

PLAN COMMISSION REPORT

Proposal: Conditional Use Permit with Conditions and Restrictions

Description: Review a request for a Conditional Use Permit with conditions and restrictions for a drinking establishment.

Applicant(s): Jason Roberts, Lisby & Roberts LLC

Address(es): 140 E. Rawson Ave., Ste 105-106 (rear) (1st Aldermanic District)

Suggested Motion: That the Plan Commission recommends that the Common Council approves a Conditional Use Permit for a drinking establishment for suites 105 -106 (rear) on the property at 140 E. Rawson Ave. after a public hearing and subject to Conditions and Restrictions.

Owner: East Rawson Ave, LLC

Tax Key: 733-9013-000

Lot Size: 13.496 acres

Current Zoning District: B-4, General Business

Overlay District: N/A

Wetlands: Yes No Floodplain: Yes No

Comprehensive Plan: Commercial

Background: The applicant is requesting a recommendation for approval of a Conditional Use Permit for a drinking establishment for suites 105 – 106 (rear) on the property at 140 E. Rawson Ave. These suites will be occupied by Swing and Sip, an indoor golf bar featuring golf simulators. The property is zoned B-4 General Business, which allows drinking establishments as a Conditional Use.

The applicant will occupy approximately 4,000 square feet (suite 105 and the rear portion of suite 106) of the 48,140 square-foot building (Building A). Building A is one of three buildings (Building A, Building B, and Building C) located on the property. As shown on the attached floor plan, about 1,760 square feet will be

occupied by the four (4) golf simulators. Approximately 1,996 square feet will be bar and lounge area, and the remaining 544 square feet will be ancillary uses such as restrooms, a janitorial closet, and storage.

Proposed hours of operation are Sunday through Saturday from 9:00 AM to 10:00 PM. During summer “off-season” months, hours may change to close one (1) or two (2) days a week. At full capacity, the space may be occupied by a maximum of 75 people at any given time, with a maximum of 16 people using the simulators and two (2) being employees. The Applicant’s expected typical number of customers per day is 35.

The proposed indoor recreational use (golf simulators) requires one (1) parking space per three (3) people at maximum compacity. As the maximum number of people at any given time utilizing the golf simulators is 16, a total of five (5) parking spaces are required for this use. The proposed bar/lounge use requires three (3) parking spaces for every 250 square feet of gross floor area. The gross floor area for the bar/lounge and ancillary uses total 2,240 square feet. A total of 27 parking spaces are required for the bar/lounge use and ancillary uses. In total, 32 parking spaces are required.

Due to the speculative nature of the development, it is difficult to determine whether the proposed parking will fully meet the code requirements. In May 2023, the Plan Commission approved site and building plans for Building A, which included a total of 184 parking spaces on the west side of the building. At that time, it was noted that the minimum parking requirements for general retail uses under 50,000 square feet (typical for this property) are calculated at one (1) space for every 250 square feet of gross floor area, meaning 192 spaces would be required for Building A. However, the development was designed to provide shared parking across all three buildings. In total, there are 397 parking spaces on site, to be shared between the three (3) buildings. Specifically, 184 parking spaces are located on the west side of Building A, 28 spaces are located on the east side of Building A to be shared by Buildings A and B, and 189 spaces are located between Buildings B and C. According to the code, and based on the combined square footage of the three buildings (A, B, and C), a total of 567 parking spaces would be required. Additionally, six (6) bicycle parking spaces are provided in two (2) locations between entrances. Ultimately, it will be up to the Plan Commission to determine whether the provided parking meets the requirements. Parking management for leased suites will be the responsibility of the landowner or their property management company.

If the Commission determines the proposed Conditional Use meets the requirements of the Municipal Code, a public hearing may be scheduled as early as March 18, 2025. Staff has also prepared Conditions and Restrictions for review (attached).

Options/Alternatives: The Plan Commission has the discretion to recommend or not recommend Common Council approval of the Conditional Use Permit request. Should the request not be recommended for Council approval, Plan Commissioners must provide the Code Sections upon which the denial is based, and the Applicant may choose to request Council approval without recommendation. In that case, the Council would have the authority to approve the request, and remand the proposal back to the Plan Commission for Conditions and Restrictions.

