smith National

ADDRESS: 601 W. Drexel Ave.

TAX KEY NO: 813-9023-002

STAFF RECOMMENDATION: That Plan Commission recommends to the Common Council that the Certified Survey Map submitted by John Casucci, RA Smith National, for the property at 601 W. Drexel Ave. be approved with the condition that any technical corrections are made prior to recording.

Ownership: One West Drexel, LLC, 301 W. Wisconsin Ave., Ste. 400, Milwaukee, WI 53202

Size: 32.846 acres

Existing Zoning: DTSMUPDD, Drexel Town Square Mixed Use Planned Development District

Adjacent Zoning:
North – M-1, Manufacturing; FF, Flood Fringe; FW, Floodway
East – DTSMUPDD, Drexel Town Square Mixed Use Planned Development District
South – M-1, Manufacturing; B-4 (CU), Highway Business
West – Rm-1 (PUD), Multifamily Residential; Rs-3, Single Family Residential

Comprehensive Plan: Planned Mixed Use.

Wetlands: Yes, as depicted on the CSM.

Floodplain: N/A

Official Map: Yes, South 6th Street to the east.

Commentary: The Applicant is requesting approval of a Certified Survey Map (CSM) that would split the property at 601 W. Drexel Ave. into two lots of conforming size and width, and one Outlot. This is the first of two CSMs submitted for review for this evening. Lot 1 will be 6.9025 acres following division, and will be developed with a Froedtert facility. Lot 2 will be 7.9882 acres following division, and will be developed in phases with the Emerald Row apartments. Outlot 1 will be dedicated as a public wetland park.

Prepared by:

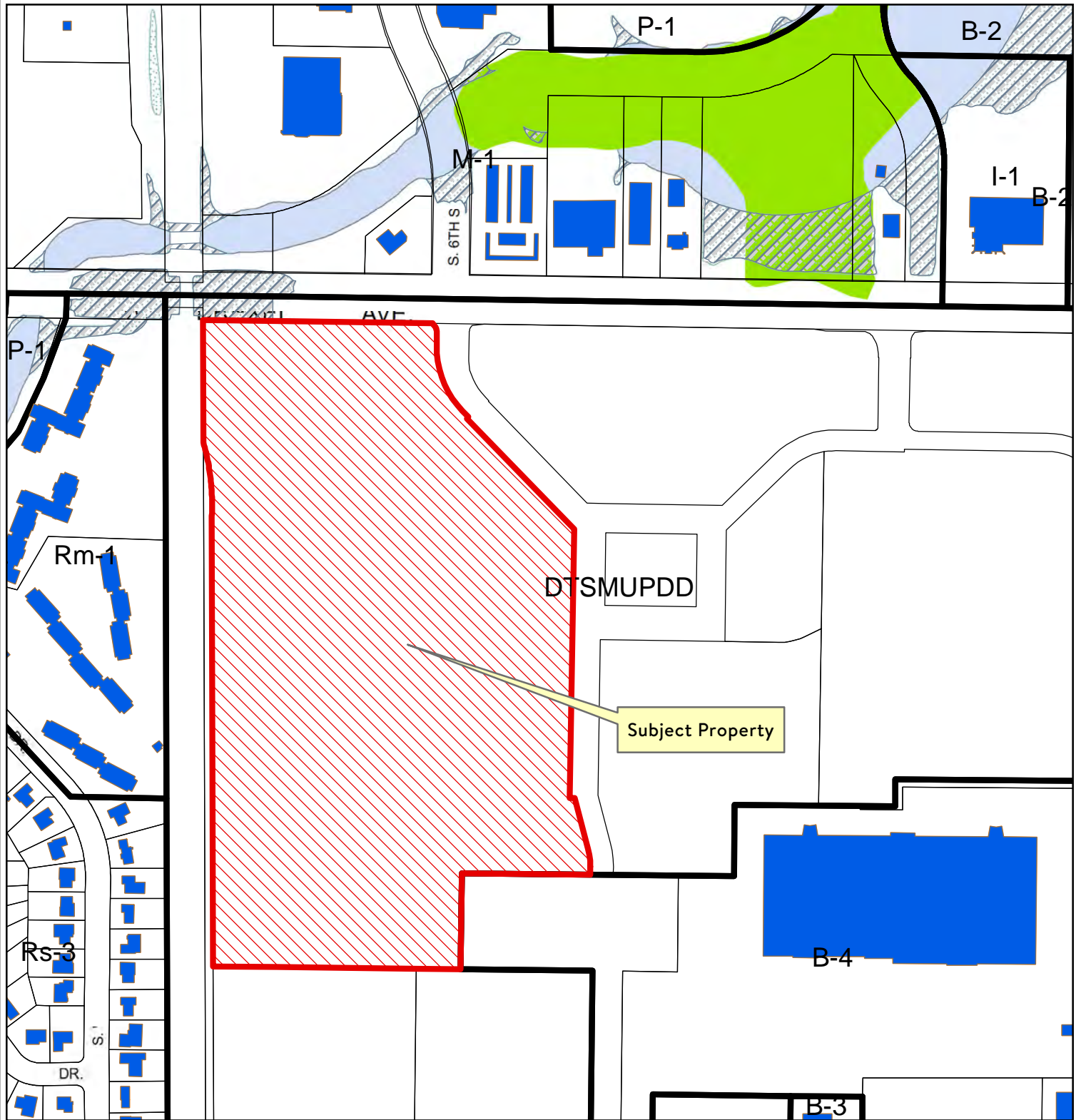
Kari Papelbon, CFM, AICP
Planner

Respectfully Submitted by:

Douglas Seymour, AICP
Director of Community Development

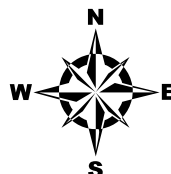
Location Map

601 W. Drexel Ave.



OAKCREEK
— WISCONSIN —

Department of Community Development



Legend	
	601 W. Drexel Ave.
	Floodfringe
	Flood Fringe (FF)
	Shoreland Wetland Conservancy (C-1)
	Lakefront Overlay District (LOD)
	Mixed Use Neighborhood Overlay (NO)
	Mixed Use Office Overlay (OO)
	Regional Retail Overlay District (RR)

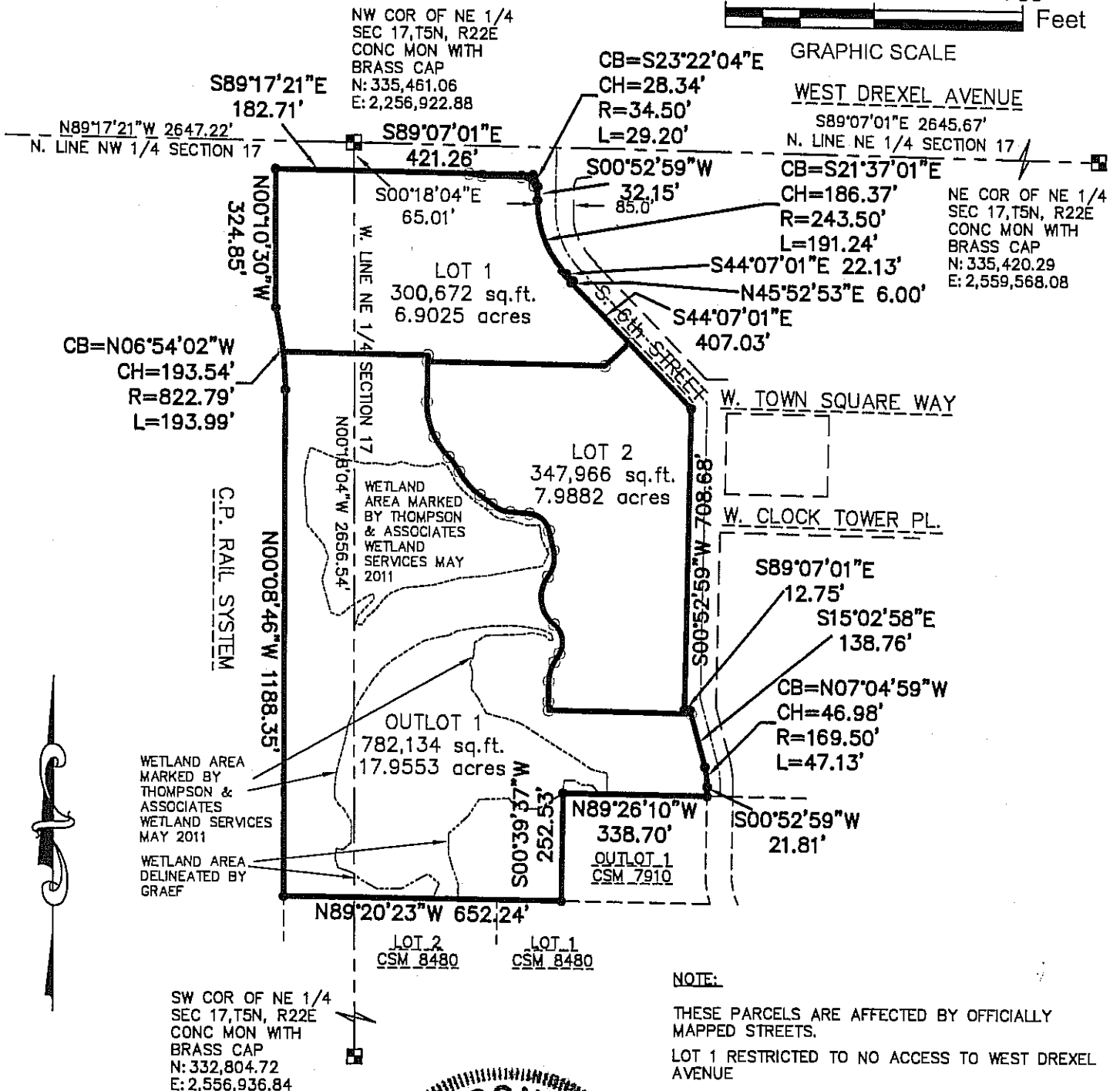
This map is not a survey of the actual boundary of any property this map depicts.

