



Department of City Development
City Plan Commission
Redevelopment Authority of the City of Milwaukee
Neighborhood Improvement Development Corporation

Lafayette L. Crump
Commissioner

Vanessa L. Koster
Deputy Commissioner

13th Ald. District
Ald. Spiker

**CITY PLAN COMMISSION
ZONING REPORT**

Ordinance File No. 230119 (deviation from DIZ overlay)
230120 (approval of a project in DIZ overlay)

Location: 2701 West Morgan Ave

**Applicant/
Owner:** Chick-fil-A, Inc. / HR Green, Inc.

**Current
Zoning:** Local Business (LB1), Loomis Center Development Incentive Zone (DIZ)

**Proposed
Zoning:** Deviation from the Loomis Center DIZ / Approval of a project within the Loomis Center DIZ

Proposal: The [Loomis Center Development Incentive Zone](#) (DIZ) overlay was established by the Common Council in 2000. The DIZ includes a list of permitted uses within the overlay as well as design standards for the building and site design. Where the overlay is silent on zoning parameters, the base (Local Business, LB1) zoning standards apply. A restaurant with drive-thru is allowed per the overlay, though a public hearing is required for the drive-thru use so that specific details of the proposal may be examined. Deviations to the overlay's signage and building setback standards also require a public hearing. In addition to requiring City Plan Commission approval to demonstrate compliance with the applicable overlay standards, the applicant has also applied for approval from the Board of Zoning Appeals to exceed the maximum number of parking spaces and the maximum side street setback. At the request of the Dept. of Public Works, a Traffic Impact Analysis was conducted and as a result of the findings, some offsite traffic improvements will be implemented including pavement markings and adjustments to the traffic signals.

These two files relate to a request for deviation from the performance standards established by the Loomis Centre DIZ Overlay (FN 230119), and the approval of site plan and building elevations (FN 230120) to allow for the construction of a single-story 5,361 square foot restaurant. The development of this new restaurant will require the demolition of an existing restaurant on the site. The

new freestanding restaurant will include two drive-thru lanes with freestanding canopies, outdoor patio seating, and surface parking.

The freestanding building is proposed to be located on the east side of the site, toward the corner of Morgan Ave. and S 27th St., with surface parking located to the west. Two drive-thru lanes will wrap around the building, beginning at the southwest corner of the site and ending on the north side of the site with exit onto Morgan Ave. Order boards with a freestanding canopy are located in the drive-thru on the south side of the building, and an additional freestanding canopy will be located at the end of the drive-thru lanes on the north side of the building. A screen wall with brick veneer is proposed to be installed on the east side of the site in between the drive-thru lane and property line. This screen wall will provide grade relief as well as shield the headlights of the vehicles within the drive-thru lane.

Pedestrian access to the site will be provided from Morgan Avenue, S 27th Street and the shopping center development sidewalk to the west of the site. All sidewalk crossings will be constructed of colored concrete and will be striped & signed. A speed table is proposed at the pedestrian crossing in the drive-thru lane at the southeast corner of the site.

The building materials will be a combination of brick veneer, prefinished metal, and glass.

Aside from the request to deviate from two overlay standards, all other standards relating to site design/lot requirements, building design, and signage have been met as outlined in the exhibits.

Deviation from DIZ Standards:

The applicant is requesting to deviate from DIZ performance standards for building placement and signage. The CFA development has been designed to meet the design standards and performance standards of the Loomis Centre DIZ to the maximum extent practicable. However, the CFA development will require the following deviations from the DIZ guidelines and standards:

1. Deviation to allow relief from the standard that new buildings shall be built with at least one wall located primarily within 25' of a public street or main driving aisle.
 - The building location was established in order to fit the proposed drive-thru lane, sufficiently large landscape buffer, and screen wall/decorative fence in between the building and roadway frontages. The building will be setback 32.5' from Morgan Avenue and 37.8' from 27th Street.
2. Deviation to allow for the proposed CFA monument sign.
 - CFA is proposing to install the new monument sign in the same location as the existing Zebbs sign. The monument sign is proposed to have an overall height of 14'-0" with a brick base. A reader board will be located directly underneath the main logo icon sign. The monument sign has been designed

to meet Type A sign requirements, with the white portion of the logo routed & illuminated.