Respectfully submitted & approved by:



Kristi Laine
Community Development Director

Prepared by:



Todd Roehl
Senior Planner

Attachments:

Draft Conditions and Restrictions

Location Map

Narrative (2 pages)

Site and Building Plans (3 pages)

**City of Oak Creek – Conditional Use Permit (CUP)
Conditions and Restrictions**

Applicant: Jason Roberts, Lisby & Roberts LLC
Property Address: 140 E Rawson Ave, Ste 105-106(R)
Tax Key Number(s): 733-9013-000
Conditional Use(s): Drinking Establishment

Recommended by Plan Commission: 2-25-25
Approved by Common Council: TBD
(Res. TBD)

1. REQUIRED PLANS, EASEMENTS, AGREEMENTS AND PUBLIC IMPROVEMENTS

- A. All requirements of the City of Oak Creek Municipal Code, as amended, are in effect.
- B. Any plans for new buildings, additions, exterior remodeling, site modifications, and landscaping shall be submitted to the Plan Commission for their review and approval prior to the issuance of any building permits. The approval of the Conditional Use, along with these Conditions and Restrictions, does not constitute approval of a site plan and architectural review. A separate site plan and architectural review approval will be required.
- C. For any new buildings, additions, structures, and site modifications, site grading and drainage, stormwater management, and erosion control plans shall be submitted to the City Engineer for approval, if required. The City Engineer's approval must be received prior to the issuance of any building permits.
- D. A Development Agreement shall be completed between the owner(s) and the City if deemed necessary by the City Engineer so as to ensure the construction or installation of public or other improvements required, and/or as specified by these Conditions and Restrictions.
- E. All new electric, telephone and cable TV service wires or cable shall be installed underground within the boundaries of this property.

2. SITE & USE RESTRICTIONS, MAINTENANCE & OPERATION REQUIREMENTS

- A. Only the uses approved in accordance with these Conditions and Restrictions is allowed. Other uses permitted by the zoning district, in accordance with other applicable Sections of the City of Oak Creek Municipal Code and these Conditions and Restrictions, are also allowed.
- B. No outdoor activity/operation is permitted.
- C. Outdoor storage is prohibited. No materials or items shall be stored outdoors.
- D. Hours of operation must remain within the hours of 9:00 AM and 10:00 PM Sunday through Saturday.
- E. The maximum number of persons allowed, including employees, must not exceed 75 at any given time.
- F. Any change to the occupancy of the site or building shall conform to all Building, Fire, and Municipal Code requirements (as amended).

G. Removal of snow from off-street parking areas, walks, public sidewalks, private roads and access drives shall be the responsibility of the landowner(s).

3. BULK AND DIMENSIONAL STANDARDS

Bulk and dimensional standards shall comply with Chapter 17, Article III of City Municipal Code (as amended)

4. PARKING AND ACCESS

Parking for this development shall be provided in accordance with Sections 17.0501, 17.0502, & 17.0503 of the Municipal Code (as amended).

5. LIGHTING

Any plans for new or replacement outdoor lighting shall be reviewed and approved by the Plan Commission and Electrical Inspector in accordance with Section 17.0509 of the Municipal Code (as amended).

6. SIGNAGE

A permit shall be required prior to the display, construction, erection, or alteration of any proposed sign(s). All signs must comply with Chapter 17, Article VI of the City Code and applicable sections of the building code as adopted by the City. (as amended)

7. PERFORMANCE STANDARDS

The use must comply with performance standards as stated in Section 17.0510 of Municipal Code (as amended)

8. TIME OF COMPLIANCE

The operator of the Conditional Use shall commence work in accordance with these Conditions and Restrictions within twelve (12) months from the date of adoption of the resolution authorizing this Conditional Use. This Conditional Use approval shall expire within twelve (12) months after the date of adoption of the resolution if building or occupancy permits have not been issued for this use.

9. OTHER REGULATIONS

Compliance with all other applicable City, State, DNR and Federal regulations, laws, Code, ordinances, and orders, as amended, not heretofore stated or referenced, is mandatory.

10. VIOLATIONS & PENALTIES

Any violations of the terms of this Conditional Use Permit shall be subject to enforcement and the issuance of citations in accordance with Section 1.20 of the City of Oak Creek Code of Ordinances (as amended). If the owner, applicant or operator of the Conditional Use Permit is convicted of two or more violations of these Conditions and Restrictions or any other municipal ordinances within any 12-month period, the City shall have the right to revoke this Conditional Use Permit, subject to

the provisions of Paragraph 11 herein. Nothing herein shall preclude the City from commencing an action in Milwaukee County Circuit Court to enforce the terms of this Conditional Use Permit or to seek an injunction regarding any violation of this Conditional Use Permit or any other City ordinances.