CERTIFIED SURVEY MAP NO. _____

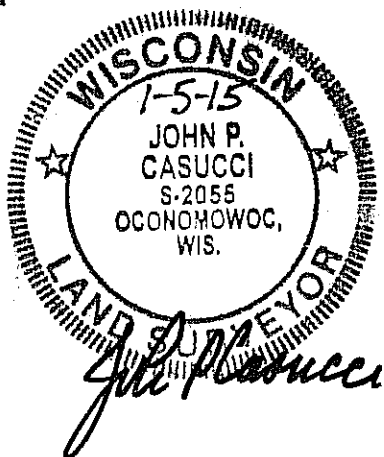
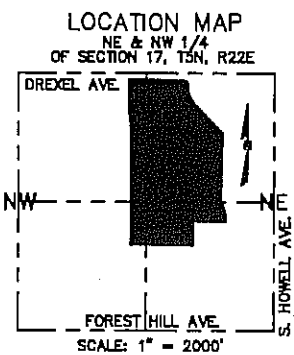
A division of Lot 1 of Certified Survey Map No. 8542, being a part of the Northeast 1/4 and Southeast 1/4 of the Northwest 1/4 and the Northwest 1/4 and Southwest 1/4 of the Northeast 1/4 of Section 17, Town 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

- INDICATES 1" IRON PIPE (FOUND), UNLESS NOTED
- INDICATES SET 1.315" O.D. IRON PIPE AT LEAST 18" IN LENGTH, 1.68 LBS. PER LINEAL FOOT.
- Ⓢ INDICATES DEDICATED TO THE CITY OF OAK CREEK FOR PUBLIC STREET PURPOSES

ALL DIMENSIONS SHOWN ARE MEASURED TO THE NEAREST HUNDREDTH OF A FOOT. ALL BEARINGS ARE REFERENCED TO THE N. LINE OF THE NE 1/4 OF SECTION 17, T 5 N, R 22 E, WHICH BEARS N89°07'01"W OF THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE



NOTE:
THESE PARCELS ARE AFFECTED BY OFFICIALLY MAPPED STREETS.
LOT 1 RESTRICTED TO NO ACCESS TO WEST DREXEL AVENUE



R.A. Smith National, Inc.

Beyond Surveying and Engineering

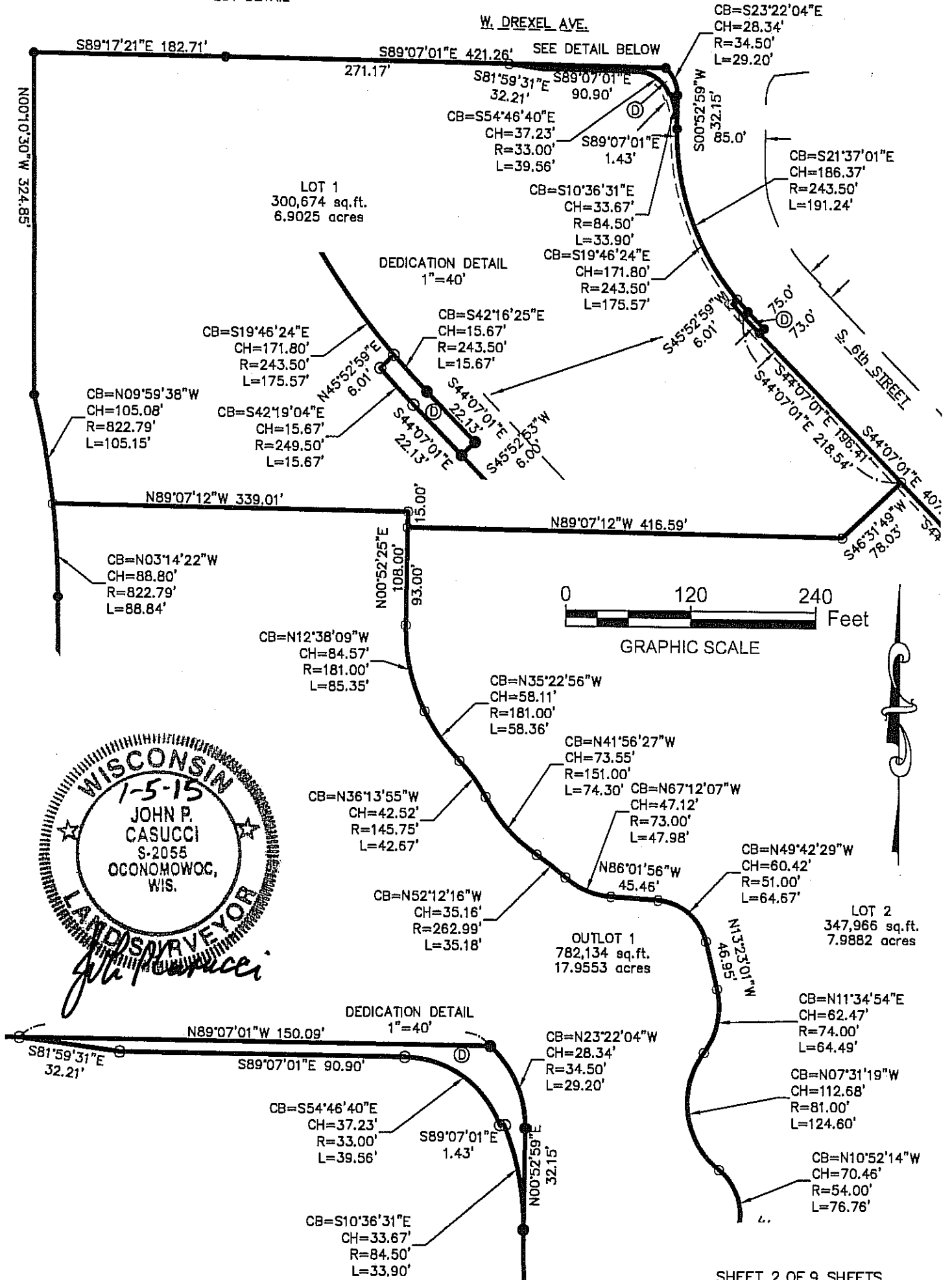
16745 W. Bluemound Road, Brookfield WI 53005
262-781-1000 Fax 262-797-7373 www.rasmithnational.com
Appleton, WI Orange County, CA Pitsburgh, PA

S:\165899\dwg\CSA01100.DWG\SHEET 1

CERTIFIED SURVEY MAP NO. _____

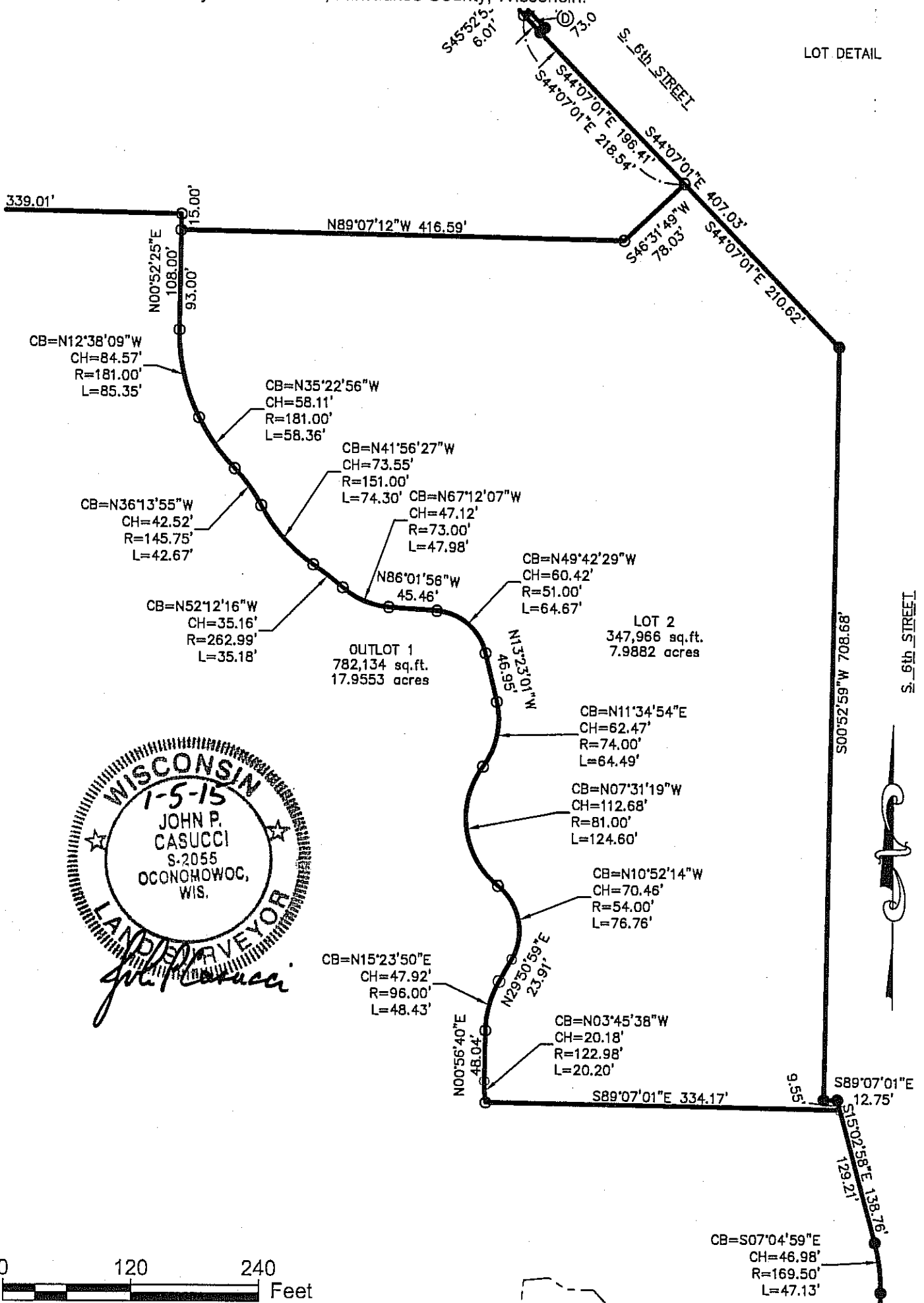
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LOT DETAIL



