## APPENDIX ADDITIONAL SUPPORTING INFORMATION AND SUPPORTING DOCUMENTS

Appendix 1 – Site Plan

Appendix 2 – Landscape Plan (details shown on site plan)

Appendix 3 – Elevation Plan for former Walmart building

Appendix 4 – Aerial Overview of Area

Appendix 5 – ALTA Survey

Appendix 6 – DIZ Requirements

Appendix 7 – Support Letter

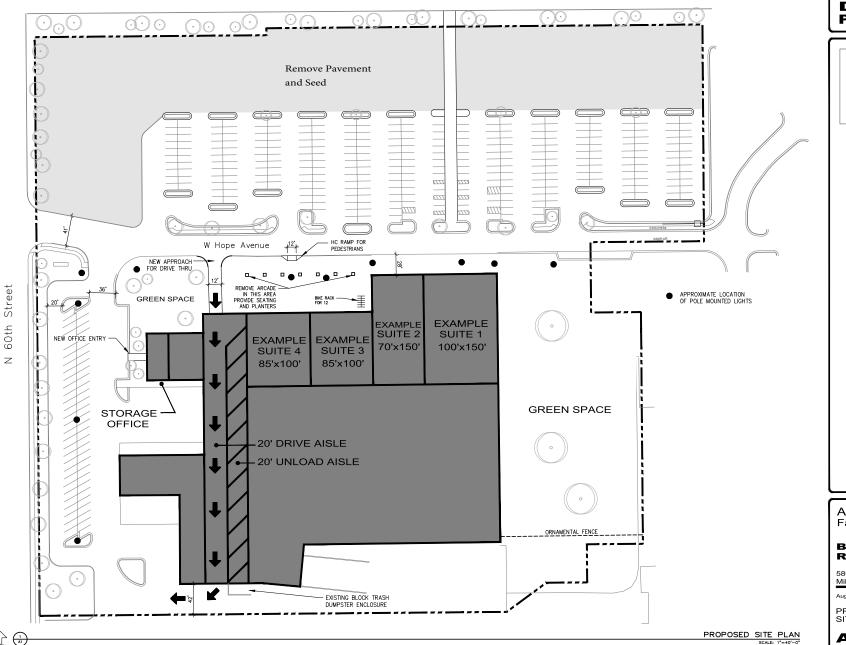
Appendix 8 – Existing Photos of site as of 6/1/2023

Appendix 9 – Owner Prior Projects

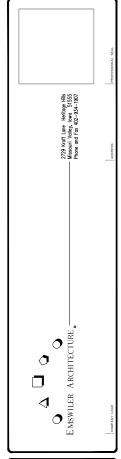
Appendix 10 – Prior Walmart Drawings

Appendix 11 – Midtown Vacancy and Storage Market Study





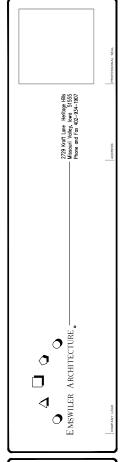
**SCHEMATIC DESIGN PACKAGE** 





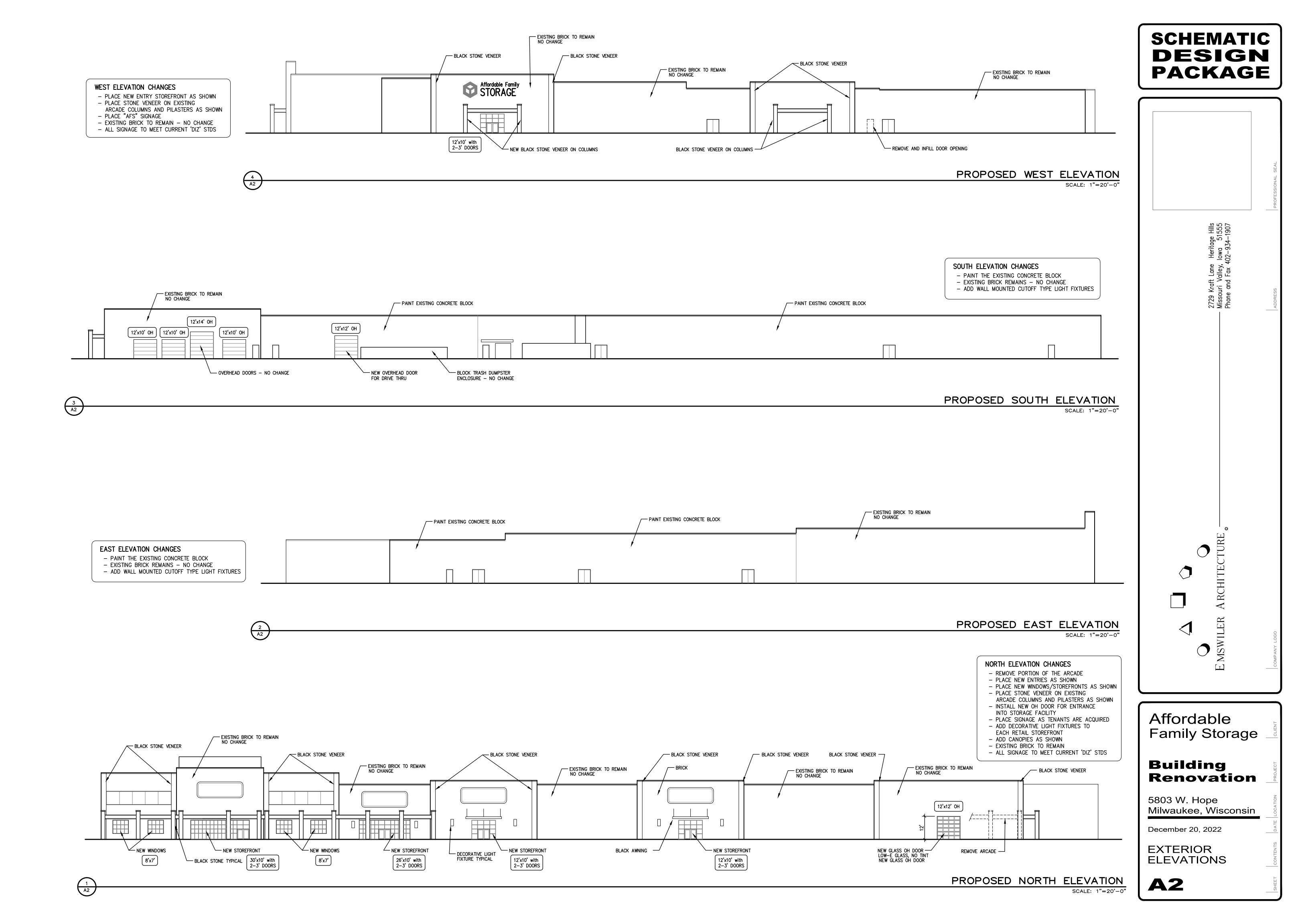


#### SCHEMATIC DESIGN PACKAGE











# 5825 West Hope Ave Aerial





#### Legal description per Chicago Title Insurance Company Commitment No. CO-12701, with an effective date of June 22nd, 2022:

Parcel 1 of Certified Survey Map No. 7035, recorded on November 9, 2001, as Document No. 8166306, being a division of Parcel 2 of Certified Survey Map No. 6762, being a part of the Southwest 1/4, Northwest 1/4, Northwest 1/4 and Southeast 1/4 of the Southwest 1/4 of Section 2, Town 7 North, Range 21 East, in the City of Milwaukee, County of Milwaukee, State of Wisconsin, as corrected by Affidavit of Correction recorded as Document No. 8274057.

