

Meeting Date: April 22, 2025

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 Buc-ee's, a proposed fueling plaza. Applicant(s): David Scott Ratcliff, Buc-ee's Ltd. and Eric Tracy, Kimley-Horn and Associates, Inc. 10700, 10820 and 10840 S. 27th St. (5th Aldermanic District) Address(es): That the Plan Commission recommends that the Common Council approves a Suggested Motion: Conditional Use Permit for a fueling plaza on the properties at 10700, 10820 and 10840 S. 27th St. after a public hearing, and subject to Conditions and Restrictions. Owner(s): Green Land Investors, LLP 977-9003-001, 977-9002-000, and 977-9999-001 Tax Key: Lot Size: 29.921 acres total Current Zoning B-6, Interchange Regional Retail District: Overlay District: N/A Wetlands: Floodplain: ⊠ Yes □ No ⊠ Yes ☐ No Comprehensive Commercial Plan:

Background: The applicant is requesting a recommendation for approval of a Conditional Use Permit (CUP) to establish a fueling plaza on the properties at 10700, 10820 and 10840 S. 27th St. The properties would be occupied by Buc-ee's. The properties were recently zoned B-6 Interchange Regional Retail, approved by the Common Council on March 18, 2025, which allows fueling plazas as a Conditional Use.

Buc-ee's is currently under contract to purchase the three (3) properties along S. 27th St. The proposed Buc-ee's Travel Center includes construction of an approximate 73,372 sq. ft. building, in addition to the construction of a two (2) canopies (broken into two (2) due to the site layout and entrance off of W. Elm Rd.), covering approximately 120 fueling pumps. The Travel Center will be open 24 hours a day, seven (7) days/week. The fulltime staff (not part-time or seasonal) roster will range from 200 to 250 at any given

Meeting Date: April 22, 2025 Item No.: 6

time. At full capacity, a typical shift will require 100 to 125 employees in the store. Buc-ee's Travel Center is a tourism destination, with customer intensity typically greatest Friday – Sunday and holidays. A typical Buc-ee's will serve 5 million visitors per year; weekend and holiday visits may reach 20,000-25,000 individuals per day. Based on operational characteristics at similar developments, the site will have approximately 70,500 vehicles per week; 10,080 vehicles per day; an average of 700 vehicles per peak hour; and a maximum onsite peak of 800 vehicles. Approximately 90 percent of the site-generated traffic is diverted from the interstate. It is anticipated that roughly half of customer visits to the store will include a fuel purchase. More than 85% of Buc-ee's customers come from well-beyond city, county, and even state boundaries. Buc-ee's is not a truck stop; 18 wheelers are specifically not allowed on the property.

Buc-ee's has submitted a conceptual site plan with the CUP application. A complete site/landscaping/architectural/lighting package will need to be submitted for Plan Commission review/approval at a future date, which is the standard timeline for such similar proposals (CUP review and approval is completed prior to site/landscaping/architectural/lighting plans being reviewed).

The Municipal Code includes established vehicle-related use standards in Section 17.0409, specifically (a) for fuel sales and fueling plazas. These standards include restrictions such as setbacks of fuel pumps and canopies, uniform and consistent roofline design with the building, signage displays on fuel pump canopies, and lighting design restrictions. These standards will be reviewed for conformance with the site/landscaping/architectural/lighting submittal.

The applicant will be held to standards/regulations as identified in Article V: General Development Standards in Chapter 17 of the Municipal Code. Examples of established standards include off-street parking, off-street loading, performance standards, landscaping (including tree preservation requirements), screening, fencing, green space requirements, setbacks, outdoor lighting, and nonresidential design standards. Some of these standards are more applicable to the actual operation of a business, while others can be reviewed at a future Plan Commission date (if approval the **CUP** is achieved) with the full site/landscaping/architectural/lighting package.

In addition to the above-mentioned Zoning Code standards that are to be met, the City's Engineering Department (through Chapter 13 of the Municipal Code) and MMSD (through their own Chapter 13 rules and regulations) will regulate stormwater detention standards, and the WDNR will regulate stormwater quality standards through NR151. The WDNR also regulates gasoline dispensing facilities, which include significant environmental regulations that the applicant must adhere to.

The applicant has supplied a Wetland Exemption Determination letter from the WDNR. The conclusion from the WDNR states, "Based upon the information provided, the wetland identified as Wetlands 1 and 2, lacked a wetland history prior to August 1, 1991, and fulfills all artificial exemption standards. Therefore, both wetlands 1 and 2 are exempt from state wetland regulations."

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The proposed Travel Center requires a minimum of one (1) parking space per fuel pump (120), plus one (1) space per 250 sq. ft. of general retail (293), for a total of 413 required parking spaces on-site. The conceptual site plan shows approximately 680 off-street parking spaces being provided.

As part of the Conditions and Restrictions, the following signage package, consistent with other Buc-ee's developments, is proposed: a 75-ft. tall pylon sign with a masonry base and a sign area not to exceed 696 sq. ft. in area; a total of six (6) canopy signs circular in shape, not to exceed 64 sq. ft. in area each; a total of 10 canopy signs rectangular in shape, not to exceed 10.7 sq. ft. in area each; and a total of four (4) building wall signs, not to exceed 307 sq. ft. in area each.

If the Commission determines the proposed Conditional Use meets the requirements of the Municipal Code, a public hearing may be scheduled as early as May 20, 2025. Staff has also prepared draft Conditions and Restrictions for review (attached). An approval of the Conditional Use Permit, along with 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.

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

Kristin Raine

Attachments:

Draft Conditions and Restrictions (3 pages)

Location Map

Narrative (1 page)

Conceptual Site Plan (1 page)

Signage package (10 pages)

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

Applicant: David Scott Ratcliff, Buc-ee's Ltd. Eric Tracy, Kimley-Horn and Associates, Inc.

