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## **Proposed 5<sup>th</sup> and Layton Outlot Development**

Taco Johns and Popeyes Quick-Service Restaurants – 350 West Layton Avenue  
Within the Layton Plaza Development Incentive Zone (DIZ) Overlay

The following analysis is based on Development Incentive Zone overlay standards and base LB1 zoning for the City of Milwaukee:

The purpose of this document is to describe the nature of the proposed outlot development located at 350 West Layton Avenue and to demonstrate which design elements either conform or deviate from the Development Incentive Zone (DIZ) standards.

Items that are not addressed in the DIZ must comply with the standards set forth in Local Business Districts (LB1). These particular elements are outlined on pages 7-8 and are subject to review by the Board of Zoning Appeals.

The proposed development consists of two stand-alone quick service restaurants that match the quality of the existing adjacent quick service restaurants (QSR). The DIZ use list notes that fast food/carry-out restaurants and drive-through facilities are allowed but subject to a public hearing and approval by the City Plan Commission. The last remaining undeveloped portion of Layton Avenue Plaza will need to be further divided into two lots in order to accommodate both restaurants. Lot 1 requires approximately 33,831 square feet while lot two would utilize the remaining 29,981 square feet. This new development aims to further enhance pedestrian connectivity, landscaping, alternate modes of transportation, and the overall character of the Layton Avenue commercial corridor.

The proposed design creates a sense of street along primary retail frontage and enhances the pedestrian experience by articulating the Layton Avenue facing façade through the use of fenestration and a variety of high-quality materials. Large landscaping buffers are located on all street-facing sides of the property as well as the south side to serve as a transitioning piece between the proposed site and the existing hotel site. Ample bicycle parking is provided in between both restaurants towards the front of the property to make it easily visible to cyclists coming from Layton Avenue. In addition, the proposed pedestrian connection from the sidewalk on Layton Avenue effectively provides a link between the hotel, Golden Corral, and the new quick-service restaurants, thus promoting alternate modes of transportation to the proposed site. This new development will ultimately improve the overall character of Layton Avenue by adding two high quality buildings to a previously vacant piece of land, which will provide continuity and hold the street edge on the Layton Avenue commercial corridor.

**The following is an outline detailing specific design standards that comply with the DIZ:**

**Building Placement:** The front setback from Layton Avenue may be 75 feet maximum.

The building setback from Layton Avenue is approximately 74'-10" and 66' for Lots 1 and 2 respectively. This is consistent with other business and restaurants with frontage on Layton Avenue in order to meet signage and landscaping requirements.

**Vehicular Access:** Define a clear vehicular circulation system and visually divide parking areas.

All parking areas and access points to the site accommodate 2-way traffic and is clearly marked with arrows. All drive-thru lanes utilize striping saying "Do not enter" at the exit points to clearly indicate which way traffic should flow. In addition, each drive-thru accommodates 10+ vehicles, which will prevent back-ups into parking areas. The proposed circular 2-way traffic patterns will effectively move traffic in, out, and through out the site based on anticipated moderate traffic volumes. Additionally, the 5<sup>th</sup> Street driveway has left turn only striping and signage upon exiting the site to direct traffic towards Layton Avenue versus meandering through the adjacent residential neighborhood. Speed humps are another viable option to mitigate traffic concerns on 5<sup>th</sup> Street and discussions with DPW are underway.

**Pedestrian Accommodations:** Provide direct pedestrian connections between public sidewalks, bus stops, and all building entrances and differentiate pedestrian and vehicular areas with crosswalks from parking areas to building entrances. Coordinate site elements to enhance pedestrian experience.

This design proposes an extension between the existing concrete walk on the Golden Corral site all the way to the sidewalk on Layton Avenue. The sidewalk on 5<sup>th</sup> Street will also extend and connect to the sidewalk on Layton Avenue. Striped crosswalks are included as needed to provide pedestrians with direct access from the existing hotel development and Golden Corral to the proposed QSR buildings, parking areas, and Layton Avenue sidewalk.

**Driveways:** Two curb cuts are permitted along Layton Avenue. One curb cut is permitted on 5<sup>th</sup> Street. The maximum drive aisle width is 30 feet.

The proposed development utilizes one curb cut on Layton Avenue and one existing curb cut on 5<sup>th</sup> Street. All drive aisles are 24 feet wide. The proposed curb cut on Layton Avenue follows the design standards for a Type 1 driveway curb cut.

**Parking Areas:** Locate parking areas mid-block instead of corners. Allow shared parking among tenants where possible. Allow shared service areas where possible. In interior parking areas, provide curbed islands with landscaping. A minimum of two trees at each curb island required along primary frontage.