### Tax Key No. 2490841000

Address: 5825 W. Hope Avenue

## Per Chicago Title Insurance Company Commitment No. CO-12701, with an effective date of June 22nd, 2022, the following items appear in Schedule B II as exceptions:

- 12. Easements, if any, of the public or any school district, utility, municipality or person, as provided in Section 66.1005(2) of the Wisconsin Statutes, for the continued use and right of entrance, maintenance, construction and repair of underground or overground structures, improvements or service in that portion of the insured premises which were formerly a part of streets and alleys which are now vacated.
- 13. Easement for the purposes shown below and rights incidental thereto, as granted in a document recorded on September 28, 1961, as Document No. 3907512. *It is not on, does not touch, and/or based on the description contained in the record document does not affect, the surveyed property.*
- 14. Easement for the purposes shown below and rights incidental thereto, as granted in a document recorded on November 3, 1966, as Document No. 4287356. *It is not on, does not touch, and/or based on the description contained in the record document does not affect, the surveyed property.*
- 15. Access Agreement recorded February 19, 1976 as Document No. 4981034. Amendment to Access Agreement recorded March 31, 1983 as Document No. 5620857. *Affects parcel, location is shown.*
- 16. Easement for the purposes shown below and rights incidental thereto, as granted in a document recorded on November 10, 1992, as Document No. 6686767. It is not on, does not touch, and/or based on the description contained in the record document does not affect, the surveyed property.
- 17. Recitals as shown on that certain map/plat recorded on October 12, 1995, as Document No. 7137092. Reference is hereby made to said document for full particulars. **Does not affect parcel.**
- 18. Recitals as shown on that certain map/plat recorded on December 20, 1999, as Document No. 7850166. Reference is hereby made to said document for full particulars. *Affects parcel, Not plottable.*
- 19. Recitals as shown on that certain map/plat recorded on November 9, 2001, as Document No. 8166306. Reference is hereby made to said document for full particulars. *Affects parcel, Not plottable.*
- 20. Recitals as shown on that certain map/plat recorded on March 15, 2004, as Document No. 8746511. Reference is hereby made to said document for full particulars. **Does not affect parcel.**
- 21. Restriction and Easement Agreement recorded February 21, 1996 as Document No. 7184899. First Amendment to Restriction and Easement Agreement recorded August 8, 1996 as Document No. 7252424. *Affect parcel, parking lot is shown.*
- 22. Declaration of Restrictions and Grant of Easement recorded October 16, 1998 as Document No. 7278749. Agreement Regarding Declaration recorded October 30, 2001 as Document No. 8159934. First Amendment to Declaration of Restrictions and Grant of Easement recorded December 20, 2002 as Document No. 8415398. **Does not affect parcel.**
- 23. Notice of Contamination to Property recorded May 22, 2001 as Document No. 8069726. Affects parcel, location is shown.
- 24. Storm Water Easement recorded October 23, 2001 as Document 8155590. First Amendment to Storm Water Easement recorded January 9, 2002 as Document No. 8198816. *Affects parcel, blanket easement.*
- 25. Public Access Easement and Maintenance Agreement recorded October 24, 2001 as Document No. 8156517. *Affects parcel, location is shown.*

### 26-27. Intentionally Deleted.

28. Easement for the purposes shown below and rights incidental thereto, as granted in a document recorded on November 13, 2002, as Document No. 8385882. *It is not on, does not touch, and/or - based on the description contained in the record document - does not affect, the surveyed property.* 

29. Easements with Covenants and Restrictions Affecting Land recorded January 13, 2003 as Document No. 8429300. Supplement Easements with Covenants and Restrictions Affecting Land recorded recorded March 15, 2004 as Document No. 8746514. Notice of Sale recorded January 12, 2005 as Document No. 8934037, Notice of Sale recorded January 12, 2005 as Document No. 8934039. *Affects parcel, location is shown.* 

## 30. Intentionally Deleted.

31. Declaration of Reciprocal Easement Agreement recorded July 31, 2003 as Document No. 8585907. Does not affect parcel.

## 32-35. Intentionally Deleted.

36. Access and Utility Easement Agreement recorded March 16, 2004 as Document No. 8746753. First Amendment to Access and Utility Easement Agreement recorded April 2, 2014, as Document No. 10347852. *Affects parcel, water, sanitary and storm lines shown.* 

## 37. Easement and Covenant Agreement recorded March 16, 2004 as Document No. 8746754. *Affects parcel, location is shown.*

## 38. Intentionally Deleted.

39. Distribution Easement Underground recorded on January 12, 2005, as Document No. 8934035. Assignment of Easement Rights recorded August 3, 2007 as Document No. 9474116. **Document not provided** 

40. Easement for the purposes shown below and rights incidental thereto, as granted in a document recorded on August 1, 2006, as Document No. 9280368. **Does not affect parcel.** 

## 41. Intentionally Deleted.

42. Easement for the purposes shown below and rights incidental thereto, as granted in a document recorded on April 9, 2007, as Document No. 9414292. **Does not affect parcel.** 

## 43. Easement for the purposes shown below and rights incidental thereto, as granted in a document recorded on July 16, 2007, as Document No. 9463756. **Does not affect parcel.**

44. Easement for the purposes shown below and rights incidental thereto, as granted in a document recorded on August 28, 2007, as Document No. 9484880. *It is not on, does not touch, and/or - based on the description contained in the record document - does not affect, the surveyed property.* 

45. Declaration of Reciprocal Easements with Covenants, Conditions and Restrictions recorded December 17, 2018 as Document No. 10835244. *Affects parcel, location is shown.* 

46. Declaration of Reciprocal Easements with Covenants, Conditions and Restrictions recorded September 30, 2021 as Document No. 11169731. *Does not affect parcel.* 

