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City of West Allis

Matter Summary

7525 W. Greenfield Ave.
West Allis, WI 53214

File Number	Title	Status
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2010-0045 Special Use Permit Introduced

Special Use Permit for CiCi's Pizza, to be located within the Shoppes on 100 multi-tenant commercial building located at 2927 S. 108 St.

Introduced: 1/19/2010

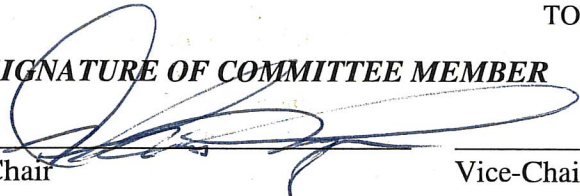
Controlling Body: Safety & Development Committee
Plan Commission

COMMITTEE RECOMMENDATION

FILE

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
			Barczak				
			Czaplewski				
<i>2/10/10</i>			Kopplin	✓			
			Lajsic	✓			
			Narlock	✓			
		✓	Reinke	✓			
			Roadt				
			Sengstock				
	✓		Vitale	✓			
			Weigel				
			TOTAL	<i>5</i>	<i>0</i>		

SIGNATURE OF COMMITTEE MEMBER



Chair Vice-Chair Member

COMMON COUNCIL ACTION

PLACE ON FILE

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<i>FEB 16 2010</i>			Barczak	✓			
			Czaplewski	✓			
	✓		Kopplin	✓			
			Lajsic	✓			
			Narlock	✓			
			Reinke	✓			
			Roadt	✓			
			Sengstock	✓			
		✓	Vitale	✓			
			Weigel	✓			
			TOTAL	<i>10</i>			

Planning Application Form

City of West Allis ■ 7525 West Greenfield Avenue, West Allis, Wisconsin 53214
414/302-8460 ■ 414/302-8401 (Fax) ■ <http://www.ci.west-allis.wi.us>

Applicant or Agent for Applicant

Name PAUL TATE
 Company RALLY PIZZA LLC DBA CIG'S
 Address 577 WILKESBORO BRIDGEPORT WAY
 City MUSKEGO State WI Zip 53150
 Daytime Phone Number 414-243-3277
 E-mail Address PTATE@CIGSPIZZA.COM
 Fax Number _____
 Project Name/New Company Name (If applicable) _____

Agent is Representing (Owner/Leasee)

Name _____
 Company _____
 Address _____
 City _____ State _____ Zip _____
 Daytime Phone Number _____
 E-mail Address _____
 Fax Number _____

Application Type and Fee

(Check all that apply)

- Request for Rezoning: \$500.00 (Public Hearing required)
Existing Zoning: _____ Proposed Zoning: _____
- Request for Ordinance Amendment \$500.00
- Special Use: \$500.00 (Public Hearing required)
- Transitional Use \$500.00 (Public Hearing Required)
- Level 1 Site, Landscaping, Architectural Plan Review \$100.00
- Level 2 Site, Landscaping, Architectural Plan Review \$250.00
- Level 3 Site, Landscaping, Architectural Plan Review \$500.00
- Site, Landscaping, Architectural Plan Amendments \$100.00
- Extension of Time: \$250.00
- Certified Survey Map: \$500.00 + \$30.00 County Treasurer
- Planned Development District \$1500.00 (Public Hearing required)
- Subdivision Plats: \$1500.00 + \$100.00 County Treasurer + \$25.00 for reapproval
- Signage Plan Review \$100.00
- Street or Alley Vacation/Dedication: \$500.00
- Signage Plan Appeal: \$100.00

Agent Address will be used for all official correspondence.

Property Information

Property Address ²⁹²⁷ 2927 1705 S. 108TH STREET
 Tax Key Number 520-1002-000
 Current Zoning C-4
 Property Owner SHOPPES ON 100-WA WI LLC + BSWI
 Property Owner's Address 13400 BISHOPS LN STE 100
BROOKFIELD WI 53005
 Existing Use of Property _____
 Structure Size 3555 SQ FT Addition _____
 Construction Cost Estimate: Hard _____ Soft X Total \$275,000
 Landscaping Cost Estimate _____
 * Total Project Cost Estimate: \$500,000
 Previous Occupant JENNIFY V'S - PANCHERO'S

Attach detailed description of proposal.

