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APPROVAL Slav	REQUEST FOR COUNCIL ACTION	MEETING DATE 10/17/17
REPORTS & RECOMMENDATIONS	RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR AN AUTO PARTS RETAIL STORE UPON PROPERTY LOCATED AT 7251 SOUTH 27TH STREET (O'REILLY AUTOMOTIVE STORES, INC., APPLICANT)	ITEM NUMBER

At its October 5, 2017 meeting, the Plan Commission recommended approval of a resolution imposing conditions and restrictions for the approval of a special use for an auto parts retail store upon property located at 7251 South 27<sup>th</sup> Street (O'Reilly Automotive Stores, Inc., Applicant).

The Plan Commission recommended approval of the Special Use Application, subject to revising Condition No. 8.a., to insert "in part to further assist in storm water management" following "provided".

The attached resolution has been revised per the Plan Commission motion.

Please note that the Plan Commission approved the following waivers from the South 27<sup>th</sup> Street Overlay Design Standards.

- a. Commissioner Fowler moved and Commissioner Hogan seconded a motion to waive the required standards under 15-3.0352A. pertaining to parking, subject to striking language within Condition No. 15 related to relocating the building closer to South 27<sup>th</sup> Street. On voice vote, all voted 'aye'. Motion carried (5-0-0).
- b. Commissioner Haley moved and Alderman Dandrea seconded a motion to waive the required standards under 15-3.0353B. pertaining to site furnishings.

Commissioner Morrow moved and Commissioner Fowler seconded a motion to reconsider Item b. On voice vote, all voted 'aye'. Motion carried (5-0-0).

Commissioner Fowler moved and Commissioner Morrow seconded a motion to amend the main motion to require the applicant revise the site plan to include a minimum of one bench, one trash receptacle and one bicycle rack. On voice vote, all voted 'aye'. Motion carried (5-0-0).

On the main motion as amended, all voted 'aye'. Motion carried (5-0-0).

- c. City Engineer Morrow moved and Commissioner Haley seconded a motion to waive the required standards under 15-3.0353C.3. pertaining to pedestrian and bicycle access. On voice vote, all voted 'aye'. Motion carried (5-0-0).
- d. Commissioner Hogan moved and Commissioner Haley seconded a motion to waive the required standards under 15-3.0353C.4. pertaining to sidewalks. On voice vote, all voted 'aye'. Motion carried (5-0-0).

- e. Commissioner Fowler moved and Alderman Dandrea seconded a motion to waive the required standards under 15-3.0353C.5. pertaining to pedestrian walkways with the insertion of "preferably at the northeast corner of the site, and to provide a sidewalk and curb and gutter along West Minnesota Avenue" following "South 27<sup>th</sup> Street" in Condition No. 17. On voice vote, all voted 'aye'. Motion carried (5-0-0).
- f. Commissioner Fowler moved and Alderman Dandrea seconded a motion to waive the required standards under 15-3.0353E. pertaining to bicycle parking and pedestrian furniture. On voice vote, all voted 'aye'. Motion carried (5-0-0).
- g. Commissioner Hogan moved and Commissioner Fowler seconded a motion to waive the required standards under 15-3.0353F.1. pertaining to landscaping. On voice vote, all voted 'aye'. Motion carried (5-0-0).
- h. Commissioner Hogan moved and Commissioner Fowler seconded a motion to waive the required standards under 15-3.0355A.8. and 9. pertaining to building character and design standards. On voice vote, all voted 'aye'. Motion carried (5-0-0).
- i. Commissioner Haley moved and Commissioner Hogan seconded a motion to waive the required standards under 15-3.0355B.3.a. and c. pertaining to building materials and colors. On voice vote, all voted 'aye'. Motion carried (5-0-0).
- j. Commissioner Hogan moved and Commissioner Haley seconded a motion to waive the required standards under 15-3.0355B.6. pertaining to change in relief of building. On voice vote, all voted 'aye'. Motion carried (5-0-0).
- k. Alderman Dandrea moved and Commissioner Fowler seconded a motion to waive the required standards under 15-3.0355B.4.b. pertaining to roof materials, parapets, and roof pitch. On voice vote, all voted 'aye'. Motion carried (5-0-0).
- 1. Commissioner Haley moved and Commissioner Fowler seconded a motion to waive the required standards under 15-3.0355B.7.a., b. and c. pertaining to windows. On voice vote, all voted 'aye'. Motion carried (5-0-0).
- m. Commissioner Hogan moved and Commissioner Fowler seconded a motion to waive the required standards under 15-3.0355B.8.d. pertaining to pedestrian accessibility. On voice vote, all voted 'aye'. Motion carried (5-0-0).

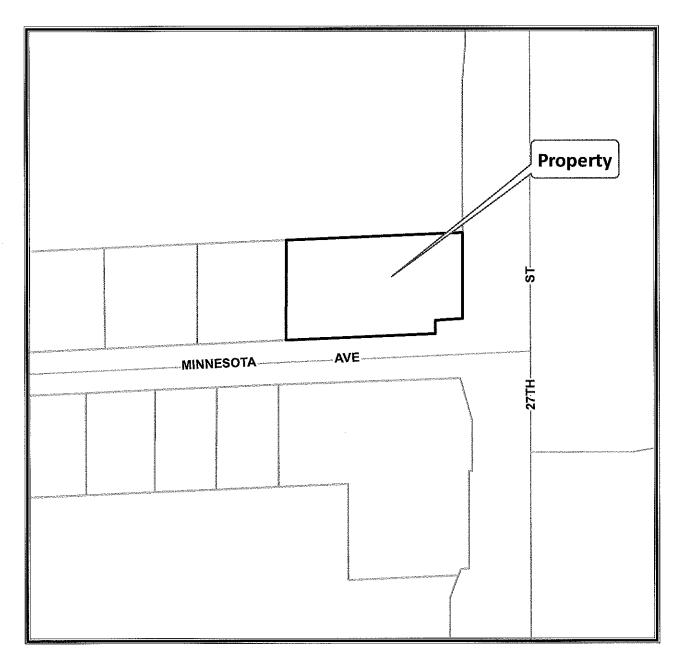
Please be aware that Condition Nos. 15 through 22 in the attached resolution require certain conditions to be met by the applicant related to these waivers.

### **COUNCIL ACTION REQUESTED**

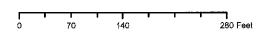
A motion to adopt Resolution No. 2017-\_\_\_\_\_\_, a resolution imposing conditions and restrictions for the approval of a special use for an auto parts retail store upon property located at 7251 South 27<sup>th</sup> Street (O'Reilly Automotive Stores, Inc., Applicant).



7251 S. 27th Street TKN: 761 9956 001



Planning Department (414) 425-4024

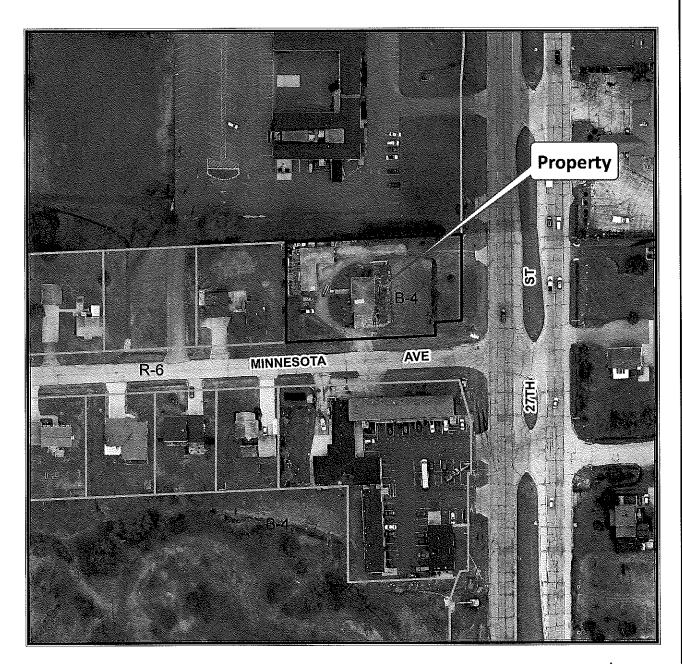


NORTH 2017 Aerial Photo

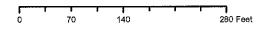
This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. This map is provided for informational purposes only and may not be sufficient or appropriate for legal, engineering, or surveying purposes.



7251 S. 27th Street TKN: 761 9956 001



Planning Department (414) 425-4024



NORTH 2017 Aerial Photo

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### REPORT TO THE PLAN COMMISSION

### Meeting of October 5, 2017

### Special Use

**RECOMMENDATION:** City Development staff recommends approval of the proposed Special Use and associated Site Plan for an O'Reilly Auto Parts store upon property located at 7251 South 27<sup>th</sup> Street subject to the conditions set forth in the draft Resolution. Staff further recommends approval of the waivers to the South 27<sup>th</sup> Street Design Overlay District Standards subject to the conditions also set forth in the draft Resolution.

Project Name: O'Reilly Auto Parts Special Use

**Project Address:** 7251 South 27<sup>th</sup> Street

Applicant: Patrick Blees, Architect, PLLC

**Property Owner:** O'Reilly Automotive Stores, Inc.

Current Zoning: B-4 South 27<sup>th</sup> Street Mixed Use Commercial District

2025 Comprehensive Plan Mixed Use

Use of Surrounding Properties: St. James Catholic Congregation and School to the

north, Park Motel and Little Cancun restaurant to the south, City of Oak Creek (residential) to the east and

single-family residential to the west

Applicant Action Requested: Recommendation of approval for the proposed Special

Use and associated Site Plan for the development of an

O'Reilly Auto Parts store.

#### Please note:

- Staff recommendations are <u>underlined</u>, in <u>italics</u> and are included in the draft resolution.
- Staff suggestions are only underlined and are not included in the draft resolution.

### INTRODUCTION

On August 22, 2017, the applicant submitted a Special Use Application for the development of an O'Reilly Auto Parts store upon property located at 7251 S. 27<sup>th</sup> Street. O'Reilly Auto Parts is an auto parts retailer classified under Standard Industrial Classification Title No. 5531: Auto and Home Supply Stores, which is allowed as a Special Use in the B-4 South 27<sup>th</sup> Street Mixed Use Commercial District per Table 15-3.0603 of the Unified Development Ordinance.

### PROJECT DESCRIPTION AND ANALYSIS

The applicant has submitted a Special Use Application requesting approval of an O'Reilly Auto Parts store. The applicant's responses to the Unified Development Ordinance's Special Use standards are attached. Staff has no objection to the proposed use, subject to Plan Commission approval of the associated Site Plan for this project.

The subject property is approximately 0.72-acres and is located on the northwest corner of S. 27<sup>th</sup> Street and W. Minnesota Avenue. The applicant has recently razed the dilapidated home and accessory buildings that were on the property. The Wisconsin Department of Transportation has recently reconstructed this section of S. 27<sup>th</sup> Street, including the addition of a turn-lane and a sidewalk in front of the subject property.

### Site Plan:

The proposed O'Reilly Auto Parts store is 7,228 square feet. The total amount of impervious surface proposed onsite is 21,926 square feet, leaving 15,921 square feet of greenspace or approximately 42% (a minimum of 30% is required by the B-4 zoning district standards). Note that as the applicant is disturbing less than one acre of land and impervious surface added is less than one-half an acre, storm water management facilities are not required.

The site plan includes two drives adjacent to W. Minnesota Avenue. The opening nearest S. 27<sup>th</sup> Street is 24 feet wide and the westernmost opening is 36-feet wide. Section 15-5.0207B. of the UDO limits width to 24' and 30' at roadway; however, it also states that the Plan Commission may approve openings for vehicular ingress and egress greater than 30-feet.

The proposal also includes cross-access to the property to the north. The applicant has provided a cross access easement exhibit. <u>Staff recommends that the applicant shall submit a recorded cross-access easement to the Department of City Development prior to issuance of an Occupancy Permit. Staff also recommends that the cross access easement location be illustrated on the proposed site plan. Finally, staff also recommends that the applicant shall pave the cross-access up to the property line prior to issuance of an Occupancy Permit. The applicant has indicated that they would prefer to pave this connection at the time cross access is actually provided by the property to the north. In that regard, the B-4 zoning district intent does state that the City may require a letter of credit sufficient to ensure the construction of a future pedestrian or vehicular connection.</u>

In addition, it can be noted that a large parking lot exists immediately to the north, associated with the St. James Church, and as noted later in this staff report, the proposed O'Reilly development does not meet the City's parking standards. Therefore, staff recommends that the applicant shall contact St. James Church to inquire about the possibility of constructing the cross access and implementing a cross access easement and shared parking agreement simultaneously with development of the subject parcel, for Department of City Development review and approval prior to issuance of a Building Permit.

In this regard, staff would not object to relocation of the cross access to the west side of the subject property should that location be preferred by both property owners. However, should such a change occur, the building location and certain other site plan features such as the parking lot would likely change. <u>Staff would therefore recommend</u> that in the event of any site plan changes attributable to relocation of the cross access,

that the applicant shall submit a Site Plan Amendment to the City for review and approval by the Plan Commission.

The site plan also consists of a new 6-foot tall wood fence along the west property line to buffer the use from the adjacent residential dwelling to the west and a dumpster enclosure, which is located at the southwest corner of the building. The dumpster enclosure will be constructed of split face CMU with gate on south elevation.

According to the applicant, there are no outside merchandise display areas.

### Parking:

Table 15-5.0203 of the Unified Development Ordinance (UDO) requires five parking spaces per 1,000 square feet of Gross Floor Area. The building is 7,228 square feet; therefore, 37 parking spaces are required. The site plan includes 26 parking spaces, which is a reduction of 11 parking spaces or about 30%.

Section 15-5.0203 of the UDO allows for parking reductions if sufficient proof that the minimum number of required parking spaces exceeds actual parking demand, that shared parking is provided, or that land is reserved for future parking, if necessary.

Note that the S. 27<sup>th</sup> Street Design Overlay District also requires that technical documentation shall be furnished by the applicant during the site plan review process to indicate, to the satisfaction of the Plan Commission, that actual off-street parking demand for that particular use is less than the required amount or that sufficient on-street parking is available in the area.

The site plan does not include any future parking areas nor are there currently opportunities for shared parking. At the time of review comments, staff requested, "that the percent decrease being requested be stated in a revised project narrative or supplemental letter as well as justification for the decrease and that the store's parking demand will be met. For example, a comparative analysis may be submitted that indicates the typical number of parking spaces provided and the demand for other comparable O'Reilly Auto Parts stores."

The applicant indicated that O'Reilly Auto Parts is not a high traffic store. Staff does not find this sufficient technical documentation; therefore, <u>staff recommends that the applicant shall submit a parking analysis and/or future parking areas reserved, for review and approval by Department of City Development staff, that demonstrates that typical parking demand for an O'Reilly Auto Parts store is met, prior to issuance of a Building Permit.</u>

The applicant has indicated that two 2-door Nissan Frontier pickup trucks will be parked overnight onsite. These vehicles will be parked in the two furthest southwest parking spaces as noted on the Site Development Plan. Note that Special Use approval is required for parking any vehicle over 8,000 pounds manufactured Gross Vehicle Weight (GVW) overnight. The GVW of a Nissan Frontier is between 4,700 to 5,816 lbs; therefore, the parking of these vehicles does not have to be specifically included as part of this Special Use approval.

The parking spaces adjacent to the building meet or exceed the UDO minimum parking space size of not less than 9-feet wide and 180 square feet. However, the parking spaces along the east side of the property adjacent to S. 27<sup>th</sup> Street do not, as they are 9-feet wide and 18-feet in length (162 square feet). Staff is aware that in certain situations the Plan Commission has approved parking spaces that were 9-feet wide by 18.5-feet in length when abutting a curb, which would account for a 1.5-foot overhang. As this is a retail use with high vehicle turnover, staff suggests that the site plan be revised so all parking spaces are a minimum of 9-feet wide and 20-feet in length (180 square feet).

Two ADA accessible parking spaces are provided in front of the building, which complies with ADA standards and Table 15-5.0202(I)(1) of the UDO.

### Landscaping:

Table 15-5.0302 of the Unified Development Ordinance (UDO) requires a minimum of one canopy/shade tree, one evergreen tree, one decorative tree and one shrub for every five provided parking spaces. However, the subject property is adjacent to a single-family residence; therefore, the minimum quantity of plantings is increased by 20% per Section 15-5.0302C. of the UDO.

Given that the applicant is providing 26 parking spaces, 8 plantings of each type are required, which includes the 20% increase in quantity. The Landscape Plan includes 0 canopy/shade trees, 57 evergreen trees, 5 decorative trees, and 180 shrubs.

<u>Staff recommends that the applicant shall submit a Landscape Plan, for review and approval by Department of City Development staff, that includes the following revisions, prior to issuance of a Building Permit:</u>

- A minimum of eight canopy/shade trees and eight decorative trees shall be provided.
- <u>Karl Forester Grass and Prairie Dropseed shall be noted as ornamental grasses, not shrubs.</u>
- A greater variety of plantings shall be provided along the west and north property line to serve as the bufferyard, opposed to consisting of entirely Emerald Green Arborvitaes. Furthermore, the plantings shall be staggered, opposed to in a single row.
- The number of species provided shall comply with Section 15-5.0302F. of the Unified Development Ordinance.

For example, 57 evergreen trees are provided, however, only one species. This section requires that a minimum of four different species be provided.

- Planting size shall be indicated in the Planting Schedule and comply with minimum sizes within Table 15-5.0302 of the UDO.
- A planting guaranty of 2-years shall be provided by the landscape contractor and that guarantee noted on the Landscape Plan per Section 15-5.0303G.3. of the UDO prior to issuance of an Occupancy Permit.

### Lighting:

The applicant has provided a Lighting Plan with photometrics. The Lighting Plan includes three new light poles and five wall mounted building lights. The three new light poles have

an overall height of 27.5-feet. The maximum footcandles is 8.1 and at the property lines are 3.7.

Lighting cut sheets/catalog pages were not included as part of the Plan Commission submittal; however, were part of the applicant's initial submittal to staff. <u>Staff recommends</u> that the applicant shall submit cut sheets/catalog pages for Department of City Development review and approval, prior to issuance of a Building Permit.

Staff suggests that the applicant utilizes shorter and a more decorative style light pole.

### Architecture:

The primary building materials consist of two different colors of CMU. The building also has an EIFS and glass storefront entry feature. The applicant has included a canopy above the entrance and above a faux window on the south elevation. Building articulation includes minor variations in the roofline/parapet height of the front entrance feature, and pilaster features on the corners and center of the building.

Staff would note that the applicant is requesting waivers from South 27<sup>th</sup> Street Design Overlay District standards in regard to the architecture and windows. As such, the Plan Commission may wish to consider requiring additional architectural features or enhancements and consider any such changes as compensation for some of the requested waivers to the South 27<sup>th</sup> Street Design Overlay District standards. A condition related to architectural improvements is included in the discussion of these waivers later in this report.

The applicant has indicated that mechanicals are screened by parapets and that a screen will be provided on the rear of the building to screen mechanicals from the adjacent residential use.

### Natural Resource Protection Plan:

Graef-USA, Inc. conducted a natural resource investigation of the property on August 16, 2017 and found no natural resources onsite as defined by the Unified Development Ordinance.

### Signage:

The applicant has included signage for reference only and is aware and noted that signs are subject to separate review and approval through the Architectural Review Board and Inspection Department.

The applicant is proposing a monument sign at the corner of S. 27<sup>th</sup> Street and W. Minnesota Avenue and a wall sign on the east elevation above the front entry.

### South 27th Street Design Overlay District Standards and Necessary Waivers:

The subject property is located within the South 27th Street Design Overlay District. This zoning district contains special architectural, parking and landscaping standards for sites with new buildings or for projects that result in an increase in floor area of fifty (50) percent or more over the floor area of the existing building at the time of the addition. The proposed new building must meet these standards.