## Surveyor's Certification:

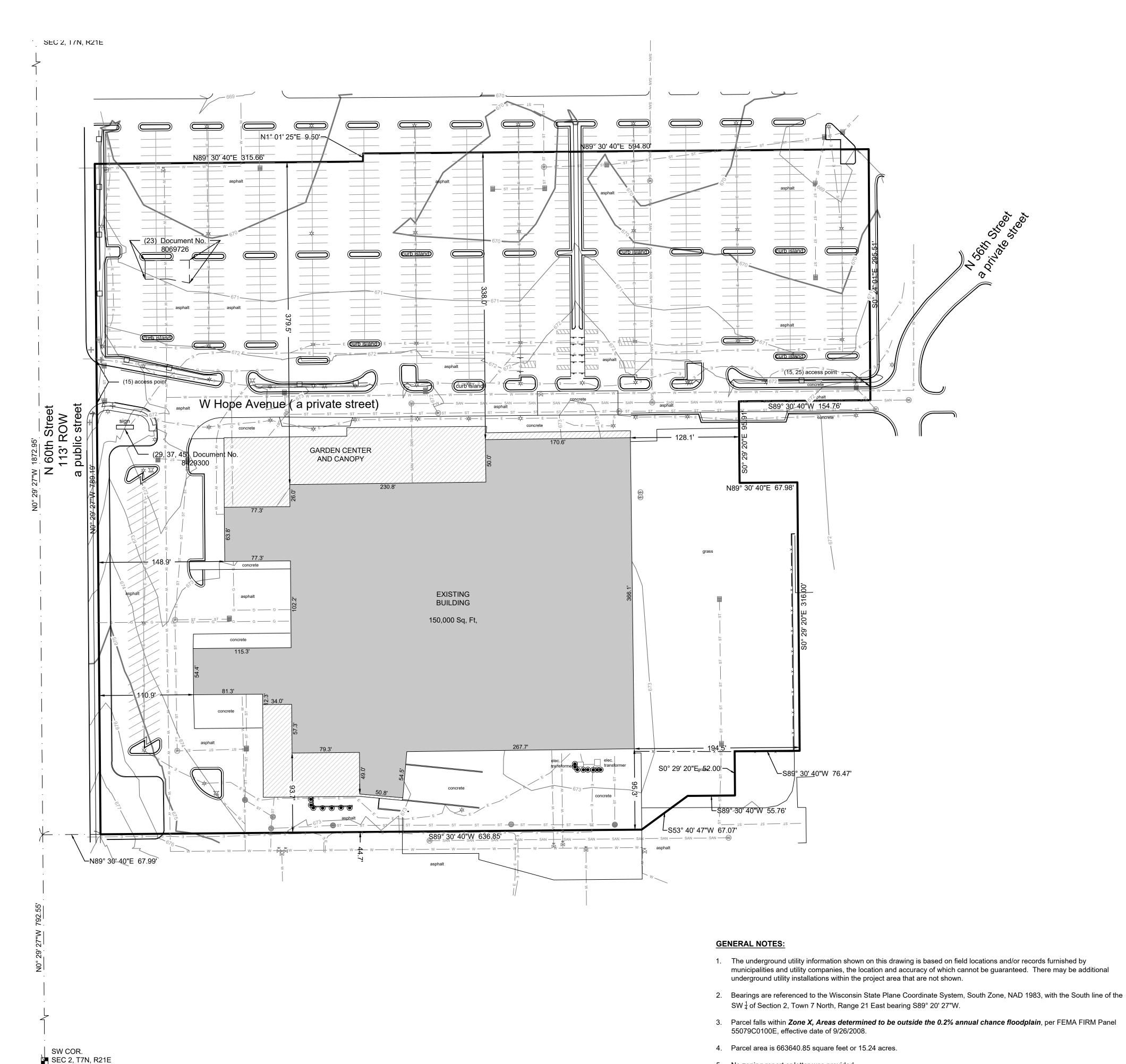
Tara Olaira and Title Occ

To: Chicago Title Company
AFS Milwaukee, LLC, a Kansas limited liability company

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes items 1, 2, 3, 4, 7(a), 8, 9, 11 and 13 of Table A thereof. The field work was completed on June 27th, 2022.

Date of Map June 29th, 2022 VIN A

Kevin A. Slottke, PLS No. 2503



5. No zoning report or letter was provided.

Single Source. Sound Solutions. GROUP www.thesigmagroup.com
1300 West Canal Street
Milwaukee, WI 53233
Phone: 414-643-4200
Fax: 414-643-4210

LEGEND

- · - SECTION 1/4 SECTION LINE GUARD RAIL -0-0-0-0-WOOD FENCE TREE LINE — E — E — E — E — ELECTRIC — T — T — T — T — TELEPHONE — CTV — CTV — CTV — CABLE TV — st — st — st — st — STORM SEWER — 。— 。— 。— 。— GAS EXISTING MAJOR CONTOUR (MH) UNKNOWN MANHOLE ST STORM MANHOLE OPK PK NAIL FOUND/SET (E) ELECTRIC MANHOLE MONUMENT MIS) MMSD MANHOLE BENCHMARK T TELEPHONE MANHOLE CATCH BASIN ()8" DECIDUOUS TREE (Diameter) CATCH BASIN (ROUND) 28" CONIFEROUS TREE (Diamete ROOF DRAIN BUSH \*\*\* HYDRANT POST SOIL BORING WATER VALVE MONITORING WELL GAS VALVE Ø UTILITY POLE CULVERT END ← GUY WIRE LIGHT POLE -GUY POLE G GAS METER PARKING METER E ELECTRIC METER FLAG POLE P UTILITY PEDESTAL TRAFFIC SIGNAL H HANDHOLE

ALTA

1. Add contours 7/5/2022 KAS
NO. REVISION DATE BY

DRAWING NO. 21090-ALTA.dwg

DRAWN BY: NGC

DATE: 06/29/2022

PROJECT NO: 21090

CHECKED BY: KAS

APPROVED BY: --
SHEET NO.:

1 OF 1



## File No. 040068

#### **EXHIBIT A**

#### DEVELOPMENT INCENTIVE ZONE

Former Capitol Court Mall

#### **USES PERMITTED-REGIONAL SHOPPING**

All existing uses at the site and specifically the following:

- 1. Specialty schools.
- 2. Colleges. (not located on first floor)
- Governmental structures, excluding transmission towers, not detrimental to the character of the district.
- 4. Public parks and playgrounds
- 5. Libraries, art galleries and museums.
- 6. Community centers. Subject to: Public Hearing and approval by City Plan Commission.
- 7. Offices.
- 8. Banks and other financial institutions
- 9. General retail establishments
- 10. General purpose grocery store.
- 11. Office furniture sales.
- 12. Department stores.
- 13. Mail order and catalog sales centers.
- 14. Consumer services
- 15. Ticket offices and travel agencies.
- 16. Pet shops without outdoor runs.
- 17. Lumber yards, building supplies and home improvement centers.
- 18. Motor vehicle rental offices.
- 19. Motor vehicle supply stores.
- 20. Motor vehicle service stations. \* Subject to Public Hearing and approval by City Plan Commission for freestanding buildings.
- 21. Motor vehicle pumping stations. \* Subject to Public Hearing and approval by City Plan Commission.
- 22. Motor vehicle repair centers. \* Subject to Public Hearing and approval by City Plan Commission.
- 23. Parking of motor vehicles, not exceeding 1.5 tons, as a principal or accessory use.
- 24. Car wash.\* Subject to: Public Hearing and City Plan Commission approval.
- 25. Personal services.
- 26. Funeral homes.
- 27. Photographic and art studios or schools.
- 28. Dance and music halls, studios or schools.
- 29. Dry cleaning laundry stations.
- 30. Laundromats.
- 31. Laundries.
- 32. Research and testing laboratories.
- 33. Medical and dental laboratories.
- 34. Printing and publishing establishments.
- 35. Commercial hotels.
- 36. Type "A" restaurants (sit-down restaurants).
- 37. Taverns.
- 38. Theatres, except drive-in theatres, adult motion picture theaters or adult coin-operated moving picture premises.
- 39. Convention centers, sports arenas and other places of assembly or recreation, except drivein theatres.
- 40. Bowling alleys.