Property Address(es): 10700, 10820 and 10840

S. 27th St.

Tax Key Number(s): 977-9003-001, 977-9002-000

and 977-9999-001

Conditional Use(s): Fueling Plaza

Recommended by Plan Commission: TBD

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. The fueling plaza use shall meet all vehicle-related use standards and requirements as stated in Section 17.0409(a) of the Municipal Code (as amended).
- C. Permitted hours of operation shall be 24 hours/day, seven (7) days/week.
- D. Any change to the occupancy of the site or building shall conform to all Building, Fire, and Municipal Code requirements (as amended).
- E. Removal of snow from off-street parking areas, walks, public sidewalks, private roads and Page 1 of 3

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

- A. Parking for this development shall be provided in accordance with Sections 17.0501, 17.0502, and 17.0503 of the Municipal Code (as amended).
- B. Access and capacity improvements to the site shall be in accordance with approval from the Wisconsin Department of Transportation.

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). Allowable signage: a 75-ft. tall pylon sign with a masonry base and a sign area not to exceed 696 sq. ft. in area; a total of six (6) canopy signs circular in shape, not to exceed 64 sq. ft. in area each; a total of 10 canopy signs rectangular in shape, not to exceed 12 sq. ft. in area each; and a total of four (4) building wall signs, not to exceed 307 sq. ft. in area each.

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

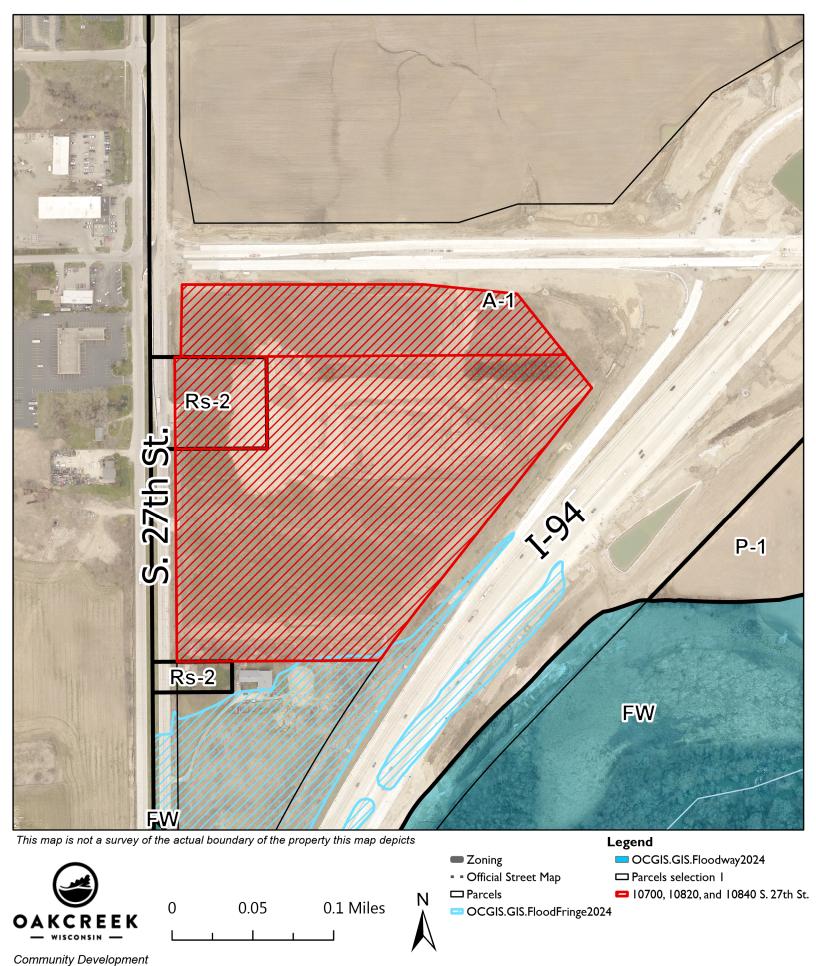
Should an applicant, their heirs, successors or assigns, fail to comply with the Conditions and Restrictions of the approval issued by the Common Council, the Conditional Use Permit approval may be revoked. The process for revoking an approval shall generally follow the procedures for approving Conditional 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 10700, 10820, and 10840 S. 27th St.





April 16th, 2025

City of Oak Creek 8040 S. 6th Street Oak Creek, WI 53154

Buc-ee's Oak Creek - Certified Survey Map and Conditional Use Permit Request

To Whom It May Concern:

On behalf of Buc-ee's, Kimley-Horn has prepared a submittal package for the City of Oak Creek's review. Buc-ee's is currently under contract to purchase property located at 10700, 10820, and 10840 South 27th Street Oak Creek, WI 53154 at the southeast corner of West Elm Road and South 27th Street. The property is currently vacant agricultural land and was recently rezoned to District B-6. The applicant is submitting a request for a certified survey map (CSM) and conditional use permit (CUP). Specifically, a conditional use permit for a fueling plaza within District B-6 is being requested.

Buc-ee's Travel Center is a family-focused travel center (NOT a truck stop) featuring a wide range of freshly prepared foods including house-crafted bar-b-que, custom made sandwiches, fresh salads and fruits, baked goods, and sweets as well as a unique collection of gifts, housewares, clothing, and weekend get-away gear. Buc-ee's is widely known to have the cleanest restrooms and friendliest staff to be found anywhere on the highway. More than 85% of Buc-ee's customers come from well beyond city, county, and even state boundaries; it is a tourism destination. Buc-ee's is not a truck stop; 18 wheelers are specifically not allowed on the property.

The Buc-ee's Travel Center will be open 24 hours a day, 7 days a week and will not operate a store at any reduced level. The full-time staff (not part-time or seasonal) roster will range from 200 to 250 at any given time. At full capacity, a typical shift will require 100-125 employees in the store. Additionally, the total square footage (as typically measured per building codes) is 73,372; approximately 50% of that space is retail floor space.

Customer intensity is typically greatest Friday-Sunday and holidays. A typical Buc-ee's will serve 5 million visitors per year; weekend and holiday visits may reach 20,000-25,000 individuals per day. Based on operational characteristics at similar developments, the site will have approximately 70,500 vehicles per week; 10,080 vehicles per day; an average of 700 vehicles per peak hour; and a maximum onsite peak of 800 vehicles. Approximately 90 percent of the site-generated traffic is diverted from the interstate. It is anticipated that roughly half of customer visits to the store will include a fuel purchase.