A significant landscape buffer is proposed on this site on the corner of Layton and 5<sup>th</sup> to adhere to the DIZ guidelines. Additionally, parking areas on this site directly align with the existing drive aisles and

parking stalls on the Golden Corral site. Furthermore, the majority of the parking on site is located in between the two proposed buildings to shield them from view as much as possible as pedestrians and drivers travel east-west on Layton Avenue.

**Screening:** Locate dumpsters/service areas where they are not visible from the public street. Enclose/screen dumpsters with a masonry enclosure if visible from street, consistent with building materials.

Proposed trash enclosures are located behind both buildings, thus screening them from view on Layton Avenue. In addition, both trash areas are fully enclosed using materials that are consistent with the proposed buildings.

**Lighting:** Lighting within parking areas must be designed and located to prevent glare onto adjoining properties. Light poles within parking areas may not exceed 25' in height and poles along drive aisles and pedestrian areas are 12' in height.

All new drive aisle pole mounted fixtures are to be installed on a 22' square steel pole on top of a 3' concrete base to match existing adjacent fixtures and poles. Lighting elements are shown in the photometric plan.

**Building Massing:** Establish hierarchy between building elements. Maximum height of buildings is 40'. Entry features and tower elements integrated with building may exceed 40'.

The Popeye's restaurant stands at 23' tall at its highest point. The Taco John's restaurant stands at approximately 25' tall at its highest point.

**Building Facades:** Variety in each building design is encouraged. Front facades shall be oriented towards Layton Ave. Buildings must have a storefront window system with vision glass at first level. The minimum glazing along the primary frontage is 50% for the retail sales based on the lineal frontage of the first floor. Blank, unarticulated walls facing primary frontage and streets are not permitted. Modulate facades with articulated bays, windows and openings, varying color and texture and/or other architectural details that relate to the human scale. Building entrances shall be clearly identifiable and visible from streets and easily accessible and inviting to pedestrians. Use lighting to enhance the architecture of the building and development as well as provide security and visual appeal

Taco John's contains approximately 81% of glazing with vision glass at first level on the primary frontage. The primary frontage is articulated by using a canopy that wraps the corner that reaches the primary entrance. This tenant utilizes three colors on the primary façade. Gray and white panels define the façade and red is used to for signage and furniture to clearly identify the space. The design also introduces the use of multi-colored panels towards the rear of the building in order to create visual interest on all facades where fenestration is absent. A gray brick base has been included on three out of four facades to further enhance the design. The west façade also exceeds the minimum glazing requirement at 13%.

The Popeye's design contains approximately 85% of glazing per lineal footage on the primary frontage. The building entrance is clearly identifiable by employing a colored canopy located above the bright orange main entrance doors. Additionally, lighting is used to identify all entrances and exits of the building.

**Materials:** All facades along the primary frontage must contain the most architecturally significant materials and fenestration. Screen rooftop equipment from pedestrian view at the property line with materials and colors that are compatible with the building.

The Taco John's building uses glazing towards the front of the building on all sides where pedestrians and traffic will be the most prevalent to create a more visually appealing and inviting space for users. In addition, the design calls for a wing wall to define the patio to increase comfort for their customers and employees using the space.

The Popeye's design articulates the front façade by using first level vision glass that starts at the finished floor accompanied with brick on all other surface areas. In addition, the entirety of the front ends of the east and west elevations are clad in white brick. Furthermore, the entrance and drive-thru towers are clad entirely with red brick to add to the overall quality of the building design. The back end of the east and west facades and the north end utilizes stucco (not EIFS) installed over Densglass sheathing above the brick base.

All rooftop equipment will be screened from view using materials and colors that match the corresponding QSR buildings. Final details for screening will be provided as needed.

**Monument Signage:** Up to two monument-styles project identification signs are permitted preferably at entrances to the project on Layton and 5<sup>th</sup>, but can't exceed 27' in height. Freestanding signs must be incorporated into a masonry base and frame that matches the building. Signage may also be integrated into a masonry wall. The overall area of each project sign may not exceed 200 SF in area on each side.

One monument sign is proposed for each QSR building within the landscaped area visible from Layton Avenue and South 5<sup>th</sup> Street. Popeye's monument sign is 6' tall, which is well below the maximum height. The sign area is 24' per side, which is again well below the maximum of 200'. The Taco John's monument sign is less than 6' tall and meets the surface area requirement. The existing hotel sign is discussed in the deviations section as this is the third sign in Area A.

**Bicycle Parking:** One bicycle parking space is required for every 3,000 square feet. A minimum of two spaces are required.

The total square footage equals 4,850, which means 1.6 bicycle spaces are required. The site contains four bicycle parking spaces, which satisfies this requirement twofold.