5/4/04: Proposed revisions

- 41. Transportation passenger terminals.
- 42. Signs. Subject to Exhibit B signage standards.
- 43. Single-family dwellings.\*
- 44. 2-family dwellings.\*
- 45. Multi-family dwellings.\*
- 46. Family day care homes.\*
- 47. Community living arrangements. \* Subject to: Public Hearing and approval by City Plan Commission.
- 48. Live/work buildings. \*
- 49. Day care centers.\* Drop off and cueing must be on site.
- 50. Nursing homes.\*
- 51. Hospitals.\*
- 52. Health clinics.\*
- 53. Antique stores.\*
- 54. Second hand stores. \*
- 55. Rental centers.\*
- 56. Food preparation.\*
- 57. Type "B" restaurants.\* Subject to: Public Hearing and approval by City Plan Commission and meeting standards for drive-through listed below.
- 58. Drive-through.\* Subject to: Public Hearing and approval by City Plan Commission, not facing North 56<sup>th</sup> Street from a point 435 feet north of the north line of West Capitol Drive to a point 800 feet north and cueing space must be on site.
- 59. Late hour and 24 hour uses.\* Subject to: Public Hearing and approval by City Plan Commission.
- 60. Accessory uses.

#### **USES PROHIBITED-REGIONAL SHOPPING**

Any use not listed under the permitted commercial uses and specifically the following:

- 1. Churches.
- 2. Elementary and secondary schools.
- 3
- 4. Transmission towers.
- 5. Telephone central offices.
- 6. Open air markets.
- 7. Ambulance services.
- 8. Amusement machine premises located in establishments with a Class "B' retailer's intoxicating liquor license.
- 9. Reverse vending machines.
- 10. Small collection facilities.
- 11. The production of any product to be sold only at retail on the premises where it is produced.
- 12. Dormitories. \*
- 13. Rooming houses. \*
- 14. Medical service facilities. \*
- 15. Currency exchanges, title loan services and payday loan agencies. \*
- 16. Adult book stores. \*
- 17. Motor vehicle sales and rentals. \*
- 18. Motor vehicle body bumping and painting. \*
- 19. Transportation services. \*
- 20. Large collection facilities. \*
- 21. Off premises signs. \*

<sup>\*</sup> Denotes special use under current Section 295-343 of the Zoning Code.



#### Midtown Center Owner Support Letter

May 18, 2022

In Re: Property Commonly known as 5825 West Hope Ave, Milwaukee WI 53216 (the "Property")

More Specifically Described as:

Parcel 1 of Certified Survey Map No. 7035, recorded on November 9, 2001, as Document No. 8166306, being a division of Parcel 2 of Certified Survey Map No. 6762, being a part of the Southwest 1/4, Northwest ¼ Northeast ¼ and Southeast ¼ of the Southwest ¼ of Section 2, Town 7 North, Range 21 East, in the City of Milwaukee, County of Milwaukee, State of Wisconsin, as corrected by Affidavit of Correction recorded as Document No. 8274057. Tax Key No. 2490841000

To Whom It May Concern:

The purpose of this letter is to evidence the support of Mid Milk Improvements, LLC ("Mid Milk"), the current owner of the Property, in connection with the planned request by Northern States Properties, LLC ("NSP"), the contract purchaser of the Property, for a variance from the Milwaukee Board of Zoning Appeals to depart from the Zoning Code and permit the use of the Property as an indoor self-storage facility (the "Variance").

Mid Milk agrees to support NSP's proposed request for the Variance at public hearings, or to abstain from attending public hearings altogether.

Mid Milk acknowledges and further agrees that the Variance will contribute to the revitalization of the Property, which currently houses a vacant, former "Walmart" building.

Mid Milk respectfully requests that the Milwaukee Board of Zoning Appeals grants the Variance.

#### MID MILK IMPROVEMENTS, LLC

By:

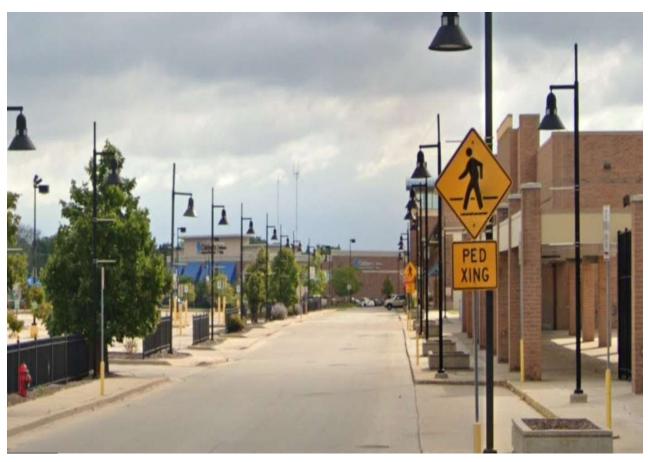
First Man Mid Milk Corp., a Delaware corporation,

its Manager

Name: Adam Ifshin Title: President



# West to East View of Hope Ave



Current street view looking from West to East.

Existing Lights will remain in place.

Existing trees will be left in place that are seen on this picture.

All street signage will remain as exists here in this photo.

# North face of Building - Existing



## North side in front of greenhouse buildings facing East



# North side of building looking west



Lighting to remain.

Existing planter boxes to remain – additional to be added to outline drive.

Arcade to be removed where not attached to building.

## North side existing building – former Walmart entrance



Canopy to remain in this area.

Pillars to have stone added to them.

Planter boxes to have landscaping added.

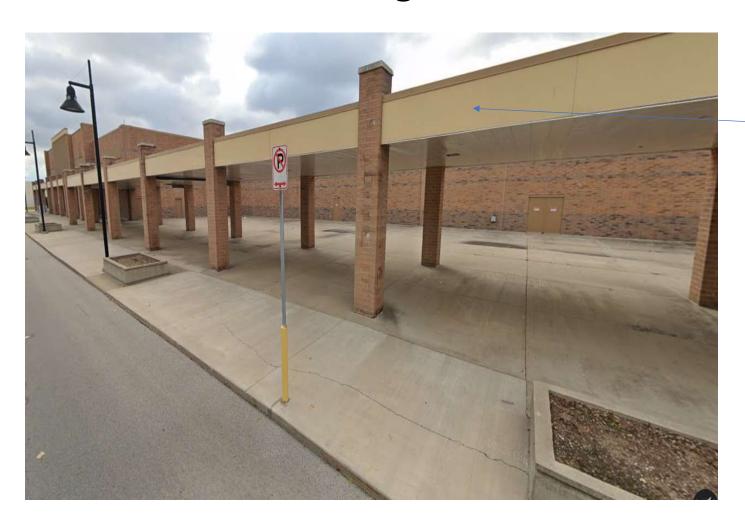
# North face of building on West end



Fencing and old garden area here will be removed to make way for the drive in door for the facility.

The Greenhouse buildings will be removed.

## North side of building where arcade to be removed.



Removing this portion of arcade that is not attached to building.

Adding planters evenly spaced to meet overlay standards for outlining street.

New curb cut for access to new retail fronts

Picnic tables and planters

Lights and signs to remain.