11. REVOCATION

Should an applicant, their heirs, successors or assigns, fail to comply with the Conditions and Restrictions of the approval issued by the Common Council, the Conditional Use Permit approval may be revoked. The process for revoking an approval shall generally follow the procedures for approving Conditional Use Permit as set forth in Section 17.0804 of the Municipal Code (as amended).

12. ACKNOWLEDGEMENT

The approval and execution of these Conditions and Restrictions shall confirm acceptance of the terms and conditions hereof by the owner, and these Conditions and Restrictions shall run with the property unless revoked by the City, or terminated by mutual agreement of the City and the owner, and their subsidiaries, related entities, successors and assigns subject to Paragraph 11 above.

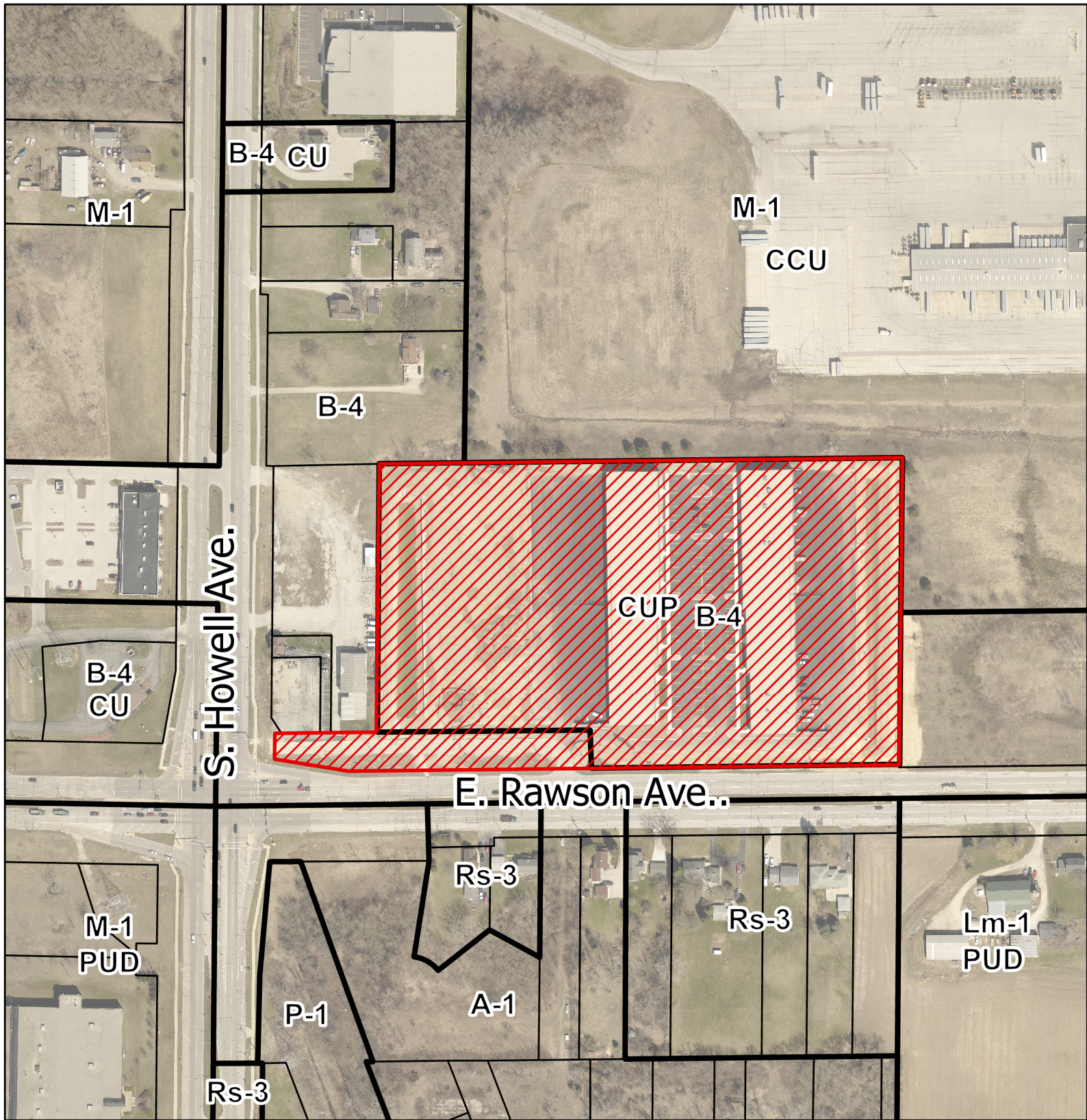
Property Owner / Authorized Representative Signature

Date

(please print name)

Location Map

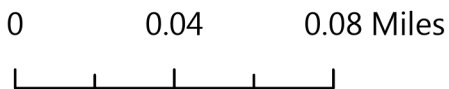
10523 S. Howell Ave.



