



**STAFF REPORT**  
**WEST ALLIS PLAN COMMISSION**  
**Wednesday, January 22, 2024**  
**6:00 PM**

Watch: <https://www.youtube.com/user/westalliscitychannel>

- 2A. Conditional Use Permit for Toppers Pizza, a proposed Restaurant, at 11045 W National Ave.**
  
- 2B. Site, Landscaping, and Architectural Design Review for Toppers Pizza, a proposed Restaurant, at 11045 W National Ave. (Tax Key No. 520-1004-000)**



**Overview and Zoning**



Emad Nadi, applicant on behalf of the property owner at [11045 W. National Ave.](#) is proposing to utilize a portion of the 1200 sq. ft. building as the site for Toppers Pizza, a proposed restaurant. The building most recently housed the Shoe Boxx Store, a retailer selling shoes, apparel, and accessories. The property at 11045 W. National Ave. is zoned C-4, “intended for large-scale, automobile oriented commercial development serving the needs of the regional population.” Restaurant uses are typically permitted as Limited Uses within commercial zoning districts when they operate

in accordance with the following [limited use criteria per sec. 19.33](#) as shown in the table below.

Restaurant (limited)	C-1, C-2, C-3, C-4, I-1, I-2	Permitted if: - gross floor area is less than 2,000 square feet, - premises are closed between 12 a.m. and 6 a.m. at all times, and - premises are closed after 10 p.m. Sunday through Thursday
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Since the Toppers restaurant is open outside the hours specified in the limited use table, a conditional use permit is required. Toppers proposes to conduct their business operations between 10:00 AM and 3:00 AM to align with late-night industry standards for pizza restaurants. Toppers intends to staff at least 3 employees per shift, employing a total of 9-12 staff members. All transactions will occur through the counter service area or via delivery, therefore no dine-in seating will be provided. This will reduce vehicle activity and minimize prolonged parking lot use for onsite gatherings.

**Site Details & Floor Plan**

The property has been updated previously under prior businesses, and those improvements have been maintained in accordance with prior approved site/landscaping plans. Interior remodeling is proposed to convert the space to a restaurant. The existing building has a footprint of 2400 SF, and Toppers intends to occupy roughly 1500 SF. Another tenant will occupy the remaining 900 SF, though no prospective future tenant has yet been identified. Topper’s section of the building will contain a small customer service area intended for order pick-ups, and a kitchen area containing one walk in cooler, one office, and one restroom.





**Landscaping and Parking Plan**

An “as-built” landscaping and parking plan have been submitted by the applicant. The property features several existing landscaping details that are attractive, orderly, and thoughtful in nature. These features are detailed on a site plan and show existing regions with grass plantings and landscaping which features shrubs such as Sea Green Juniper, Gold Flame Spirea, and Burning Bush. Trees indicated on this landscaping plan include Black Hills Spruce, Red Maple, and Skyline Locust. The business owner intends to maintain this existing landscaping and restore any features that have been neglected in the absence of tenants. New landscaping features proposed for this site include 24”



clay pots with ornamental grasses and flowers to occupy the eastern customer entrances of the building.

An existing 14' x 18' 4-sided refuse enclosure on site will serve both Toppers Pizza and the future tenant of the site. This refuse enclosure incorporates cedar gates on a painted galvanized steel frame, 4" brickwork along 3 sides of the enclosure, and sits upon a 6" concrete slab.



Parking features on site are already established and will remain in its current state. The site features 10 parking spaces, with one ADA space. Site plans indicate new 6" concrete curbing around the parking lot as well as new asphalt to repair portions of the lot that are cracked and pitched.

#### **Architectural Plan**

Existing building - The applicant's November 28<sup>th</sup> plan submittal has been reviewed by staff which includes reuse of the existing building, interior remodeling for new tenant spaces being created. The existing building exterior includes architectural features such as pre-finished metal coping, a pre-cast stone and brickwork façade, and insulated vision glass in thermally broken aluminum framing. No exterior changes were planned as part of the original submittal as reviewed by staff.



No exterior changes were planned as part of the original submittal as reviewed by staff.