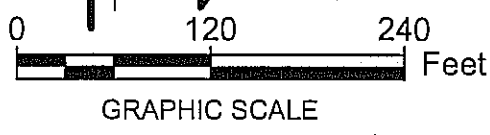
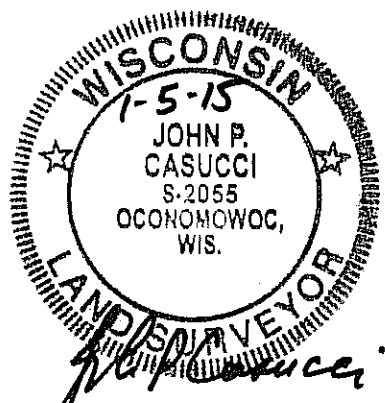
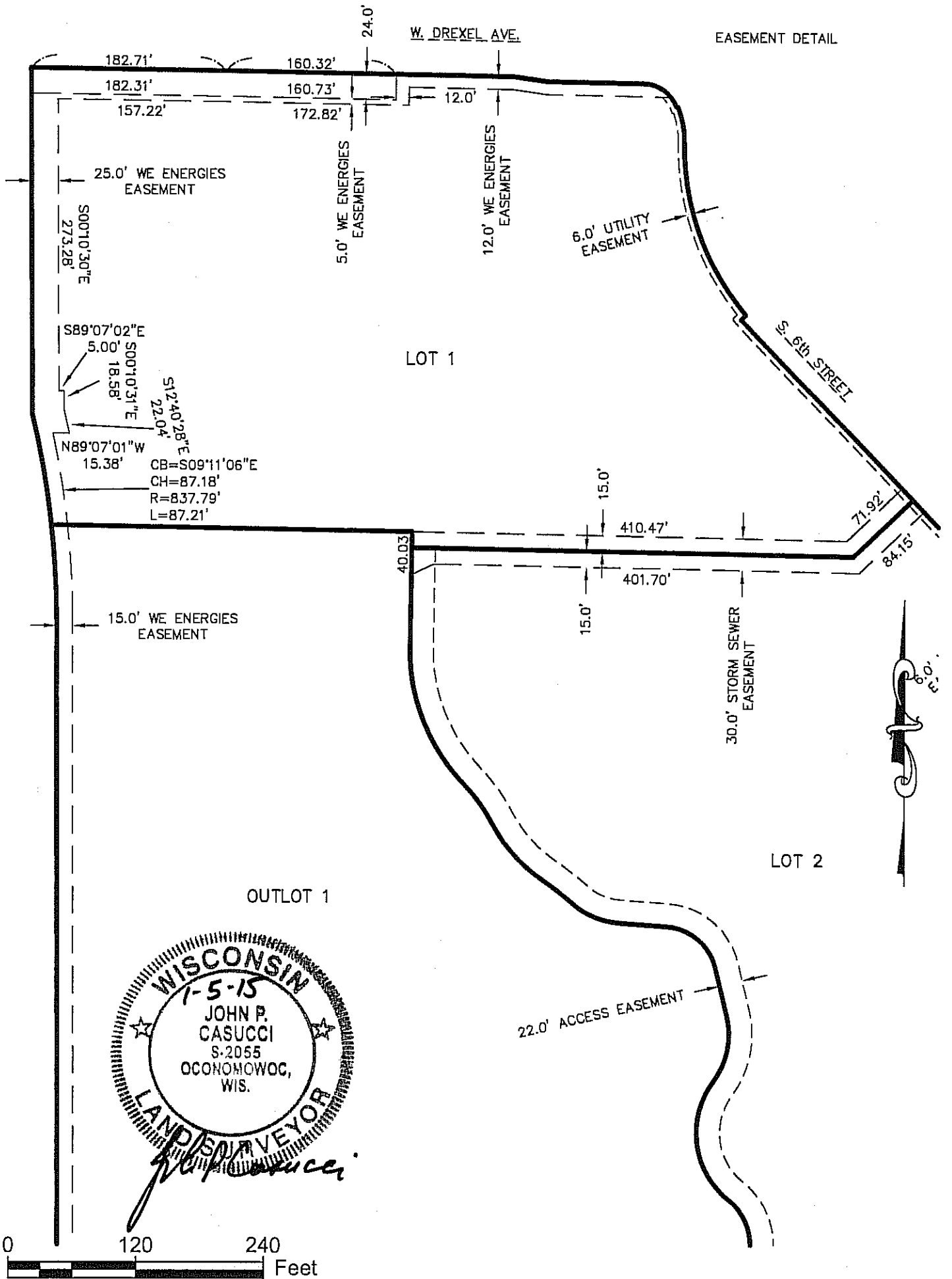
CERTIFIED SURVEY MAP NO. _____

A division of Lot 1 of Certified Survey Map No. 8542, being a part of the Northeast 1/4 and Southeast 1/4 of the Northwest 1/4 and the Northwest 1/4 and Southwest 1/4 of the Northeast 1/4 of Section 17, Town 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.



CERTIFIED SURVEY MAP NO. _____

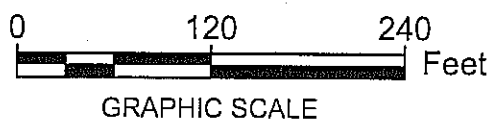
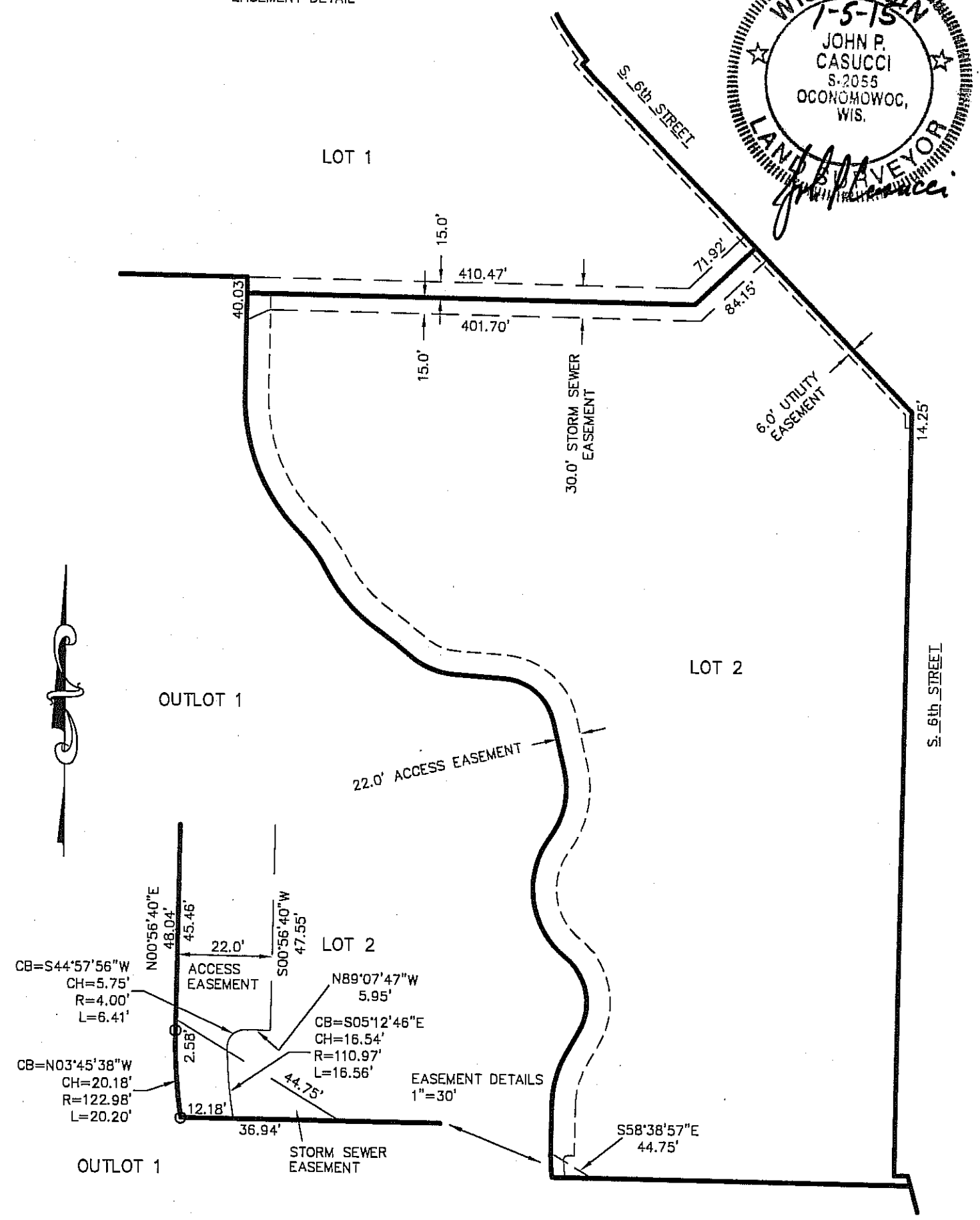
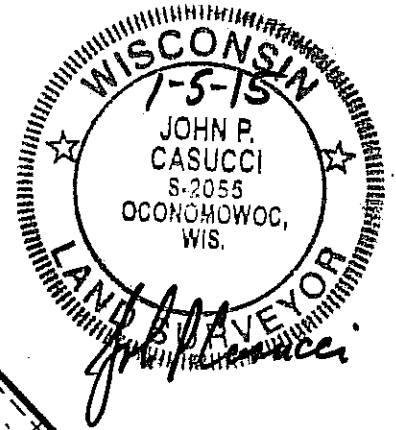
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CERTIFIED SURVEY MAP NO. _____