The Design Overlay District authorizes the Plan Commission to waive any of the District standards by 5 votes of all the members of the Plan Commission provided that supplemental design elements or improvements are incorporated into the project (over and above those which are otherwise required) which compensate for the waiver of the particular standard, or, in the case of parking provisions, where it can be demonstrated that the required parking is excessive or where specified areas are provided for the future provision of additional parking if necessary.

The applicant has provided a letter in which they outline the waivers being requested. Below, is a comprehensive list of the waivers being requested, along with the applicant's response and staff's recommendation to each requirement.

1. Section 15-3.0352A. Parking required and location regulated. "Not more than fifty (50) percent of the off-street parking spaces shall be located directly between the front facade of the building and the public street, unless additional buildings in the overall development are or will be located between the main building and the public street. Such additional buildings must be sufficient in size, location, and number to provide an effective visual break between the public street and the parking lot."

**Applicant's response:** "Due to the size of our lot and because we are already under the amount of parking required per code (5/1000SF of GFA), and do not have the space to relocate it anywhere else on site, we request that this requirement be waived."

Staff's Recommendation/Suggestion: Staff suggests moving the building closer to S. 27<sup>th</sup> Street, with relocation of one aisle of parking to the western portion of the site. Otherwise, the Plan Commission may concur with the applicant's findings that the proposed site layout, with parking and cross-access located on the east side of the property, is appropriate due to the size of the subject property.

2. Section 15-3.0353B. Coordination of site furnishings. Lighting and site furnishings (benches, trash receptacles, bicycle racks, etc.) shall complement the character of the building, and provide an attractive and strong relationship with adjoining properties and the public sidewalk.

**Applicant's response:** "O'Reilly typically isn't a place of great pedestrian traffic, so we would prefer not to add these items unnecessarily."

Staff's Recommendation/Suggestion: Staff recommends that the applicant shall submit a revised Site Development Plan for Department of City Development review and approval, that includes site furnishings such as benches, trash receptacles, and bicycle racks, prior to issuance of a Building Permit. In addition, the applicant shall provide cut sheets/catalog pages for the type of furnishings provided.

3. Section 15-3.0353C.2. Pedestrian considerations. Large parking areas shall include walkways to allow safe pedestrian access to the building entrance and to connect the site to adjacent streets and properties. Pedestrian walkways shall be designed with amenities such as special paving treatments (colored paver blocks or textured concrete), lighting (see lighting discussion below) and furnishings to create a pedestrian-friendly character.

**Applicant's response:** "Due to our inability to meet parking space requirements we would need to lose what few parking spaces we have in order to create landscaping islands. We are proposing to attempt to put one in at the storefront parking as shown on the L 1. 1 sheet, but it may cause difficulties with two-way traffic. If possible, we would prefer this requirement to be waived."

**Staff's Recommendation/Suggestion:** The proposed parking lot is not very large and the Landscape Plan includes significant perimeter plantings; therefore, staff does not find that a waiver is needed.

4. Section 15-3.0353C.3. Pedestrian considerations. The entire development shall provide for safe pedestrian and bicycle access to all uses within the development, connections to existing and planned public pedestrian and bicycle facilities, and connections to adjacent properties.

Applicant's response: "O'Reilly would prefer not to add these items."

Staff's Recommendation/Suggestion: <u>Staff recommends that the applicant shall submit a revised site plan for Department of City Development review and approval, that includes a pedestrian connection from the front entry of the building to the sidewalk along S. 27<sup>th</sup> Street, prior to issuance of a Building Permit.</u>

Staff would not object to location of the pedestrian connection to the S. 27<sup>th</sup> Street sidewalk along the northern or southern portions of the parking lot, subject to a direct connection to the proposed sidewalk along the front/east side of the building. In addition, it can be noted that the applicant has agreed, and staff has already recommended, a condition that the applicant provide a recorded cross-access agreement for access to the property to the north.

5. Section 15-3.0353C.4. Pedestrian considerations. Sidewalks shall be provided along the entire length of any facade containing a public entrance, leaving room for foundation planting beds.

**Applicant's response:** "Due to parking space count and drive aisle width, we don't have a reasonable amount of space with which to provide a planting bed along the front entrance. We request that this item be waived."

Staff's Recommendation/Suggestion: Staff recommends that the applicant shall submit a revised Landscape Plan, for Department of City Development review and approval, that includes foundation plantings or planters along the south and east sides of the building, prior to issuance of a Building Permit.

6. Section 15-3.0353C.5. Pedestrian considerations. Pedestrian walkways shall be provided from all building entrances to existing or planned public sidewalks or pedestrian/bike facilities.

Applicant's response: "O'Reilly would prefer not to add these items.

**Staff's Recommendation/Suggestion:** As indicated previously, staff recommends providing a pedestrian connection from the building entrance to the sidewalk along S. 27<sup>th</sup> Street.

7. Section 15-3.0353E. Bicycle and pedestrian amenities required. The development shall provide secure, integrated bicycle parking and pedestrian furniture in appropriate quantities and location.

**Applicant's response:** "O'Reilly typically isn't a place of great pedestrian traffic, so we would prefer not to add these items unnecessarily."

**Staff's Recommendation/Suggestion:** Again, as previously stated, staff recommends that bicycle and pedestrian amenities be included and illustrated on the site plan.

8. Section 15-5.0353F.1. Landscaping. On-site landscaping shall be provided per the landscaping requirements found in Section 15-5.0302. In addition, the project shall provide: 1. Extensive building foundation landscaping for all building frontages facing public streets, parking lots, or residential districts to provide visual breaks in the mass of the building. Building foundation landscaping shall be placed so that, at maturity, the plant's drip line is within ten (10) feet of the foundation. Canopy/shade trees shall not be used to meet this requirement.

**Applicant's response:** "Due to parking space count and drive aisle width, we don't have a reasonable amount of space with which to provide a planting bed along the front entrance. We request that this item be waived."

**Staff's Recommendation/Suggestion:** Again, staff recommends foundation plantings or planters be located along the building adjacent to S. 27<sup>th</sup> Street and W. Minnesota Avenue to satisfy this requirement.

9. Section 15-3.0355A.8. and 9. Building Character and Design. All visible sides of the building shall be designed with details that complement the front facade. Side facades that are visible from the public street shall receive equal design attention.

**Applicant's response:** "Per the S. 27th St design standards, we already meet the requirements as written. We have also worked extensively with Mr. Fuchs to arrive at a mutually approved design that is far above and beyond what a typical O'Reilly looks like."

Staff's Recommendation/Suggestion: Staff recommends that the applicant shall submit revised elevations, for Department of City Development review and approval, that provides additional architectural enhancements to better comply with the architectural standards as detailed within the South 27th Street Design Overlay District standards, prior to issuance of a Building Permit. Specifically, staff recommends consideration of providing more variation/articulation to the building, such as: varying building setbacks; more/larger façade protrusions and/or recesses; additional variations in building and/or parapet height; additional building materials (stucco, wood, stone, terra-cotta) or patterns, etc.

It should be noted that staff has consistently recommended additional architectural enhancements beyond what has been proposed by the applicant.

### 10. Section 15-3.0355B.3.a. and c. Building Materials and Colors.

- a. Facades shall be varied and articulated to provide visual interest to pedestrians. Within larger projects, variations in facades, floor levels, architectural features, and exterior finishes shall create the appearance of several smaller buildings.
- c. Where masonry is used for exterior finish, decorative patterns must be incorporated. Examples of these decorative patterns include multicolored masonry units such as brick, stone, or cast stone, in layered or geometric patterns, or split-faced concrete block to simulate a rusticated stone-type construction.

**Applicant's response:** "Per the S. 27th St design standards, we already meet the requirements as written."

**Staff's Recommendation/Suggestion:** The architectural recommendations above could satisfy these requirements as well.

11. Section 15-3.0355B.4.b. Roof Materials, Parapets, and Roof Pitch. Flat roofs are permitted with detailed stepped parapets or detailed brick coursing.

**Applicant's response:** "Per the S. 27th St design standards, we already meet the requirements as written."

Staff's Recommendation/Suggestion: <u>Staff recommends that the applicant shall submit revised elevations, for Department of City Development review and approval, that provides additional roofline variation, particularly along the side and rear elevations as well as a brick coursing element, prior to issuance of a Building Permit.</u>

12. Section 15-3.0355B.6. Change in Relief of Building. Buildings must include changes in relief on at least ten (10) percent of their primary facade for pedestrian interest and scale. Relief changes include cornices, bases, fenestration, fluted masonry, or other treatments.

**Applicant's response:** "Most of our building will be storage areas and we typically don't have visibility into those areas from the exterior. We also have a glass curtain wall assembly at our storefront, which is prototypical and provides a large area of visibility into the sales area. We request that this requirement be waived. If need be we can work something out to reduce the blank wall space on the parking lot side of the building."

**Staff's Recommendation/Suggestion:** The architectural recommendations above could satisfy this requirement as well.

### 13. Section 15-3.0355B.7.a., b. and c. Windows.

- a. Windows which allow views to the interior activity or display areas are expected. Windows shall include sills at the bottom and pediments at the top. Glass curtain walls, reflective glass, and painted or darkly tinted glass shall not be used.
- b. Ground Floor Window Standards: i All new buildings must provide ground floor windows. ii Required window areas must be either windows that allow views into working areas or lobbies, pedestrian entrances, or display windows. iii Required windows must have a sill no more than four feet above grade. Where interior floor levels prohibit such placement, the sill must be raised to allow it to be no more than two feet above the finished floor level, up to a maximum sill height of six feet above grade. iv. Darkly tinted windows and mirrored windows that block two-way visibility are prohibited as ground floor windows along street facades. v. The primary facade of each building, or for corner buildings each of the two facades, must contain at least twenty (20) percent of the ground floor wall area in display areas, windows, or doorways. Blank walls are prohibited. vi. Ground floor windows are also required on facades facing any public parking lot. The minimum requirement is sixteen (16) square feet per story or six (6) percent of the facade, whichever is greater.
- c. Upper Floor Window Standards. i. Glass area dimensions shall not exceed 5' x 7'. (The longest dimension may be taken either horizontally or vertically.) ii. Windows must have trim or molding at least two inches wide around their perimeters.

**Applicant's response:** "Per the S. 27th St design standards, we already meet the requirements as written. We also have added 1 faux window on the Minnesota Ave side. Adding further windows will greatly affect energy usage, and have negative impacts on the environment. We do not wish to add any further windows."

**Staff's Recommendation/Suggestion:** Staff understands that much of the building includes storage areas; therefore, <u>staff suggest consideration of additional frosted or glass block windows</u>.

In addition, <u>staff suggests adding sills at the bottom of the windows to better comply with these standards</u>.

Otherwise, the Plan Commission may concur with the applicant's findings and that the faux window provided on the south elevation is sufficient.

14. **Section 15-3.0355B.8.d. Pedestrian Accessibility.** Buildings located at the intersection of two streets shall utilize a corner entrance to the building unless this requirement is waived by the Plan Commission.

**Applicant's response:** "Due to the low-key nature of the area of our site and its limited size, we request that the corner entrance requirement be waived."

Staff's Recommendation/Suggestion: Staff suggests that the applicant revise the building design to provide a corner entrance. Note that if the building were relocated closer to the southeast corner of the site, staff would recommend that a corner entrance be provided.

Otherwise, the Plan Commission may concur with the applicant's findings and that the proposed building location with cross-access on the east side of the property and a front facing entry is appropriate due to the business use and site constraints.

### STAFF RECOMMENDATION

City Development staff recommends approval of the proposed Special Use and associated Site Plan for an O'Reilly Auto Parts store upon property located at 7251 South 27<sup>th</sup> Street subject to the conditions set forth in the draft Resolution. Staff further recommends approval of the waivers to the South 27<sup>th</sup> Street Design Overlay District Standards subject to the conditions also set forth in the draft Resolution.

MILWAUKEE COUNTY

### CITY OF FRANKLIN

STATE OF WISCONSIN

RESOLUTION NO. 2017-

A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR AN AUTO PARTS RETAIL STORE UPON PROPERTY LOCATED AT 7251 SOUTH 27TH STREET (O'REILLY AUTOMOTIVE STORES, INC., APPLICANT)

WHEREAS, O'Reilly Automotive Stores, Inc., having petitioned the City of Franklin for the approval of a Special Use within a B-4 South 27th Street Mixed-Use Commercial District under Standard Industrial Classification Title No. 5531 "Auto and Home Supply Stores", to allow for the construction and use of a 7,228 square foot O'Reilly Auto Parts store with associated parking, landscaping, fencing and lighting upon an approximately 0.72 acre property consisting of an existing home and accessory buildings, which will be razed to allow for the store construction, upon property located at 7251 South 27th Street, bearing Tax Key No. 761-9956-001, more particularly described as follows:

That part of the Northeast One-quarter (1/4) of Section Twelve (12), Township Five (5) North, Range Twenty-one (21) East, in the City of Franklin, County of Milwaukee, Wisconsin, bounded and described as follows: Commencing at a point in the West line of South 27th Street (U.S. Highway 41) said point being 80.08 feet west of and 994.19 feet South 2°30'30" West of the Northeast corner of said 1/4 Section; thence North 89°56' West, a distance of 250 feet to a point; thence South on and along a line parallel to the East line of said 1/4 Section a distance of 152 feet to a point; thence South 89°56' East, a distance of 250 feet to a point; thence North on and along a line parallel to the East line of said 1/4 Section a distance of 152 feet to the point of beginning; excepting therefrom the South Fifteen feet for street; and also excepting therefrom that part thereof shown as Parcel 43 of Transportation Project Plat 2265-16-20-4.06, recorded as Document No. 10227659; and

WHEREAS, such petition having been duly referred to the Plan Commission of the City of Franklin for a public hearing, pursuant to the requirements of §15-9.0103D. of the Unified Development Ordinance, and a public hearing having been held before the Plan Commission on the 5th day of October, 2017, and the Plan Commission thereafter having determined to recommend that the proposed Special Use be approved, subject to certain conditions, and the Plan Commission further finding that the proposed Special Use upon such conditions, pursuant to §15-3.0701 of the Unified Development Ordinance, will be in harmony with the purposes of the Unified Development Ordinance and the Comprehensive Master Plan; that it will not have an undue adverse impact upon adjoining property; that it will not interfere with the development of neighboring property; that it will be served adequately by essential public facilities and services; that it will not cause undue traffic

O'REILLY A	UTOMOTIVE	STORES,	INC SP	ECIAL	USE
RESOLUTIO	N NO. 2017				
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congestion; and that it will not result in damage to property of significant importance to nature, history or the like; and

WHEREAS, the Common Council having received such Plan Commission recommendation and also having found that the proposed Special Use, subject to conditions, meets the standards set forth under §15-3.0701 of the Unified Development Ordinance.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the petition of O'Reilly Automotive Stores, Inc., for the approval of a Special Use for the property particularly described in the preamble to this Resolution, be and the same is hereby approved, subject to the following conditions and restrictions:

- 1. That this Special Use is approved only for the use of the subject property by O'Reilly Automotive Stores, Inc., successors and assigns, as an auto parts retail store use, which shall be developed in substantial compliance with, and operated and maintained by O'Reilly Automotive Stores, Inc., pursuant to those plans City file-stamped September 25, 2017 and annexed hereto and incorporated herein as Exhibit A.
- 2. O'Reilly Automotive Stores, Inc., successors and assigns, shall pay to the City of Franklin the amount of all development compliance, inspection and review fees incurred by the City of Franklin, including fees of consults to the City of Franklin, for the O'Reilly Automotive Stores, Inc. auto parts retail store, within 30 days of invoice for same. Any violation of this provision shall be a violation of the Unified Development Ordinance, and subject to §15-9.0502 thereof and §1-19. of the Municipal Code, the general penalties and remedies provisions, as amended from time to time.
- 3. The approval granted hereunder is conditional upon O'Reilly Automotive Stores, Inc. and the auto parts retail store use for the property located at 7251 South 27th Street: (i) being in compliance with all applicable governmental laws, statutes, rules, codes, orders and ordinances; and (ii) obtaining all other governmental approvals, permits, licenses and the like, required for and applicable to the project to be developed and as presented for this approval.
- 4. The cross access easement location shall be illustrated on the proposed site plan and a recorded cross-access easement shall be submitted to the Department of City Development prior to the issuance of an Occupancy Permit.
- 5. The cross access shall be paved up to the property line prior to the issuance of an Occupancy Permit.

- 6. The applicant shall contact St. James Church to inquire about the possibility of constructing the cross access and implementing a cross access easement and shared parking agreement simultaneously with development of the subject parcel, for Department of City Development review and approval prior to the issuance of a Building Permit. In the event of any site plan changes attributable to relocation of the cross access, the applicant shall submit a Site Plan Amendment to the City for review and approval by the Plan Commission.
- 7. The applicant shall submit a parking analysis and/or reserve areas for future parking, for review and approval by Department of City Development staff, that demonstrates that typical parking demand for an O'Reilly Auto Parts store is met, prior to the issuance of a Building Permit.
- 8. A Landscape Plan shall be submitted, for review and approval by Department of City Development staff that includes the following revisions, prior to the issuance of a Building Permit:
  - a. A minimum of eight canopy/shade trees and eight decorative trees shall be provided in part to further assist in storm water management.
  - b. Karl Forester Grass and Prairie Dropseed shall be noted as ornamental grasses, not shrubs.
  - c. A greater variety of plantings shall be provided along the west and north property line to serve as the bufferyard, opposed to consisting of entirely Emerald Green Arborvitaes. Furthermore, the plantings shall be staggered, opposed to in a single row.
  - d. The number of species provided shall comply with Section 15-5.0302F. of the Unified Development Ordinance.
  - e. Planting size shall be indicated in the Planting Schedule and comply with minimum sizes within Table 15-5.0302 of the UDO.
  - f. A planting guaranty of 2-years shall be provided by the landscape contractor and that guarantee noted on the Landscape Plan per Section 15-5.0303G.3. of the UDO prior to the issuance of an Occupancy Permit.
- 9. Cut sheets/catalog pages of the proposed light fixtures shall be submitted for Department of City Development review and approval, prior to the issuance of a Building Permit.
- 10. A revised Site Development Plan shall be submitted for Department of City Development review and approval that includes site furnishings such as benches, trash receptacles, and bicycle racks, prior to the issuance of a Building Permit. In addition, the applicant shall provide cut sheets/catalog pages for the type of furnishings provided.

- 11. A revised Site Development Plan shall be submitted for Department of City Development review and approval that includes a pedestrian connection from the front entry of the building to the sidewalk along South 27th Street, prior to the issuance of a Building Permit.
- 12. A revised Landscape Plan shall be submitted for Department of City Development review and approval that includes foundation plantings or planters along the south and east sides of the building, prior to the issuance of a Building Permit.
- 13. Revised elevations shall be submitted for Department of City Development review and approval that provides additional architectural enhancements to better comply with the architectural standards as detailed within the South 27th Street Design Overlay District standards, prior to the issuance of a Building Permit. Specifically, the elevations shall provide more variation/articulation to the building, such as: varying building setbacks; more/larger façade protrusions and/or recesses; additional variations in building and/or parapet height; additional building materials (stucco, wood, stone, terra-cotta) or patterns, etc.
- 14. Revised elevations shall be submitted for Department of City Development review and approval that provides additional roofline variation, particularly along the side and rear elevations as well as a brick coursing element, prior to the issuance of a Building Permit.
- 15. Unified Development Ordinance Section 15-3.0352A. Parking Required and Location Regulated (fifty (50) percent of the off-street parking spaces shall be located directly between the front facade of the building and the public street) requirement(s) are hereby waived as the Plan Commission concurs that the proposed site layout, with parking and cross-access located on the east side of the property, is appropriate due to the size of the subject property.
- 16. Unified Development Ordinance Section 15-3.0353B. Coordination of Site Furnishings (lighting and site furnishings [benches, trash receptacles, bicycle racks, etc.]) and Section 15-3.0353E. Bicycle and Pedestrian Amenities Required (integrated bicycle parking and pedestrian furniture in appropriate quantities and location) requirement(s) are hereby waived, provided that the applicant submit a revised Site Development Plan for Department of City Development review and approval, that includes one bench, one trash receptacle, and one bicycle rack, prior to the issuance of a Building Permit. In addition, the applicant shall provide cut sheets/catalog pages for the type of furnishings provided.