**The following items require deviation from the Layton Avenue DIZ:**

**Building Placement:** The minimum building setback from South 5<sup>th</sup> Street is 75 feet. Taco John's is set back 17'-6" feet from South 5<sup>th</sup> Street, which does not meet the minimum building setback.

Criteria 1 – The purpose of the overlay district is met: The purpose of the Development Incentive Overlay on Layton Avenue is to create developments that complement the mixed-use character of the neighborhood and provide a visual buffer between the residential and industrial areas. This development provides visual buffers between these two areas by introducing large landscaped areas around the perimeter of the site. Specifically, the building is setback from S. 5<sup>th</sup> Street approximately 17'-6" to provide enough room for each tenant on site to operate their drive-thrus effectively. The closer proximity of the building to 5<sup>th</sup> Street accompanied with ample room for landscaping and an ornamental fence will help define the street edge as you approach Layton Avenue from the north. In addition, the LB-1 zoning district has a maximum 25' side setback and this building is well within the range of compliance.

Criteria 2 – The deviation improves the aesthetics of the site: The proposed design and functionality of the site will allow this development to coexist seamlessly with nearby business and properties along Layton Avenue by providing high quality and visually appealing quick-service restaurant buildings, amenities for pedestrians and cyclists, easy vehicular access, and significant landscaping buffers on all street-facing sides of the property. The proposed plan provides a retail experience that effectively complements the existing businesses along the Layton Avenue commercial corridor as the buildings align with existing nearby storefronts and parking areas while exceeding minimum glazing requirements. Ultimately, this development will greatly improve the streetscape by creating visual interest architecturally and naturally on a currently vacant parcel that stands at the forefront of Layton Ave.

Criteria 3 – If applicable, the deviation addresses one or more unique site factors that make application of the standard impractical: The lot in question is spacious enough to accommodate two quick service restaurants, but too large for just one restaurant. Only utilizing the lot with one restaurant would be an inefficient use of space that would create undue hardship in engaging the Layton Avenue and 5<sup>th</sup> Street corner while maintaining continuous frontage and visual interest along the entirety of the parcel.

Criteria 4 – The deviation is consistent with the comprehensive plan: The purpose of overlay districts is to provide an opportunity to create compatible, pedestrian-friendly, and creative development projects. The building placement and overall site design encourages connectivity between adjacent properties for pedestrians and those traveling by vehicle. Sidewalks have been extended from the hotel and Golden Corral sites all the way to the sidewalk on Layton Avenue to allow pedestrians to safely access the site and adjacent sites from the sidewalk as well as the parking areas. Vehicles will be able to enter and exit the site on Layton Avenue and 5<sup>th</sup> Street to promote fluid traffic patterns without hindering access to nearby businesses. The site design utilizes creative strategies to accommodate two restaurants without compromising the integrity of the Layton Avenue commercial corridor while enhancing the street edge on 5<sup>th</sup> Street at the same time.

**Signage:** Up to two monument-style signs are permitted in area A and off-premise signs are not permitted. One type A sign (not exceeding 4' in height and not exceeding the length of the canopy) identifying the name of the business is permitted. Type A secondary wall signs not exceeding 3' in height and 51' feet in area permitted. Wall signs shall be integrated into the overall design of the building. Individual logos are permitted with architectural review by owner.

A deviation from 2 signage standards is requested:

1. Allowance of one off-premise sign at the southwest corner of the site to benefit the Courtyard by Marriott to the north of the subject site.
2. Allowance of one building wall sign on the Popeye's building to exceed the maximum height of 3' for a secondary sign. The proposed sign will be 8'-4" in height.

A Courtyard Marriot off-premise monument sign was installed on the proposed site at the corner of Layton and 5<sup>th</sup> Street after the DNS Permit and Development Center issued a permit for the sign in 2019. The sign location within the DIZ overlay was overlooked, which prohibits off-premise signs. The proposed site plan shows that this sign remains intact while adding two monument signs for the new tenants closer to the new curb cut. The off-premise sign is 8'-6" feet in height and 51 square feet in area. It is constructed with metal panels. The sign will remain as-is with the exception of future needs to update the tenant face plate. The sign does not and will not include an EMC component. The off-premise sign will be limited to directing people to the hotel north of the subject site and will not be used to advertise businesses outside of the DIZ overlay.