**Recommendation:** Common Council approval of the Conditional Use and approval of the Site, Landscaping, and Architectural Design Review for Toppers Pizza, a proposed Restaurant, at 11045 W National Ave. (Tax Key No. 520-1004-000) subject to the following conditions:

1. Common Council approval of the Conditional Use Permit (Scheduled for February 11<sup>th</sup>, 2025)
2. A signage plan being submitted for design review and permit.

# ETn ENGINEERING

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Thursday, November 28, 2024

## Description for Special ( Limited) Use Application – Toppers Pizza Proposal

### Project Overview:

We are proposing the development of a 1,200-square-foot **Toppers Pizza** location in the City of West Allis. This establishment will primarily cater to carryout and delivery services, with no onsite seating for customers. The proposed business hours will be from **10:00 AM to 3:00 AM**, exceeding the city's standard midnight closing time, necessitating a special use permit.

### Proposed Operations:

- **Business Type:** Carryout and delivery pizza service.
- **Hours of Operation:** 10:00 AM to 3:00 AM , 7 days a week
- **Staffing:** Anticipated staffing includes **three employees per shift**.
- **Customer Interaction:** All transactions will occur through counter service or delivery. There will be no dine-in seating provided.
- **Delivery Model:** Delivery will account for a significant portion of operations, reducing onsite customer traffic and emphasizing offsite service.

### Special Use Justification:

1. **Extended Hours Necessity:**
  - The extended hours from midnight to 3:00 AM align with industry standards for pizza businesses catering to late-night dining demands, particularly from shift workers, students, and other late-night consumers.
  - These hours are expected to enhance community convenience without significantly impacting the surrounding area.
2. **Traffic and Noise Considerations:**
  - With no dine-in seating, the majority of customer interactions will involve quick pickups or deliveries, minimizing prolonged parking lot use or onsite gatherings.
  - Delivery operations are conducted using efficient routing to reduce excessive vehicle activity in the area.
3. **Community Benefit:**
  - The proposed hours will support the City of West Allis by offering food service options during late hours, filling a gap in the local market.
  - It will create job opportunities for approximately **9-12 employees across shifts**, contributing to local employment.

### Additional Information for Consideration:

- **Trash Management:** Regular trash pickup and maintenance will prevent issues related to waste accumulation or odors.

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**Conclusion:**

This Toppers Pizza location is designed to operate efficiently while adhering to community standards. We respectfully request the City of West Allis Planning Department grant a special use permit to extend operational hours until 3:00 AM to meet the needs of our target audience.

We look forward to discussing this proposal further and collaborating with the City to meet any additional requirements.

Yours sincerely,

**Emad Nadi, PE**

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GENERAL NOTES:

PROJECT SCOPE CONSISTS OF INTERIOR IMPROVEMENTS TO THE EXISTING VACANT SPACE TO BE USED AS TOPPER'S RESTAURANT

THE CONSTRUCTION WORK CONSISTS OF:

- 1- DEMOLISH EXISTING PARTITION WALLS
- 2- CONSTRUCT A NEW DEMISING WALL TO CREATE APPROX. 1287 SQ.FT NEW SPACE

INTERIOR WALL AND CEILING FINISH MATERIALS SHALL BE CLASSIFIED IN ACCORDANCE WITH ASTM E 84 OR UL 723. THEIR FLAME SPREAD AND SMOKE-DEVELOPED INDEXES SHALL BE:  
 CLASS A: FLAME SPREAD INDEX 0-25;  
 SMOKE-DEVELOPED INDEX 0-450  
 CLASS B: FLAME SPREAD INDEX 26-75  
 SMOKE-DEVELOPED INDEX 0-450  
 CLASS C: FLAME SPREAD INDEX 76-200  
 SMOKE-DEVELOPED INDEX 0-450

INTERIOR WALL AND CEILING FINISHES SHALL COMPLY WITH TABLE 803.9 WITH A MINIMUM RATING OF CLASS C.