- 17. Unified Development Ordinance Section 15-3.0353C.3. Pedestrian Considerations (pedestrian and bicycle access within the development and connections to adjacent properties) and Section 15-3.0353C.5. Pedestrian Considerations (pedestrian walkways from building entrances to public sidewalks or pedestrian/bike facilities) requirement(s) are hereby waived, provided that the applicant submit a revised site plan for Department of City Development review and approval, that includes a pedestrian connection from the front entry of the building to the sidewalk along South 27th Street, preferably at the northeast corner of the site, and to provide a sidewalk and curb and gutter along West Minnesota Avenue, prior to the issuance of a Building Permit.
- 18. Unified Development Ordinance Section 15-3.0353C.4. Pedestrian Considerations (sidewalks along the entire length of façade, leaving room for foundation planting beds) Section 15-3.0353F.1. Landscaping (building foundation landscaping for building frontage) requirement(s) are hereby waived, provided that the applicant submit a revised Landscape Plan, for Department of City Development review and approval, that includes foundation plantings or planters along the south and east sides of the building, prior to the issuance of a Building Permit.
- 19. Unified Development Ordinance Sections 15-3.0355A.8. and 9. Building Character and Design (sides of the building shall be designed with details that complement the front façade), Sections 15-3.0355B.3.a. and c. Building Materials and Colors (facades shall be varied and articulated; decorative patterns must be incorporated) and Section 15-3.0355B.6. Change in Relief of Building (building must include changes in relief on at least ten (10) percent of the primary façade) requirement(s) are hereby waived, provided that the applicant submit revised elevations, for Department of City approval, that provides additional architectural review and Development enhancements to better comply with the architectural standards as detailed within the South 27th Street Design Overlay District standards, prior to the issuance of a Building Permit. Specifically, staff recommends consideration of providing more variation/articulation to the building, such as: varying building setbacks; more/larger façade protrusions and/or recesses; additional variations in building and/or parapet height; additional building materials (stucco, wood, stone, terra-cotta) or patterns, etc.
- 20. Unified Development Ordinance Section 15-3.0355B.4.b. Roof Materials, Parapets, and Roof Pitch (flat roofs are permitted with detailed stepped parapets or detailed brick coursing) requirement(s) are hereby waived, provided that the applicant submit revised elevations, for Department of City Development review and approval, that provides additional roofline variation, particularly along the side and rear elevations as well as a brick coursing element, prior to the issuance of a Building Permit.

- 21. Unified Development Ordinance Sections 15-3.0355B.7.a., b. and c. Windows (windows shall include sills at the bottom and pediments at the top; windows: sixteen (16) square feet per story or six (6) percent of the facade, whichever is greater) requirement(s) are hereby waived, provided that the applicant considers additional frosted or glass block windows and addition of sills at the bottom of the windows to better comply with the standards, prior to the issuance of a Building Permit or Plan Commission concurrence that the faux window provided on the south elevation is sufficient.
- 22. Unified Development Ordinance Section 15-3.0355B.8.d. Pedestrian Accessibility (building shall utilize a corner entrance to the building) requirement(s) are hereby waived, provided that the applicant revise the building design to provide a corner entrance, prior to the issuance of a Building Permit or Plan Commission concurrence that the proposed building location with cross-access on the east side of the property and a front facing entry is appropriate due to the business use and site constraints.

BE IT FURTHER RESOLVED, that in the event O'Reilly Automotive Stores, Inc., successors or assigns, or any owner of the subject property, does not comply with one or any of the conditions and restrictions of this Special Use Resolution, following a ten (10) day notice to cure, and failure to comply within such time period, the Common Council, upon notice and hearing, may revoke the Special Use permission granted under this Resolution.

BE IT FURTHER RESOLVED, that any violation of any term, condition or restriction of this Resolution is hereby deemed to be, and therefore shall be, a violation of the Unified Development Ordinance, and pursuant to §15-9.0502 thereof and §1-19. of the Municipal Code, the penalty for such violation shall be a forfeiture of no more than \$2,500.00, or such other maximum amount and together with such other costs and terms as may be specified therein from time to time. Each day that such violation continues shall be a separate violation. Failure of the City to enforce any such violation shall not be a waiver of that or any other violation.

BE IT FURTHER RESOLVED, that this Resolution shall be construed to be such Special Use Permit as is contemplated by §15-9.0103 of the Unified Development Ordinance.

BE IT FURTHER RESOLVED, pursuant to §15-9.0103G. of the Unified Development Ordinance, that the Special Use permission granted under this Resolution shall be null and void upon the expiration of one year from the date of adoption of this Resolution, unless the Special Use has been established by way of the issuance of an occupancy permit for such use.

O'REILLY AUTOMOTIVE STORES, INC. – RESOLUTION NO. 2017 Page 7	SPECIAL USE
BE IT FINALLY RESOLVED, that the the recording of a certified copy of this Resolu Milwaukee County, Wisconsin.	e City Clerk be and is hereby directed to obtain ation in the Office of the Register of Deeds for
Introduced at a regular meeting of the day of, 201	Common Council of the City of Franklin this 7.
Passed and adopted at a regular mee Franklin this day of	ting of the Common Council of the City of, 2017.
	APPROVED:
	Stephen R. Olson, Mayor
ATTEST:	
Sandra L. Wesolowski, City Clerk	
AYES NOES ABSENT	



### PATRICK G. BLEES ARCHITECT, PLLC

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Patrick G. Blees, AIA

September 25, 2017

Nick Fuchs
Franklin Planning and
Zoning Department
7251 S. 27th Street
Franklin, WI 53132

RE: O'Reilly Auto Parts Project Summary 7251 S. 27<sup>th</sup> St. Franklin, WI 53132

Dear Mr. Fuchs:

O'Reilly Automotive Stores, Inc. will have a General Contractor, who is yet to be determined, demolish the existing buildings, pavement, concrete, fence, and to remove a few trees and bushes to construct a new concrete masonry unit building for the sale of auto parts and auto accessories. The site is a total of 37,847 square feet, and will be improved by adding a variety of natural plants and trees as part of the design, which will help the 27<sup>th</sup> Street corridor look more appealing. Landscaping will surround the parking lot as well as the west and north sides of the property line. The building is 7,228 gross square feet, has two bathrooms, an office for the store manager, and has a total occupancy load of 115 people. The project evaluation is \$975,780. There will be (2) Nissan Frontier store owned delivery trucks parked on site (gross weight 3,815 lbs per vehicle). For the stock deliveries, there will be deliveries 4-5 times a week depending on sales volume, and will be scheduled for earlier in the evening. The store will be open 7am-9pm Monday-Sunday with a between 10 and 12 employees max at any given time.

Project #: 17115.003

Fort Worth, TX

Sincerely,

Minneapolis, MN

Dallas, TX

Samantha McNamara

**Project Specialist** 

**Enclosure** 

17115.003 Special Use - Revised Project Summary 092517.docx



### PATRICK G. BLEES ARCHITECT, PLLC

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Patrick G. Blees, AIA

September 25, 2017

Mr. Nick Fuchs, Principle Planner City of Franklin Department of City Development 9229 W. Loomis Rd Franklin, WI 53132

RE: O'Reilly Auto Parts - 7251 S. 27th St.

Dear Mr. Fuchs:

Per our conversations regarding the design review for our proposed O'Reilly Auto Parts store, I have included below a list of the items we wish to have waived. This may not be an all-inclusive list, but at this time they are the main concerns. We also don't have supplemental ideas listed in lieu of the items requested to be waived because we thought we would see what your thoughts are. Here are the items we wish to be waived:

- Section 15-3.0352 A. Parking: "Not more than fifty (50) percent of the offstreet parking spaces shall be located directly between the front façade of the building and the public street..."
  - Due to the size of our lot and because we are already under the amount of parking required per code (5/1000SF of GFA), and do not have the space to relocate it anywhere else on site, we request that this requirement be waived.

Project #: 17115.003

- Section 15-3.0353 B4 Parking Lot Landscaping: "Sidewalks shall be provided along entire length of any façade containing a public entrance, leaving room for foundation planting beds."
  - Due to parking space count and drive aisle width, we don't have a
    reasonable amount of space with which to provide a planting bed along the
    front entrance. We request that this item be waived.
- Section 15-3.0353 C1 & 2 Interior Landscaping for Off-street parking Areas: "A minimum of twenty (20) square feet of interior landscaped island shall be provided per parking stall."; "The interior landscaping shall be provided within landscaped islands a minimum of 250 square feet in area..."
  - Due to our inability to meet parking space requirements we would need to lose what few parking spaces we have in order to create landscaping islands. We are proposing to attempt to put one in at the storefront parking as shown on the L1.1 sheet, but it may cause difficulties with two-way traffic. If possible, we would prefer this requirement to be waived.
- Section 15-3.0355 B6 Change in Relief of Building: "Windows which allow views to the interior activity or display areas are expected...Glass curtain walls, reflective glass, and painted or darkly tinted glass shall not be used."
  - Most of our building will be storage areas and we typically don't have visibility into those areas from the exterior. We also have a glass curtain wall assembly at our storefront, which is prototypical and provides a large

Fort Worth, TX

Minneapolis, MN

Dallas, TX

area of visibility into the sales area. We request that this requirement be waived. If need be we can work something out to reduce the blank wall space on the parking lot side of the building.

- Section 15-3.0355 B8 d. Pedestrian Accessibility: "Buildings located at the intersection of two streets shall utilize a corner entrance to the building unless this requirement is waived by the Plan Commission."
  - Due to the low-key nature of the area of our site and its limited size, we request that the corner entrance requirement be waived.
- Section 15-3.0355 A7 & B4f Building Character and Design: "Where are mechanicals located? Are they fully screened from public view?"
  - Yes, they are screen and will not be seen unless on the roof. Rear parapet screens them from the neighbors as well. No waiver is required.
- Section 15-3.0355 A8 & 9: Building Character and Design: "Staff recommends that additional architectural enhancements be added to better comply with architectural standards as details within the South 27<sup>th</sup> Street Design Overlay District standards"
  - Per the S. 27<sup>th</sup> St design standards, we already meet the requirements as written. We have also worked extensively with Mr. Fuchs to arrive at a mutually approved design that is far above and beyond what a typical O'Reilly looks like.
- Section 15-3.0355 B3a & B3c Building Materials and Colors: "The architectural recommendations above could satisfy these requirements as well"
  - Per the S. 27<sup>th</sup> St design standards, we already meet the requirements as written
- Section 15-3.0355 B4b Roof Materials, Parapet, and Roof Pitch: "Staff recommends additional roofline variation, particularly along the side and rear elevations. Also may consider brick coursing."
  - Per the S. 27<sup>th</sup> St design standards, we already meet the requirements as written.
- Section 15-3.055 B7a, b, and c Windows: "Staff understands that much of the building includes storage areas; therefore, staff recommends consideration of frosted windows or utilizing glass block."
  - Per the S. 27<sup>th</sup> St design standards, we already meet the requirements as written. We also have added 1 faux window on the Minnesota Ave side. Adding further windows will greatly affect energy usage, and have negative impacts on the environment. We do not wish to add any further windows.
- Section 15-3.055 B10 External Storage: "Please confirm that there are no outside sales or merchandise display areas..."
  - There are no outside display areas or merchandise areas. No waiver is required.
- Section 15-3.0353 B & E Coordination of site furnishings: "Staff recommends including site furnishings such as benches, trash receptacles, bicycle racks, etc."
  - O'Reilly typically isn't a place of great pedestrian traffic, so we would prefer not to add these items unnecessarily.

Name Month, dd, yyyy Page 3 of 3

> Section 15-3.0353 C3 & C5 Pedestrian Considerations: "Staff recommends providing cross-access to the property to the north as well as a pedestrian connection to the sidewalk along S. 27<sup>th</sup> Street."

- O'Reilly would prefer not to add these items.

Sincerely,

**Brandon Cutler** 

PGB Enclosure

### **DIVISION 15-3.0700** SPECIAL USE STANDARDS AND REGULATIONS SECTION 15-3.0701 GENERAL STANDARDS FOR SPECIAL USES

- **A.** <u>General Standards</u>. No special use permit shall be recommended or granted pursuant to this Ordinance unless the applicant shall establish the following:
- 1. Ordinance and Comprehensive Master Plan Purposes and Intent. The proposed use and development will be in harmony with the general and specific purposes for which this Ordinance was enacted and for which the regulations of the zoning district in question were established and with the general purpose and intent of the City of Franklin Comprehensive Master Plan or element thereof.

### Response:

Having O'Reilly Auto Parts store located at 7251 S. 27th Street Franklin will help bring color and beauty to the street corridor by having a colorful storefront with a variety of plants and bushes used for landscaping. O'Reilly Auto Parts store will comply with the Ordinance and Comprehensive Master Plan purposes and intent.

2. **No Undue Adverse Impact.** The proposed use and development will not have a substantial or undue adverse or detrimental effect upon or endanger adjacent property, the character of the area, or the public health, safety, morals, comfort, and general welfare and not substantially diminish and impair property values within the community or neighborhood.

### Response:

The construction of a new store will not have a detrimental effect on the neighborhood or community. We have been working with the City and neighbors to ensure everyone's needs are met. The new building and parking lot will stay within its property limits. The parking lot will provide street lights to provide safe parking and walking from the building to customer vehicles at night. The new building and landscaping will increase property value.

3. **No Interference with Surrounding Development.** The proposed use and development will be constructed, arranged, and operated so as not to dominate the immediate vicinity or to interfere with the use and development of neighboring property in accordance with the applicable zoning district regulations.

### Response:

The construction process will occur during the day so the nearby neighbors would not be disturbed at night. The building will not dominate the neighborhood but only make it more appealing within the property limits. The new O'Reilly Auto Parts store is on 27th Street where heavy traffic occurs and will remain. There are driveway entrances on W Minnesota Avenue leading into the parking lot which will help avoid traffic congestion on 27th Street. This will not create more traffic on W Minnesota Avenue, but provide a safe ingress and egress. O'Reilly is a very low impact development with limited traffic and no loud operation noises.

4. Adequate Public Facilities. The proposed use and development will be served

adequately by essential public facilities and services such as streets, public utilities including public water supply system and sanitary sewer, police and fire protection, refuse disposal, public parks, libraries, schools, and other public facilities and utilities or the applicant will provide adequately for such facilities.

Response:

The building will have restrooms and drinking fountains for the employees so the building requires access to the city water and sewer utilities. The property is on a mayjor thoroughfare and will be well lit without impacting the neighbors. O'Reilly Auto Parts wants to provide safety to its employees and its customers. There will be a dumpster on site which will require refuse disposal. The building will also have electricity, heating, and air conditioning to provide comfort to its employees and customers.

5. **No Traffic Congestion.** The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets. Adequate measures will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

Response:

O'Reilly Auto Parts parking lot provides two ingress and egress to avoid traffic congestion. The driveways are located on Minnesota Avenue to avoid traffic congestion on 27<sup>th</sup> Street and Minnesota Avenue but also creating a safe exit from Minnesota Avenue on to 27<sup>th</sup> Street. The parking lot contains 26 parking spaces for employees and customers so there will not be a lot of traffic flow.

6. **No Destruction of Significant Features.** The proposed use and development will not result in the destruction, loss, or damage of any natural, scenic, or historic feature of significant importance.

Response:

The construction process and operation of O'Reilly Auto Parts will not result in any destruction of any natural, scenic, or historic feature of any kind.

7. **Compliance with Standards.** The special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Common Council pursuant to the recommendations of the Plan Commission. The proposed use and development shall comply with all additional standards imposed on it by the particular provision of this Division and Ordinance authorizing such use.

Response:

O'Reilly Auto Parts store is a Mercantile primary use group and will remain so, O'Reilly Auto Parts store will comply with the City of Franklin Ordinances and 2009 Building Codes.

B. <u>Special Standards for Specified Special Uses</u>. When the zoning district regulations authorize a special use in a particular zoning district and that special use is indicated as having special standards, as set forth in Section 15-3.0702 and 15-3.0703 of this Division, a Special Use Permit for such use in such zoning district shall not be recommended or granted unless the applicant shall establish compliance with all such special standards.

### Response:

O'Reilly Automotive Stores, Inc. will comply with the Special Standards.

- C. <u>Considerations</u>. In determining whether the applicant's evidence establishes that the foregoing standards have been met, the Plan Commission and the Common Council shall consider the following:
- 1. **Public Benefit**. Whether and to what extent the proposed use and development at the particular location requested is necessary or desirable to provide a service or a facility that is in the interest of the public convenience or that will contribute to the general welfare of the neighborhood or community.

### Response:

The purpose of the O'Reilly Auto Parts store is construction of a new building for the sale of auto parts and auto accessories to the public. This store will also help provide jobs to the community.

2. **Alternative Locations**. Whether and to what extent such public goals can be met by the location of the proposed use and development at some other site or in some other area that may be more appropriate than the proposed site.

### Response:

O'Reilly Automotive Stores, Inc. found that this location at 7251 S. 27<sup>th</sup> Street is a good fit at the proposed location because it will clean up the current site, and will attract customers due the proximity to S. 27<sup>th</sup> St. the property is also zoned appropriately.

3. **Mitigation of Adverse Impacts**. Whether and to what extent all steps possible have been taken to minimize any adverse effects of the proposed use and development on the immediate vicinity through building design, site design, landscaping, and screening.

### Response:

O'Reilly has been working diligently with the City and the neighborhood to ensure everyone's needs are being met.

4. **Establishment of Precedent of Incompatible Uses in the Surrounding Area.** Whether the use will establish a precedent of, or encourage, more intensive or incompatible uses in the surrounding area.

Response:

O'Reilly Auto Parts will fit the context of the 27th Street corridor design plans, and thus will not set a precedent for incompatible uses.



September 22, 2017

City of Franklin **Department of City Development** 

RE: O'Reilly Auto Parts Special Use Application – Staff Comments

The following is in response to the Staff Comment Letter for the O'Reilly Plan Review on 9/8/2017.

### **Planning Department - Site Plan**

Comment 4.d: "Natural Resource Protection Plan" Required. Location of natural resource features present on the site, as defined in Divisions 15-4.0100 and 15-11.0100 of this Ordinance. A "Natural Resource Protection Plan" meeting the requirements of Division 15-7.0100 of this Ordinance shall be submitted with the Site Plan Review Application for Plan Commission review and approval. The "Natural Resource Protection Plan" shall contain any areas of the site where natural resources are to be mitigated and how and where the mitigation is to take place with natural resource protection easements indicated. Copies of any letters of review or permits granted by applicable Federal or State regulatory agencies having jurisdiction over said natural resources shall also be submitted. - - Was a natural resource investigation completed for the property? If so, where any protected natural resources found onsite?

#### Response:

A natural resource investigation was completed and no natural resources were apparent on site. The results of the investigation are pending approval and review by WDNR. A certified investigation will be submitted upon WDNR approval.

Comment 4.e: Site Intensity and Capacity Calculations to be Submitted. The "Site Intensity and Capacity Calculation" worksheets required under Division 15-3,0500 for determining the maximum site intensity, or development capacity, of the site. For residential uses, the maximum number of dwelling units permitted on the site shall be determined based upon the zoning district's maximum density (gross and net), the natural resources present on the site and the level of their preservation, minimum open space ratio, and the residential development option selected. For nonresidential uses, the maximum floor area permitted on the site shall be determined based upon the zoning district's allowable maximum floor area ratio (gross and net), the natural resources present on the site and their level of preservation, the minimum landscape surface ratio, and building height in feet and stories. - - Site Intensity

AndersonEngineeringInc.com

2045 W. Woodland, Springfield, Missouri 65807 • Phone: 417.866.2741 • E-mail: info@andersonengineeringinc.com



and Capacity Calculation Worksheets are attached. Please complete and include as part of the Plan Commission submittal.