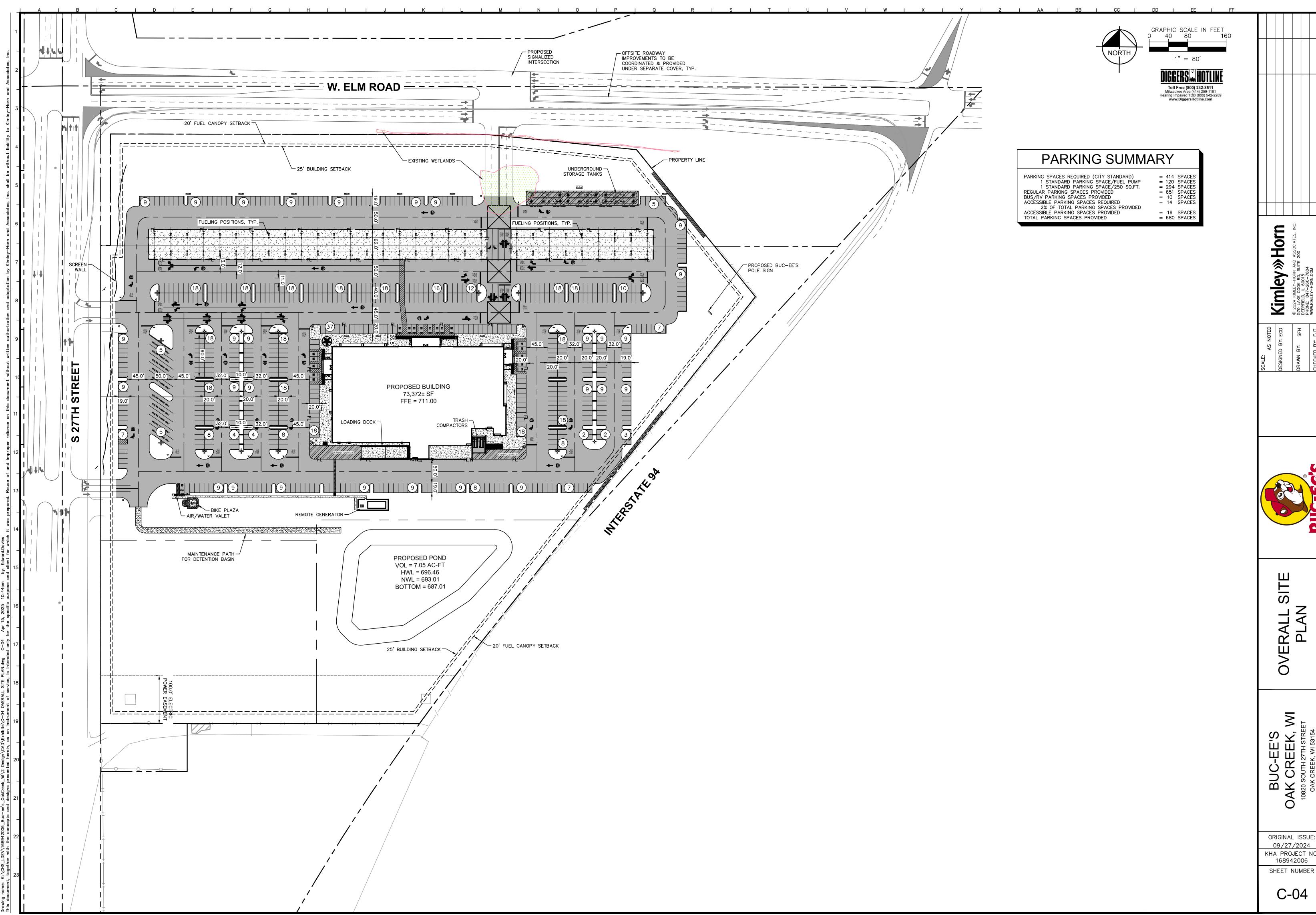
The CUP application includes a request for a 75-ft tall pylon sign and wall sign that exceeds parameters of Section 17.0600. Please refer to signage plans included within the submittal for additional information.

If you have any comments or wish to receive clarifications on the submitted package, please contact me at 630-487-5560 or via email at Eric.Tracy@kimley-horn.com.

Sincerely,

KIMLEY-HORN AND ASSOCIATES, INC.