INTERIOR FLOOR FINISH AND FLOOR COVERING MATERIALS SHALL COMPLY WITH THE DOC FF-1 "PILL TEST". CONTRACTOR IS RESPONSIBLE TO CHECK AND VERIFY IN THE FIELD ALL SIZES AND DIMENSIONS INVOLVING THE EXISTING STRUCTURE AND COORDINATE WITH NEW CONSTRUCTION THE CONTRACTOR SHALL PROVIDE ALL PERMITS AND INSPECTION NECESSARY FOR THE PROPER EXECUTION OF THE WORK IN ACCORDANCE WITH APPLICABLE CODES AND GOVERNING REGULATIONS. THE WORK SHALL BE CONSTRUCTED IN FULL COMPLIANCE WITH ALL APPLICABLE CODES, ORDINANCES AND REGULATIONS AS WELL AS THE DRAWINGS AND SPECIFICATIONS. ANY CODE DEFICIENCIES IN THE DRAWINGS RECOGNIZED BY THE CONTRACTOR SHOULD BE BROUGHT TO THE ATTENTION OF THE ARCHITECT FOR CLARIFICATION. THE CONTRACTOR SHALL VERIFY THE SIZES AND LOCATIONS OF ALL MECHANICAL AND ELECTRICAL EQUIPMENT PADS AND BASES, AS WELL AS POWER, WATER AND DRAIN REQUIREMENTS FOR SUCH EQUIPMENT WITH EQUIPMENT MFG. DEVIATION OF THE AFOREMENTIONED REQUIREMENTS SHOULD BE BROUGHT TO THE ATTENTION OF THE ARCHITECT FOR CLARIFICATION. ALL WALL WIDTHS ARE SHOWN AND DIMENSIONED WITH NOMINAL DIMENSIONS. (I.E. 8" CMU= 7 5/8"). DIMENSIONS FOR FRAMED WALLS ARE SHOWN TO FACE OF STUDS AND/OR FACE OF BLOCK

FIRE EXTINGUISHERS WITH A MINIMUM 2-A RATING PER NFPA 10 SHALL BE PROVIDED, INSTALLED AND MAINTAINED AS REQUIRED BY LOCAL GOVERNING CODES. THE NUMBER AND TYPE OF EXTINGUISHER SHALL BE DETERMINED BY THE LOCAL FIRE DEPARTMENT AND THE LANDLORD'S INSURANCE CARRIER. MAXIMUM TRAVEL DISTANCE TO EXTINGUISHERS SHALL BE 75 FEET. FIRE EXTINGUISHERS SHALL BE FURNISHED AND INSTALLED BY THE GENERAL CONTRACTOR. UNLESS OTHERWISE NOTED OR SHOWN, THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING THE LOCATION AND PLACEMENT OF ANY INSERTS, HANGERS, ANCHOR BOLTS, HOLES OR PIPE SLEEVES THAT ARE REQUIRED BY THE MECHANICAL, ELECTRICAL OR PLUMBING EQUIPMENT.

ALL DIMENSIONS ON STRUCTURAL DRAWINGS ARE TO BE CHECKED BY THE CONTRACTORS AGAINST ARCHITECTURAL, MECHANICAL, ELECTRICAL AND PLUMBING DRAWINGS. CONTRACTORS SHALL BE FULLY RESPONSIBLE FOR CONFIRMING AND CORRELATING ALL DIMENSIONS ON THE JOB SITE AND BETWEEN INDIVIDUAL DRAWINGS AND RESPECTIVE TRADES.