In order to be placed on the Plan Commission agenda, the Department of Development must receive a completed application, appropriate fees, a project description, 6 sets of scaled, folded and stapled plans (24" x 36") and 1 electronic copy (PDF format) of the plans by the last Friday of the month, prior to the month of the Plan Commission meeting.

Attached Plans Include: (Application is incomplete without required plans, see handout for requirements)

- Site Plan
- Floor Plans
- Elevations
- Signage Plan
- Legal Description
- Certified Survey Map
- Landscaping/Screening Plan
- Grading Plan
- Utility System Plan
- Other _____

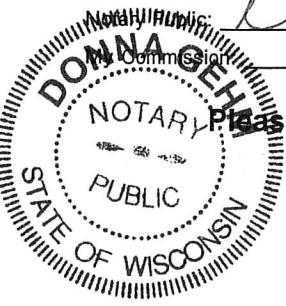
Applicant or Agent Signature Paul Tate Date: 1-4-10
 Subscribed and sworn to me this 4th day of Jan, 2010

Notary Public
Donna Gehm
12-8-2013

**Please make checks payable to:
 City Of West Allis**

Please do not write in this box

Application Accepted and Authorized by: _____
 Date: _____
 Meeting Date: _____
 Total Fee: _____



Business Plan -- Rally Pizza, LLC

C-O-N-F-I-D-E-N-T-I-A-L

For the sole use of The City of West Allis Planning Department.

Executive Summary

The owner of Rally Pizza, LLC, Paul Tate, has entered into a Franchise Agreement with CiCi Enterprises, LP located in Coppell, Texas. CiCi's is an all-you-can-eat, affordably-priced buffet featuring pizza, pasta, salad and dessert as well as takeout.

CiCi's 5 year plan is to open 80 quality restaurants per year. The company is focusing on attracting top-notch operators and growing in the markets currently being served and beyond. Wisconsin has been identified as one of their targeted growth markets. For the past three years Nation's Restaurant News has ranked CiCi's Pizza as #1 for Sales and Unit Growth in their category.

CiCi's offers a complete program to their franchisees in a well documented process. This includes 12 weeks of training for the general manager, written manuals on the operations and best practices of the business, and partners, such as JMC Distributors, to offer the products that have made their restaurants successful over the past 20 years.

This plan covers the opening and operation of one restaurant to be located in the Milwaukee metropolitan area. The initial restaurant is planned for opening in the Spring of 2010. It is anticipated that Rally Pizza would earn profits allowing the expansion to open additional restaurants in Milwaukee metropolitan area or in southeastern Wisconsin.

This plan is prepared to obtain financing for the initial CiCi's restaurant operated by Rally Pizza, LLC. The financing is required to begin construction of the restaurant and to cover expenses in the first year of business. Additional funding will be required to open subsequent restaurants.

1 Business Opportunity and Objectives

1.1 Business Opportunity

- To utilize knowledge and skills obtained through formal education and business experience to a personal business venture.
- Self employed with an opportunity at a life long goal of an entrepreneurial experience to grow our own business.

1.2 Business Objectives

- Create a business entity, Rally Pizza, LLC, to operate CiCi's Pizza franchise.
- Open a CiCi's franchise restaurant in West Allis, WI by Spring 2010.
- Have the first restaurant turn a profit in the first full year of business.
- Build a business out of multiple franchises. Expand into the Milwaukee Metro market in year two followed by healthy profits in years three through five with continued expansion to 4 or more stores.
- Run each franchise as a profit center for the purpose of expansion and building wealth for employees, the community, and business owner Paul Tate.

2 Our Mission

Our mission is to bring to the Milwaukee and Wisconsin market the first CiCi's restaurants that will exceed guest's expectations in food, service, cleanliness and overall value. Our high standards of quality will establish a reputation and create buzz throughout the Metro Milwaukee area.

Business Plan -- Rally Pizza, LLC

C-O-N-F-I-D-E-N-T-I-A-L

For the sole use of The City of West Allis Planning Department.

CiCi's corporate marketing team develops and administers national advertising and sales promotion programs designed to promote and enhance the collective success of all restaurants in the CiCi's system. CiCi's corporate marketing program includes tools to build restaurant sales through strategically sound vehicles such as television and radio commercials and four color print that effectively build awareness and trial through CiCi's brand message. Additionally, CiCi's Marketing creates and distributes cost-effective Local Store Marketing programs that can be customized by restaurant location.