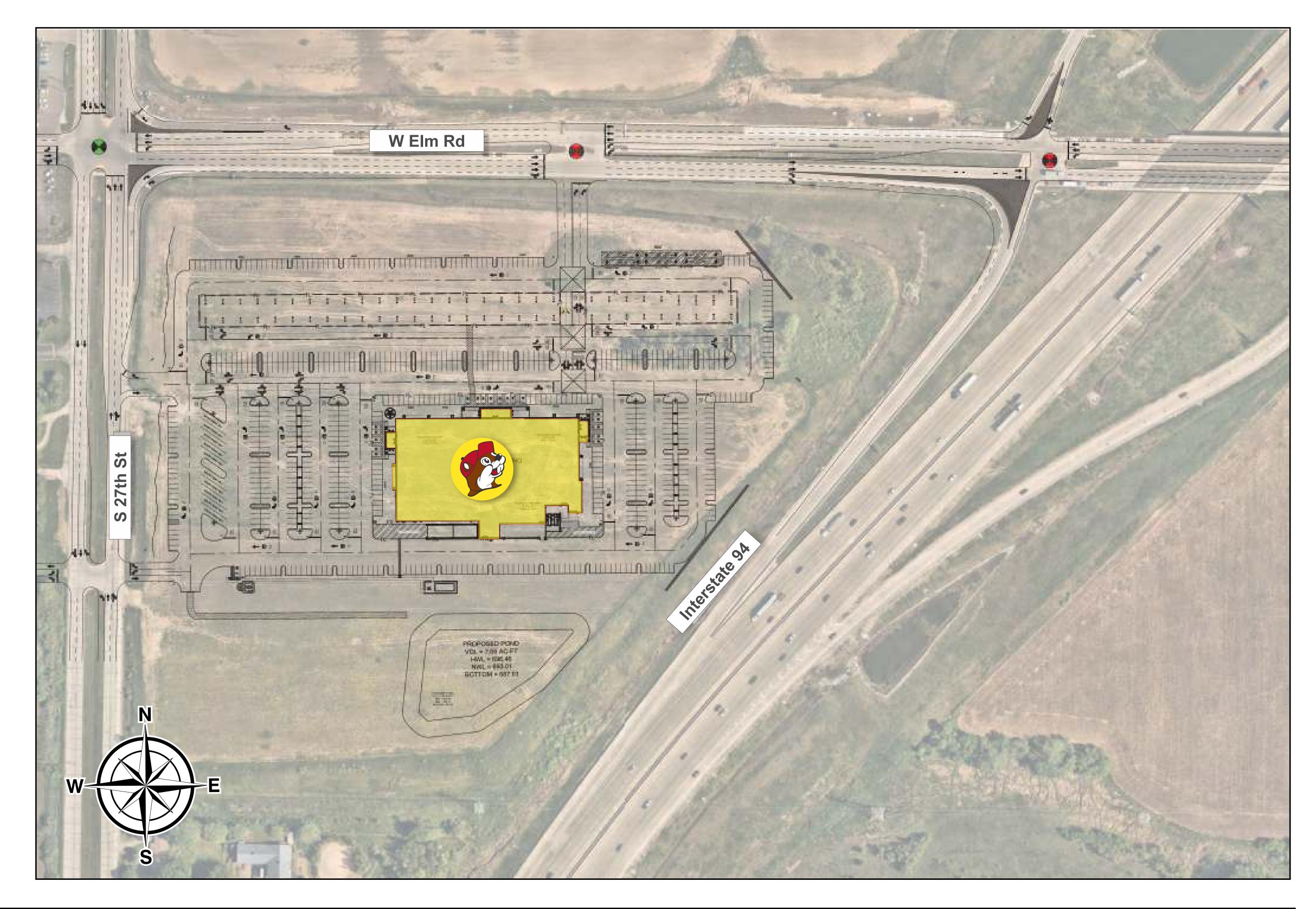
Eric Tracy, P.E. Senior Project Manager





ORIGINAL ISSUE: 09/27/2024 KHA PROJECT NO. 168942006







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Buc-ee's

S 27th St & W Elm Road (I-94) Oak Creek, WI Project ID#: 138859

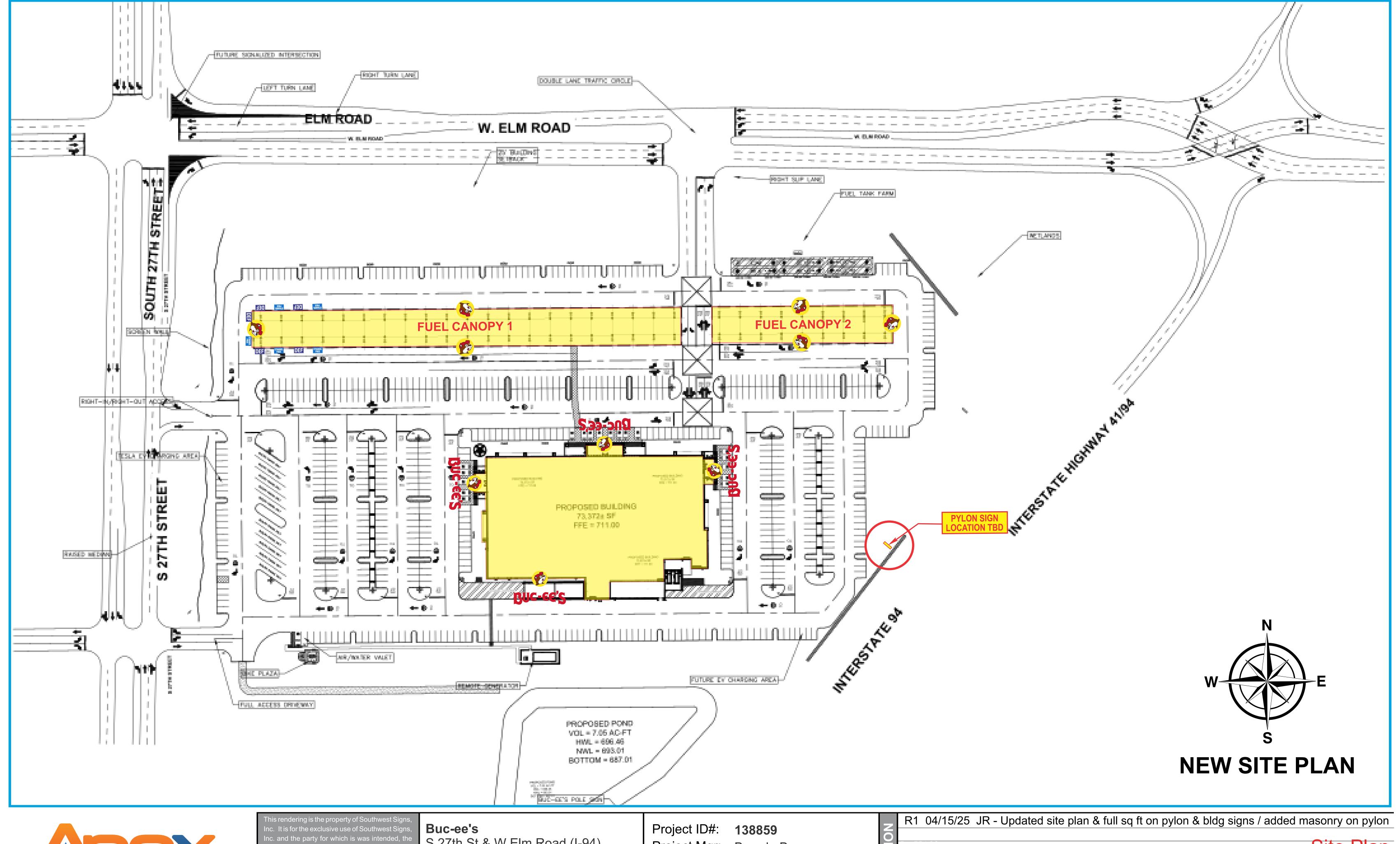
Project Mgr: Brenda Beams

Designer: JR

Created on: 00/07/2025

R1	04/15/25	JR	- Updated	site p	olan 8	& full	sq ft	on p	ylon	& bldg	gsigns	/ added	masonry	on	pylon