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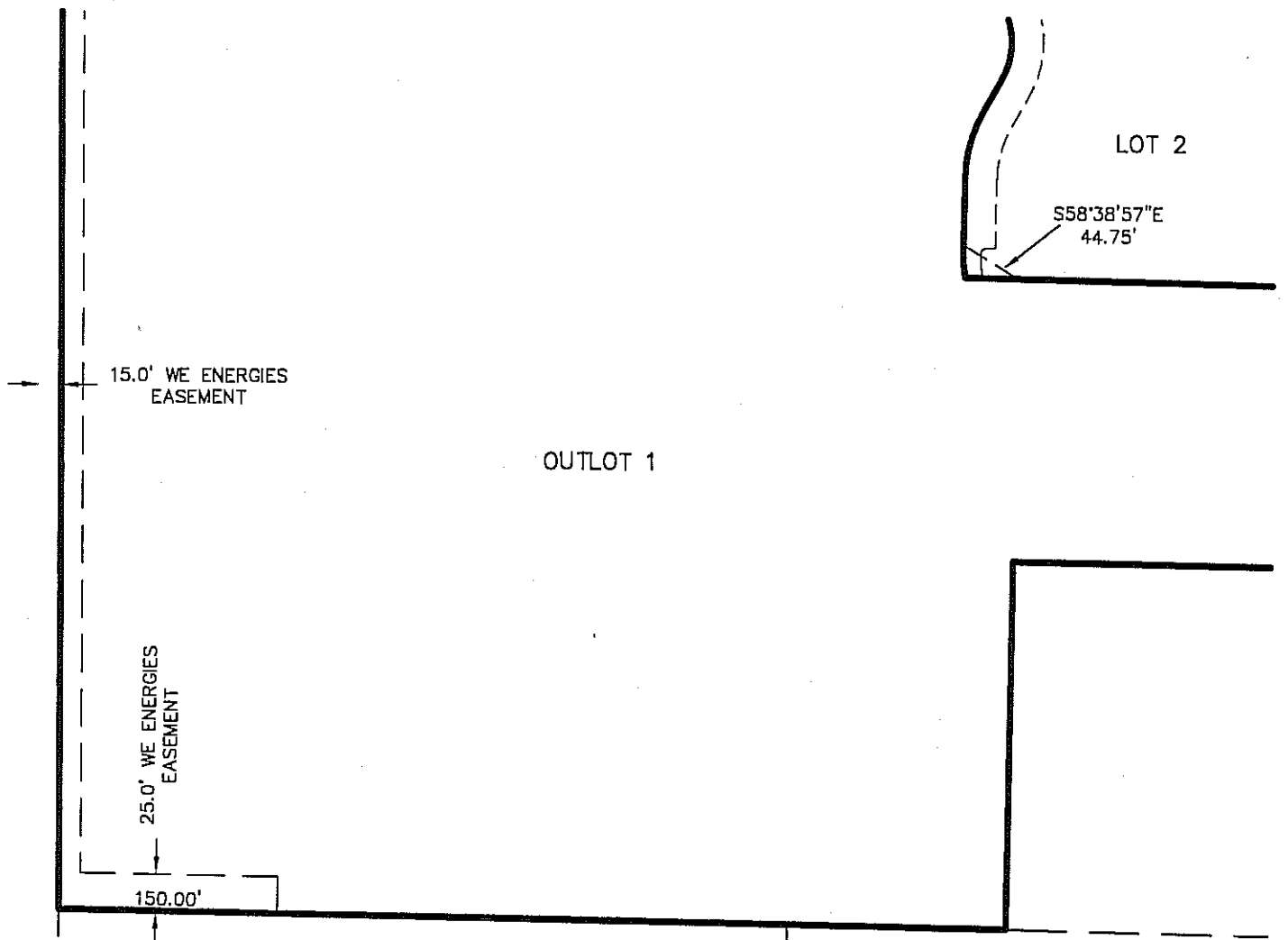
EASEMENT DETAIL



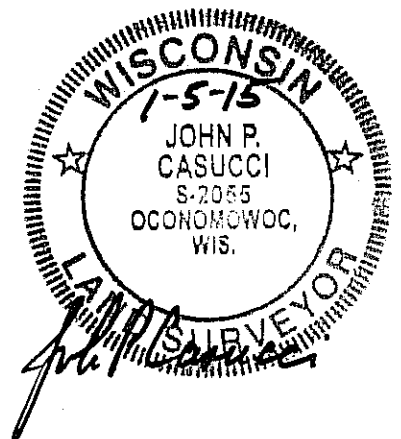
CERTIFIED SURVEY MAP NO. _____

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EASEMENT DETAIL



GRAPHIC SCALE

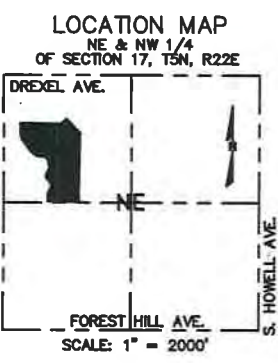
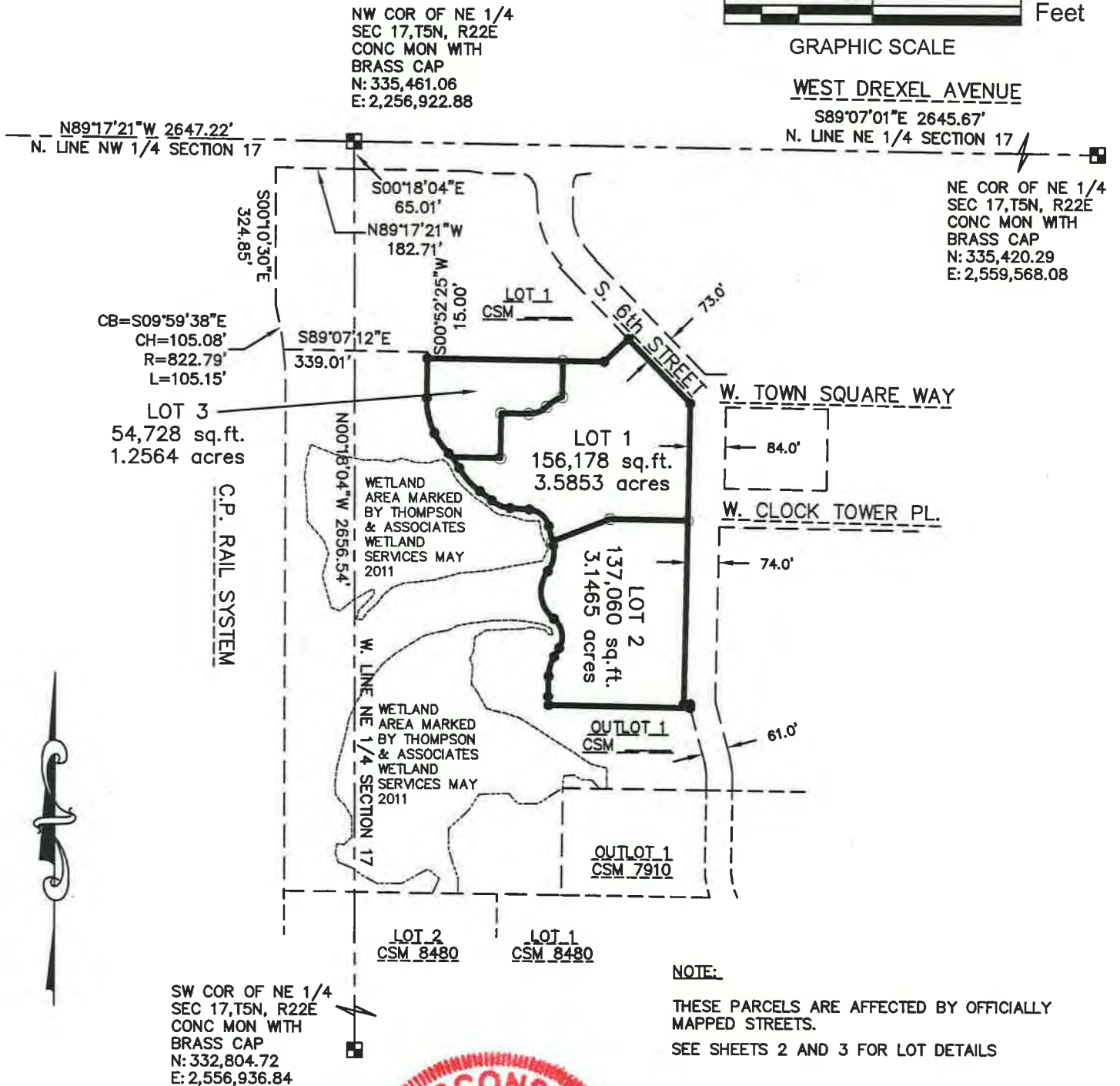


CERTIFIED SURVEY MAP NO. _____

A division of Lot 2 of Certified Survey Map No. _____, being a part of the Northwest 1/4 of the Northeast 1/4 of Section 17, Town 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

- INDICATES 1" IRON PIPE (FOUND), UNLESS NOTED
- INDICATES SET 1.315" O.D. IRON PIPE AT LEAST 18" IN LENGTH, 1.68 LBS. PER LINEAL FOOT.