THIS PROJECT IS BEING DESIGNED AND CONSTRUCTED UTILIZING A DESIGN / BUILD DELIVERY PROCESS FOR THE MAJOR SUBCONTRACTOR TRADES OF MECHANICAL (HVAC), ELECTRICAL, PLUMBING AND FIRE PROTECTION SYSTEMS. EACH SUBCONTRACTOR IS RESPONSIBLE TO SUBMIT PLANS AND OBTAIN PERMITS FOR THEIR RESPECTIVE SPECIALTY TRADES. GENERAL CONTRACTOR AND SUBCONTRACTORS SHALL COORDINATE ALL WORK WITHIN THE SCOPE OF THIS PROJECT FOR SYSTEMS INSTALLATION, INTERFERENCE CONTROL AND PROJECT CONSTRUCTION SCHEDULE. DRAWINGS ARE NOT TO BE USED FOR SHOP DETAILING OR FOR CONSTRUCTION UNLESS SPECIFICALLY STAMPED BY THE ARCHITECT / ENGINEER ON THE DRAWINGS "FOR DETAILING" OR "FOR CONSTRUCTION". THESE DRAWINGS ARE NOT TO BE REPRODUCED FOR THE PURPOSE OF USING THEM AS SHOP DRAWINGS UNLESS OTHERWISE NOTED OR SHOWN, THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING THE LOCATION AND PLACEMENT OF ANY INSERTS, HANGERS, ANCHOR BOLTS, HOLES OR PIPE SLEEVES THAT ARE REQUIRED BY THE MECHANICAL, ELECTRICAL OR PLUMBING EQUIPMENT.

CODE INFORMATION :

REFERENCED CODES ARE:  
 IBC 2015; IEBC 2015; ICC/ANSI A117.1-2009

OCCUPANCY CLASSIFICATION:  
 BUSINESS , GROUP B (SECTION 304);

TYPE OF CONSTRUCTION:  
 IIIB

CLASSIFICATION OF WORK  
 ALTERATION - LEVEL 2 (IEBC SECTION 404, CHAPTERS 6 & 7)

ACTUAL BUILDING FLOOR AREA:  
 FLOOR AREA = 2400 SQ.FT.

BUILDING IS NOT EQUIPPED WITH AN AUTOMATIC SPRINKLER SYSTEM (NFPA 13)

ALLOWABLE HEIGHT AND BUILDING AREA (TABLE 503): 55 FEET  
 OCCUPANCY GROUP M, 1 STORY. FLOOR AREA PER STORY, BUILDING HEIGHT PROVIDED 35 FEET

FIRE-RESISTANCE RATING REQUIREMENTS (TABLE 601 & 602).  
 PRIMARY STRUCTURAL FRAME 0 HOUR RATING  
 BEARING WALLS (EXTERIOR) 2 HOUR RATING  
 BEARING WALLS (INTERIOR) 0 HOUR RATING  
 NONBEARING WALLS & PARTITIONS (EXTERIOR)  
 FIRE SEPARATION DISTANCE 0-5 FT 2 HOUR RATING  
 FIRE SEPARATION DISTANCE 5-10 FT. 1 HOUR RATING  
 FIRE SEPARATION DISTANCE 10-30 FT. NINE  
 FIRE SEPARATION DISTANCE > 30 FT. 0 HOUR RATING

NONBEARING WALLS & PARTITIONS (INTERIOR) -- 0 HOUR RATING  
 FLOOR CONSTRUCTION & SECONDARY MEMBERS 0 HOUR RATING  
 ROOF CONSTRUCTION & SECONDARY MEMBERS 0 HOUR RATING

OCCUPANT LOAD (PROPOSED TENANT AREA OF 1500 SQ.FT):

BUSINESS - B

TABLE 1004.5  
 TOTAL REQUIRED =  
 CUSTOMERS AREA 147 SQ.FT : 10  
 KITCHEN , STORAGE AND OFFICE 972 SQ.FT : 5 OCCUPANTS  
 TOTAL : 15

MEANS OF EGRESS:  
 OCCUPANCY LOAD: TBLE 1004.1.2  
 EXIT WIDTH REQUIRED: 15 @ 0.2 INCHES = 3")  
 EXIT WIDTH PROVIDED: 36" + 36" = 72" INCHES

PLUMBING FIXTURE REQUIREMENTS: 15 OCCUPANTS  
 TOILETS :  
 WATER CLOSETS REQUIRED: 1 PER 25, THEREFORE 1 REQUIRED  
 WATER CLOSETS PROVIDED: 1 WATER CLOSET ARE PROVIDED