Local advertising will be key to the success of the restaurant and will be actively pursued through schools (fund raiser nights, perfect attendance, honor roll, sports teams), local community organizations, community sports teams, churches, and community events. ,

We will also actively participate and support all CiCi's corporate sponsored promotional events.

In addition, local advertising mailers such as Valpak, Clipper Magazine, Red Plum, or Best of City Magazine, and hand distribution of store flyers can be used for extra exposure to blanket the area.

6 Business Operations

6.1 Start-up Activities

- Obtain lease for building in designated territory
- Obtain architectural and design plans and construction specifications
- Obtain necessary permits and licenses
- Construct restaurant and obtain initial equipment, furniture, fixtures, supplies, signs
- Train general manager and assistant managers
- Obtain support services such as insurance, accounting, payroll, legal
- Hire and train employees

6.2 Personnel Plan

Management Team: As our company is small in nature to start, it requires a simple organizational structure. Paul Tate will be Operator and General Manager making the management decisions and monitoring the business activities.

Additional staff expectations are:

2 additional full time managers

2-5 additional full time employees

40-50 part time employees engaged in prep, cook, stock, bus tables, and greet customers.

6.3 Business Insurance

Rally Pizza, LLC will obtain

1. Commercial General Liability Insurance, including broad form contractual liability, broad form property damage, personal injury advertising injury, completed operations, products liability and fire damage.
2. "All Risks" coverage for full cost replacement of the restaurant premise and all other property in which we have an interest with no coinsurance clause for the premise.
3. An "umbrella" policy providing excess coverage with limits of not less than One Million Dollars (\$1,000,000).
4. Workers compensation insurance to provide statutory coverage in Wisconsin and Employers Liability Coverage with limits of \$500,000/\$500,000/\$500,000, or suitable other coverage if applicable by law.
5. Other insurance if required by landlord.



CITY CLERK/TREASURER'S OFFICE
414/302-8200 or 414/302-8207 (Fax)
www.ci.west-allis.wi.us
Paul M. Ziehler
City Admin. Officer, Clerk/Treasurer
Monica Schultz
Assistant City Clerk
Rosemary West
Treasurer's Office Supervisor

February 24, 2010

Mr. Paul Tate
Rally Pizza LLC
d/b/a CiCi's Pizza
S77 W16552 Bridgeport Way
Muskego, WI 53150

Dear Mr. Tate:

On February 16, 2010 the Common Council adopted a Resolution relative to determination of Special Use Permit for CiCi's Pizza, to be located within the Shoppes on 100 multi-tenant commercial building located at 2923-27 S. 108 St.

Please sign and return the enclosed copy of Resolution No. R-2010-0051 to the Clerk's Office within ten (10) days upon receipt of this letter.

Sincerely,

A handwritten signature in cursive script that reads "Monica Schultz".

Monica Schultz
Assistant City Clerk

/jl

enc.

cc: Development
Shoppes on 100-WA WI LLC & BSWI

Resolution

File Number: R-2010-0051

Final Action: 2/16/2010

Sponsor(s): Safety & Development Committee

Resolution relative to determination of Special Use Permit for CiCi's Pizza, to be located within the Shoppes on 100 multi-tenant commercial building located at 2923-27 S. 108 St.

WHEREAS, Paul Tate, d/b/a Rally Pizza, LLC, d/b/a CiCi's Pizza duly filed with the City Administrative Officer, Clerk/Treasurer an application for a special use permit, pursuant to Sec. 12.43(2) and Sec. 12.16 of the Revised Municipal Code, to establish a restaurant within the Shoppes on 100 multi-tenant commercial building; and,

WHEREAS, after due notice, a public hearing was held by the Common Council on February 16, 2010, at 7:00 p.m., in the Common Council Chamber to consider the application; and,

WHEREAS, the Common Council, having carefully considered the evidence presented at the public hearing and the following pertinent facts noted:

1. The applicant, Paul Tate, d/b/a Rally Pizza, LLC, d/b/a CiCi's Pizza, resides at S77 W16552 Bridgeport Way, Muskego, WI 53150.