# West side of building - existing





Existing sign will remain, existing landscaping to remain in place.

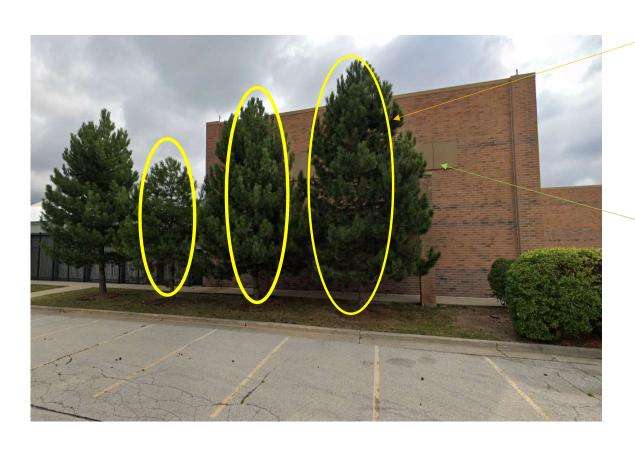
Existing lighting will remain in place.

West side of building from west drive



The existing greenhouse buildings will be removed, grass and landscaping to be added in its place.

## West side of building new storage entrance



These 3 trees on the West side of the building will be removed to allow for sidewalk and entry door/windows to be installed for the indoor self-service storage facility.

There will be additional decorative shrubs planted along the walkway that will be installed. See Landscaping plan for drawing.

The existing canopy will remain in place. The pillars will be stoned for aesthetics.

# West side current building cut out



## Southwest corner of building with landscaping

Note: Lights and landscaping will remain in place. Parking will also remain in place as well as street front buffer.



# South side of Building - Existing



# South side of building



Existing screening for trash

# South to North on West Side of Building



Parking to remain

Street Buffer to remain

Island Landscaping to remain

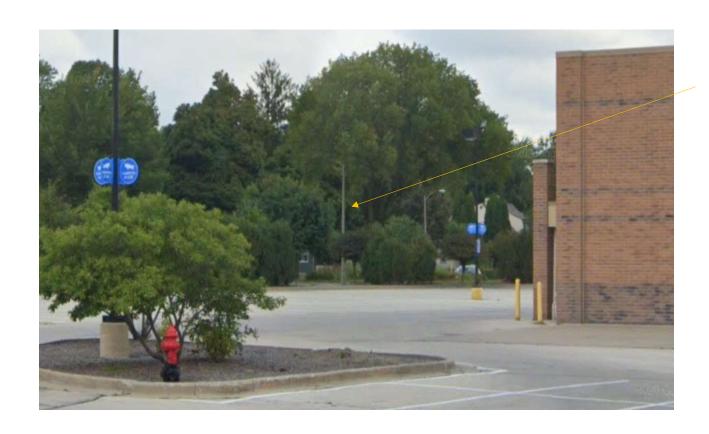
Building to remain in same condition.

# Southeast side of building



Fencing to be removed and replaced with 6' decorative black aluminum fencing.

# Looking West from south side of building



Existing street buffer to remain in place.

Additional landscaping on the island. See generally landscape plan

## West Side looking South to North Mid Parking lot



Existing landscape, trees, signage and parking to remain.

Will remove trees by new entrance as shown on prior photo.

## East side of Building - Existing



## East side of building



Light to remain.

Planter boxes to remain – landscaping per plan

Grass to remain.

Additional trees added per landscape plan

Cameras to be installed

Fence to be reused

## **Existing North Parking Area**



## Northwest corner of building to parking



## Northwest corner of parking lot looking South



Buffer and fencing to remain.

## Northwest corner of parking lot looking east



Existing trees in islands to remain. Additional landscaping to be added per plan in depayed areas.

All lights will remain in place where parking lot remains.

## West middle of parking looking east



Existing trees in islands to remain, additional plantings as referenced in Landscaping plan

All existing lights to remain in the parking lot that will remain per plan.

## Front of building looking North into parking lot



Fencing and lighting to remain.

Replacement landscaping per Landscaping plan

Curb cuts to remain in place.



# AFS Milwaukee, LLC NSI Investments, LLC

5828 West Hope Ave

**Examples of Prior Projects** 



## Pine Tree Plaza

- Example of Revitalizing a distressed Strip Mall
- Pine Tree Plaza is owned by NSI Investments, LLC another of the companies under O & H Investments owned by the Overhues.
- Pine Tree Plaza is 99% rented and has had a complete façade makeover and fits into the area aesthetically.

Investor Directory Programs & Events News Investor Login Contact Us (816) 525-6617



#### News

#### Construction set to begin on Pine Tree Plaza renovation

EDC Staff / November 3, 2017 / New Development, What's Happening

Lee's Summit, Mo,—November 2, 2017—The strongly anticipated renovation of the Pine Tree Plaza retail center at Blue Parkway and Jefferson Street is underway as the property owner reconfigures the former Price Chopper store into three separate retail spaces.

"We are going to be doing a complete facade remodel, so it should look like a new center when we are finished," said Trent Overhue, property owner and principal of NSI Investments LLC. This will be a dramatic improvement with all new landscaping, parking lot lighting and signage."

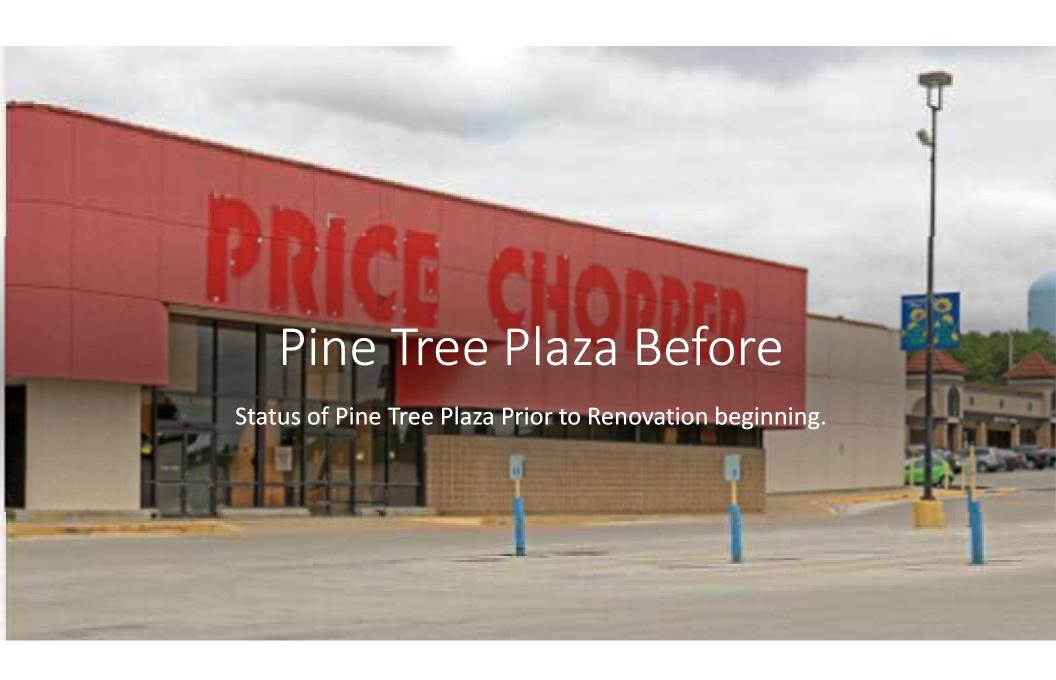
Planet Fitness will open a 25,000-—square foot facility in December, and Harbor Freight Tools plans to open a 16,000-—square foot store in the spring of 2018, leaving about 24,000 square feet of the former grocery store available for lease, according to Overhue.