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R.A. Smith National, Inc.
Beyond Surveying and Engineering

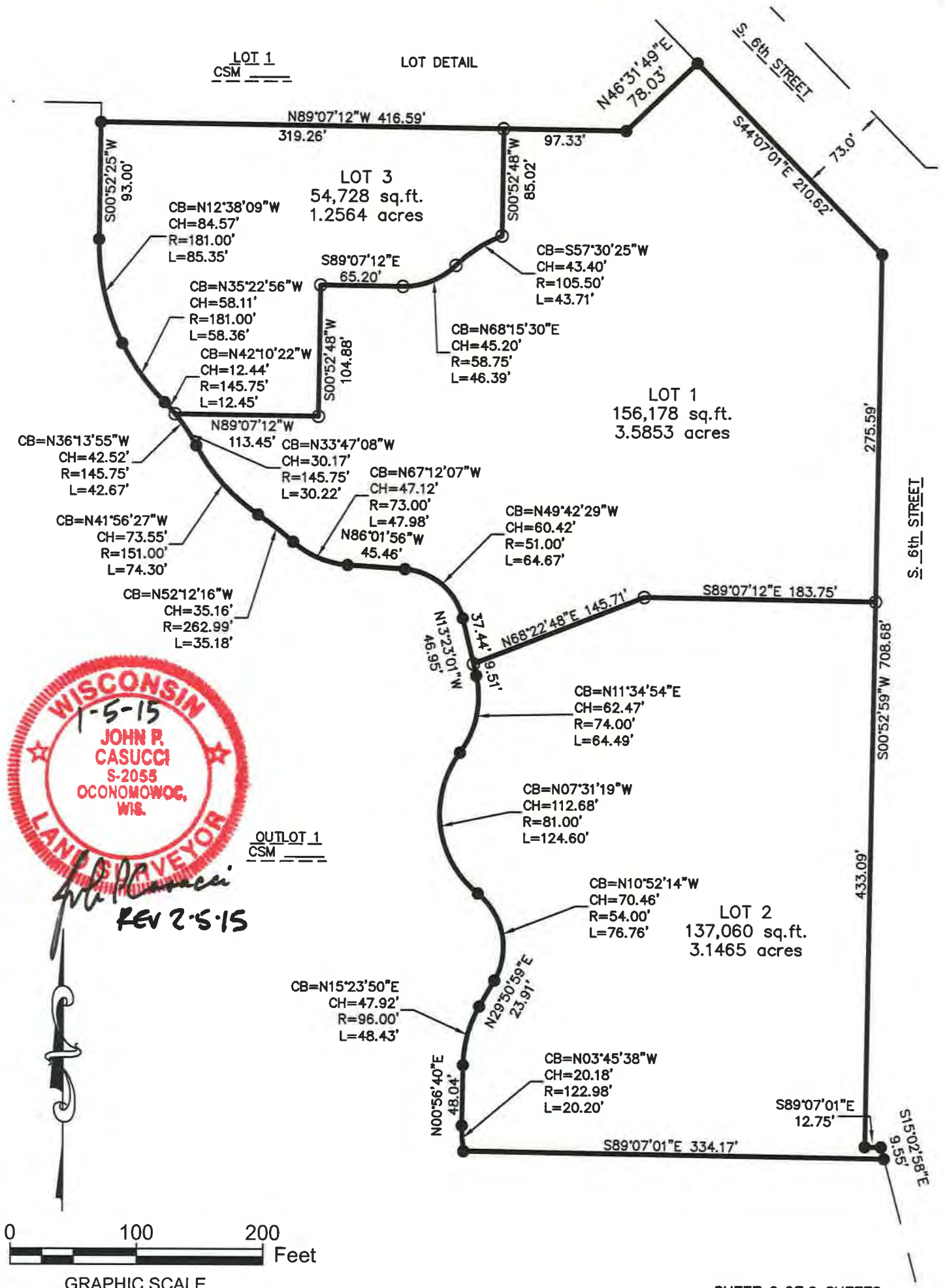
16745 W. Bluemound Road, Brookfield WI 53005
 262-781-1000 Fax 262-797-7373 www.rasmithnational.com
 Appleton, WI Orange County, CA Pittsburgh, PA

S:\S165899\dwg\CSB01L00.DWG\SHEET 1

SHEET 1 OF 6 SHEETS

CERTIFIED SURVEY MAP NO. _____

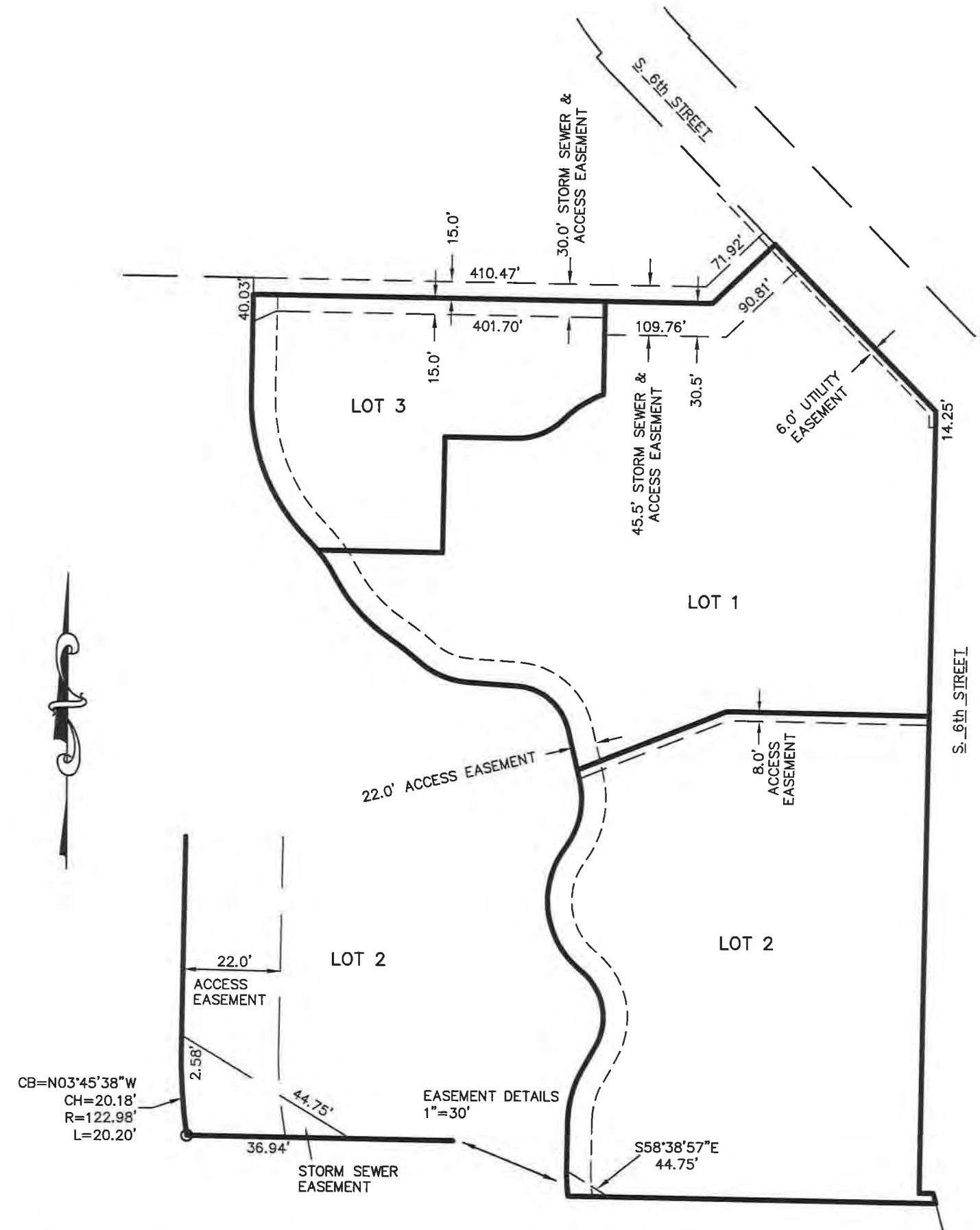
A division of Lot 2 of Certified Survey Map No. _____, being a part of the Northwest 1/4 of the Northeast 1/4 of Section 17, Town 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.



CERTIFIED SURVEY MAP NO. _____

A division of Lot 2 of Certified Survey Map No. _____, being a part of the Northwest 1/4 of the Northeast 1/4 of Section 17, Town 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

EASEMENT DETAIL





Plan Commission Report

ITEM: 5d
DATE: February 10, 2015

PROJECT: Temporary Use – Stein Gardens and Gifts – Kohl’s Parking Lot

ADDRESS: 9035 S. Howell Avenue

TAX KEY NO: 859-9035

STAFF RECOMMENDATION: That the Plan Commission approves the temporary use permit for the temporary garden center at 9035 S. Howell Avenue, subject to the following conditions:

1. That all building and fire codes are met.
2. That the temporary use shall expire on July 12, 2015.

Ownership: Continental 77 Fund LLC

Size: 9.92 acres

Existing Zoning: B-4, Highway Business District

Adjacent Zoning: north – Rm-1, Multifamily Residential
 east – B-2, Office Professional
 south – Rm-1, Multi-family, I-1, Institutional
 west – Rm-1, Multi-family PUD

Comprehensive Plan: Planned Business

Wetlands: No

Floodplain: No

Official Map: No officially mapped streets affect this parcel.

Commentary: Stein Gardens & Gifts is requesting a temporary use permit that would allow them to operate a temporary garden center, Stein Just Plants seasonal flower mart, in the Kohl’s parking lot at 9035 S. Howell Avenue. Stein has received landowner permission to operate in 2015.

The garden center would be located in the southeast corner of the parking lot using approximately 16 parking spaces (highlighted on the site plan). The garden center will consist of one tent, multiple metal racks of garden products, small shed and other garden supplies (photo included in your packet). The garden center will be enclosed by a wood picket fence to provide a barrier between traffic and customers. Electricity, water, trash, restroom facilities, and security concerns are addressed in your packet. Staff received no complaints about the operation of Just Plants in 2014.