2. The applicant has a valid offer to lease 2923 and 2927 S. 108 St., West Allis, Milwaukee County, Wisconsin, more particularly described as follows:

All the land of the owner being located in the Southeast $\frac{1}{4}$ of Section 7, Township 6 North, Range 21 East, City of West Allis, Milwaukee County, State of Wisconsin, describes as follows:

Parcel 2 of Certified Survey Map No. 7469.

Tax Key No. 520-1002-000

Said land being located at 2923-39 S. 108 St.

3. The applicant is proposing to establish a restaurant with dine in and carryout services in a portion of the Shoppes on 100 multi-tenant commercial building.

4. The aforesaid premises is zoned C-4 Regional Commercial District under the Zoning Ordinance of the City of West Allis, which permits restaurants as a special use, pursuant to Sec. 12.43(2) and Sec. 12.16 of the Revised Municipal Code.

5. The subject property is located on the west side of S. 108 St., between W. National Ave. and W. Oklahoma Ave. Properties to the north, east, south and west are developed as commercial.

6. The proposed development should not adversely contribute to traffic volumes or traffic flow in the area.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of West Allis that the application of Paul Tate, d/b/a Rally Pizza, LLC, d/b/a CiCi's Pizza, to establish a restaurant within the Shoppes on 100 multi-tenant commercial building, is hereby granted on the following grounds:

That the establishment, maintenance and operation of the proposed use, with the imposition of certain conditions hereinafter set forth, reasonably satisfies the standards set forth in Secs. 12.16 of the Revised Municipal Code, so as to permit the issuance of a special use permit as therein provided.

BE IT FURTHER RESOLVED that said special use permit is granted subject to the following conditions:

1a. Site, Landscaping, Screening, Signage and Architectural Plans. The grant of this special use permit is subject to and conditioned upon the site, landscape and screening plans approved on January 27, 2010, by the City of West Allis Plan Commission as provided in Sec. 12.13 of the Revised Municipal Code of the City of West Allis. No alteration or modification of the approved plan shall be permitted without approval by the Plan Commission.

1b. Master Signage Plan. The property is under Plan Commission approval of a Master Sign Plan. Any new signage shall comply with approved regulations.

2. Building Plans and Fire Codes. The grant of this special use is subject to building plans being submitted to and approved by the Department of Building Inspections and Neighborhood Services and by the Fire Department.

3. Restaurant Area. The floor area for the restaurant will consist of approximately 3,600 square feet of area within the Shoppes on 100 multi-tenant commercial building.

4. Hours of Operation. The hours of operation will be 10:00 a.m. - 11:00 p.m., seven days/week.

5. Restaurant Operations.

A. Excessive odors from cooking on premises shall be controlled within limits of current technology.

B. All exterior doors shall be kept closed to prevent sound/noise emissions into the adjacent neighborhood.

C. Refrigerator/cooler addition shall locate condensers within the existing building

D. Excessive noise and vibrations shall not emanate from the building.

E. Employees shall inspect the site and immediate vicinity and pick up litter on a daily basis.

6. Outdoor Dining Area. Outdoor dining shall be permitted at the northeast corner of the building, just in front of the 2923 S. 108 St. tenant space.
7. Deliveries and Refuse Pickup. All refuse to be provided by a commercial hauler. All refuse, recyclables and other waste material shall be screened from view within a four-sided enclosure. All tenants of the property will be required to abide by the City of West Allis health/public nuisance rules per Chapter 7 of the Revised Municipal Code.
8. Noxious Odors. The restaurant shall not emit foul, offensive, noisome, noxisome, oxious or disagreeable odors, gases or effluvia into the air. Mechanical systems shall be maintained to efficiently remove noxious odors.
9. Off-Street Parking. Twenty-four (24) parking stalls are required for the proposed restaurant and 53 parking spaces are required for the remaining uses on the entire Shoppes on 100 multi-tenant commercial complex, which entails two (2) parcels, for a total of 77 required on-site parking spaces. A total of 115 parking spaces are provided on the two (2) combined parcels.
10. Outdoor Storage. No outdoor storage shall be permitted on site. No vehicle advertising (advertising on vehicles) shall be permitted on site.
11. Litter. Employees shall inspect the area and immediate vicinity and pick up litter on a daily basis.
12. Window Signage. Any building window signage shall not exceed twenty (20) percent of each window's area.
13. Marketing Displays. The use of pennants/flags has been previously approved by the Plan Commission. Any modifications shall be approved by the Plan Commission.
14. Outdoor Lighting. All outdoor lighting fixtures shall be shielded in such a manner that no light spays from the property boundaries.
15. Sidewalk Repair. The grant of this special use is subject to compliance with Policy No. 2806 of the Revised Municipal Code relative to the City's sidewalk improvement policy as it relates to damaged (if any), abutting sidewalk.
16. Expiration of Special Use Permit. Any special use approved by the Common Council shall lapse and become null and void one (1) year from and after that approval if the use has not commenced, construction is not underway, or the owner has not obtained a valid building permit. An extension of these time limitations may be granted without a public hearing by the Common Council by resolution reauthorizing the special use in accordance with the following criteria:
 - A. The applicant requesting the extension shall complete a planning application available from the Department of Development and shall submit a \$250.00 extension fee.
 - B. A written explanation for the extension of time shall accompany the planning application along