Aerial SG-01





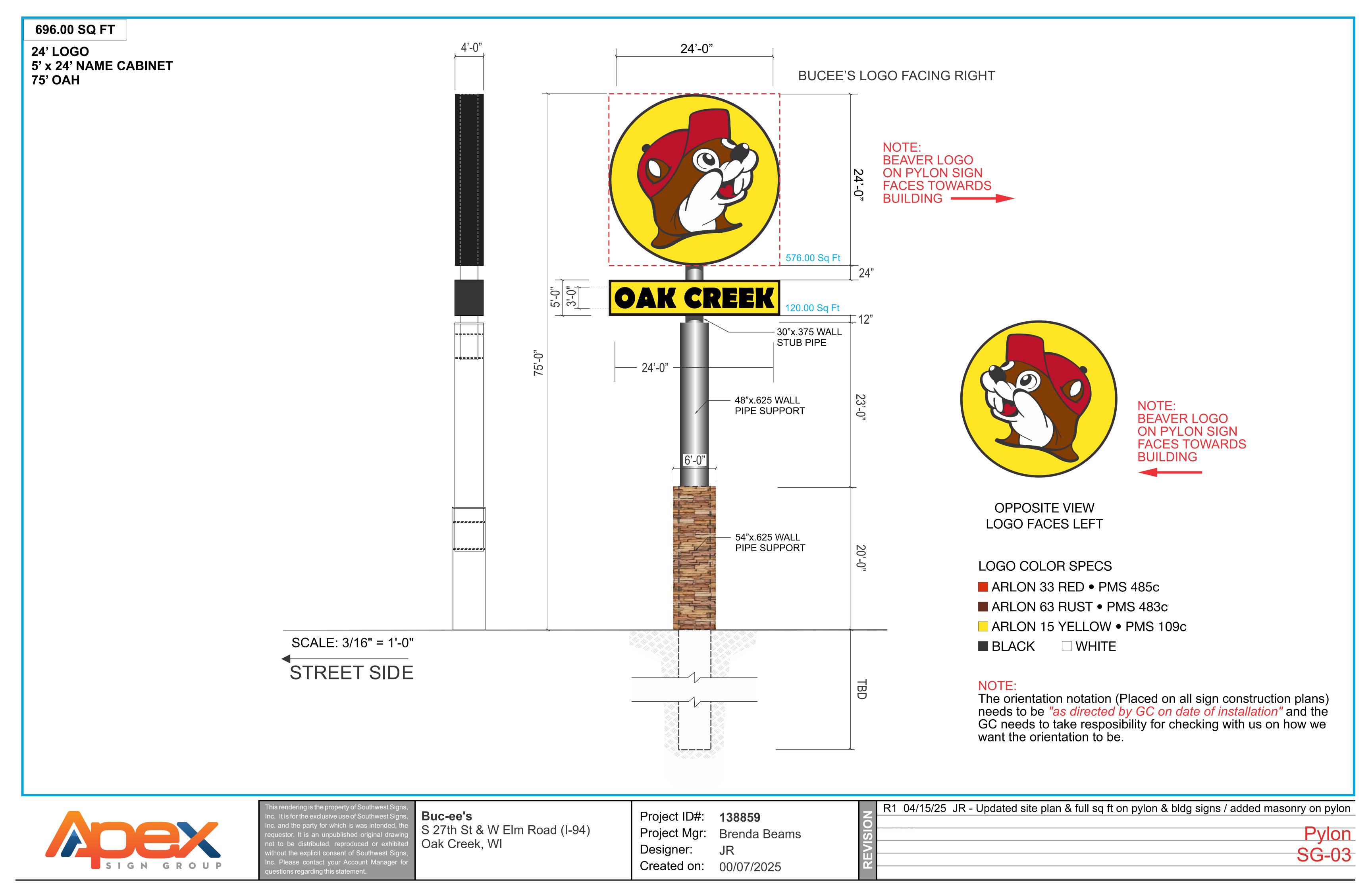
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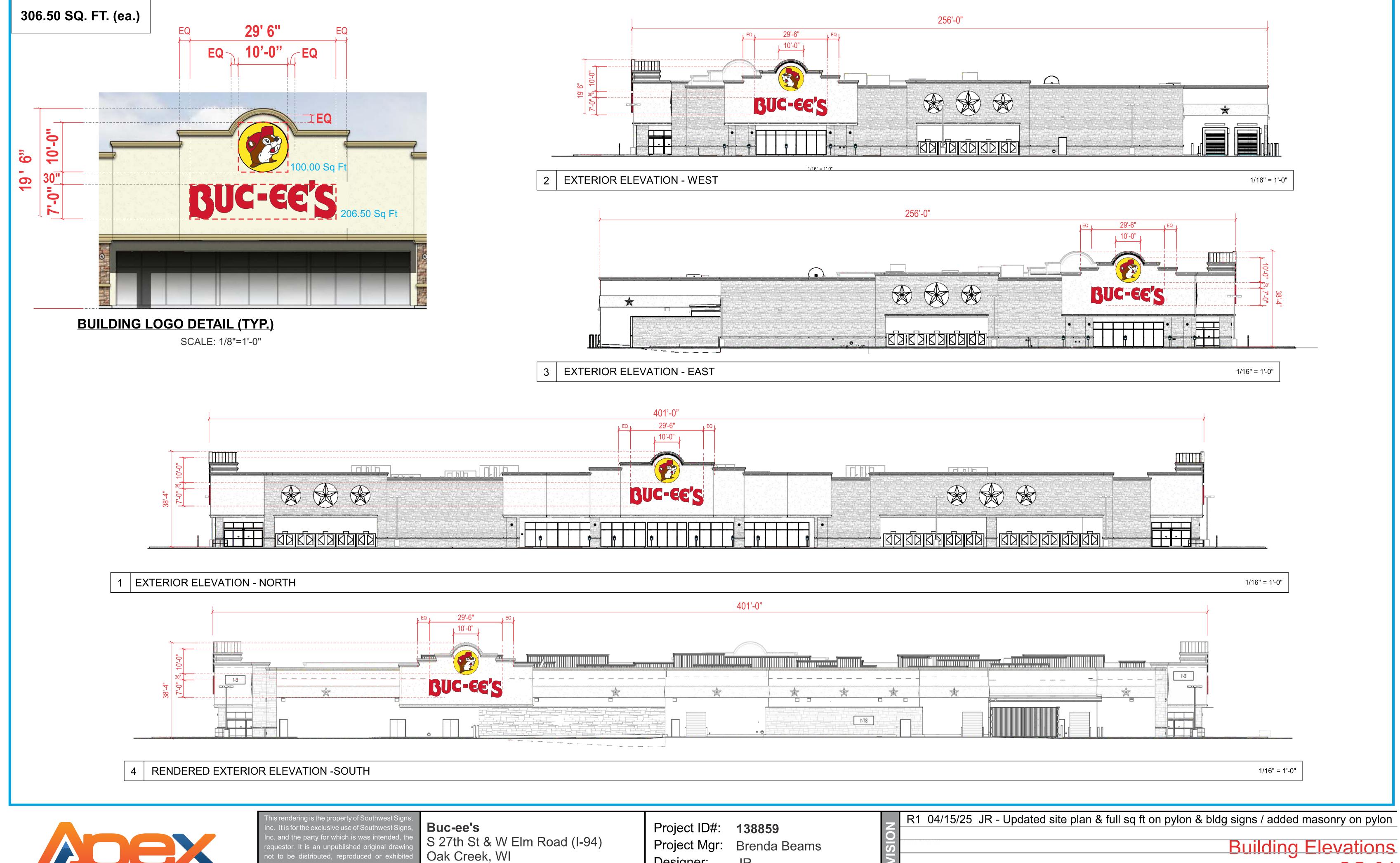
S 27th St & W Elm Road (I-94) Oak Creek, WI