The criteria and responses below demonstrate how the applicant is proposing to meet the standards for deviating from the overlay's performance standards:

1. The purpose of the overlay zone is met.
 - The DIZ guidelines promote locating the building within 25' of public frontages. CFA has positioned the building as close as practicable to the Morgan Avenue and 27th Street frontages while incorporating the drive-thru lane and landscape buffers. Due to constraints of the property and the proposed use, the building will need to have setbacks greater than 25'.
 - The monument sign will be compatible with the sign that was installed as part of the neighboring Panera Bread development to the south. The white of the logo will be routed and illuminated. The red background will not be illuminated. A brick base will be incorporated that will match the brick veneer of the adjacent screen wall and principal building. The sign is proposed to be integrated into the decorative perimeter fencing/wall of the site per overlay standards.

2. The deviation improves the aesthetics of the site.
 - The proposed building location allows there to be sufficient landscape buffers along the Morgan Avenue and 27th Street frontages. These buffers have been attractively landscaped and incorporate ornamental fencing & screen walls to provide year-round interest to the site.
 - The monument sign will incorporate base materials that will match the brick veneer of the adjacent screen wall & principal building, tying the screen wall along the east frontage and ornamental fence along the north frontage into the monument sign base. The area around the monument sign will be landscaped.

3. If applicable, the deviation addresses one or more unique site factors that make application of the standard impractical.
 - Due to the unique shape of the subject property, the building, drive-thru lane, and parking lot have been positioned in a way to establish a safe and functional vehicle & pedestrian traffic pattern and provide for adequate parking & efficient traffic circulation. The building has been positioned as close as possible to the roadway frontages while maintaining the proposed drive-thru and required landscaping.
 - The applicant is proposing to install the new monument sign in the same location as the Zebbs sign, which will be demolished along with the existing building. Design of the sign will be consistent with surrounding monument

signs in the area that were granted similar deviations. Since the subject site is located at the hard corner of the Morgan Avenue & 27th Street intersection, the proposed monument sign will be essential to notify motorists traveling along the arterial roadways of the restaurant's location. The sign will give motorists sufficient time to make safe vehicular maneuvers to enter or maneuver to the restaurant site.

4. The deviation is consistent with the comprehensive plan.
 - The proposed use is in line with the comprehensive plan and the proposed setback is similar to that of other adjacent uses.
 - The proposed monument sign has been designed to complement the principal building and provide visual interest to the 27th Street corridor and surrounding area. Extensive landscaping will be added to the base of the sign, which will be incorporated into the proposed brick screen wall and decorative metal fence at this corner. The sign aligns with other monument signs that have been installed along the 27th Street frontage.

Adjacent Land Use: This site is within the Loomis Center retail center that includes a mix of restaurant and retail/commercial uses. Commercial uses are to the north, south, east and west.

Consistency with Area Plan: This property is located within the Southwest Side Area Plan which was adopted in 2009 and amended with South 27th Street Strategic Action Plan in 2017. While land uses along the S. 27th Street Corridor developed in an auto-oriented pattern, the both plans envision a pedestrian-oriented environment with better accommodations for pedestrians, bicyclists, and bus riders. This includes locating development close to the street-edge, pedestrian accommodations and connectivity across sites, pedestrian-scaled signage, and clear glazing to engage with pedestrians. The plans further set recommendations quality architectural design that looks attractive from all sides. Therefore, the recommendations and policies in the Southwest Side Plan and South 27th Street Plan are consistent with the standards in the DIZ and the proposal is not in conflict with the Southwest Side plan.

Previous City Plan Commission Action: 04/2000 – City Plan Commission recommended the establishment of a Development Incentive Zone (DIZ) known as Loomis Center.

Previous Common Council Action: 05/19/2000 – Common Council approved the establishment of a Development Incentive Zone (DIZ) known as Loomis Center.

Staff**Recommendation:**

The proposal for a restaurant with drive-through facility is consistent with the Loomis Center DIZ standards, including the building massing, height, materials, design, pedestrian connections and landscaping. Staff believes the criteria for the two deviations relating to signage and building setbacks have been met. Since the proposal and deviation request are consistent with the overlay and the recommendations of the South 27th Street Strategic Action Plan, staff recommends approval of both files conditioned on the necessary agreements being in place between the Milwaukee Metropolitan Sewerage District (MMSD), applicant, and property owner prior to site work commencing on the portion of land owned by MMSD.