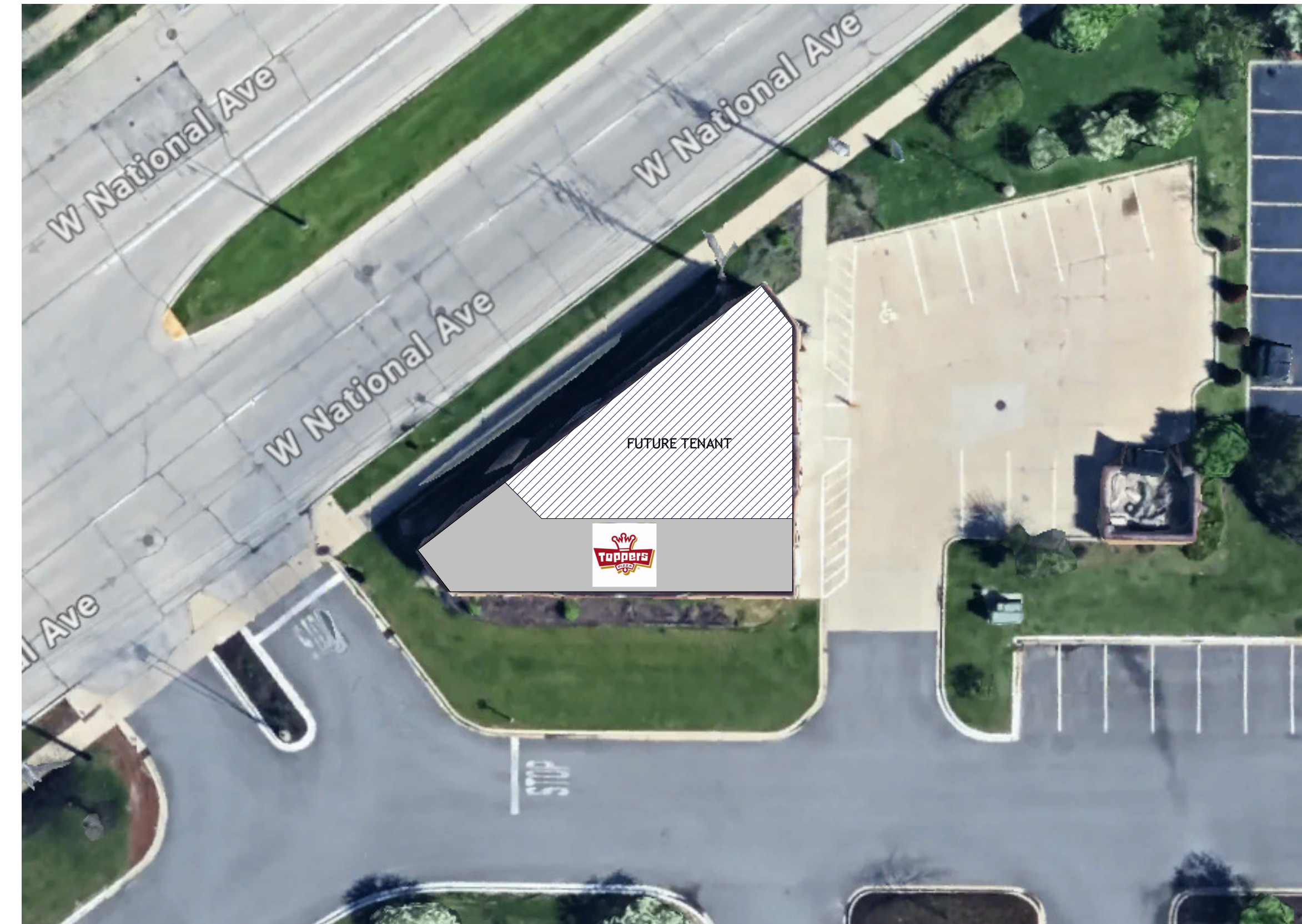
LAVATORIES:  
 LAVATORIES REQUIRED: 1 PER 40, THEREFORE 1 REQUIRED  
 LAVATORIES PROVIDED: MULTIPLE LAVATORY PROVIDED IN THE FOOD COURT