If granted, the garden center will be installed in April and operate from the last week in April through the first week in July. Before the applicant can open the garden center, they will need to receive a tent permit.

Prepared by:

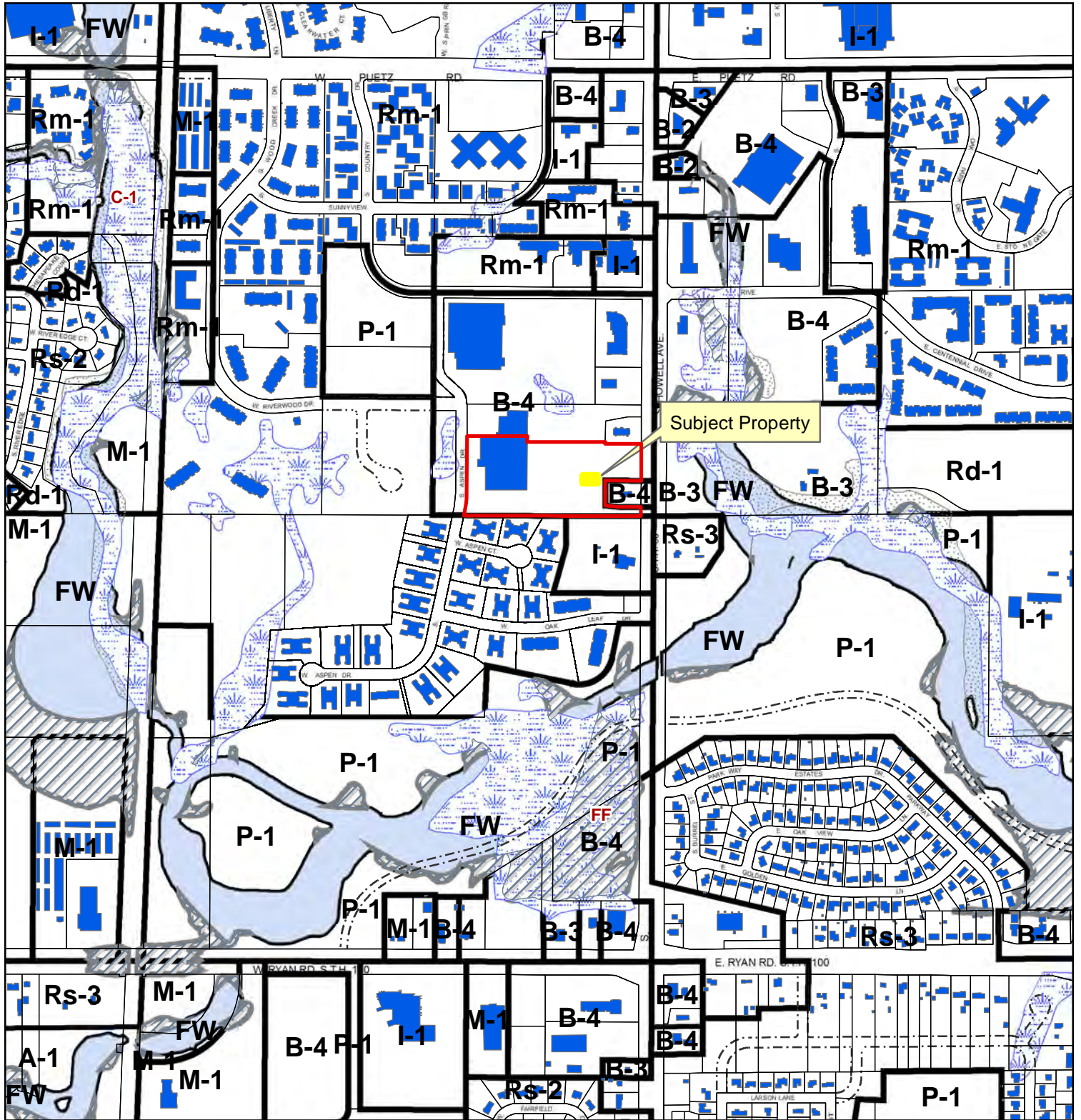
Peter Wagner
Zoning Administrator/Planner

Respectfully Submitted by:

Douglas Seymour, AICP
Director of Community Development

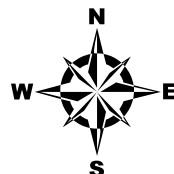
Location Map

9035 S. Howell Avenue



OAKCREEK
— WISCONSIN —

Department of Community Development





January 12, 2015

Plan Commission
City of Oak Creek
8640 S. Howell Ave.
Oak Creek, WI 53154

Stein Gardens & Gifts is seeking a Temporary Use Permit to operate a Stein Just Plants seasonal flower mart located in the City of Oak Creek again in the spring 2015. Stein Gardens & Gifts has secured permission from Kohl's Department Store (Continental 77 Fund, LLC) located at 9035 S. Howell Ave to use a portion of the parking lot for our seasonal flower mart much the same as in 2014. Our intent is to operate the seasonal flower mart from the end of April through the first week of July upon approval of the Temporary Use Permit.

Attached is the *Stein Just Plants* proposal which includes operational information, specifications and site plans and the plot of survey.

If you are in need of any additional information in advance of the Plan Commission meeting, please do not hesitate to contact me.

Sincerely,

Bryan Linstroth
Stein Gardens & Gifts
5400 S. 27th Street
Milwaukee, WI 53221
414-761-5404 Ext. 30031
Fax: 414-761-5413
Email: bryan@steingg.com

KOHL'S

expect **great** things

December 18, 2014

City of Oak Creek
8640 S. Howell Avenue
Oak Creek, WI 53154

RE: Declaration of Reciprocal Easement and Operating Agreement by Continental 77 Fund, LLC dated November 13, 1997, as amended (the "Declaration")
Kohl's Store #109, Oak Creek, Wisconsin (the "Shopping Center")

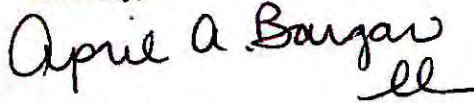
Dear Sir or Madam:

Kohl's Approval Committee has reviewed the Stein Gardens and Gifts request to use a portion of the parking lot at 9035 South Howell Avenue, Oak Creek, Wisconsin for a "Just Plants" seasonal garden market in 2015. Kohl's has conditionally approved said request contingent upon the parties agreeing to final terms and conditions. Please be advised that this conditional consent shall not be deemed a waiver of any other provisions contained in the Declaration for the Shopping Center.

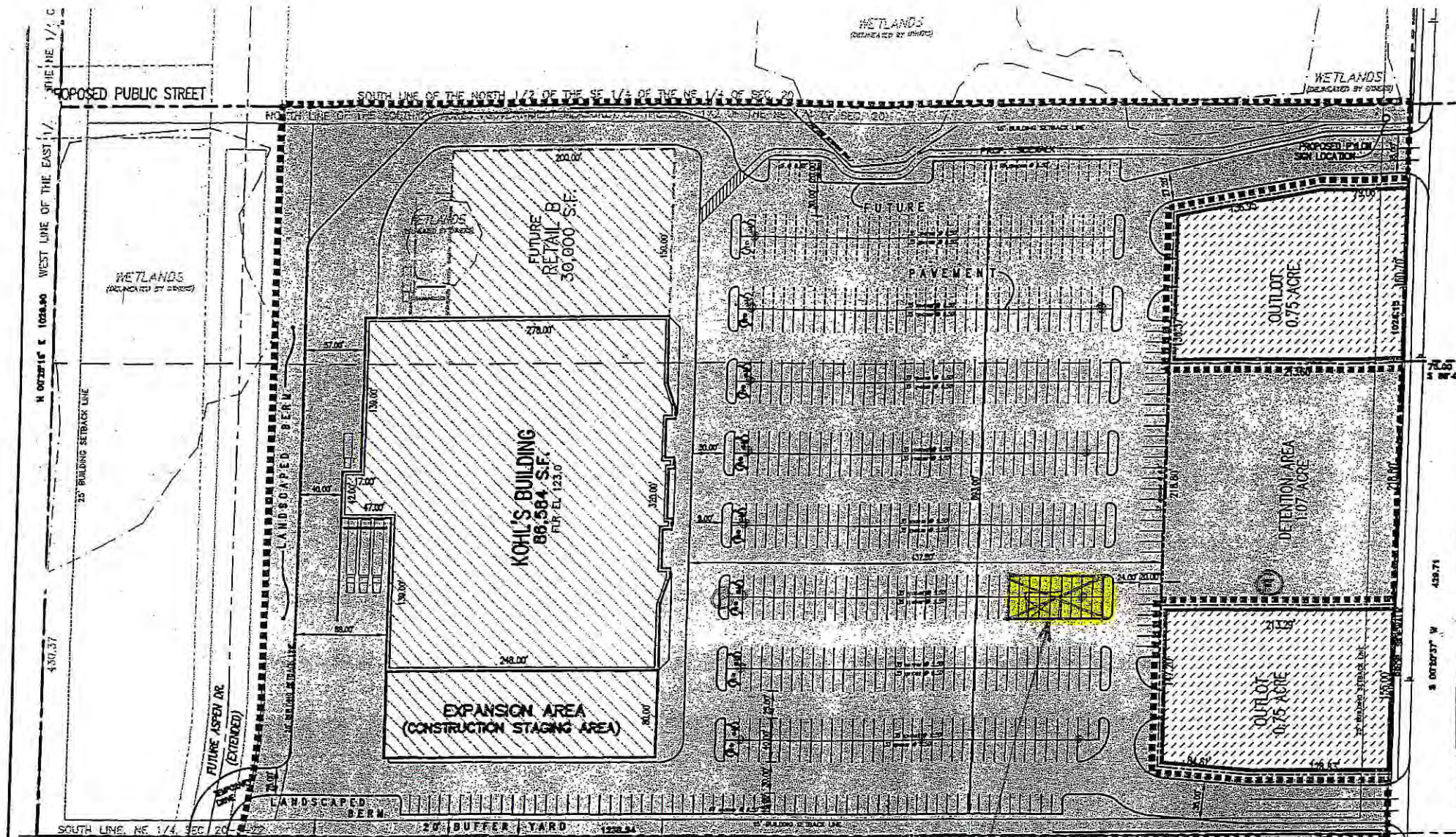
This conditional approval is exclusive to Stein Gardens and Gifts as it operates a majority of its locations on the date hereof, and does not constitute an approval for any other seasonal use in the Shopping Center.