Response: Per discussion with Orrin Sumwalt, Site Intensity and Capacity Calculations are

not applicable for B-4 zoning. Minimum landscape requirements have been

calculated per city ordinance. Refer to Landscape plans.

**Comment:** Staff recommends that a cross-access easement be provided and

illustrated on the Site Development Plan to allow future access to the property to the north. The B-4 District requires cross-access between parcels (see below). Staff suggests that the cross-access be paved at the time of development of the O'Reilly store. Also note that the Plan

Commission may consider paving the cross-access as part of the compensation for the requested waivers from the South 27th Street

Design Overlay District standards.

Response: Cross-access easement is being coordinated with city staff.

**Comment:** Please illustrate areas for snow storage on the Landscape Plan in

compliance with Section 15-5.0210 of the Unified Development

Ordinance.

Response: Noted. Refer to Sheet C1.1 Keynote C16 for Snow Storage Area.

### **Engineering Department Comments**

**Comment:** Has a wetland determination been performed by an Assured Delineator

or received concurrence from the WDNR?

Response: See previous response.

**Comment:** What are the pre-and post-development impervious areas?

Response: Impervious areas have been provided. Refer to Sheet C1.1.

**Comment:** A Building permit is required.

Response: Noted.

Comment: A Plat of Survey showing highway setback, proposed location of the

building, erosion control and tracking pad is required.

Response: Noted.

**Comment:** A permit is required for relocating the existing culvert and request for

another culvert.

Response: Noted.



**Comment:** A permit is required to work on the highway right-of-way.

Response: Noted. All work in state ROW will be coordinated and permitted with WiDOT.

**Comment:** State approval for connecting to the existing storm inlet is required. May

need to demonstrate that the existing storm is adequate enough to take

the storm drainage run-off from the site.

Response: Noted. All work in state ROW will be coordinated and permitted with WiDOT.

**Comment:** State approval is required for parking lot to be installed within the

Highway setback.

Response: Noted. All work in state ROW will be coordinated and permitted with WiDOT.

**Comment:** Driveway permits are required (2-driveway).

Response: Noted.

**Comment:** Concrete driveway must terminate three feet away from the edge of the

road.

Response: Please note this will cause constructability issues. A 3ft wide strip of asphalt

pavement will be prone to failure. Therefore, this has not been provided.

**Comment:** Must maintain the roadway ditch at West Minnesota Avenue.

Response: Noted. A ditch has been provided.

Sincerely,

Paul Engel, PE Anderson Engineering PJE/waw

AndersonEngineeringInc.com

Franklin

SEP 25 2017

City Development

One Honey Creek Corporate Center 125 South 84th Street, Sulte 401 Milwaukee, WI 53214-1470 414 / 259 1500 414 / 259 0037 fax www.graef-usa.com



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### Anderson Engineering Natural Resource Investigation

TO:

Wes Weimer, El

Anderson Engineering 2045 W. Woodland Springfield, MO 65807

FROM:

Mike Al-wathiqui

Phone: (414) 266-9299

Email: mike.al-wathiqui@graef-usa.com

DATE:

9/22/2017

SUBJECT:

Natural Resource (NRPP) Investigation

Please be advised that GRAEF-USA, Inc. (GRAEF) has investigated for the presence of natural resources as defined by the City of Franklin in the Unified Development Ordinance (UDO) within the Anderson Engineering Study Area determined by Anderson Engineering as shown on the attached figure (Figure 1). The investigation yielded the following results:

On the date of the site visit, August 16, 2017 no natural resources as defined by the City of Franklin in the Unified Development Ordinance (UDO) were identified within the Study Area designated by Anderson Engineering (Figure 1).

Two soil units are mapped within the Study Area and include Morley silt loam, 2 to 6 percent slopes, eroded (MzdB2) and Blount silt loam, 1 to 3 percent slopes (BIA). The Wisconsin Department of Natural Resources (WDNR) classifies Blount silt loam as an indicator soil for the potential presence of wetlands.

Despite the presence of the WDNR wetland indicator soil, no wetlands were identified on site. Data was collected at a sample point located within the WDNR wetland indicator soil unit mapped within the Study Area to document upland conditions. Vegetation in the area was dominated by *Cirsium arvensis* (Canada Thistle) and *Echinochloa crus-galli* (Barnyard Grass). Soils at the sample point did not meet any of the indicator criteria for hydric soils and there were no indicators of hydrology present.

A confirmation meeting is required to confirm the absence of wetlands. A meeting was scheduled for September 20<sup>th</sup>, 2017, but been rescheduled at the request of the WDNR. A date for the meeting has not yet been established, but the WDNR has committed to complete confirmation before the end of the growing season.

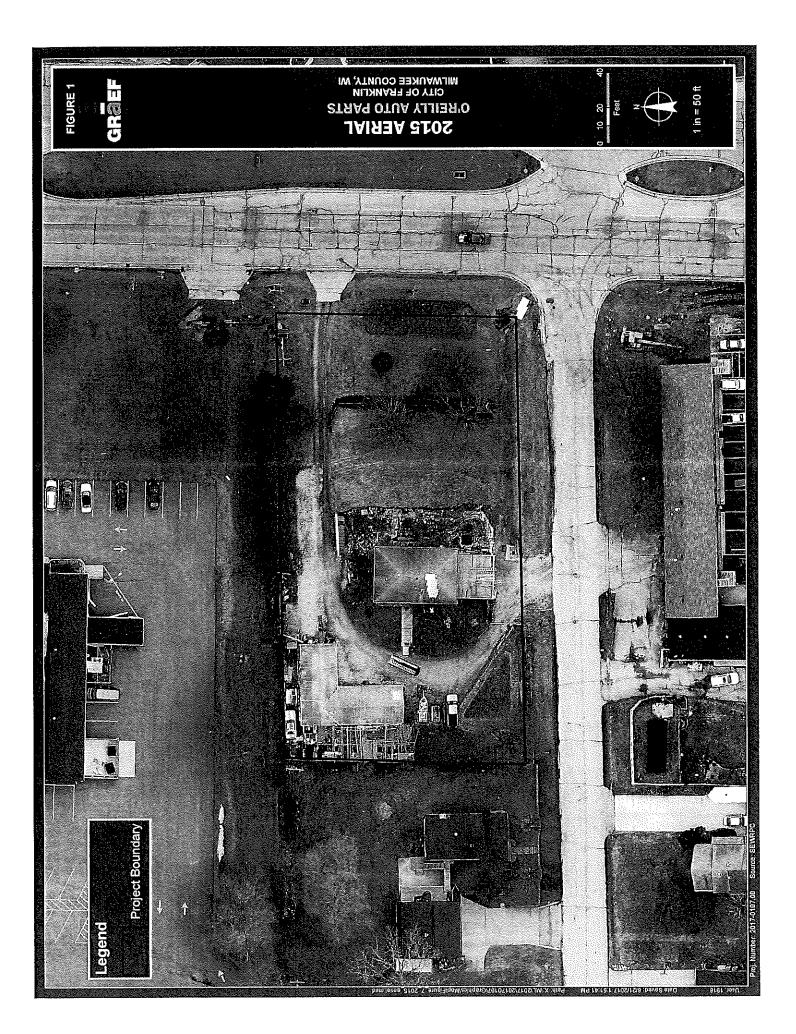
Project No.; 2017-0197.00

Please contact me at (414) 266-9299 if you have any questions.

Thank you,

Mike al-wathigui Mike Al-wathigui Environmental Scientist

Project No.: 2015-0098.00



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One Honey Creek Corporate Center 125 South 84th Street, Suite 401 Milwaukee, WI 53214-1470 414 / 259 1500 414 / 259 0037 fax www.graef-usa.com



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# Anderson Engineering Wetland Investigation

TO:

**WDNR Confirmation Service** 

FROM:

Mike Al-wathiqui

Phone: (414) 266-9299

Email: mike.al-wathiqui@graef-usa.com

DATE:

8/17/2017

SUBJECT:

Wetland Investigation

Please be advised that GRAEF-USA, Inc. (GRAEF) has investigated for the presence of wetlands within the Anderson Engineering Study Area determined by Anderson Engineering as shown on the attached figure (Figure 1) and is requesting concurrence. The investigation yielded the following results:

- 1. On the date of the site visit, August 16, 2017 no wetlands were identified within the Study Area designated by Anderson Engineering (Figure 1).
- Two soil units are mapped within the Study Area and include Morley silt loam, 2
  to 6 percent slopes, eroded (MzdB2), which is classified as a well to moderately
  well drained soil and Blount silt loam, 1 to 3 percent slopes (BIA) which is
  classified as somewhat poorly drained and is listed as a WDNR wetland indicator
  soil.
- 3. Data was collected at a sample point located within the WDNR wetland indicator soil unit mapped within the Study Area. Vegetation in the area was dominated by Cirsium arvensis (Canada Thistle) and Echinochloa crus-galli (Barnyard Grass). Soils at the sample point did not meet any of the indicator criteria for hydric soils and there were no indicators of hydrology present.

Please contact me at (414) 266-9299 if you have any questions.

Thank you,

Mike Al-wathlqui

Project No.: 2017-0197.00

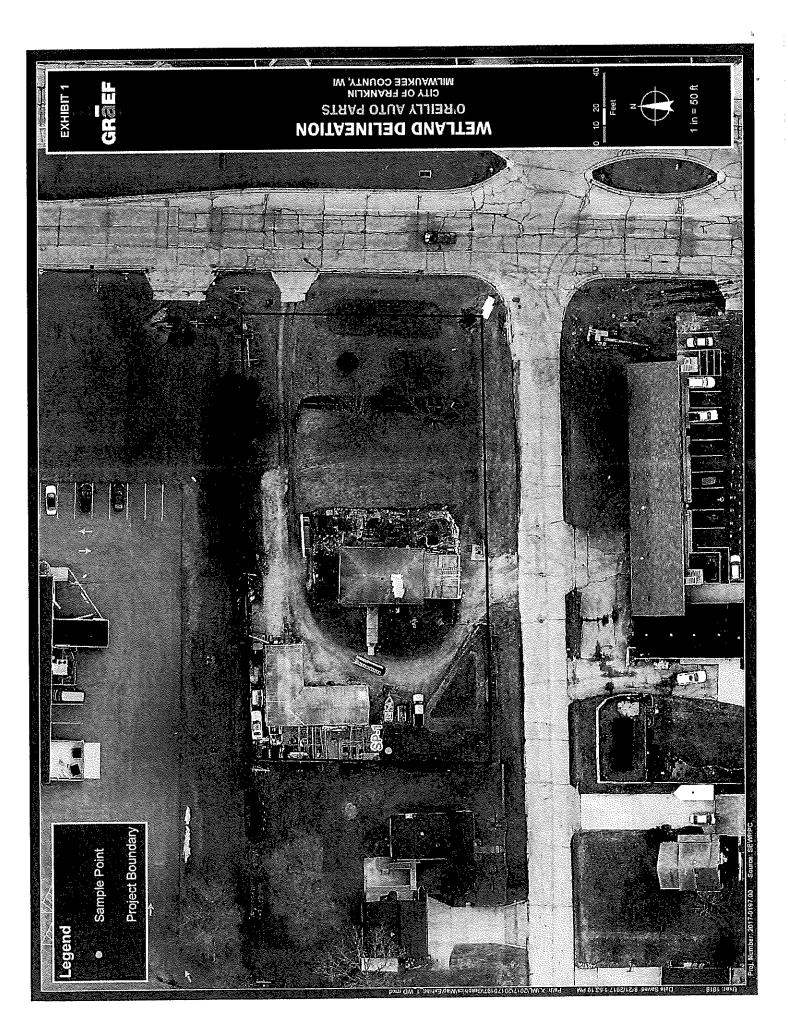
**Environmental Scientist** 

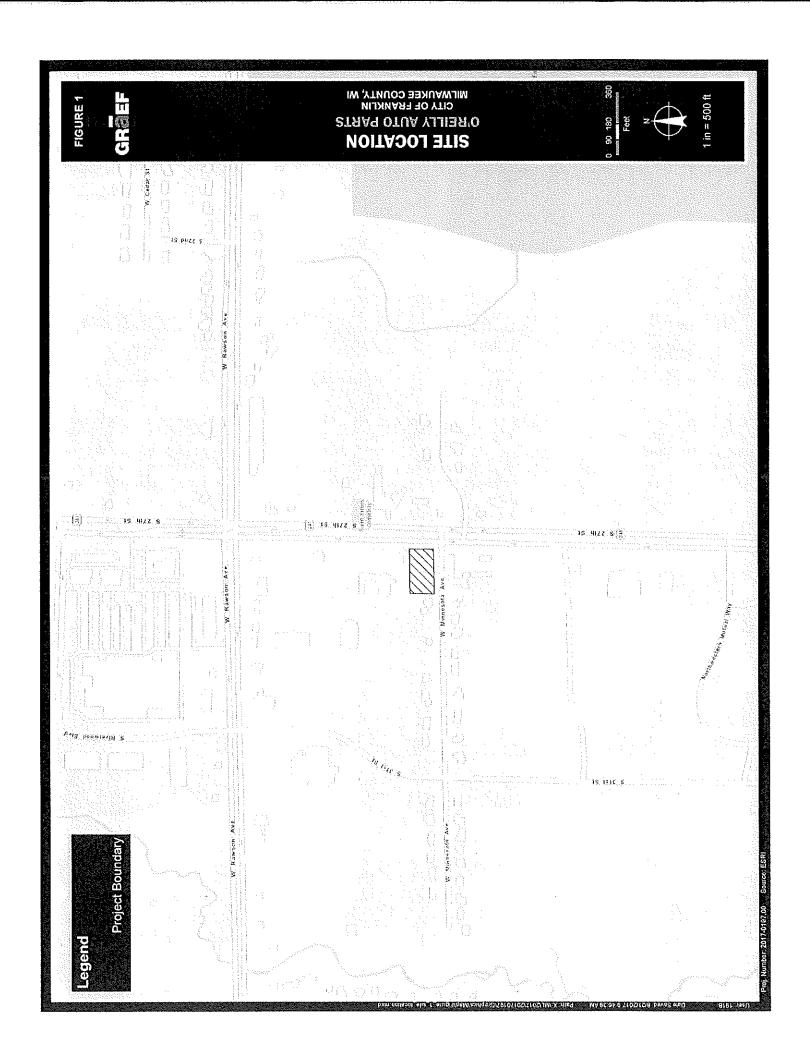
Mike al-wathigui

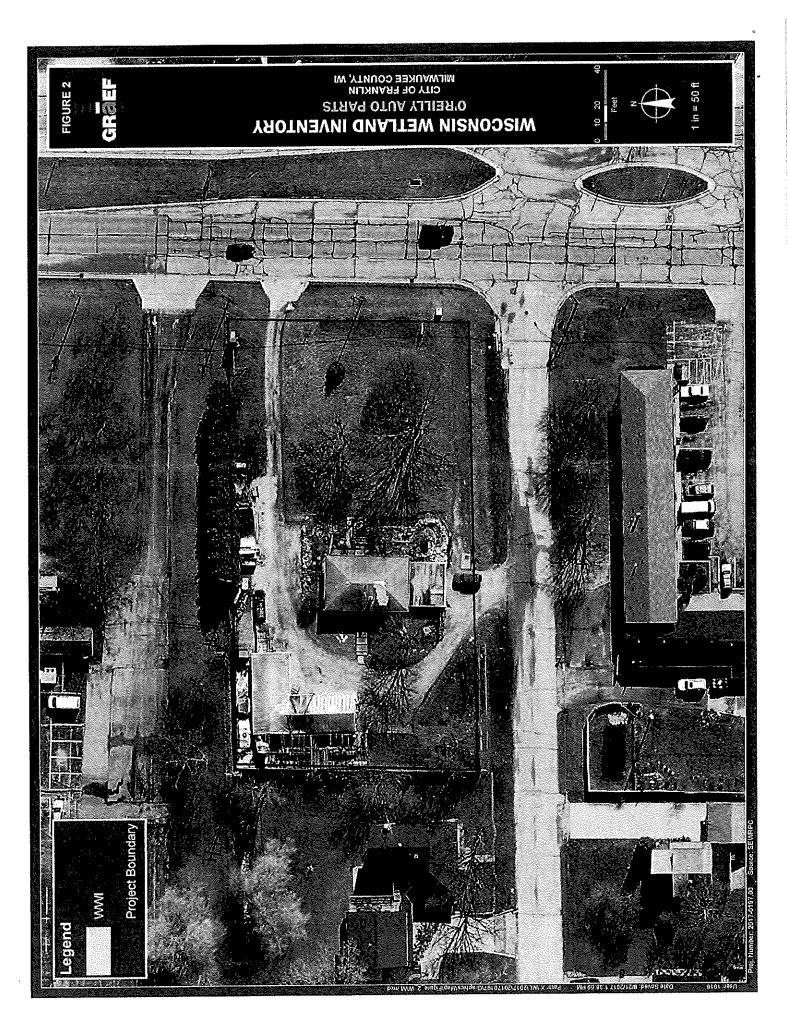
Attachments: Figures, WETS Analysis, Data Sheets, Photos, Statement of Qualifications

Franklin

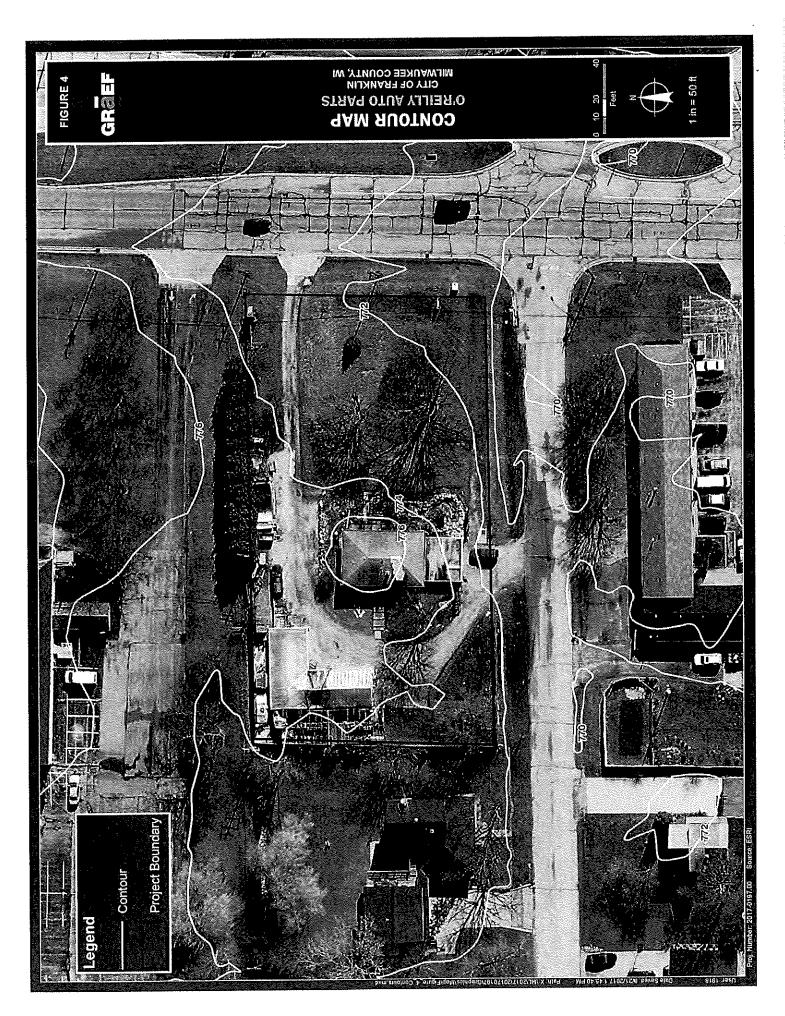
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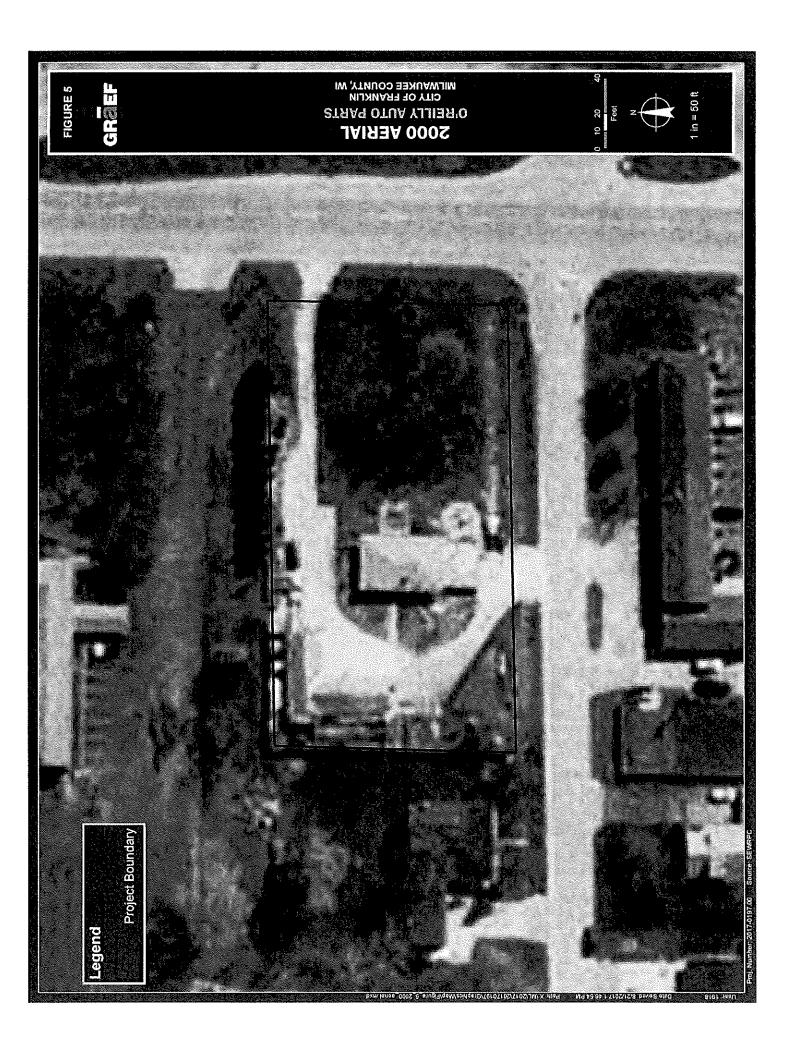