SERVICE SINKS:  
 SERVICE SINKS REQUIRED: 1 SINK  
 SERVICE SINKS PROVIDED: 1 SINK

FIRE PROTECTION CONSTRUCTION:  
 903.2.1.3 GROUP B OCCUPANCY. SPRINKLER SYSTEM IS NOT PROVIDED

# INDEX

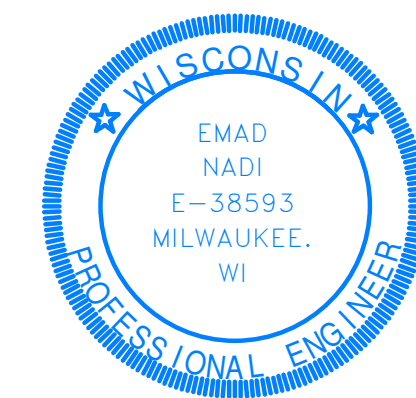
Sheet Name	Sheet Number
GENERAL PLAN	A101
DEMO PLAN	A101.1
ELEVATIONS	A101.2
EQUIPMENT LAYOUT	A102
AREAS	A104



① Site  
 1" = 20'-0"

**TOPPER'S PIZZA**  
**Interior Alteration**  
 11045 W National Ave  
 West Allis, WI 53227

SCALE  
**VARIES**



GENERAL PLAN

**A101**

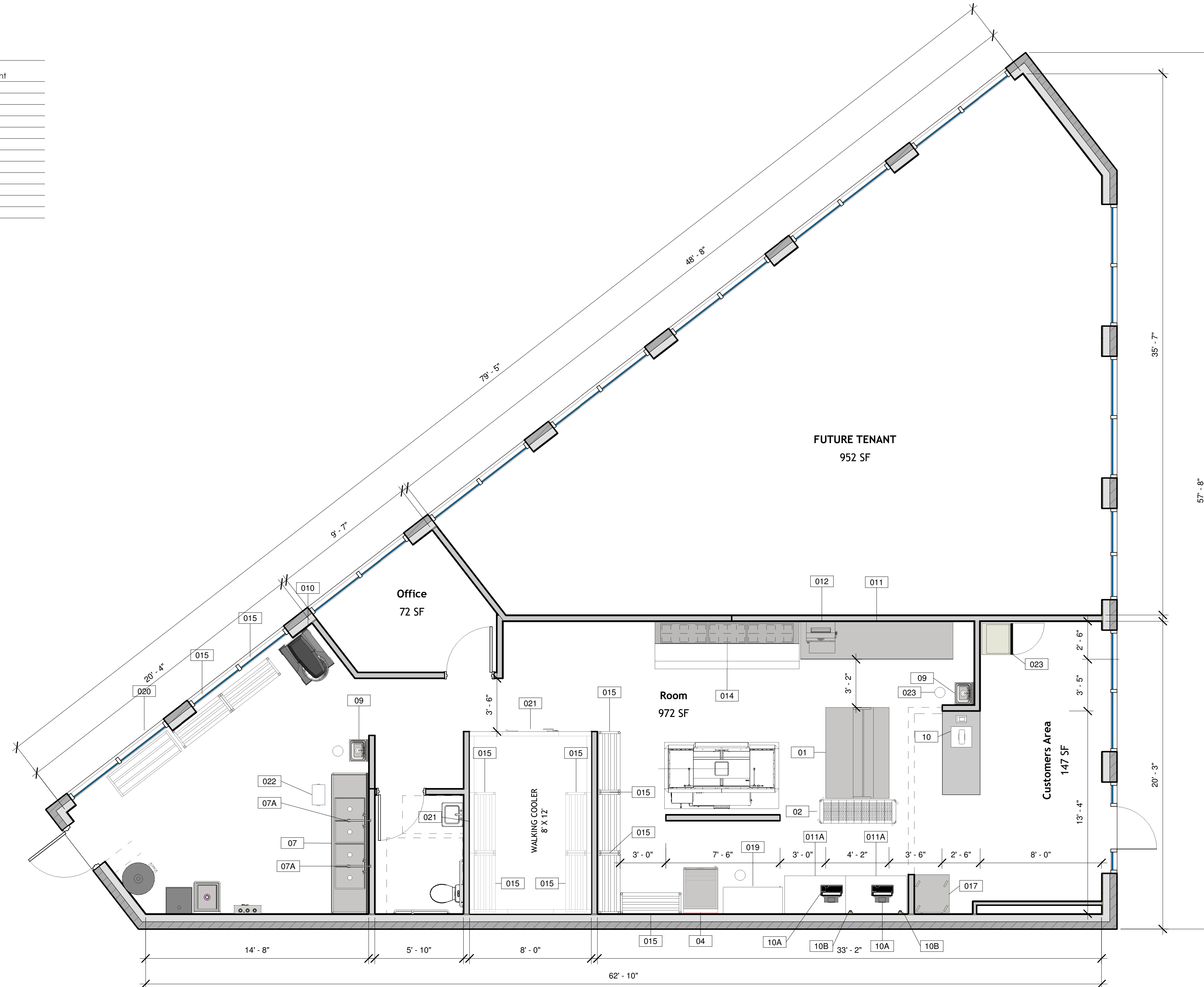


### Food Service Equipment Schedule

Mark	Description	Manufacturer	MODEL	Count
01	14ga s/s T304 Work Table 84"W x 52"D x 36"H, flat top, 2" turn-down on all sides, 2ea of partial welded 18ga s/s undershelves, 1 1/2" s/s legs, 1" adjustable feet. Two outlet boxes mounted below top, hot channel for conduit, outlets and electrical by others		Work Table w/ Overshelf (Cut Table - Pizza Cutting Storage Island)	1
02	Overshelf, double tier, table mounted 18ga s/s, 18" x 84" long			
07	(Place By Cutting Table) 18x60x74			
07A	SINK, 4 COMPARTMENT			
07A	8" wall mount mixing faucet with polished chrome plated brass body, 26" riser, overhead swivel arm, 20" flexible stainless steel hose, heat resistant handle, 1.42 GPM spray valve, compression cartridges with spring checks, lever handles, 1/2" NPT female inlets, 6" adjustable		Shelving Unit 4B18244-2D18	1 1