Redevelopment of two retail "wings" on the east and west sides of the former grocery store totaling about 40,000 square feet will take place in early 2018, followed by improvements to two outbuildings suitable for restaurant or medical office tenants.

Pine Tree Plaza is located north of the new U.S. 50/Missouri 291 South interchange and is part of the city's "Envision Lee's Summit" redevelopment area, which aims to help Lee's Summit achieve higher density housing and mixed-use development.

"Pine Tree Plaza is a longtime south Lee's Summit retail fixture in a prime location, but the center has struggled with vacancy in recent years," said Lee's Summit EDC President Rick McDowell. "I am optimistic that this long overdue facelift will boost tenant interest, lift occupancy rates and potentially increase nearby property values."





## Pine Tree Plaza 2023



## Pine Tree Plaza in 2023

**New Façade completed 2018** 







## Revitalized Storage Facility

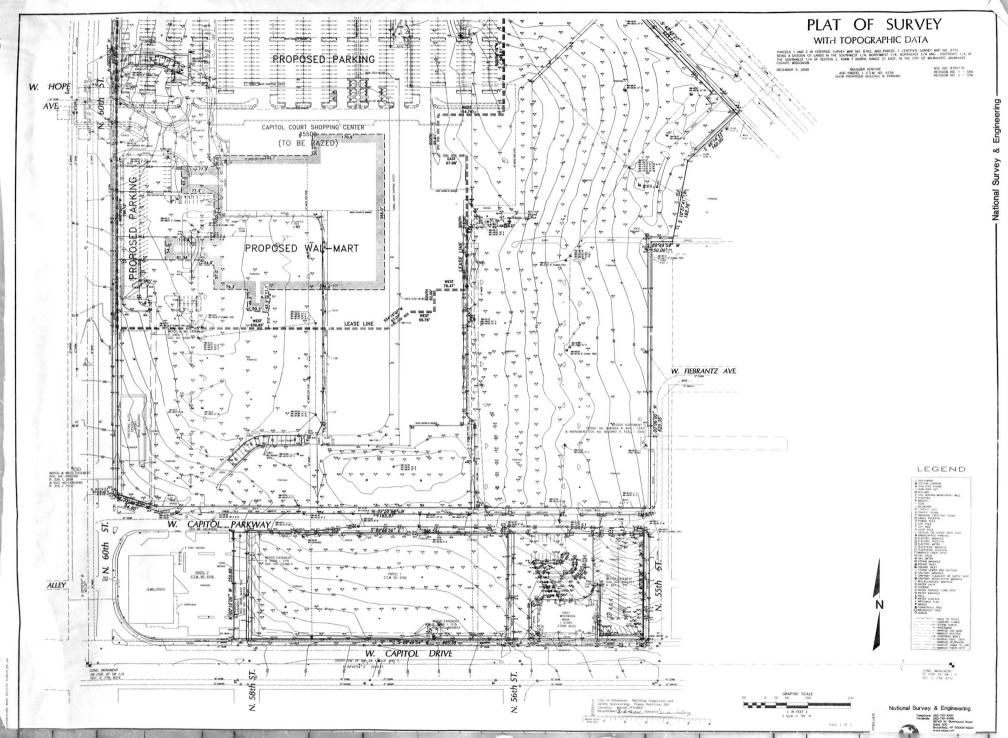
**Clean Front in parking lot** 

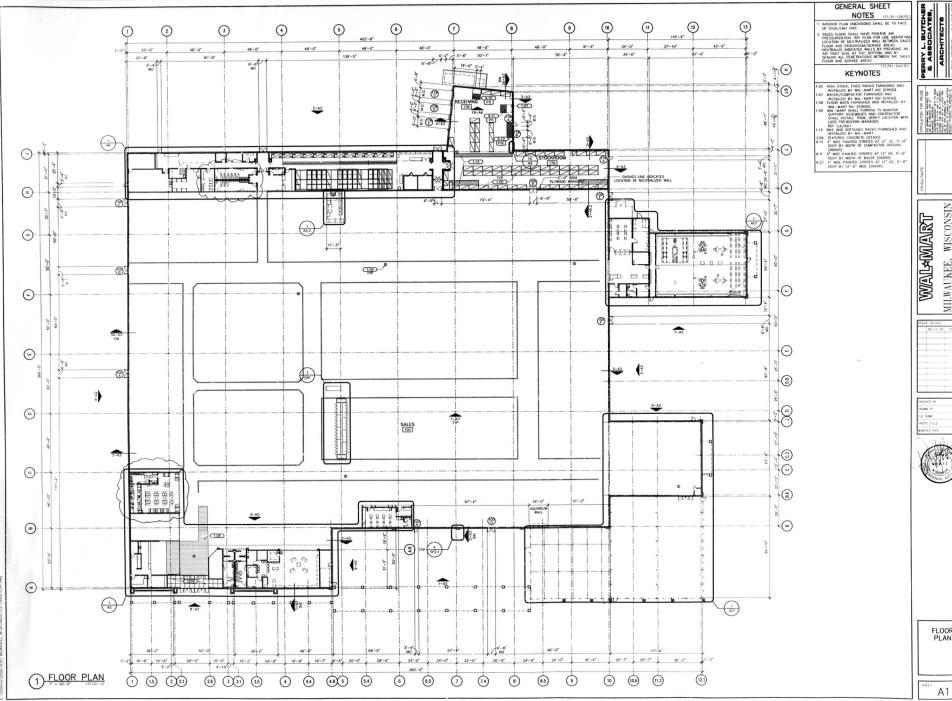
**Street Side View of Building** 











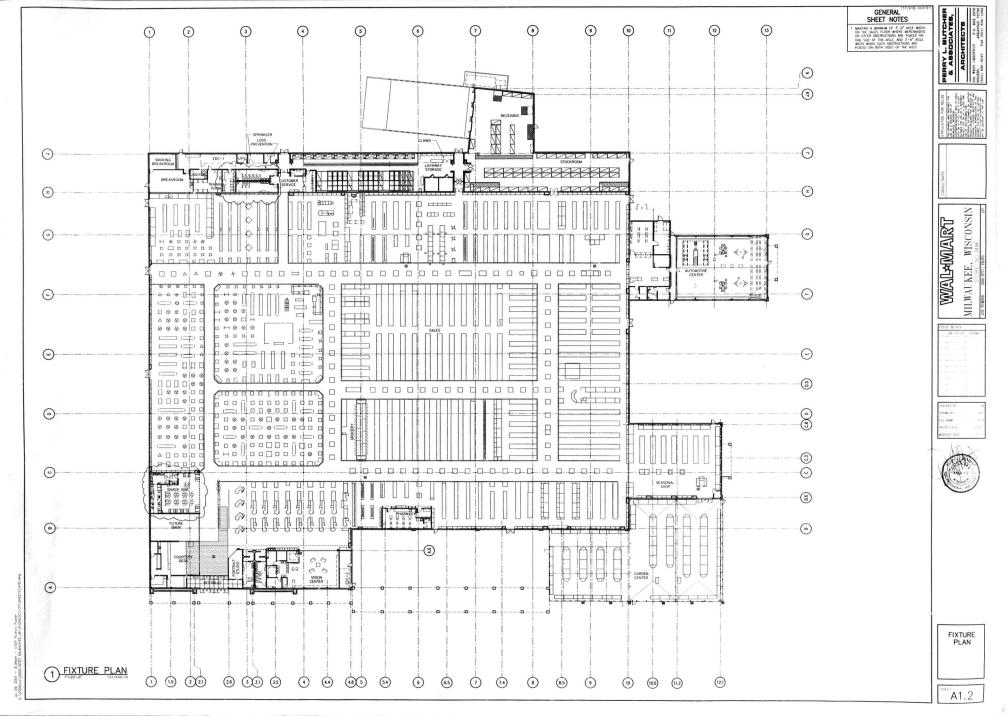
MILWAUKEE, WISCONSIN

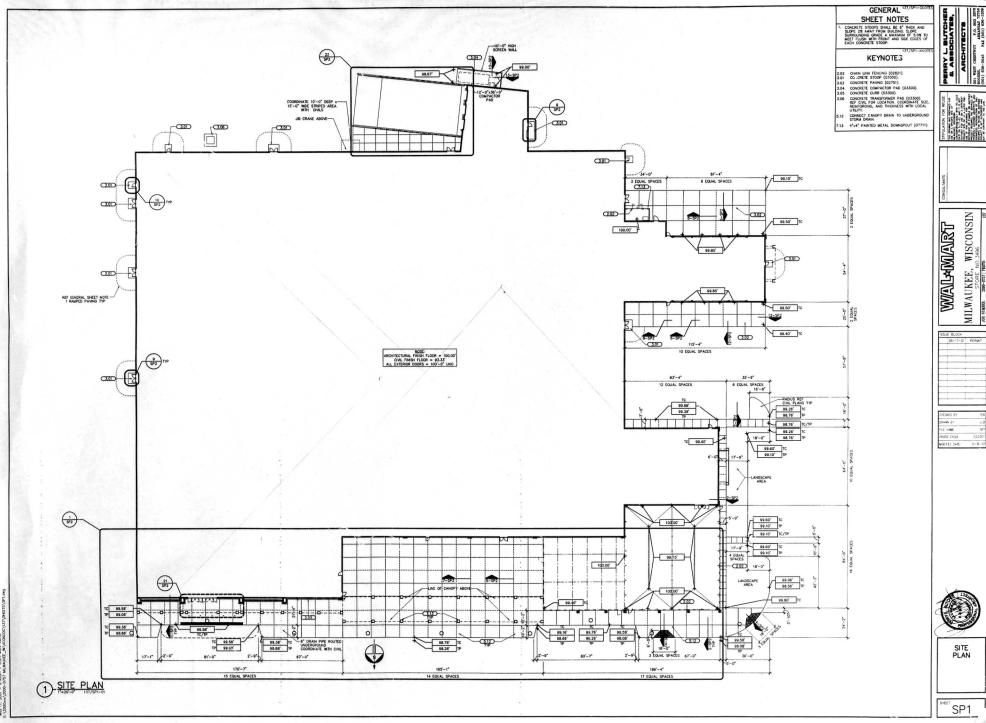






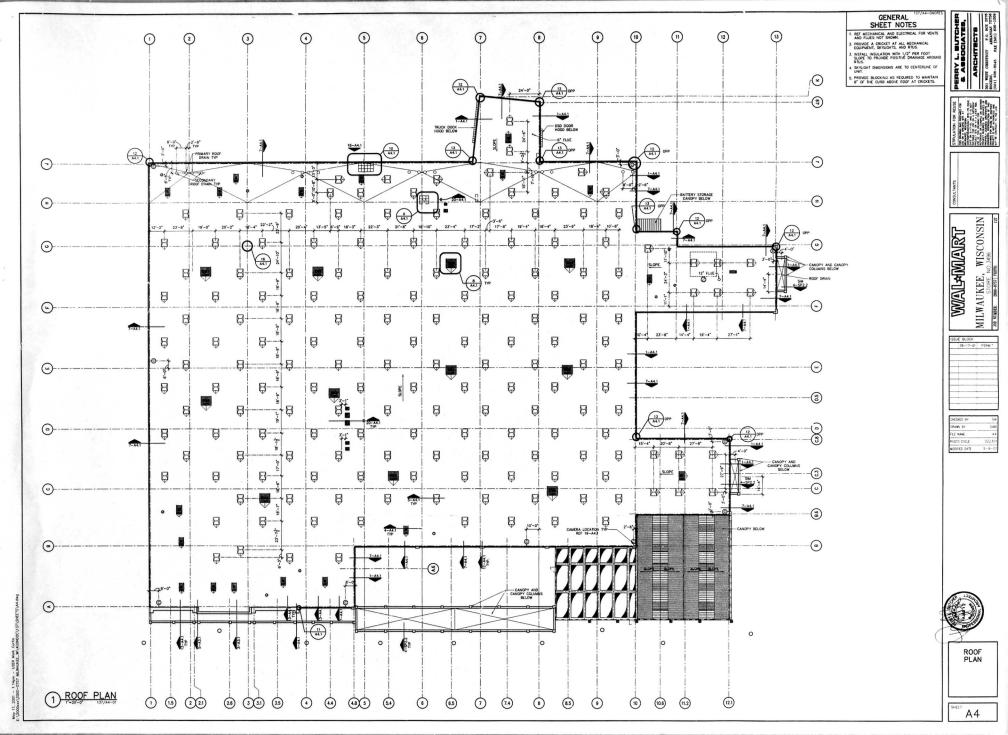
**FLOOR** PLAN

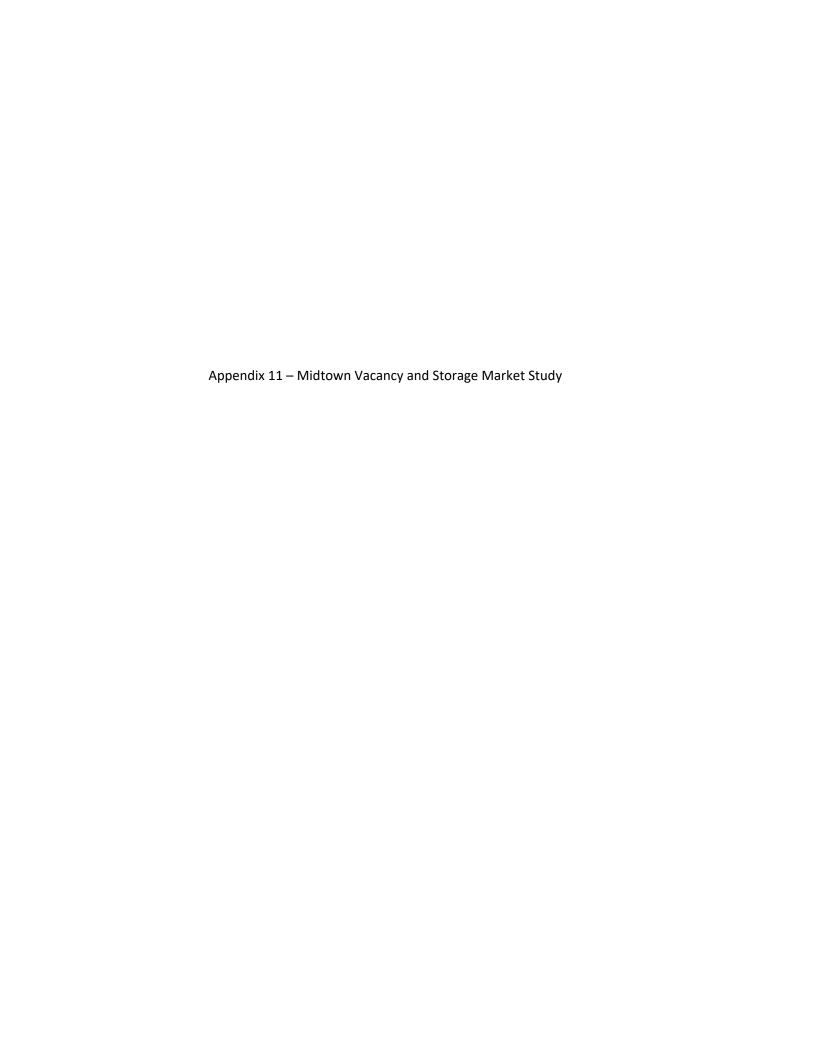














### **Midtown Center**

60th St, Capitol Dr & N. Fond Du Lac Ave 5700 W. Capitol Dr Milwaukee, WI53216