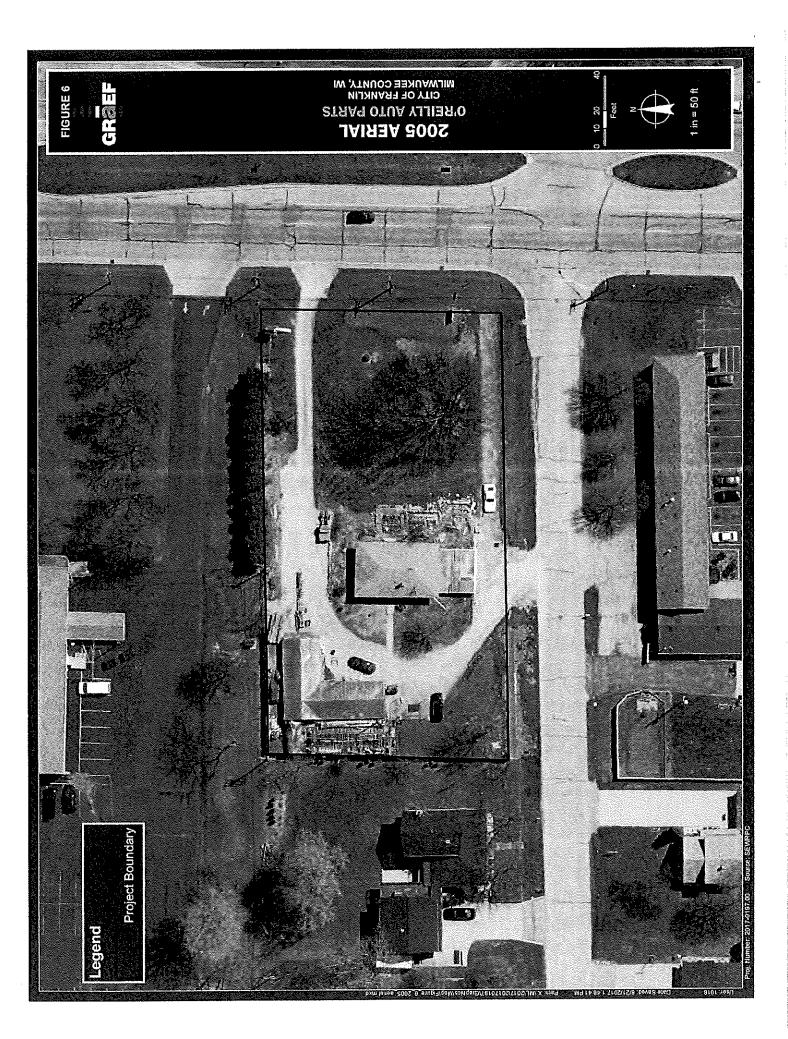


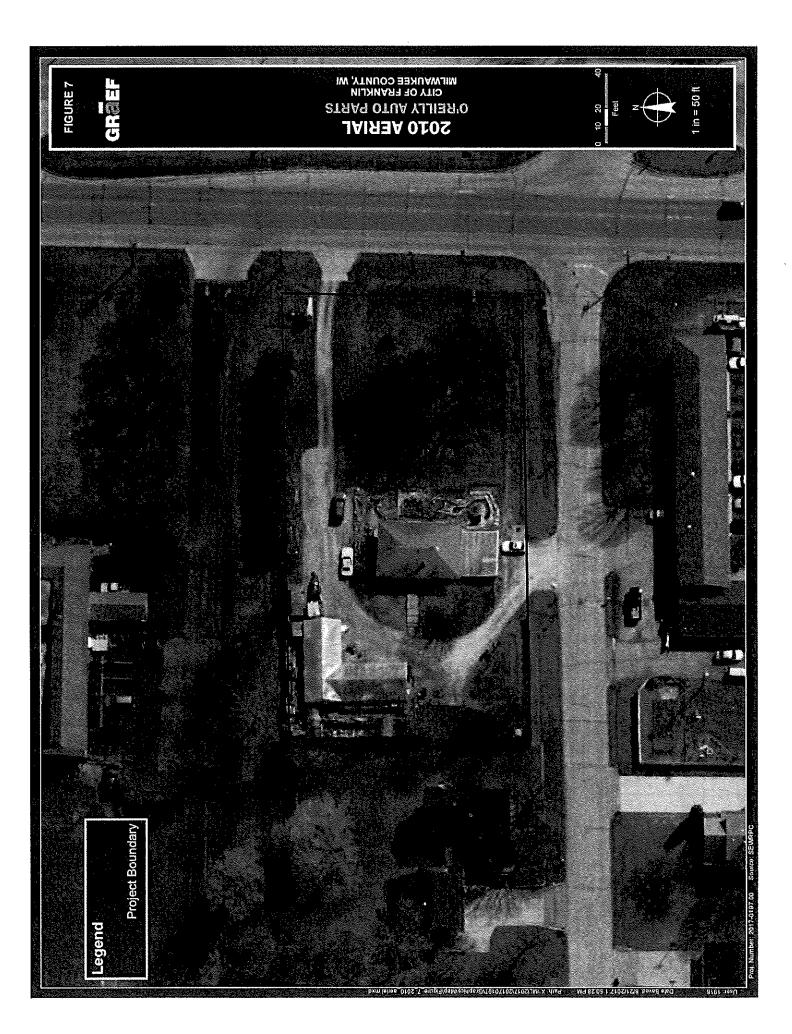


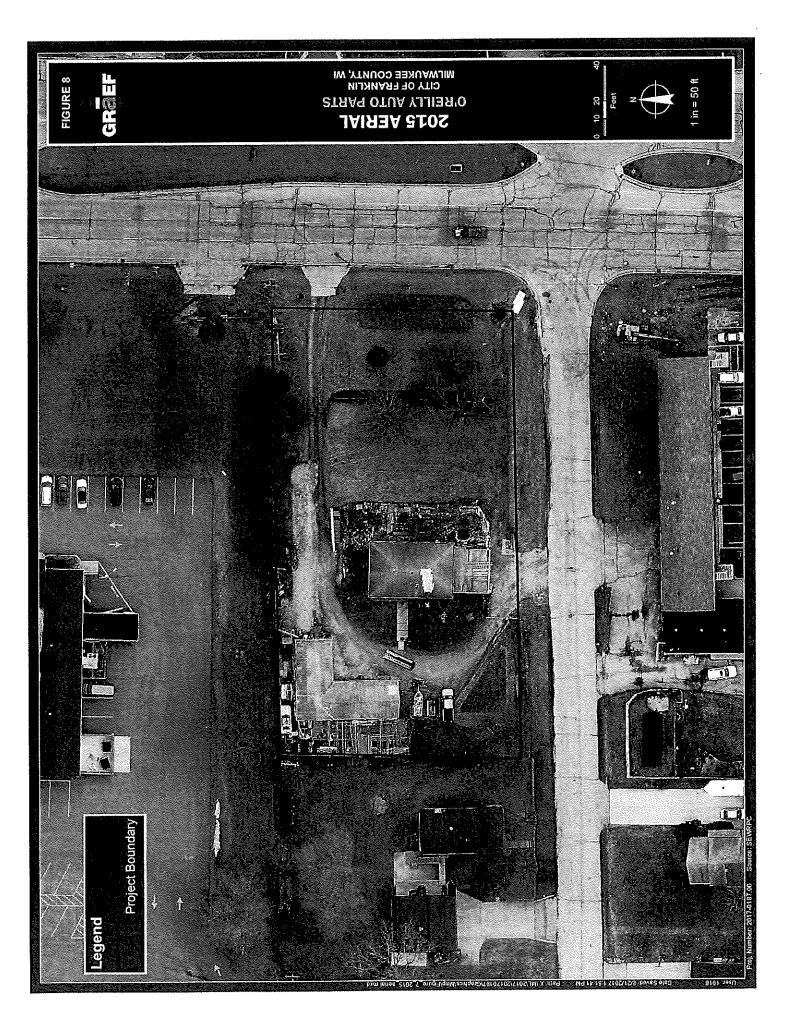












## WETLAND DETERMINATION DATA FORM - Midwest Region

Project/Site: Anderson Engineering			Cib	y/County:	Franklin/Milv	vaukee	5.	ampling Date:	16-Aug-17
Applicant/Owner: Anderson Engineering					State:	WI	Sampling Po	int:	SP-1 upl
And the second s	,.,						T 5 N	R 21 E	
Landform (hillslope, terrace, etc.): Flat						2000	k, none): flat		
Seat Configuration							, ,		
Slope: <u>0,0%</u> / <u>0,0</u> ° Lat.: Soll Map Unit Name: <u>Blount silt Joan</u>		mant classes	COLAL Mudele	rong.	ton yaa oo oo galaa oo oo dhaanaa oo oo lagaha s <sup>eee</sup>	\\\	VI classifications		
Soil map Unit Name: <u>Blount sift loan</u> Are climatic/hydrologic conditions on the	1, 1 to 3 per	cent slopes	(BIA), riyuric Yes	No O	/if no. ev	plain in Remad		None	
Are Climatic/hydrologic conditions on the Are Vegetation [] , Soil []	, or Hydrolo		significantly dist			•	inces" present?	Yes	No ○
Are Vegetation 🔲 , Soll 🔲	, or Hydrold	igy 🔲 -	naturally proble	matic?	(If need	led, explain an	y answers in Rer	narks.)	
SUMMARY OF FINDINGS - A	ittach site	e map sho	wing samp	oling poi	nt locatio	ns, transec	cts, importa	nt feature	s, etc.
Hydrophytic Vegetation Present?	Yes 🔾	No 🖲							
Hydric Soil Present?	Yes 🔾	No 📵			ie Sampled A in a Wetland	rea ? Yes C	) <sub>No</sub> ⑤		
Wetland Hydrology Present?	Yes 🔾	No 🏵				, 44			
Remarks:		-							
This sample point documents uplaindicating that this area is upland  VEGETATION - Use science				licator soil  Dominant		within the S	itudy Area, Nor	ne of the thre	ee criteria are met
VEGETATION COLUMN	27,101170 1144	7,00 01 p.c.		- Species?	•	Dominance	Test workshe	et:	
Tree Stratum (Plot size: 30' r	}		% Cover	Cover	, indicator Status		Dominant Species		
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2.	energy of the second commence of the second	no alla canoni con americana del 1,000 de 1000 (1000).	<u> </u>	0.0%		Total Numbe	er of Daminant		
3.		.,,,,	0	0.0%	agita atau ana anda yana da ada ada ana		oss All Strata:	-	<u>1</u> (B)
4.				0.0%	w wanna_ama=	Percent of	dominant Spec	riec	
5			<u>0</u>	= Total Cov			BL, FACW, or		0.0% (A/B)
Sapling/Shrub Stratum (Plot size: 1	š'r	)		- Town Cur	yei	Drevalence	Index worksho	et:	
1.			0	0.0%			% Cover of:		by;
2.				0.0%		OBL speci			0
3.				0.0%	Photos 16/2/Victorial and an expension	FACW spe			0
4			•	0.0%	kentrale d. t. commence; e	FAC speci	ies <u>0</u>	x 3 =	0
5,	anger, synchologic ethiologic, comme			0.0%		FACU spe	, and a second s		460
Herb Stratum (Plot size: 5' r	1		0	≃ Total Co	ver	UPL speci	les 0	×5≠	0.
1 Cirsium arvense		Charles of the Control of the Contro	90	<b>✓</b> 78.3%	FACU	Column T	otals: <u>115</u>	(A)	460 (B)
2, Echinochloa crusgalli			20	17,4%	FACU	Preval	ence Index = 1	B/A =	4.000
3. Cichorium intybus				4.3%	FACU	Hydronhyti	c Vegetation I	ndicators:	
or (FFE) from provident statement and statement and defends the provident country to the contract of the contr	manana i salaman an masa anama (n. 1825)			0.0%			id Test for Hyd		etation
5.	w		0	0.0%	//k /amahamah/mahamahama		ilnance Test is		
6. 7.				0.0%		🔲 3 - Prev	alence Index i	s ≤3.0 ¹	
g			an an	0.0%		🗌 4 - Mori	phological Ada	ptations 1 (P	rovide supporting
9.			n	0.0%	*****	,,	Remarks or on	•	•
10.				0.0%			natic Hydrophy		
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Woody Vine Stratum (Plot size: 30				0.0%		Japane Japane	, minute Michiel		
1,			_	0.0%	, m. m. many make	Hydrophyt			
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Remarks: (Include photo number	s here or or	ı a separate	sheet.)						
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Sampling Point: SP-1 upl

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10YR 5/1	20				
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		and the state of t	and a second and address of a final contract of a second of the second o		
Type: C=Concentration, D=Depletion,	RM≃Ředuced Ma	itrix, CS=Covere	d or Coated Sand G	rains.	Rocation: PL=Pore Lining, M=Matrix.
lydric Soil Indicators:	_				Indicators for Problematic Hydric Soils 3:
Histosol (A1)		Sandy Glayed	Matrix (S4)		Coast Prairie Redox (A16)
Histic Epipedon (A2)		] Sandy Redox (	(S5)		Dark Surface (S7)
Black Histic (A3)		Stripped Matri	x (\$6)		☐ Iron Manganese Masses (F12)
Hydrogen Sulfide (A4)	Г	Loamy Mucky	Mineral (F1)		1.1
Stratified Layers (A5)		Loamy Gleyed			Very Shallow Dark Surface (TF12)
2 cm Muck (A10)	ļ	Depleted Matr			Other (Explain in Remarks)
Depleted Below Dark Surface (A11	) <u>ˈ</u>	Redox Dark St			
Thick Dark Surface (A12)	-	Depleted Dark			3 v. dimetron at horder the state of the little and
Sandy Muck Mineral (S1)		= '			Indicators of hydrophytic vegetation and wetland hydrology must be present,
5 cm Mucky Peat or Peat (\$3)	J	☐ Redox Depres	sions (F8)		unless disturbed or problematic.
Restrictive Layer (if observed):					
Tona.					
Type:			had the haddening a condition (1/1 belond the dead by the desirence	an'i a had a c'hand a 400 graf a 100 graf a 1	Hydric Soll Present? Yes O No 💿
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Anderson Engineering Milwaukee County, Wisconsin

Photos Taken by GRAEF on 8/16/2017



Photo #: 1

Direction of View:

East

Comment:

View from the southwest corner of the site along south edge along West Minnesota Avenue.



Photo #: 2

Direction of View:

North

Comment:

View from southwest corner of the site along western site boundary.



Anderson Engineering
Milwaukee County, Wisconsin

Photos Taken by GRAEF on 8/16/2017



Photo #: 3

Direction of View:

North

Comment:

View from southwest corner of the site along western site boundary.



Photo #: 4

Direction of View:

East

Comment:

View from the northwest corner of the site along the northern site boundary.



Anderson Engineering Milwaukee County, Wisconsin

Photos Taken by GRAEF on 8/16/2017

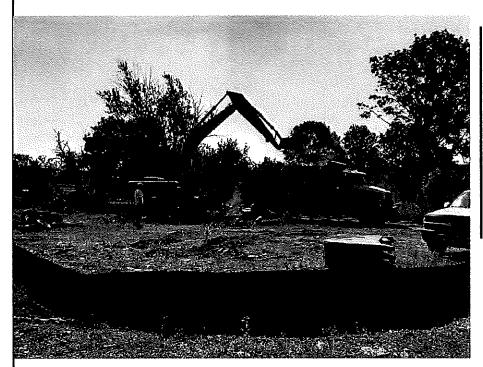


Photo #: 5

Direction of View:

Southeast

Comment:

View from the northwest corner of the site.

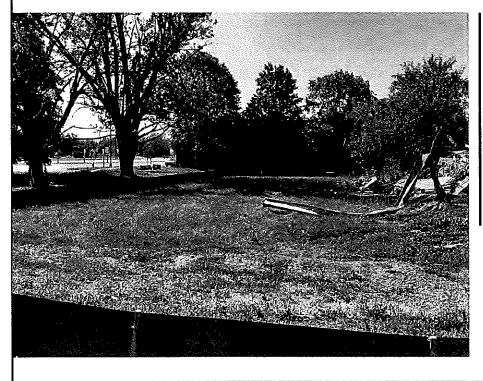


Photo #: 6

**Direction of View:** 

South

Comment:

View from the northeast corner of the site with South 27th Street seen on the left.



Anderson Engineering
Milwaukee County, Wisconsin

Photos Taken by GRAEF on 8/16/2017



Photo #: 7

Direction of View:

South

Comment:

View from the northeast corner of the site with South 27th Street seen on the left.



Photo #: 8

Direction of View:

West

Comment:

View from the northeast corner of the northern site boundary.



Anderson Engineering Milwaukee County, Wisconsin

Photos Taken by GRAEF on 8/16/2017



Photo #: 9

Direction of View:

West

Comment:

View from southeast corner of the site.

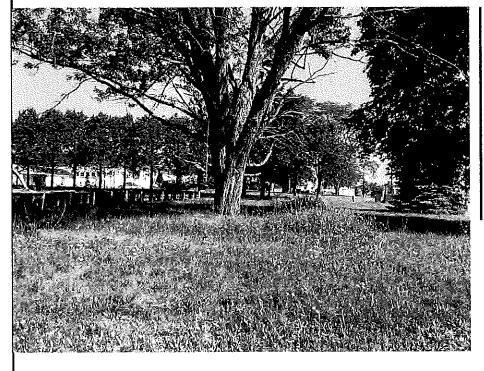


Photo #: 10

Direction of View:

Northwest

Comment:

View from the southeast corner of the site.