Taco John's and Popeyes monument signs will be constructed with similar materials and at similar heights to create consistency between the two tenants along Layton Avenue. The two new monument signs are less than or equal to 6'-0" with the intention of preserving site lines, thus promoting safe access to and from the site. Both tenants comply with the primary Type A signage requirement as they both remain under 4' tall and do not exceed the length of the canopies. All secondary signage complies with the 3' height restriction and 51 square feet area requirement with one exception. The Popeyes "Love that Chicken" sign is a painted mural, which exceeds the height and area requirement, by 5'-4" feet, for a total of 8'-4" feet in height, but remains consistent with the rest of the building signage. All of the Taco John's secondary signage meets the area and height requirements. The deviation resides in the quantity of wall signage as signage appears on all 4 facades.

Criteria 1 – The purpose of the overlay district is met: The purpose of the overlay is to coordinate signage throughout the development and the material choices, colors, and height of each sign accomplishes this goal as demonstrated in the drawings. Materials and colors of the proposed signs match the building palettes and none of the signs dominate the facades in terms of size.

Criteria 2 – The deviation improves the aesthetics of the site: Specific design decisions regarding height, area, and materials were made in order to create consistency between the two tenants and the rest of the Layton Avenue commercial corridor. Each sign is integrated into the overall design of the building.

Criteria 3 – If applicable, the deviation addresses one or more unique site factors that make application of the standard impractical: The Courtyard Marriot signage was approved and installed before our current design submittal, which creates hardship on the new tenants as they try and create an identity for their restaurants. Based on site location, all 4 sides of each building are highly visible to the public. Therefore, signage on all four facades is appropriate in this case.

Criteria 4 – The deviation is consistent with the comprehensive plan: Only one monument sign is being proposed for each tenant. We believe this strategy is consistent with the comprehensive plan in that both monument signs meet the requirements set forth in the DIZ overlay standards and tenant signage is integrated into the overall design.

**The following is a list of items that require variances from the LB-1 Zoning District to be submitted to the Board of Zoning Appeals. These items are provided for informational purposes only:**

**Building Facades:** Every new building shall have a primary entrance door on the front façade.

Although the main entrances for both buildings face east, the primary frontages contain the most architecturally significant materials and fenestration. These facades also incorporate the most variations in height and depth to further articulate the face oriented towards Layton Avenue. Ultimately, the entrances are better suited on the long side of the buildings in order for these businesses to flow and function properly based on interior layouts. This configuration also makes the businesses safer to access from the parking lot and makes the site easier to navigate for those accessing the property from the main pedestrian corridor running vertically along the length of the site.

**Screening:** Screening is required when a light motor vehicle parking lot or vehicle operating area is less than 20' from a street property line. The minimum number of canopy trees required are 1 canopy tree per 20 linear feet. The type and minimum number of plants required in landscaped areas are 4 low shrubs or 8 perennials/ornamental grasses per 10 linear feet.

The landscape buffer along 5<sup>th</sup> Street is 4'-6" with trees spaced at 20'-0" and shrubs that will grow to approximately 4' spaced at 4' o.c. This landscape buffer is supplemented by a 3' tall ornamental fence. The parking and drive aisles on the proposed site align with the adjacent Golden Corral site to create continuity and allow drive access between both sites. Moreover, the 10' undulating landscape bed along W. Layton is consistent in rhythm and plant palate with the Golden Corral site. Based on the spacing requirements listed above, the site in question requires 10 canopy trees along Layton Avenue and 14 trees along 5<sup>th</sup> Street. The proposed plan includes 8 trees on Layton Avenue and 7 trees on 5<sup>th</sup> Street in order to accommodate monument signage, vision triangles, and provide enough spacing for the overall health of the new trees. The landscaping plan includes 49 shrubs and 51 perennials along 5<sup>th</sup> Street, which does not meet the required amount. However, 89 shrubs and 105 perennials are included along Layton Avenue, which far exceeds the minimum requirements. Additionally, the proposed plan exceeds the minimum number of trees and shrubs required in the interior parking areas. Each parking lot landscape island meets code in providing 100 SF per tree. Ultimately, the proposed landscaping plan is best suited for this site in order to maintain sufficient

visibility for potential customers as well as the pedestrians and drivers attempting to access the site while simultaneously beautifying the currently vacant parcel.

**Parking Requirements:** A minimum of one parking space is required for each 1,000 sq. ft. of gross floor area and a maximum of 3.5 for each 1,000 sq. ft. of gross floor area.

The proposed development exceeds the maximum number of parking stalls outlined in the LB-1 Zoning District. However, the higher volume of parking is needed to accommodate customers and employees that these National tenants expect to have on a daily basis. Developments within this district are meant to encourage higher-density retail uses and these particular QSRs will result in an increase of workers and residents needed to support these businesses, thus creating the need for more parking stalls.

Thank you for your time in reviewing the above proposal and subsequent requested deviations. Feel free to reach out to me directly with any questions.



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