011	Work Table (Sheeter Table)		T & S Brass B-0131-B	2
011A	Work Table			
012	Work Table (Sheeter Table)		120" Work Table Driver Table 30x48	1 2
015	DOUGH ROLLER		CDR-2000_115/60/1	1
015	Keg Storage Rack		KAR48	10
017	UNDER COUNTER LOW PROFILE DRAWERED REFRIGERATOR WITH HYDROCARBON REFRIGERANT		TRUE - TUC-27D-2-LP-HC_115/60/1	1
018	SHELVING, WALL MOUNTED		JOHN BOOS - GRWS36-UB	2
019	GLASS DOOR MERCHANDISER: SLIDE DOOR LOWER HEIGHT NARROW DEPTH REFRIGERATOR WITH HYDROCARBON REFRIGERANT & LED LIGHTING		GDM-41SL40-HC-LD	1
020	DUNNAGE RACK		NEW AGE - ALJB402012	1

### Additional Equipment Schedule

Type Mark	Type	Count
04	True T-19FZ-HC 27" One Section Reach In Freezer	1
09	Handwash with Splash Guards Both Sides	2
10	Retail-Point_of_Sale - TouchBistro	1
010	HOBART HL662-2STD 460/50/60/3	1
10A	Driver Cash_Register	2
10B	Wall_mounted_phone	2
014	LAROSA 2510-PTB	1
021	Walk in Cooler - Nor-Lake KL756 - 9' x 6'	1
022	GREASE TRAP	1
023	True GDM-23-HC-TSL01 27" GDM Series One Section Glass Door Merchandiser, Black, 115v	1
B	ADVANCE_TABCO_FS-1-1620_PREP_SINK	1



2 EQUIPMENT LAYOUT  
1/4" = 1'-0"

**TOPPER'S PIZZA**  
Interior Alteration  
11045 W National Ave  
West Allis, WI 53227

SCALE  
VARIES



EQUIPMENT  
LAYOUT

A102