Anderson Engineering
Milwaukee County, Wisconsin

Photos Taken by GRAEF on 8/16/2017

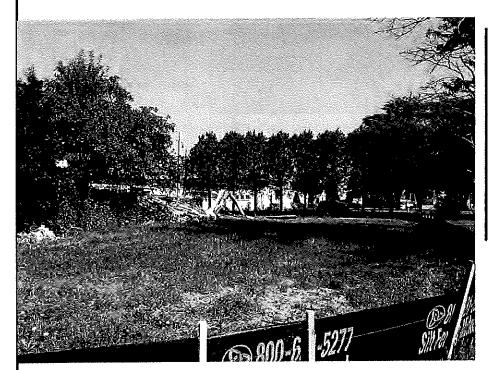


Photo #; 11

Direction of View:

Northwest

Comment:

View from southeast corner of site.



Photo #: 12

Direction of View:

## Comment:

Upland sample point SP-1 documenting upland conditions in the area of mapped Blount silt loam, 1 to 3 percent slopes (BIA) which is classified by the NRCS as a hydric soil in Milwaukee County and is listed as a wetland indicator soil by the WDNR.

WETS Analysis	<b>.</b>									
Project Site: Project Number: Period of interest: County:										
Long-	term rainfa	Long-term rainfall records (from WETS table)	WETS tab	(e)			Site del	Site determination		
		3 years in 10	Normal	3 years in 10		Site	Condition	Condition**	Month	
	Month	less than		greater than		Rainfall (In)	Dry/Normal*/Wet	Value	Weight	Product
1st month prior	July	2.44	3.56	4.25		3.69	Normal	2	3	9
2nd month prior:	June	2.40	3.56	4.26		5,21	Wet	3	2	9
3rd month prior:	May	1.86	3.06	3.70		2.83	Normal	2	<b>,</b>	2
		= wns	10.18		= mns	11.73			Sum***=	14
	*Normai pre	*Normal precipitation with 3	0% to 70%	30% to 70% probability of occurrence	courrence			Determination;		wet Do,
	**Condition value:	value:		***If sum is:						Normal
	Dry =	*****		6 to 9	then period	then period has been drier than normal	r than normal			
	Normal =	2		10 to 14	then períod	then period has been normal	nal			
	Wet =	ಣ		15 to 18	then period	has been wet	then period has been wetter than normal			
Precipitation c	data source:	Precipitation data source:	pase							
W	ETS Station:	WETS Station: MILWAUKEE MITCHELLAP, WI	HELL AP, WII							

Donald E.Woodward, ed. 1997. Hydrology Tools for Welland Determination . Chapter 19. Engineering Field Handbook, U.S. Department of Agriculture, Natural Resources Conservation Service, Fort Worth, TX.

Reference:

## STATEMENT OF QUALIFICATIONS

#### FIELD INVESTIGATORS:

## Mike Al-wathiqui

Mr. Al-wathiqui received a Master of Science in Freshwater Resources and Technology from the University of Wisconsin-Milwaukee's School of Freshwater Science. He received a Bachelor's of Science in Biology and Natural Resource Management at the University of Wisconsin-Milwaukee as well. He has completed the WDNR's Critical Methods in Wetland Delineation and Advanced Wetland Delineation Course in 2016 as well as WDNR's Basic Wetland Delineators course in 2015. Mike has seven years of diverse ecological experience including performing wetland delineations, riparian landscape management, environmental education and stream studies. Mike has been performing wetland delineations for three years and has authored many delineation reports and wetland permit applications. He is familiar with state and federal wetland and waterway regulation and policy. He has experience in invasive vegetation management and vegetation monitoring. He provided invasive vegetation management and monitoring services for a Pike River management plan in Racine County. He has also worked at the WDNR on a trail management plan controlling invasive vegetation species along the Hank Aaron State Trail and with non-profits managing invasive vegetation species along the Milwaukee River greenway. He has also worked for the City of Milwaukee Forestry Department treating Ash trees to protect against infestation by the Emerald Ash Borer. He currently holds a valid Wisconsin Pesticide Applicators License. Mike has additional experience in developing metrics for assessing biological integrity of stream ecosystems. In 2015 he worked on a project with the US Forest Service to assess the stream health and invertebrate community structure of various freshwater Hawaiian streams.

# City of Franklin **Department of City Development**

Date: September 8, 2017

To: Brandon Cutler, Patrick G. Blees, Architect, PLLC

From: Department of City Development

RE: O'Reilly Auto Parts Special Use Application – Staff Comments

Please be advised that City Staff has reviewed the above application for property located at 7251 S. 27<sup>th</sup> Street. Department comments are as follows for the Special Use date-stamped by the City of Franklin on August 22, 2017.

## **Planning Department**

## Special Use

- 1. Please include the responses to the Special Use Standards and Regulations as part of the Plan Commission submittal. *This is included in the submittal package*.
- 2. In previous discussions, it was noted that one to two small pickup trucks would be parked overnight. Please confirm if there is overnight vehicle parking onsite and provide details in a revised project narrative. Please include the type and size (Gross Vehicle Weight) of the vehicles. Staff also recommends illustrating the location of where these vehicles will be parked overnight on the Site Development Plan (Sheet C2.1.). See enclosed revised drawings.

Note that per Section 15-5.0202G.3. of the Unified Development Ordinance (UDO), "Any vehicle over 8,000 pounds rated Gross Vehicle Weight may be parked in districts not previously mentioned in the normal course of business in conjunction with a commercial or industrial use of the property; however, any overnight parking shall be allowed only with a Special Use."

- 3. In a revised project narrative, please include the following information:
  - a. Store hours of operations.
  - b. Number of employees.
  - c. Details regarding deliveries (e.g. number of deliveries per day/week, type and size of delivery vehicles, hours of deliveries, etc.)

Staff also recommends including a truck maneuverability exhibit with the Plan Commission submittal. See enclosed revised project summary narrative and truck turn exhibit.

## Site Plan

- 4. Please provide the following information on the Proposed Site Development Plan (Sheet C2.1):
  - a. **Soils Data.** The characteristics and types of soils related to contemplated specific uses. Soil borings may be required by the City Engineer, Zoning Administrator,

- and/or Plan Commission. - <u>Please note the soil types on the Site Development</u> <u>Plan.</u> See enclosed geotechnical and Phase I report.
- b. **Building Height.** Height of all building(s), including both principal and accessory, expressed in both feet and stories. - <u>Please note the building height on the Site Development Plan. See enclosed sheets G1.1 and A2.1.</u>
- c. Existing and Proposed Public Street Rights-of-Way or Reservations. Existing and proposed public street rights-of-way or reservations and widths. - Please note the rights-of-way widths for S. 27<sup>th</sup> Street and W. Minnesota Avenue. We were unable to find documentation on the ROW width in time for submittal. We will include in a future revision.
- d. "Natural Resource Protection Plan" Required. Location of natural resource features present on the site, as defined in Divisions 15-4.0100 and 15-11.0100 of this Ordinance. A "Natural Resource Protection Plan" meeting the requirements of Division 15-7.0100 of this Ordinance shall be submitted with the Site Plan Review Application for Plan Commission review and approval. The "Natural Resource Protection Plan" shall contain any areas of the site where natural resources are to be mitigated and how and where the mitigation is to take place with natural resource protection easements indicated. Copies of any letters of review or permits granted by applicable Federal or State regulatory agencies having jurisdiction over said natural resources shall also be submitted. - Was a natural resource investigation completed for the property? If so, where any protected natural resources found onsite? See enclosed Anderson Engineering response letter.
- e. Site Intensity and Capacity Calculations to be Submitted. The "Site Intensity and Capacity Calculation" worksheets required under Division 15-3.0500 for determining the maximum site intensity, or development capacity, of the site. For residential uses, the maximum number of dwelling units permitted on the site shall be determined based upon the zoning district's maximum density (gross and net), the natural resources present on the site and the level of their preservation, minimum open space ratio, and the residential development option selected. For nonresidential uses, the maximum floor area permitted on the site shall be determined based upon the zoning district's allowable maximum floor area ratio (gross and net), the natural resources present on the site and their level of preservation, the minimum landscape surface ratio, and building height in feet and stories. - Site Intensity and Capacity Calculation Worksheets are attached.

  Please complete and include as part of the Plan Commission submittal. See enclosed worksheet.
- f. **Project Summary.** A written project summary including fiscal impact upon the City of Franklin, operational information, building schedule, and estimate of project value and including all site improvement costs. - <u>Please include this type of information within a revised project narrative or supplemental letter. No fiscal information is available regarding the impact on the City of Franklin; Building schedule is on sheet C1.1; project valuation is estimated at \$975,780.</u>

- 5. Please confirm the WisDOT required setback from S. 27<sup>th</sup> Street. Staff believes WisDOT may require a 42-foot setback, opposed to the City's 40-foot minimum required setback. The more restrictive should then be illustrated on the plans. See enclosed Anderson Engineering response letter.
- 6. Please note the type and height of the proposed fence on the Site Development Plan. See enclosed Sheet C2.2.
- 7. Please illustrate and label the vision triangle on the Site Development Plan (see below). Row widths could not be determined before time of submittal, but sight line triangles were added at the property lines for reference as that is usually the extent of street right of ways as well.

## **SECTION 15-5.0201 TRAFFIC VISIBILITY**

A. No Obstructions Permitted. No visual obstructions, such as structures, parking, or vegetation, shall be permitted in any district between the heights of two and one-half (2.5) feet and ten (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 thirty (30) feet from their intersection.

- B. Corner Cut-Off Distances for Intersecting Arterial and/or Collector Streets. In the case of arterial and/or collector streets intersecting with other arterial and/or collector streets, the corner vision clearance distances establishing the triangular vision clearance space shall be sixty (60) feet from the two (2) intersecting street rights-of-way lines and a line joining the two (2) points on such lines.
- 8. Please provide dumpster enclosure details. Staff assumes this may be on Sheet C2.2 or C2.3; however, those plan sheets were not provided. Staff recommends that the dumpster enclosure materials match that of the principal building. See enclosed sheet C2.3.
- 9. On Sheet C2.1, please include additional site data, such as square footage of proposed impervious surface, greenspace and Landscape Surface Ratio (see definitions below). See enclosed sheet C2.1.

Landscape Surface Ratio (LSR). The ratio derived by dividing the area of landscaped surface by the base site area.

Landscape Surface Area. Surface area of land not covered by any building or impervious surface; impervious surface, and that is maintained as a natural area and left undisturbed or to support plant life.

Site Area, Base. (See Division 15-3.0500 of this Ordinance.)

10. Staff recommends that a cross-access easement be provided and illustrated on the Site Development Plan to allow future access to the property to the north. The B-4 District requires cross-access between parcels (see below). Staff suggests that the cross-access be paved at the time of development of the O'Reilly store. Also note that the Plan Commission may consider paving the cross-access as part of the compensation for the requested waivers from the South 27<sup>th</sup> Street Design Overlay District standards. We do

not have information on a cross access easement at this time, and will need to address at a later date.

## **B-4** District

Require that cross-access for both pedestrian and vehicular circulation is provided between adjacent parcels at the time of any new development or redevelopment. In cases where existing development on adjacent parcels, not under common ownership, does not allow for the actual construction of connecting driveways, sidewalks, etc. it shall be sufficient in most cases to provide the appropriate cross-access easements to be utilized at the point in time when the adjacent parcel undergoes development or redevelopment that would facilitate the completion of the connection. The city may require a letter of credit sufficient to ensure the construction of the future pedestrian and vehicular connection when actual construction is not taking place at the time of site plan approval.

## Landscaping

- 11. Please organize the plantings within the Planting Schedule by plant type (i.e. Canopy/Shade Trees, Evergreens, Decorative Trees and Shrubs). See enclosed L1.1.
- 12. Please include the landscaping calculations on the Landscape Plan (i.e. how many plantings are required per the UDO, including the 20% increase for the bufferyard). Note that the UDO requires rounding up to the nearest whole number. Staff recommends exceeding landscape requirements as part of the compensation for the requested waivers from the South 27<sup>th</sup> Street Design Overlay District standards. See enclosed L1.1.
- 13. Please indicate the planting size in the Planting Schedule, opposed to the reference provided. Note that evergreens and arborvitae within the bufferyard must have a planting height of 6-feet. See enclosed L1.1.
- 14. Staff recommends additional plant species be provided per Section 15-5.0302F. of the UDO. See enclosed revised waiver narrative.
- 15. Please illustrate areas for snow storage on the Landscape Plan in compliance with Section 15-5.0210 of the Unified Development Ordinance. See enclosed sheet C2.1.
- 16. Please note a 2 year planting guaranty on the Landscape Plan per Section 15-5.0303G.3. of the UDO. O'Reilly is still reviewing. An answer will be provided at a later date.

#### **Parking**

- 17. Staff recommends that all parking spaces be a minimum of 9-feet wide and 180 square feet in size. *Plans are already compliant*.
- 18. Parking is rounded up; therefore, the required number of parking spaces is 37, not 36. Please revise the Site Development Plan accordingly. See enclosed sheet C2.1.
- 19. A parking reduction is being requested. As such, staff recommends that the percent decrease being requested be stated in a revised project narrative or supplemental letter as well as justification for the decrease and that the store's parking demand will be met. For example, a comparative analysis may be submitted that indicates the typical number of parking spaces provided and the demand for other comparable O'Reilly Auto Parts stores.

Note that the S. 27<sup>th</sup> Street Design Overlay District also requires that technical documentation shall be furnished by the applicant during the site plan review process to indicate, to the satisfaction of the Plan Commission, that actual off-street parking demand for that particular use is less than the required amount or that sufficient on-street parking

is available in the area. There is no technical documentation at this time, however, O'Reilly Auto Parts is not a high traffic store.

#### Architecture

- 20. Please include 11 x 17 color elevations as part of the Plan Commission submittal. See enclosed.
- 21. See architectural comments under the South 27<sup>th</sup> Street Design Overlay District Requirements section below. *See enclosed*.

## Lighting

22. Staff recommends that shorter light poles be utilized as well as consideration of more decorative style lighting. Per UDO standards we are already under the 30' max height.

## Signage

- 23. As previously discussed, signage will require separate review and approval by the Architectural Review Board and a Sign Permit from the Inspection Department. Please provide a note on the plans that states signs are shown for reference only and require separate review and approval. See enclosed sheets SG1.1, SG1.2, and SG2.1.
- 24. The monument sign shall be located outside of vision triangle. See enclosed sheets SG1.1, SG1.2, and SG2.1.

## South 27th Street Design Overlay District Requirements

25. Previously a letter was provided, dated March 13, 2017, that listed the waivers being requested from the South 27<sup>th</sup> Street Design Overlay Standards. Please update this letter as may be necessary and include it as part of the Plan Commission submittal. Staff also recommends noting areas that the project is exceeding standards to compensate for such waivers. Below is from the design standards for your review. As indicated on the L1.1 sheet, we are well over on landscaping. We have also gone above and beyond our typical store design, and diligently worked with the city to improve the building design.

Authorize the Plan Commission to waive any of the South 27th Street Design Overlay District Standards by 5 votes of all the members of the Plan Commission provided that supplemental design elements or improvements are incorporated into the project (over and above those which are otherwise required) which compensate for the waiver of the particular standard, or, in the case of parking provisions, where it can be demonstrated that the required parking is excessive or where specified areas are provided for the future provision of additional parking if necessary. In support of the waiver request, the applicant shall detail such supplemental design elements in written and graphical form, and provide an explanation as to the nature of the standards for which the waiver is requested.

Staff finds that the following waivers must be requested or the project revised to address each requirement.

• Section 15-3.0352A. Parking required and location regulated.

Staff recommends locating the building closer to the corner of S. 27<sup>th</sup> Street and W. Minnesota Avenue, with parking located on the rear half of the site. *See enclosed revised waiver narrative*.

Section 15-3.0353B. Coordination of site furnishings.

Staff recommends including site furnishings such as benches, trash receptacles, bicycle racks, etc. If provided, please include cut sheets/catalog pages for the type of furnishings provided. See enclosed revised waiver narrative.

Section 15-3.0353C.3. Pedestrian considerations.

Staff recommends providing cross-access to the property to the north as well as a pedestrian connection to the sidewalk along S. 27<sup>th</sup> Street. *See enclosed revised waiver narrative.* 

Section 15-3.0353C.4. Pedestrian considerations.

Staff recommends the addition of foundation plantings or planters be placed along the front of the building. See enclosed revised waiver narrative.

Section 15-3.0353C.5. Pedestrian considerations.

Again, staff recommends providing pedestrian connections from the building entrance to the sidewalk along S. 27<sup>th</sup> Street. *See enclosed revised waiver narrative.* 

Section 15-3.0353E. Bicycle and pedestrian amenities required.

Again, staff recommends that bicycle and pedestrian amenities be included and illustrated on the Site Development Plan. See enclosed revised waiver narrative.

Section 15-5.0353F.1. Landscaping.

Again, staff recommends foundation plantings and/or planters be located along the building adjacent to S. 27<sup>th</sup> Street and W. Minnesota Avenue to satisfy this requirement. See enclosed revised waiver narrative.

Section 15-3.0355A.7. Building Character and Design.

Where are mechanicals located? Are they fully screened from public view (i.e. from S. 27<sup>th</sup> Street and W. Minnesota Avenue)? See enclosed revised waiver narrative.

Section 15-3.0355A.8. and 9. Building Character and Design.

Staff recommends that additional architectural enhancements be added to better comply with architectural standards as detailed within the South 27<sup>th</sup> Street Design Overlay District standards.

Please refer to previous email correspondence related to architecture. More specifically, staff recommends consideration of providing more

variation/articulation to the building, such as: varying building setbacks; more façade protrusions and/or recesses; building height changes (additional variations in parapets); additional building materials (stucco, wood, stone, terra-cotta) or patterns, etc. See enclosed revised waiver narrative.

Section 15-3.0355B.3.a. and c. Building Materials and Colors

The architectural recommendations above could satisfy these requirements as well. See enclosed revised waiver narrative.

Section 15-3.0355B.4.b. Roof Materials, Parapets, and Roof Pitch.

Staff recommends additional roofline variation, particularly along the side and rear elevations. Also may consider brick coursing. See enclosed revised waiver narrative.

• Section 15-3.0355B.4.f. Roof Materials, Parapets, and Roof Pitch.

Again, roof and wall-mounted mechanical, electrical, communications, and service equipment, including satellite dishes and vent pipes, must be screened from public view. Please verify that all such equipment is screened from S. 27<sup>th</sup> Street and W. Minnesota Avenue. *See enclosed revised waiver narrative*.

Section 15-3.055B.7.a., b. and c. Windows.

Staff understands that much of the building includes storage areas; therefore, staff recommends consideration of frosted windows or utilizing glass block.

In additional, staff suggests adding sills at the bottom of the windows to better comply with these standards. See enclosed revised waiver narrative.

Section 15-3.055B.8.d. Pedestrian Accessibility

This requirement has been previously discussed and a corner entrance feature must be provided, unless waived by the Plan Commission. *See enclosed revised waiver narrative*.

Section 15-3.055B.10. External Storage

Please confirm that there are no outside sales or merchandise display areas. If there are, details must be provided for Plan Commission as part of the site plan review and approval. See enclosed revised waiver narrative.

# Engineering Department Comments See enclosed Anderson Engineering response letter.

- Has a wetland determination been performed by an Assured Delineator or received concurrence from the WDNR?
- What are the pre-and post-development impervious areas?
- A Building permit is required.