with a timeline/schedule for obtaining necessary permits, zoning, state and municipal approvals and a target date for construction start;

C. The request for extension shall be submitted within sixty (60) days of the expiration of the special use permit;

D. The extension, if granted, shall be valid for a period of six (6) months. If no building permit has been issued and construction has not commenced within six (6) months from and after the extension has been granted, the special use shall become null and void.

17. Miscellaneous.

A. Applicant is advised that the foregoing conditions are reasonably necessary to protect the public interest and to secure compliance with the standards and requirements specified in Sec. 12.16 of the Revised Municipal Code; that the issuance of the special use is expressly subject to compliance with said conditions.

B. The use, as granted herein, is subject to applicant's compliance with all other state and local laws and regulations which may be applicable to the proposed use of the real estate in question.

C. The special use, as granted herein, shall run with the land and benefit and restrict all future owners and occupants of the property, unless the use shall lapse or be terminated and the use will not be altered or extended (including structural alterations and/or additions) without the approval of the Common Council, following public hearing, all as provided in Sec. 12.16 of the Revised Municipal Code.

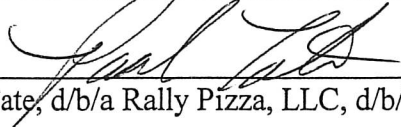
18. Lapse. If the applicant does not meet all of the terms and conditions set forth in this grant of a special use within one year of the granting thereof, then the Special Use Permit shall lapse and become null and void and the applicant shall forfeit any right to use the property as conferred by the Special Use Permit. The failure of the applicant to meet the terms and conditions of the Special Use Permit shall subject the permit to being declared void by the Common Council after notice to the applicant and a hearing before the Safety and Development Committee. Upon a finding and recommendation by the Committee to the Common Council on the matter, the applicant and/or any interested person may make comments regarding the matter to the Common Council prior to the Common Council's next regular meeting following the recommendation. Upon the Common Council's finding that the Special Use Permit has lapsed and become void, the applicant shall cease all operations at the property.

19. Termination of Special Use. The person or entity granted the special use violates, allows or suffers the violation of the ordinances of the City of West Allis, the State of Wisconsin or the United States on the premises covered by the special use.

20. Acknowledgement. That the applicant signs an acknowledgment that he has received these terms and conditions and will abide by them.

The undersigned applicant agrees to the terms and conditions and has agreed that the grant of the

Special Use Permit is conditioned on meeting the terms and conditions of this resolution.



Paul Tate, d/b/a Rally Pizza, LLC, d/b/a CiCi's Pizza

Mailed to applicant on the
25th day of February 2010

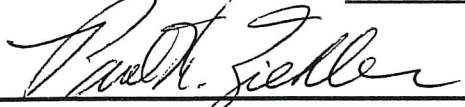


Assistant City Clerk

cc: Dept. of Development
Dept. of Building Inspections and Zoning
Div. of Planning & Zoning

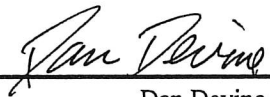
ZON-R-745-2-16-10

ADOPTED AS AMENDED 02/16/2010



Paul M. Ziehler, City Admin. Officer, Clerk/Treas.

APPROVED AS AMENDED 2/19/10



Dan Devine, Mayor