This map is not a survey of the actual boundary of the property this map depicts

Legend

- | | |
|---------------------------|--------------------|
| Zoning | Lot |
| Official Street Map | LOT 1 |
| Parcels | LOT 2 |
| OCGIS.GIS.FloodFringe2024 | 140 E. Rawson Ave. |
| OCGIS.GIS.Floodway2024 | |



Business description

Swing and Sip is a state-of-the-art indoor golf bar designed to offer a unique and enjoyable entertainment experience in Oak Creek, WI. Our establishment will feature four cutting-edge Golfzon golf simulators, providing guests with an immersive golfing experience suitable for all skill levels. In addition to the simulators, we will offer a full-service bar with a wide selection of beverages, including craft beers, cocktails, and non-alcoholic options.

Our goal is to create a welcoming atmosphere where guests can relax, enjoy their favorite sports on multiple screens, and socialize with friends and family. Swing and Sip will cater to individuals, small groups, and private events, making it an ideal destination for both casual outings and special occasions.

By combining advanced technology, a variety of drink options, and a comfortable setting, Swing and Sip aims to become a premier entertainment venue in Oak Creek.

Relevant experience of applicant in the proposed business type

Jason Roberts brings over 20 years of experience in service industries, encompassing employee management, customer service, and thriving in fast-paced environments. With a proven track record in business ownership and management as the owner of Milwaukee Smart Mart, Jason has demonstrated expertise in business development, product management, customer relations, and operations.

At Milwaukee Smart Mart, Jason manages all aspects of business operations, including prospecting, pitching services, maintaining client relationships, overseeing product management for 400+ items, and implementing inventory systems. His ability to manage logistics, ensure customer satisfaction, and lead operational growth has been key to the company's success.

Jason also has extensive experience in managing large teams, training employees, and fostering collaborative work environments, demonstrated during his tenure at Woodman's Food Markets. As Store Manager, he increased profitability by building high-performing teams and implementing customer service programs like L.A.S.T. His success in handling multi-department operations and strategic planning highlights his capability to lead and innovate.

Additionally, his time at Safelite Autoglass and Olive Garden honed his skills in customer-facing roles, problem-solving, and delivering exceptional service under pressure.

This wealth of experience positions Jason to excel as co-owner of Swing and Sip, bringing a commitment to operational excellence, customer engagement, and creating a welcoming atmosphere for guests.

Samuel Lisby brings a wealth of experience in operations management, customer service, and leadership, making him a vital co-owner of Swing and Sip. With a strong background in aviation management and operations from his service in the United States Air Force, Samuel developed exceptional skills in coordination, safety management, and problem-solving under high-pressure environments. His role involved managing airfield operations, briefing aircrews, and responding to emergencies, showcasing his ability to lead and make critical decisions effectively.

As a Welcome Desk Associate at The Center of Clayton, Samuel honed his customer service expertise by ensuring a safe and welcoming environment for residents and members. His responsibilities included overseeing daily desk operations, handling financial transactions, and ensuring smooth customer interactions—skills that directly translate to managing guest experiences at Swing and Sip.

Samuel's education in Criminology & Criminal Justice, coupled with his leadership training and certifications, further underscore his ability to manage diverse teams and maintain a structured and efficient operation. His achievements, including the Air Force Commendation Medal and participation in leadership programs, reflect his dedication, discipline, and commitment to excellence.