- A Plat of Survey showing highway setback, proposed location of the building, erosion control and tracking pad is required.
- A permit is required for relocating the existing culvert and request for another culvert.
- A permit is required to work on the highway right-of-way.
- State approval for connecting to the existing storm inlet is required. May need to
  demonstrate that the existing storm is adequate enough to take the storm drainage run-off
  from the site.
- State approval is required for parking lot to be installed within the Highway setback.
- Driveway permits are required (2-driveway).
- Concrete driveway must terminate three feet away from the edge of the road.
- Must maintain the roadway ditch at West Minnesota Avenue.

## **Fire Department Comments**

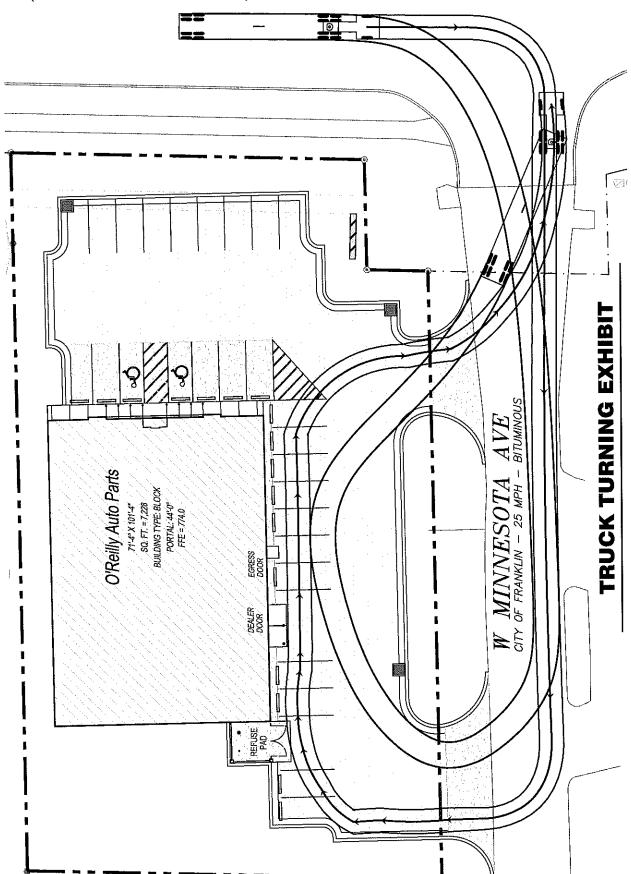
Fire Department requirements would be those established per IBC and State DSPS for given hazard, occupancy type, square footage, and construction type.

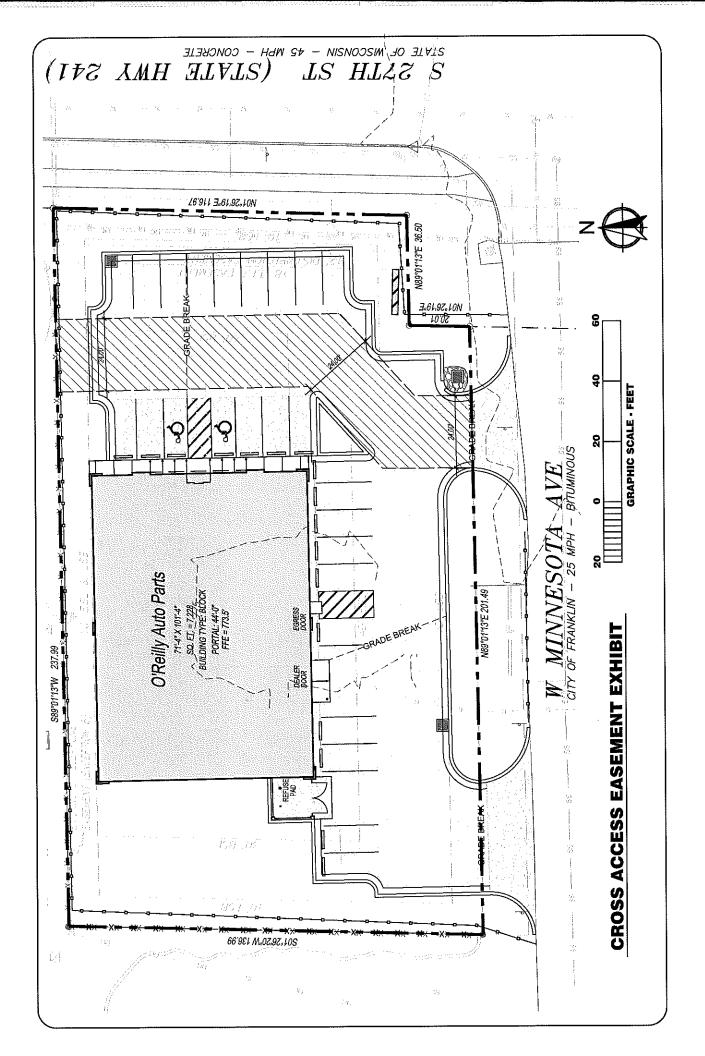
## **Police Department Comments**

The Franklin Police Department has reviewed the application for 7251 South 27th Street.

The Police Department has no issues with this request.

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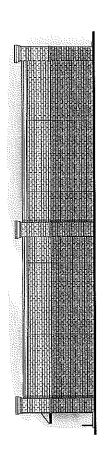




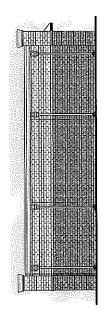
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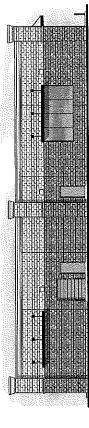
PARICK G. REES ARCHIEEC; FULC ROP WASHINGTON ANC. N. SUIFE 200 ARRINGA POLIS. N. 55-401 FHORE: (6/12) 547-1377 FAX: (6/12) 547-1377 FAX: (6/12) 547-1370 CONTACT TO NY JOHN'SON



2 SIDE ELEVATION



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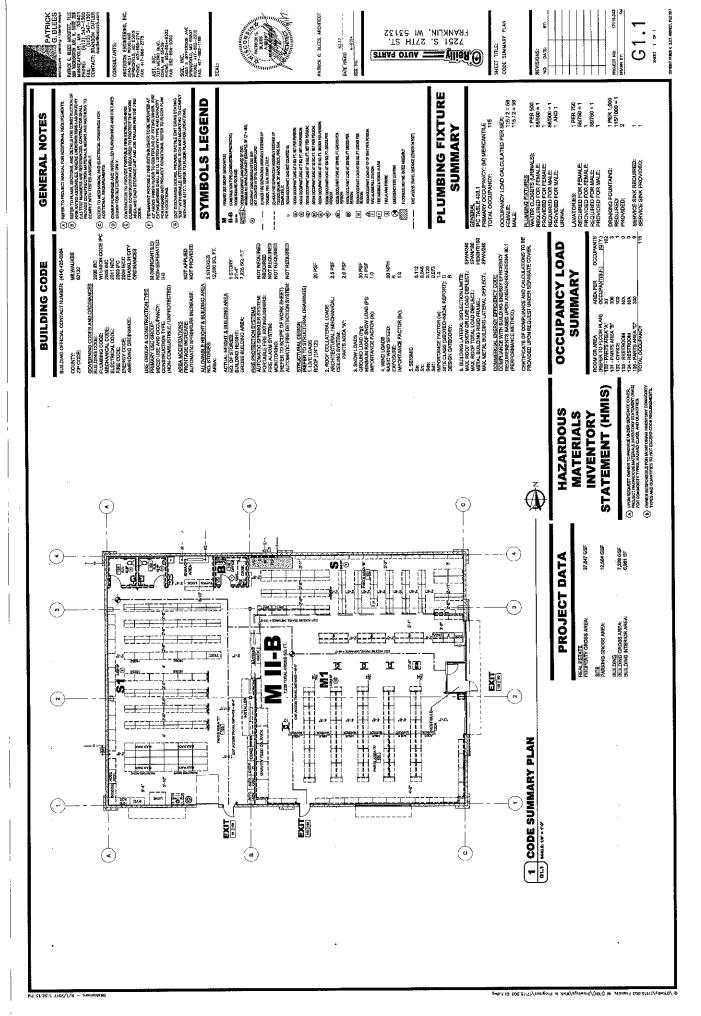
**6.Reilly** <u>■ Auto</u> Pari 7251 S. 27TH ST. FRANKLIN, WI 53132

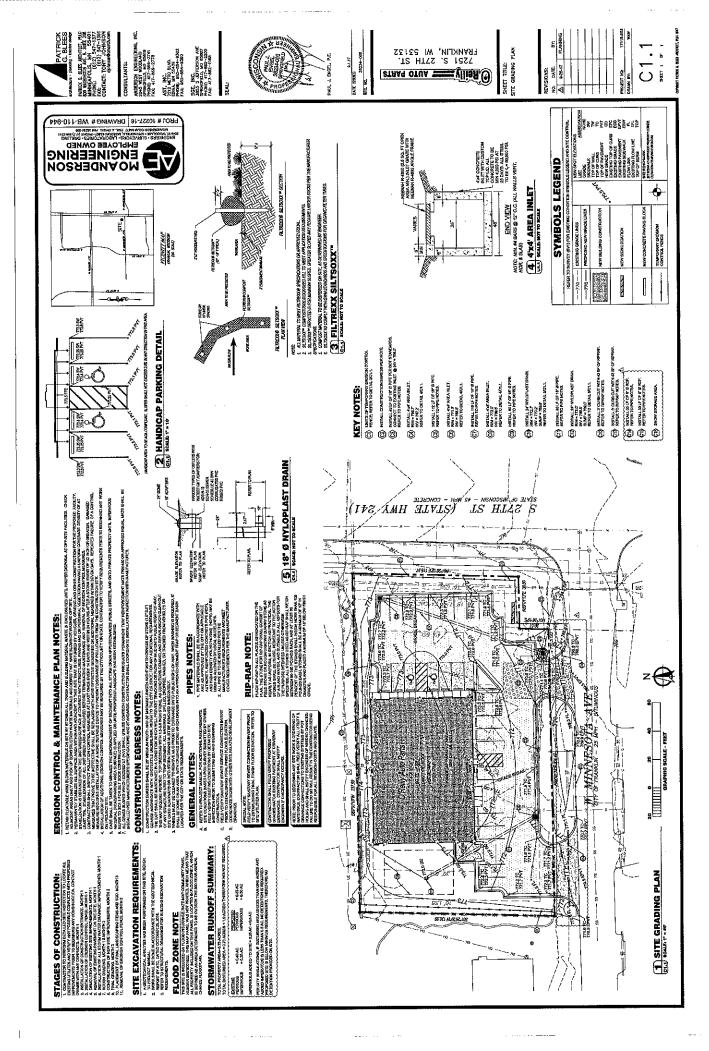
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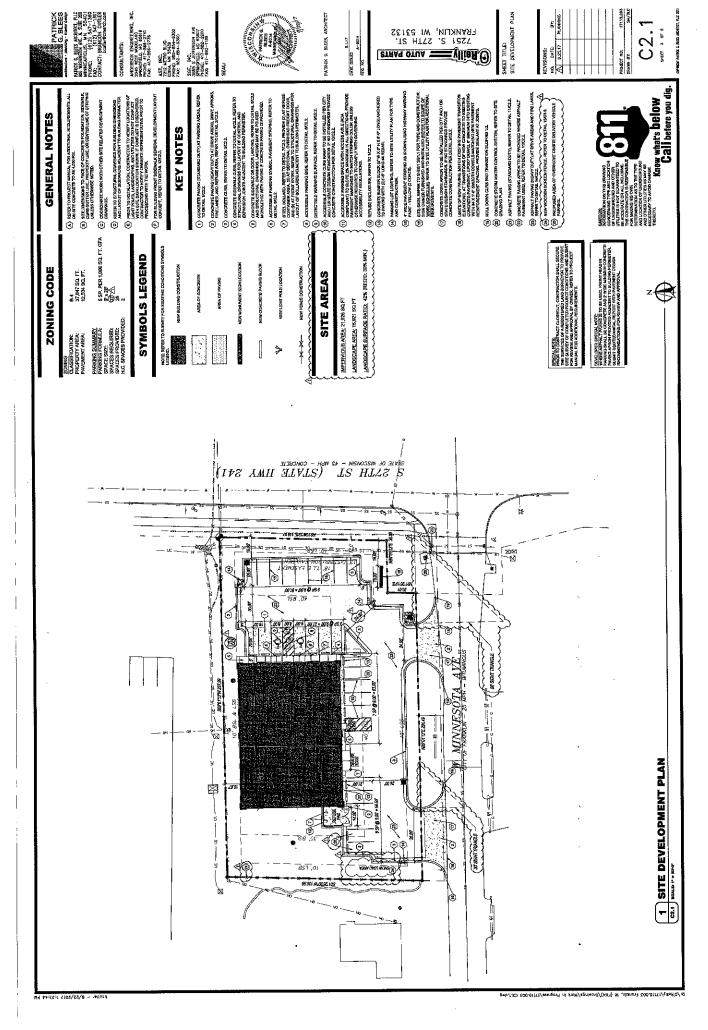
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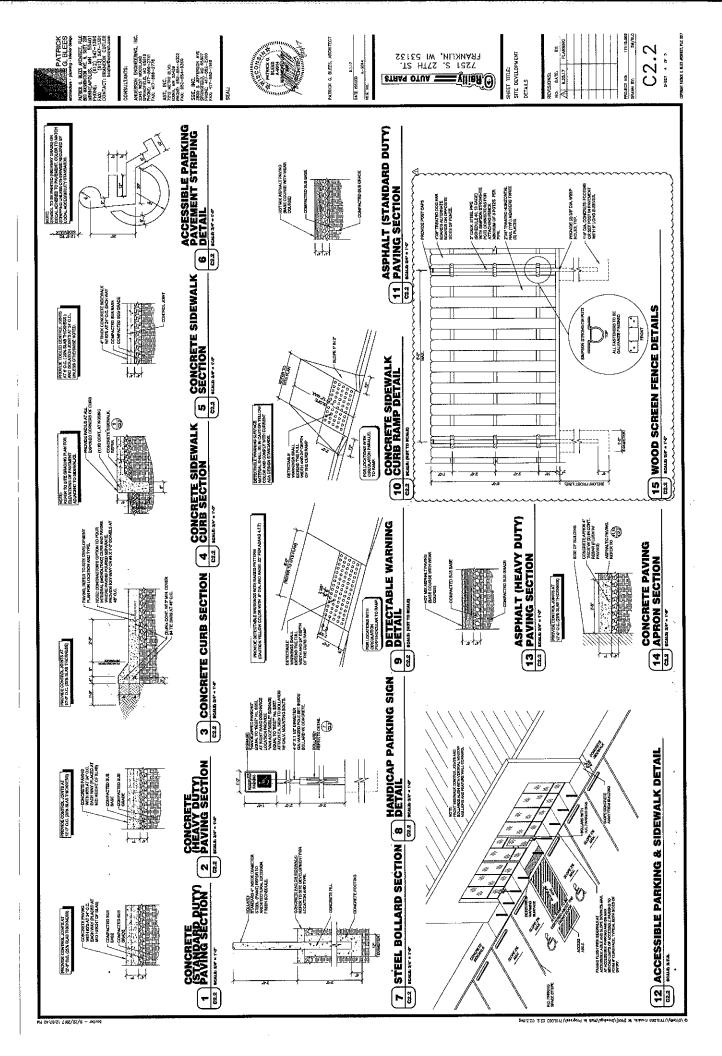
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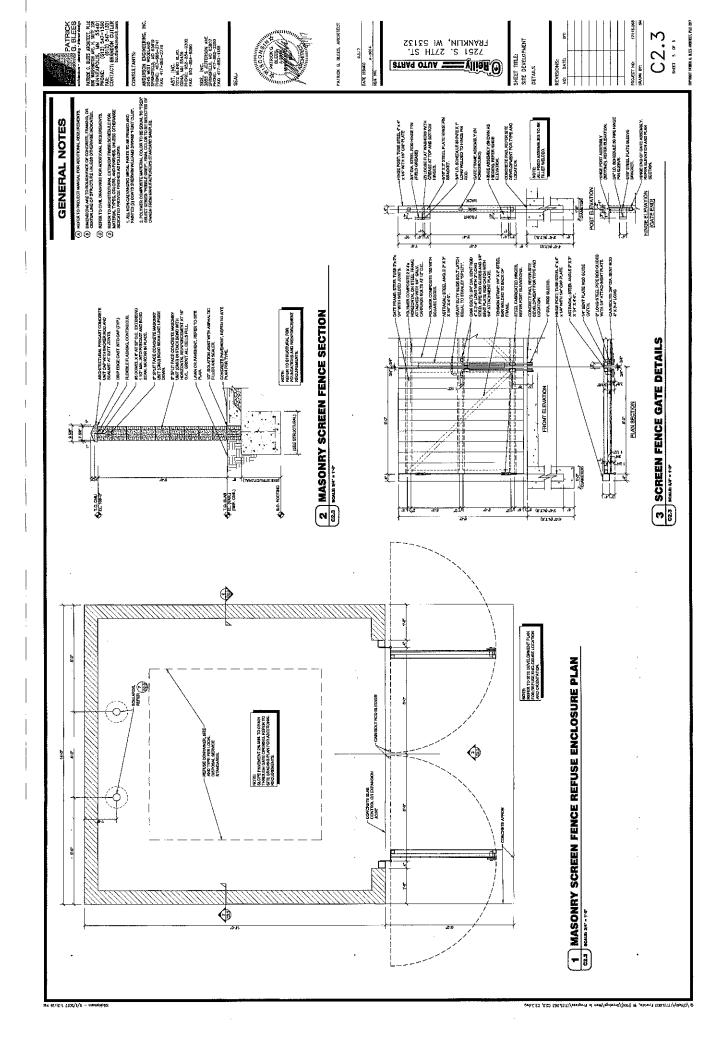
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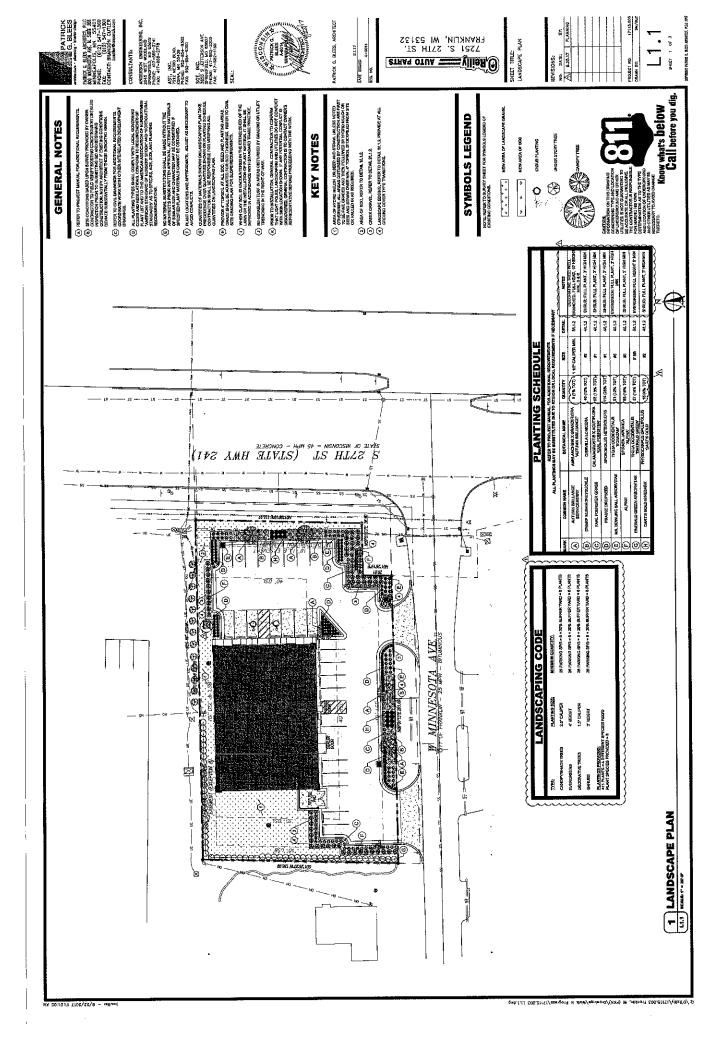