If you have any questions or concerns regarding the approval request, please do not hesitate to contact Lu Ann Lipke, Property Administration Paralegal, at (262) 703-1637 or at luann.lipke@kohls.com.

Sincerely,



April A. Bargar
Manager, Property Administration



NE CORNER OF THE SOUTH 20 ACRES (GOVERNMENT MEASURE) OF THE EAST 1/4 OF THE NE 1/4 OF SEC. 20 STA 215+25.37

LEGEND

----- SHOPPING CENTER

[Hatched Box] OUTLOT

[Stippled Box] COMMON AREA

PARKING SUMMARY

PHASE I
86,584 SF
498 STALLS = 5.8 STALLS/1,000

W/EXPANSION
106,424 SF
562 STALLS = 5.3 STALLS/1,000

TOTAL:
136,424 SF
693 STALLS = 5.1 STALLS/1,000

THE LOCATION OF EXISTING UTILITY INSTALLATIONS AS SHOWN ON THIS PLAN ARE APPROXIMATE. USER SHALL VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO THE COMMENCEMENT OF ALL CONSTRUCTION.

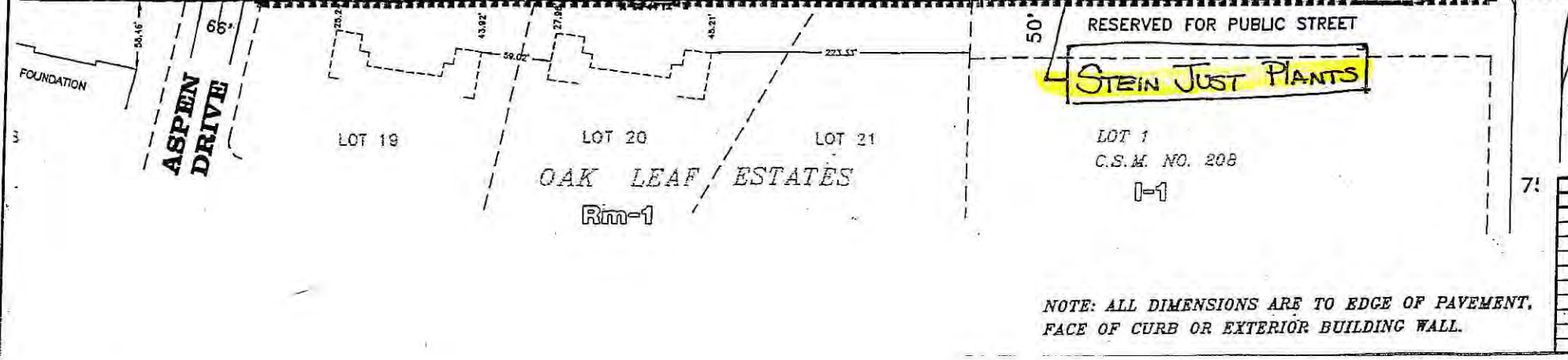
CALL DROGERS HOTLINE 1-800-265-8611 FOR FREE TURN LANE MEASUREMENT.

CONTINENTAL 77
OAK CREEK, WISCONSIN

SITE PLAN

National Survey & Engineering

DATE: 11-8-97 | SCALE: 1" = 100' | SHEET 1 OF 1



NOTE: ALL DIMENSIONS ARE TO EDGE OF PAVEMENT, FACE OF CURB OR EXTERIOR BUILDING WALL.



**Stein Gardens & Gifts
Stein Just Plants
Seasonal Garden Center Proposal
9035 S. Howell Ave
Oak Creek, WI 53154**

About Us

Stein's was founded in 1946 by Maurice Stein. His son, Jack Stein, took over the business and through his vision and commitment to the customer built Stein's into one of the leading independent garden centers in the country. Today, with 16 locations throughout Wisconsin, Stein's continues to be owned and operated by the Stein family and remains focused on providing customers with superior products and great service.

In 2010 *Stein Gardens & Gifts* launched its first *Stein Just Plants* seasonal flower mart concept at 76th and Good Hope Road in Milwaukee, WI. This first location was adjacent to a Pick'n Save location in a former Home Depot lawn and garden area. This first operation was a success. In 2015, *Stein Gardens & Gifts* plans to open 5 *Stein Just Plants* locations throughout the greater Milwaukee area.



Stein Just Plant-Oak Creek

Proposal-Stein Just Plants 2015

In 2015 *Stein Gardens and Gifts* is proposing to set up a *Stein Just Plants* seasonal location in several communities in southeastern Wisconsin including repeating the location in Oak Creek at the Kohl's Department Store at 9035 S. Howell Ave. These locations will provide the residents a local garden center in their community as well as attract customers from the nearby communities. In addition *Stein Gardens and Gifts* is scheduling direct mailings in the area of each *Stein Just Plants* location to further attract customers to the *Stein Just Plants* and the local community.

The *Stein Just Plants* seasonal locations will consist of a 21' x 36' Poly-Tex Garden Mart greenhouse and approx. 1920 sq. ft. of additional display space adjacent to the greenhouse. This total of approx. 2700 sq. ft. of seasonal garden center will take up approximately 14-16 parking spaces. The proposed display area would be fenced in with a picket style fence. Display benching will consist of a combination of Poly-Tex metal benching. The 'checkout' area would consist of a small "shed" which will house and protect our POS and communication equipment from the elements.

The *Stein Just Plants* locations will stock exclusively plant material (annuals, perennials and vegetable plants) along with only a handful of gardening accessories (soils, fertilizer and hand tools). None of the giftware, home decor traditionally available at *Stein Gardens & Gifts* will be available at the *Stein Just Plants* locations.

For 2015 the locations being considered are:

- **Oak Creek**
- **Muskego**
- **Cedarburg**
- **Pewaukee**
- **Burlington**
- **Shorewood**

Advertising – Direct Mail Spring 2014

Just Plants NOW OPEN!
Blooming in 5 convenient locations.

CHIEF JEFF'S
Premium Vegetable Plants
Pint pots
3 FOR 6.50
or 2.29 each * plus 2.99
30 New and exciting varieties

Heirloom Vegetable Plants
Pint pots
3 FOR 7.00
or 2.49 each * plus 2.99
Choose from 20 varieties for old time taste

Nature's Finest Fresh, Full & Flowering Hanging Baskets
15.99 and up
plus 2.99
plus 2.99

Stein Moisture Pro Potting Mix 5.88
16 Quart 1-gal. 1.18

Stein Premium Potting Mix 4.88
14 Quart 1-gal. 1.18

JUMBO 50 Garden Plant SPECIAL
Impatiens Flats
11.99 With Club Card
plus 2.99
plus 2.99

Oak Creek
9530 S. Howell Ave
*Kohl's Department Store Parking Lot

Waukesha
530 W24834 Sunset Drive
*W. Sunset Dr. & S. Prairie Ave

Pewaukee
201 Ryan Street
*Pick'n Save Parking Lot

Muskego
568 W15328 Janesville Road
*Kohl's Department Store Parking Lot

Cedarburg
1429 W6377 Western Ave
*Western Rd. & Hanover Ave

Weekdays & Sat. 8 A.M. - 9 P.M.
Sundays 8 A.M. - 7 P.M.
SteinJG.com

Just Plants GRAND OPENING
GORGEOUS PLANTS ARRIVING DAILY!
5 convenient locations: •Oak Creek •Cedarburg •Waukesha
•Pewaukee •Muskego

Best Buy Geraniums
1.00 each
When you buy 12 or more
Save 1.00 each
Reg. 1.99 each

Best Buy Geraniums
1.00 each
When you buy 12 or more
Save 1.00 each
Reg. 1.99 each

Packs of Flowering Annuals
1.19
3 Plants per pack
or 17.99 per flat
34 plants per flat
Reg. 1.49 per pack

Perennials
1.77 each
plus 2.99

Annual Pack
FREE
plus 2.99

Gourmet Vegetable Plants
1.22 each
plus 2.99

Herb Plant
FREE
plus 2.99

Oak Creek
9530 S. Howell Ave
*Kohl's Department Store Parking Lot

Waukesha
530 W24834 Sunset Drive
*W. Sunset Dr. & S. Prairie Ave

Pewaukee
201 Ryan Street
*Pick'n Save Parking Lot

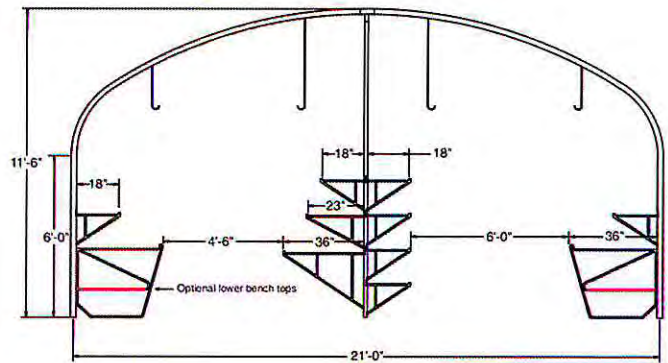
Muskego
568 W15328 Janesville Road
*Kohl's Department Store Parking Lot

Cedarburg
1429 W6377 Western Ave
*Western Rd. & Hanover Ave

Weekdays & Sat. 8 A.M. - 9 P.M.
Sundays 8 A.M. - 7 P.M.
SteinJG.com

- 2 Direct Mail pieces are planned for 2015 and will be mailed to residents within a 5 mile radius of each Stein Just Plants location.