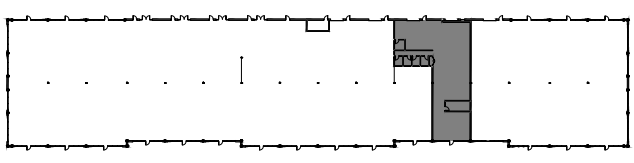
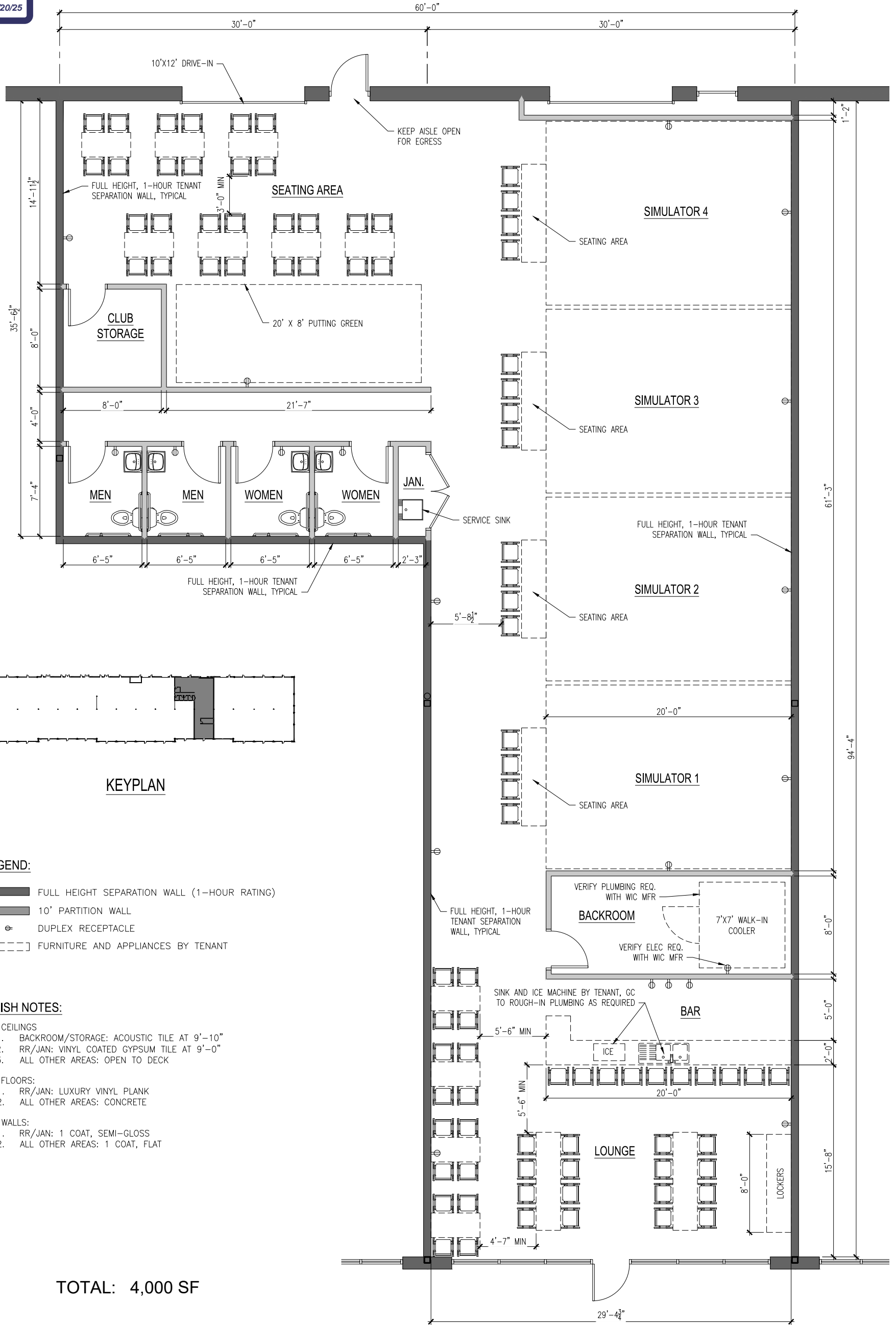
With this blend of operational expertise, customer service acumen, and leadership experience, Samuel is well-equipped to contribute to the success of Swing and Sip, ensuring a seamless and enjoyable experience for all guests.

RECEIVED

JAN 20 2025

CITY OF OAK CREEK





KEYPLAN

LEGEND:

- FULL HEIGHT SEPARATION WALL (1-HOUR RATING)
- 10' PARTITION WALL
- DUPLEX RECEPTACLE
- FURNITURE AND APPLIANCES BY TENANT

FINISH NOTES:

1. CEILINGS
 - 1.1. BACKROOM/STORAGE: ACOUSTIC TILE AT 9'-10"
 - 1.2. RR/JAN: VINYL COATED GYPSUM TILE AT 9'-0"
 - 1.3. ALL OTHER AREAS: OPEN TO DECK
2. FLOORS:
 - 2.1. RR/JAN: LUXURY VINYL PLANK
 - 2.2. ALL OTHER AREAS: CONCRETE
3. WALLS:
 - 3.1. RR/JAN: 1 COAT, SEMI-GLOSS
 - 3.2. ALL OTHER AREAS: 1 COAT, FLAT

TOTAL: 4,000 SF