GLA:408,499

Contact: Emily Heppen

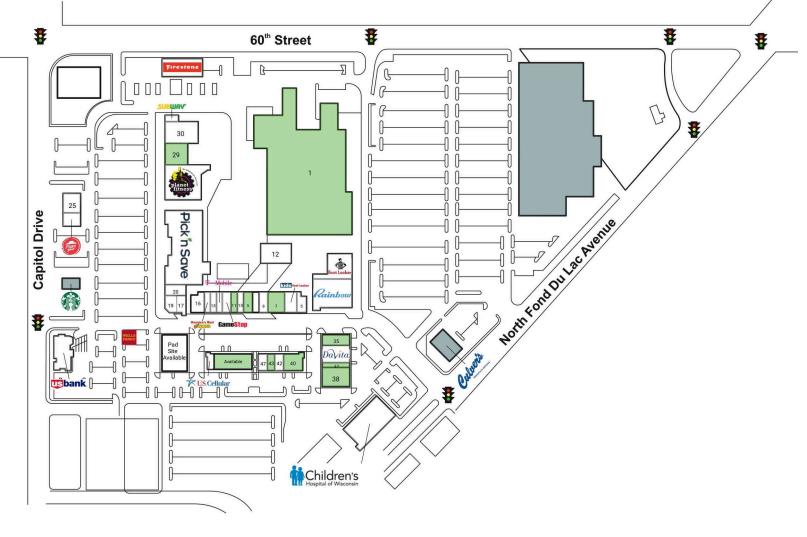
P. 301.897.3215 C. 301.775.3796

E. eheppen@dlcmgmt.com

This site plan indicates the general layout of the shopping center and is not a warranty, representation, or agreement on the part of the landlord that the shopping center will be exactly as depicted herein.

#### **AVAILABLE SPACES**

1 161,022 SF
7 4,891 SF
9 2,183 SF
11 1,250 SF
29 9,000 SF
35 3,500 SF
37 3,039 SF
38 5,865 SF
40 4,399 SF
43 2,090 SF
49-54 8,126 SF



#### **CURRENT TENANTS**

T-Mobile

Cousins Subs

1,705 SF

1,710 SF

27 US Bank

14

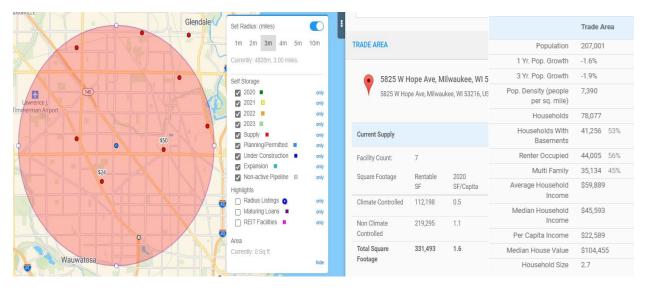
15

ATM	Wells Fargo ATM		16	Pak's Jewelers	2,893 SF	28	America's Best Wings	1,750 SF
3	Foot Locker	4,725 SF	17	America's Best Contacts & Eyeglasses	3,319 SF	30	CSL Plasma	14,580 SF
4	Rainbow Apparel	10,000 SF	19	Ashley Stewart	3,530 SF	31	Subway	1,420 SF
5	Shoetique	2,922 SF	20	Cosmo Beauty Supply	3,148 SF	32	Children's Hospital of Wisconsin	20,930 SF
6	Kids Foot Locker	3,150 SF	21	Pick 'n Save	53,460 SF	36	Davita Dialysis Center	6,858 SF
8	Crown Beauty	3,565 SF	22	Planet Fitness	25,001 SF	42	Nails Today	1,207 SF
10	Golden Ark Jewelers	1,031 SF	24	Pizza Hut	2,321 SF	47	Hunger Task Force	2,892 SF
12	Concordia University	6,600 SF	25	Laughing Crab	5,162 SF	48	U.S. Cellular	2,552 SF
13	GameStop	2,112 SF	26	Firestone	8,100 SF			

**Vacancy at Midtown** – Currently there is over 50,000 sq ft available of small retail shops. Also, the former Home Depot was converted into a 100,000 sq ft distribution/light industrial use but it is unclear how much is actively occupied. By adding the 150,000 vacant Walmart space, there is over 200,000 feet of vacant space within the one complex with possibly more in the former Home Depot. Eliminating a substantial amount of vacant space (almost half) will make it much easier to attract quality retail tenants to the rest of the complex.

#### **Demand Statistics** – 5825 W. Hope Ave

80% of our customers come from within a 3-mile radius. This report shows 1.6 sq ft per person and only .5 sq ft for climate-controlled storage. To determine demand in a area the National Average is 7.5 sq ft per person. With 207,000 people in a 3-mile radius it shows that it can absorb at least 1.425 million sq ft. Currently this area has 331,493 sq ft total which means it could easily support another 1.093 million sq ft before it reaches the national average. This facility will only put a dent into the overall need for the product.



Since there is very little storage product available for the residents of Milwaukee consumers are forced to pay high rents due to the lack of supply. Currently, other facilities are asking \$143 for a 10x10 space and \$238 for a 10x20. Bringing more storage to the area will allow for affordable rates and benefit the community.