21' Wide Poly-Tex Garden Mart® Greenhouse



Width	21 feet	Door	6 foot wide by 6 foot 8 inches tall
Length	24 to 96 feet (in 6-foot increments)	Roof cover	clear or white 6 mil. UVI treated polyethylene
Sidewall height	6 feet	End wall cover	clear 6 mil. UVI treated polyethylene
Height at apex	11 foot 4 inches	Frame	2" O.D. 14 gauge galvanized steel tubing
Frame spacing	6 foot	Ventilation	Slide-Side or Roll up sidewalls

Additional Information

Proposed Period of Operation

- Monday April 27th through Friday July 3rd (approximately)

Setup and Take Down

- Approximately 12-16 hours for setup and 12-16 hours for take down
- Display area to be restored to existing condition including any patching of holes needed to anchor the greenhouse.

Proposed Hours of Operation

- Weekdays 9 am to 8 pm
- Saturdays 8 am to 8 pm
- Sundays 9 am to 6 pm

Staffing

- Stein Gardens & Gifts seeks to employ local residents, avid neighborhood gardeners & retirees
- 2 to 3 employees on site at all times during business hours
- 10-12 total employees

Product Selection

- Annual flowers
- Flowering hanging baskets
- Pre-planted containers
- Vegetable Plants
- Perennials
- Planting Mixes
- Garden Fertilizers
- Miscellaneous gardening accessories (gloves, hand tools)

Deliveries

Product will be delivered to the *Stein Just Plants* location during normal business hours by tractor/trailer as well as by straight trucks equipped with lift gates – dropping off carts of product. Carts would be removed from the property on a regular basis

After hours deliveries only if permitted by the local ordinances.

Utility Requirements

Stein Just Plants does require both electricity and water for its operation.

- Electrical
 - Two POS (Point of Sale) registers
 - Communication equipment (router/switch/cellular transmitter)
 - Maximum 15 amp 110 volt circuit.
 - Electrical needs during the business day only – not 24 hours per day.
 - Source an on-site generator (Honda Super Quiet EU1000i) has been used since 2011.
 - Power ramps provided where needed



- Water
 - Minimum requirements would be a single faucet connection.
 - Product hand watered during the course of the business day as needed using hoses (stored on hose reels) and water wands. No automatic watering equipment will be necessary.
 - Source to be determined, but most likely will be the same connection to the adjacent private fire hydrant as in 2014.

Security

All monies would be removed from the site daily and taken off premise with no overnight storage of cash. POS equipment would be locked in an outdoor booth along with any 'product' that needs to be protected in the event of inclement weather.

Trash Disposal

A small trash container will be available for staff to dispose of debris and it will be emptied as needed.

Recycling

In 2010 *Stein Gardens & Gifts* initiated its 'Let's Recycle Together' program and recycled over 46,000 pounds of plastic in 2013. Recyclable plastics will be returned to one of the 16 Stein store locations for recycling. 2014 numbers are not yet available.

Restrooms

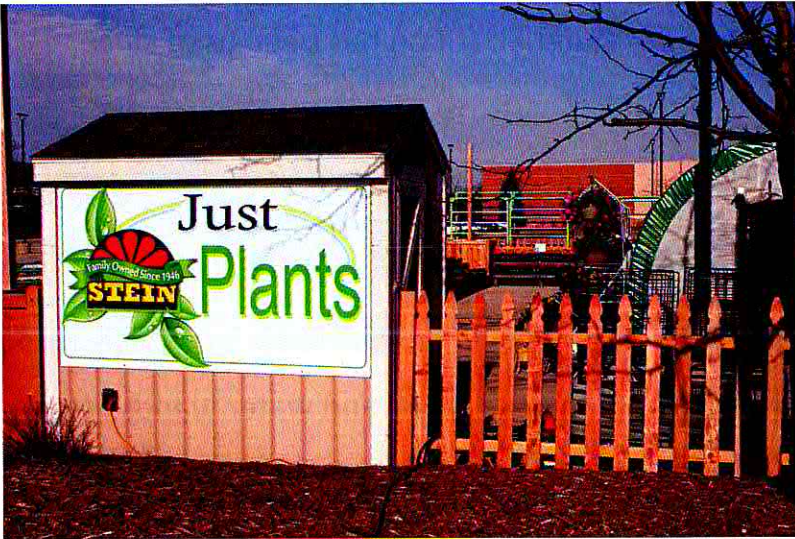
When permitted by the property owner, staff would have access to the restroom facilities available on the property.

Signage

Stein Just Plants signs would consist of (depending on local zoning code):

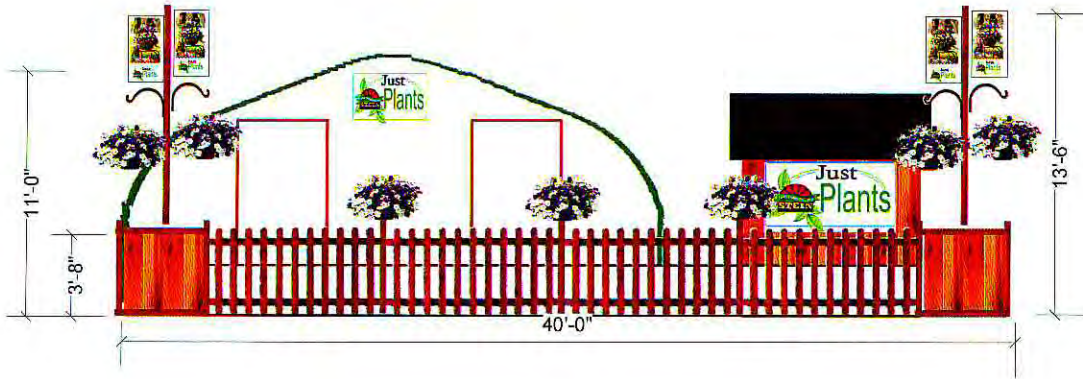
- 1 – 48" x 96" sign located on the rear of the cashier stand
- 5 – Banners signs in the planters with the Stein Just Plants logo

Product signage will consist of 8 ½" x 11" card signs both in the greenhouse display and the display area immediately outside of the greenhouse.

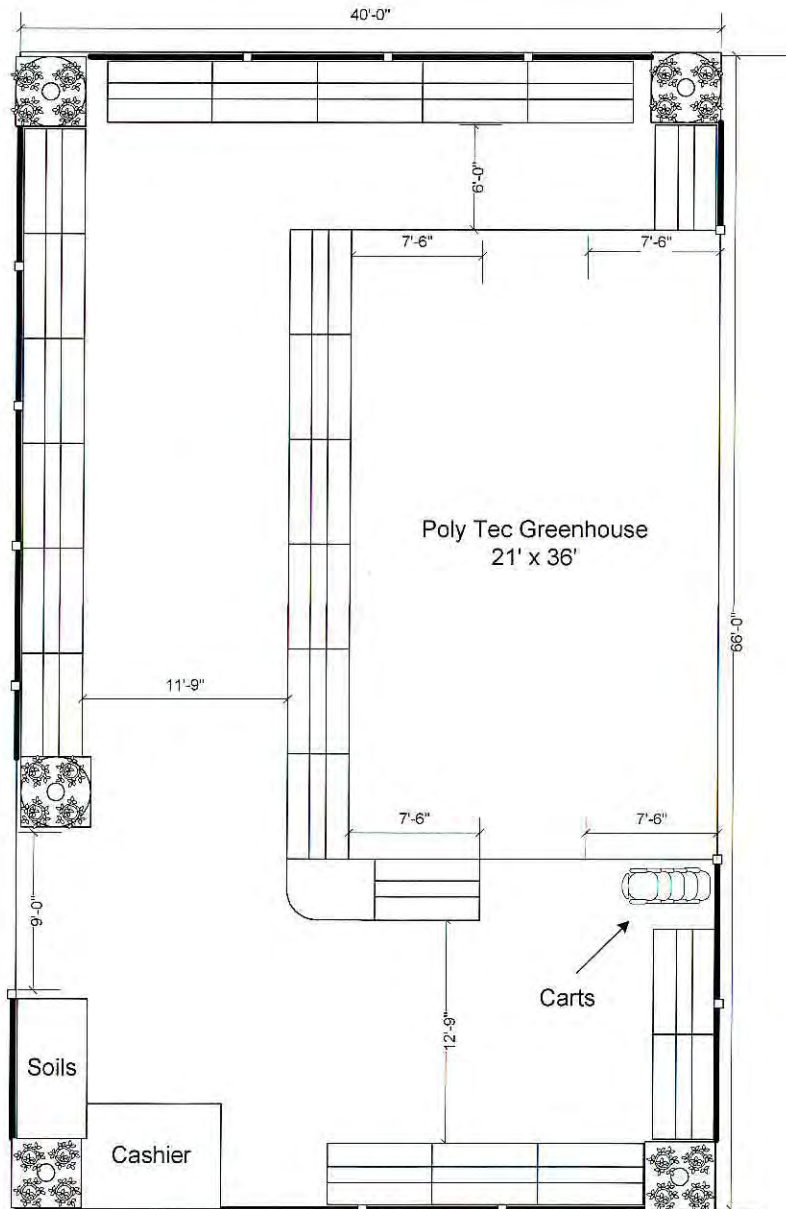


CHEF JEFF'S		
Chef Jeff Vegetables		
Gourmet Early Green Pot 4 Inch Pots	Premium Terra Carta Pot 4 Inch Pots	Heirloom Dark Green Red Pot 4 Inch Pots
3/\$6.00	3/\$6.50	3/\$7.00
Or \$2.19 per 3.6oz	Or \$2.29 per 3.6oz	Or \$2.49 per 3.6oz

Site Plans



Oak Creek



Cashier Stand