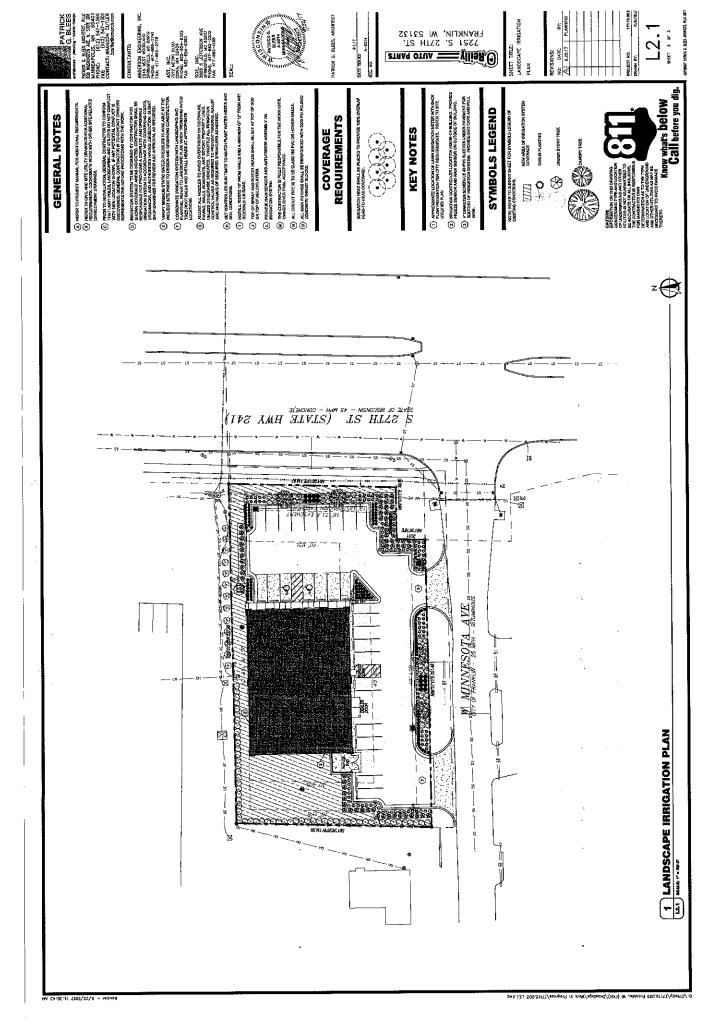


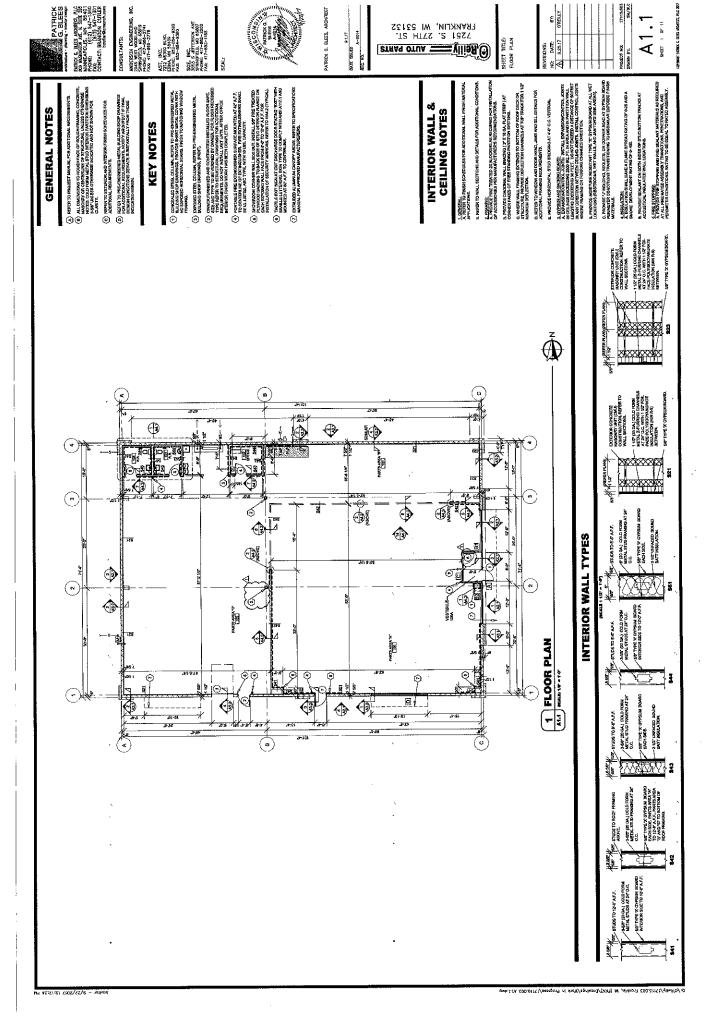


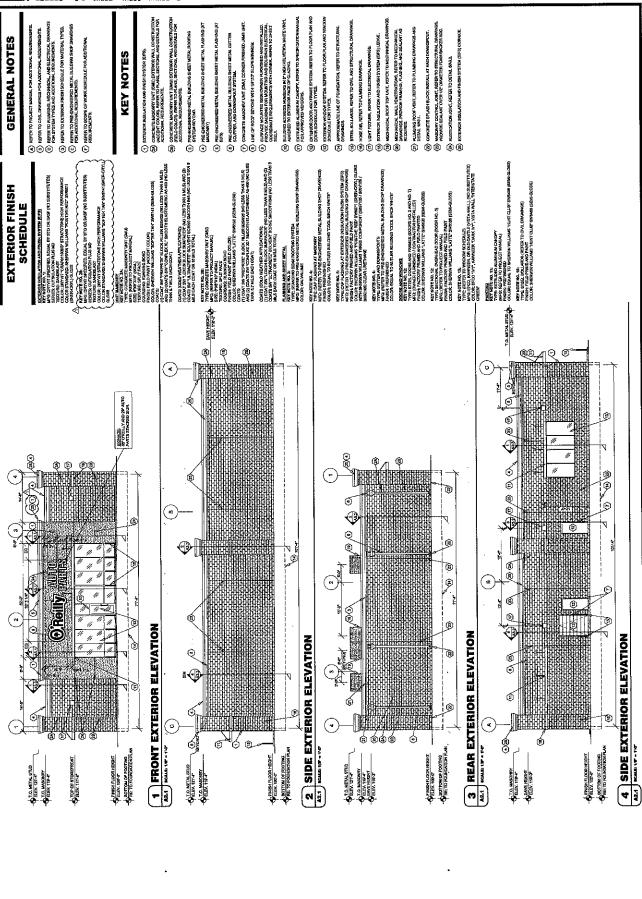












PATRICK G. BLESS ARCHITECT, PLLC BRO WSHIGTON, M. R. SRIF ZNB MINNEAPOLIS, M. E. 55-427 PHONE: (612), 547-1360 PAX: (612), 547-1301 PAX: (612), 547-1301 CONTACT: BRANDON CUTLER BCUIRTORNEYSHOON

CONSULTANTS:

PATRICK C. BLEES, ARCHITECT

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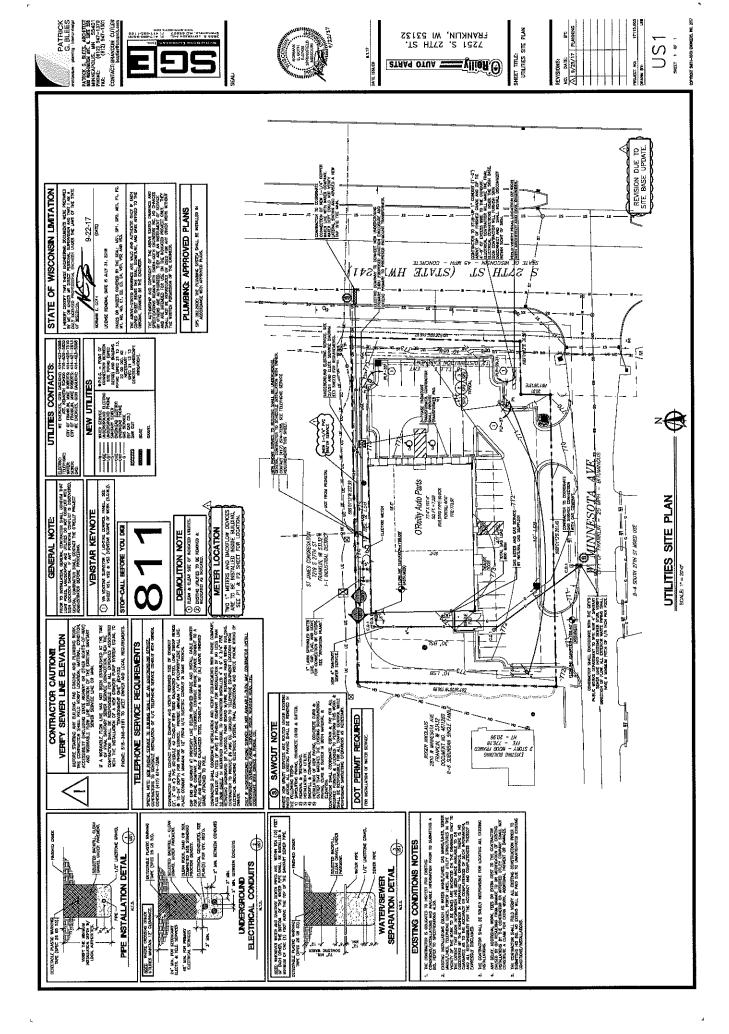
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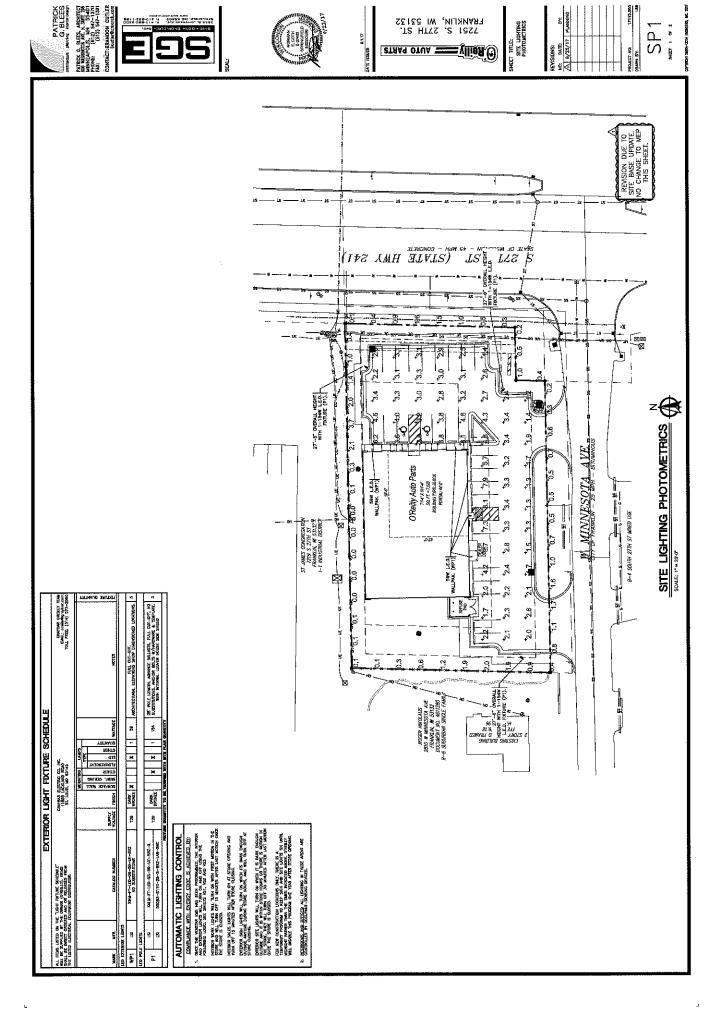
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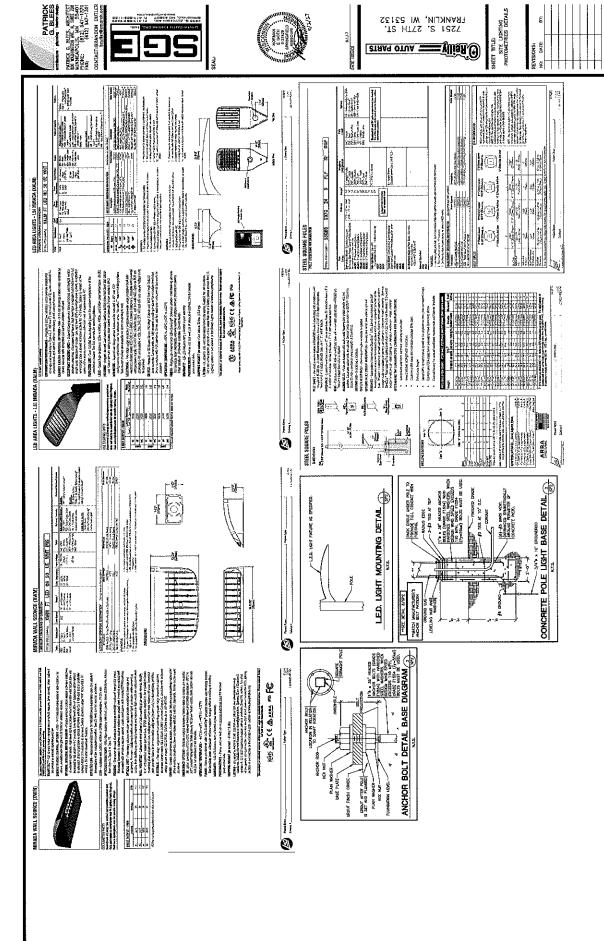
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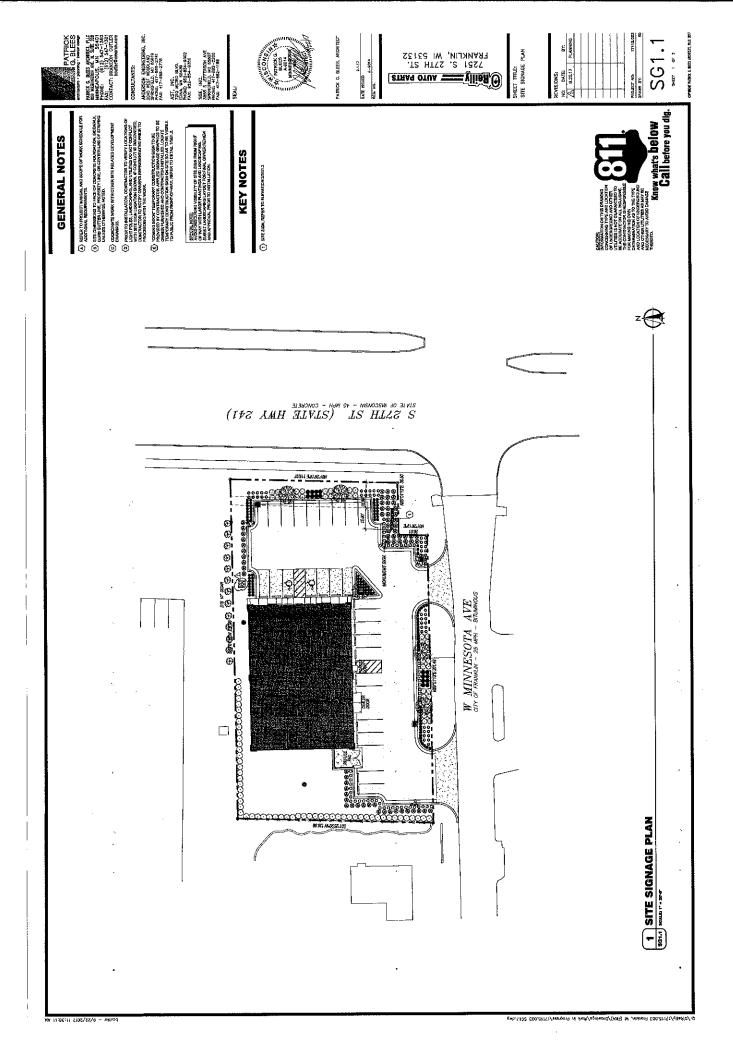


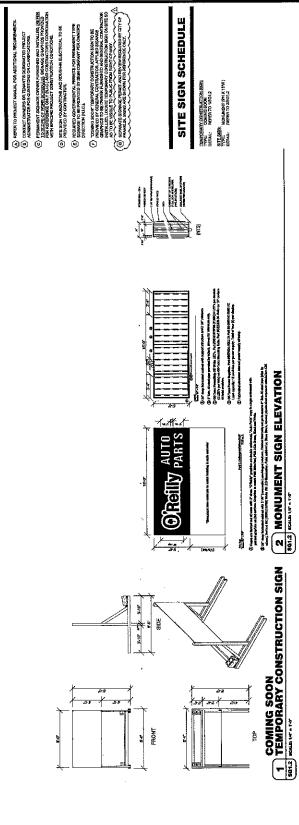


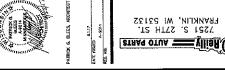


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A REANKLIN, WI 55132

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GRO WSHIGHN, NE. B. SHE ZUG
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CONTACT: BRANDON CUTLER
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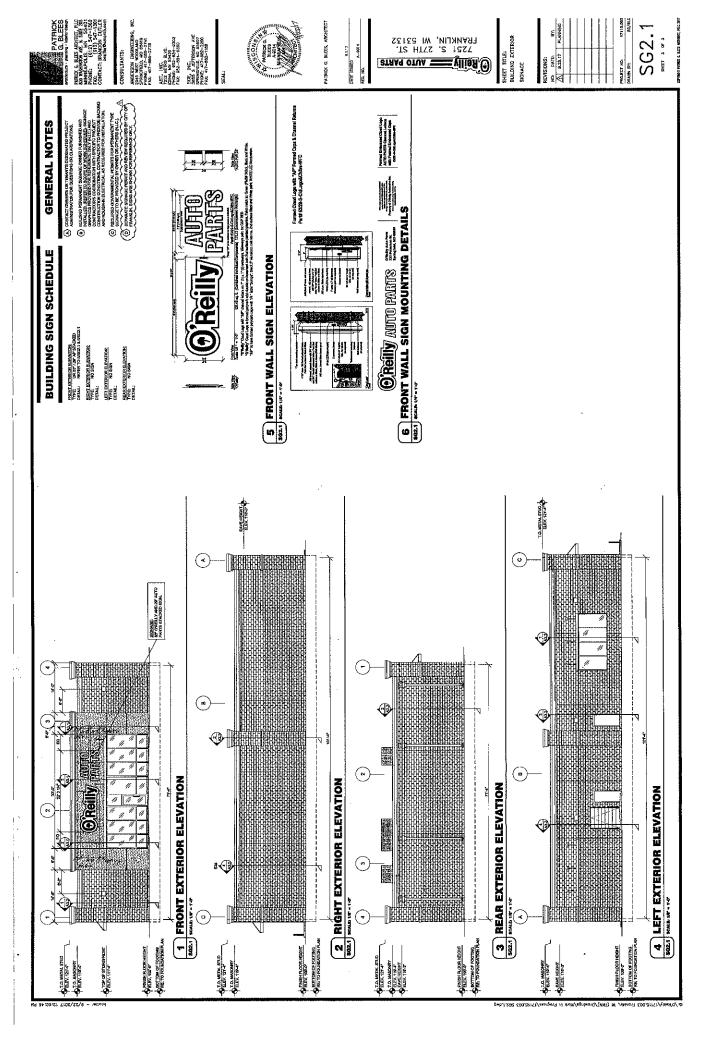
ANDERSON ENGINEERING, 2045 WEST WOODLAND SPENKSPIELD, NO ESSET PHONE: 417-686-2741 FAX: 417-668-2776

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GENERAL NOTES

SHEET TITLE SITE SIGNAGE DETAILS



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