Project Mgr: Brenda Beams

Designer: JR Created on: 00/07/2025

Site Plan SG-02





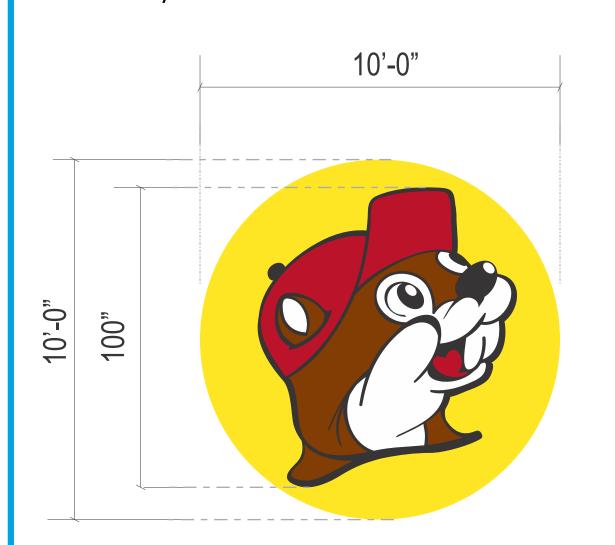


c. Please contact your Account Manager for estions regarding this statement.

Designer: JR Created on: 00/07/2025

SG-04

SCALE: 3/8'' = 1'-0''



MFG. & INSTALL THREE (3) RIGHT FACING LOGOS TO BE INSTALLED ON THE FRONT, LEFT & REAR ELEVATIONS



MFG. & INSTALL ONE (1) LEFT FACING LOGO TO BE INSTALLED ON THE **RIGHT ELEVATION**



ELECTRICAL REQUIREMENTS

- 10 Single Face Cabinet
- (1) 120 volt circuit
- (1) @ 2.13 amps per cabinet
- Set of Channel letters
- (1) 120 volt circuit
- (1) @ 5 amps per set of letters

Electrical Detail:

White LEDs

- (X) 60w Power Supplies
- Total Amps: X.XX (1) 20 amp 120V Circuit Req.



General Notes:

This sign is to be installed in accordance with the requirements of Article 600 of the National Electrical Code.

- Grounded and bonded per NEC 600.7/NEC 250
- Existing branch circuit in compliance with NEC 600.5, not to exceed 20 amps
- Sign is to be UL listed per NEC 600.3
- UL disconnect switch per NEC 600.6- required per sign component before leaving manufacturer. For multiple signs, a disconnect is permitted but not required for each section
- The location of the disconnect switch after installation shall comply with artilcle 600.6 (A) (1) per NEC

MFG. & INSTALL:

FOUR (4) SETS OF INTERN. ILLUM. S/F LOGO CABINETS w/ FLEX FACES AND FOUR (4) SETS OF INTERN. ILLUM. LED CHANNEL LETTERS w/ RED FACES TO BE INSTALLED ON NORTH, SOUTH, EAST & WEST ELEVATIONS

LOGO CABINET:

FACE: FULL BLEED WHITE FLEX FACE w/ CUT VINYL GRAPHICS

TO MATCH COLOR KEY

RETURNS: ALUMINUM 12" DEEP PAINTED BLACK

BACK: INTERIOR PAINTED WHITE - OUTSIDE PAINTED BLACK

ILLUMINATION: GE TETRA MAX POWER STIP INSTALLATION: FLUSH MOUNT TO WALL FASCIA

CHANNEL LETTERS:

FACES: 2283 RED ACRYLIC

RETURNS: ALUMINUM 5" DEEP PREIFINISHED RED

BACKS: INTERIOR PAINTED WHITE - OUTSIDE PAINTED RED

ILLUMINATION: RED LED LIGHTING

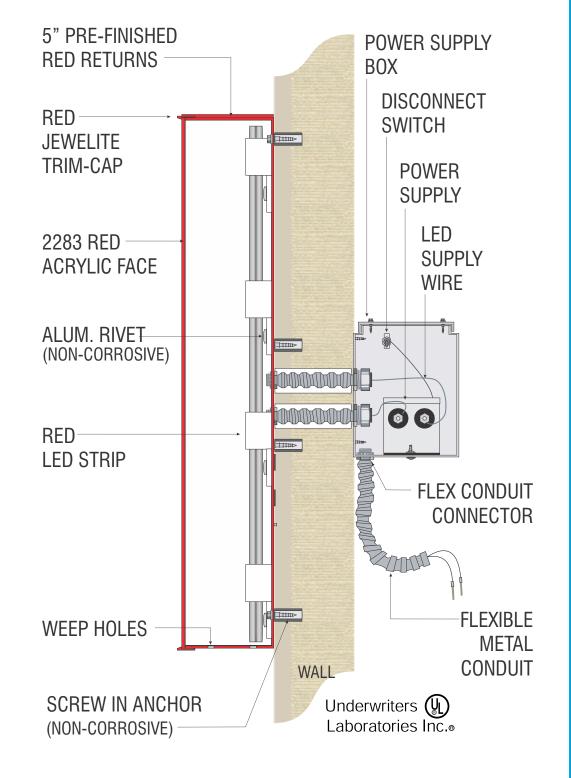
INSTALLATION: FLUSH MOUNT TO WALL FASCIA

LOGO COLOR SPECS

- ARLON 33 RED PMS 485c
- ARLON 63 RUST PMS 483c
- ARLON 15 YELLOW PMS 109c
- ARLON 22 BLACK WHITE

LETTER COLOR SPECS

- 2283 RED ACRYLIC
- 2" RED TRIMCAPS
- 5" PRE-FINISHED RED RETURNS



CHANNEL LETTERS FLUSH MOUNTED W/ REMOTE POWER SUPPLY(S)



. Please contact your Account Manager for

Buc-ee's

S 27th St & W Elm Road (I-94)

Oak Creek, WI

Project ID#:

138859 Project Mgr: Brenda Beams

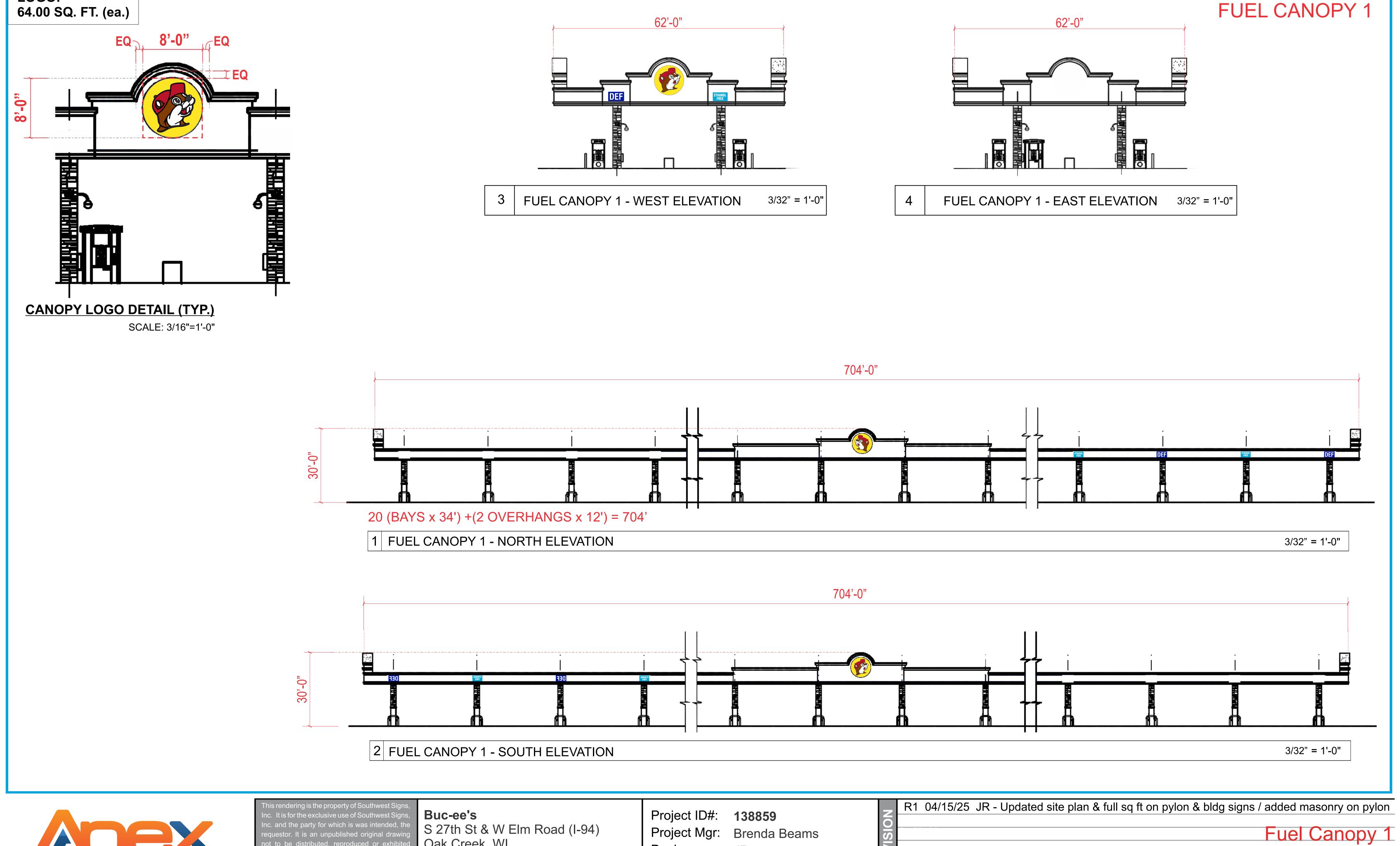
Designer: JR

Created on: 00/07/2025

R1 04/15/25 JR - Updated site plan & full sq ft on pylon & bldg signs / added masonry on pylon

Channel Letters

SG-05



Designer:

JR

Created on: 00/07/2025

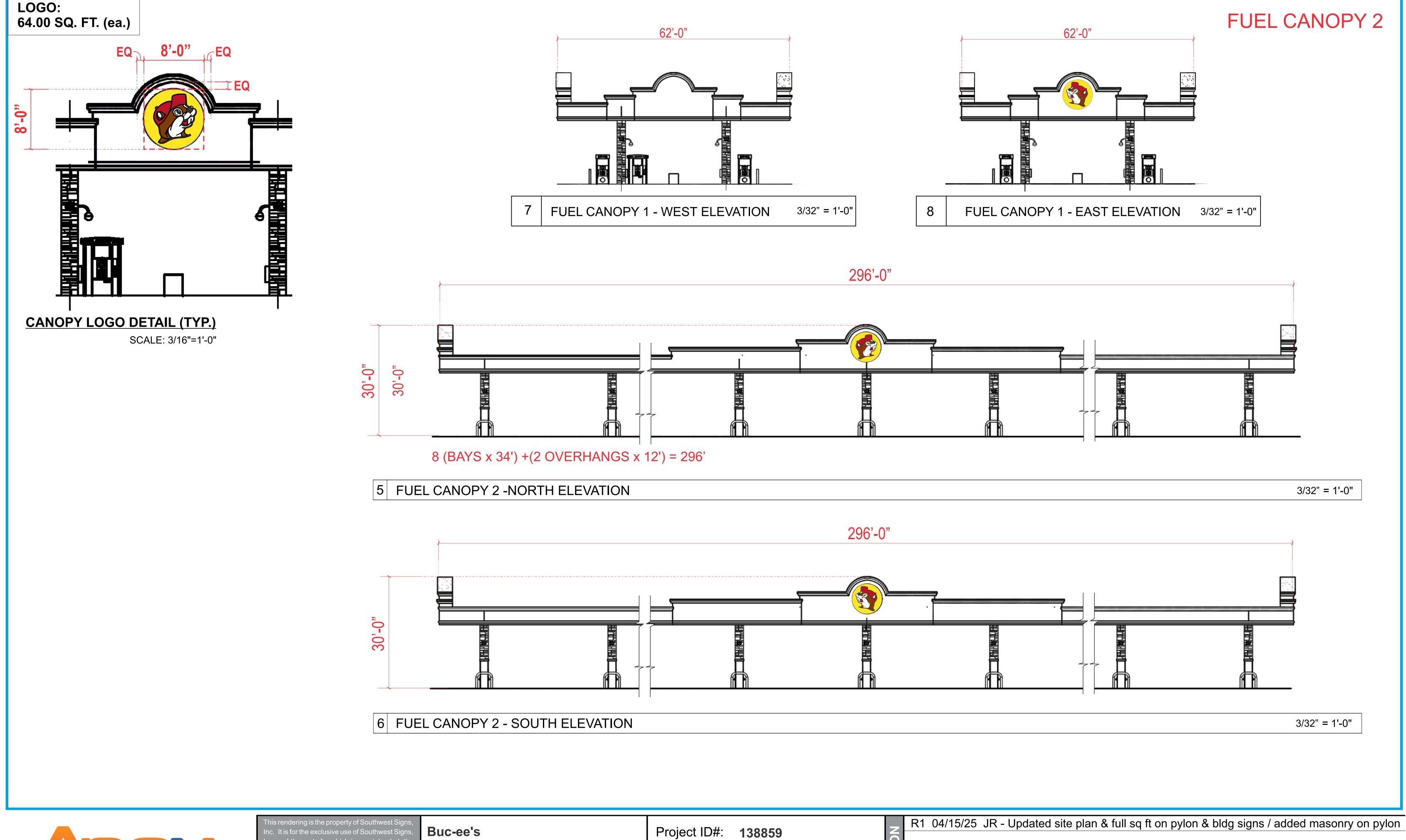
SG-06

Oak Creek, WI

nc. Please contact your Account Manager for



LOGO:





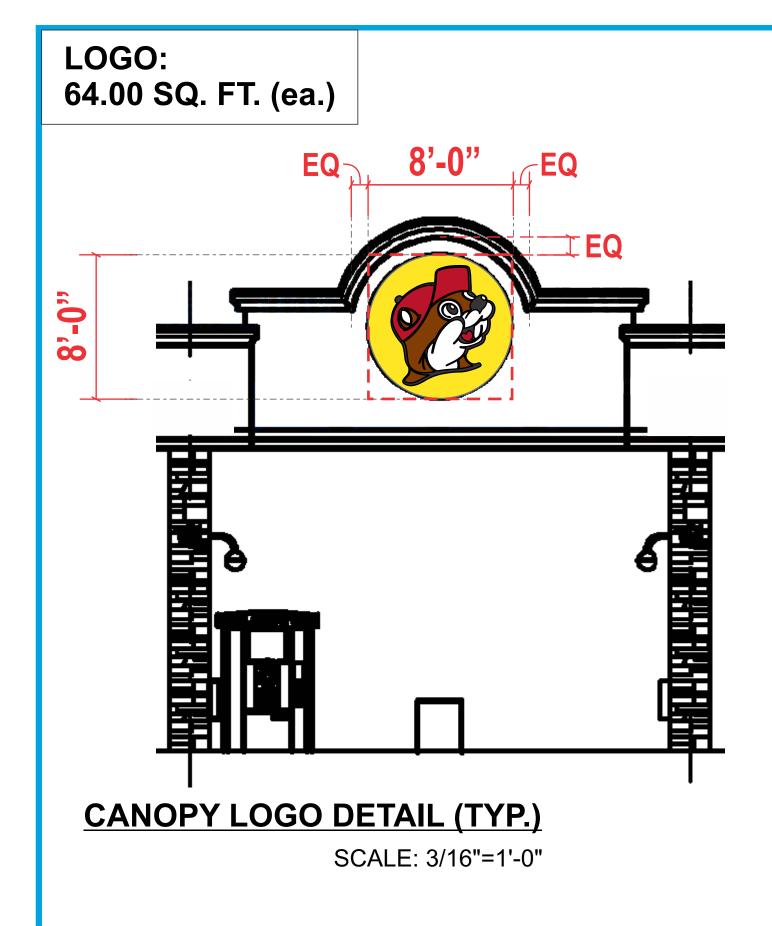
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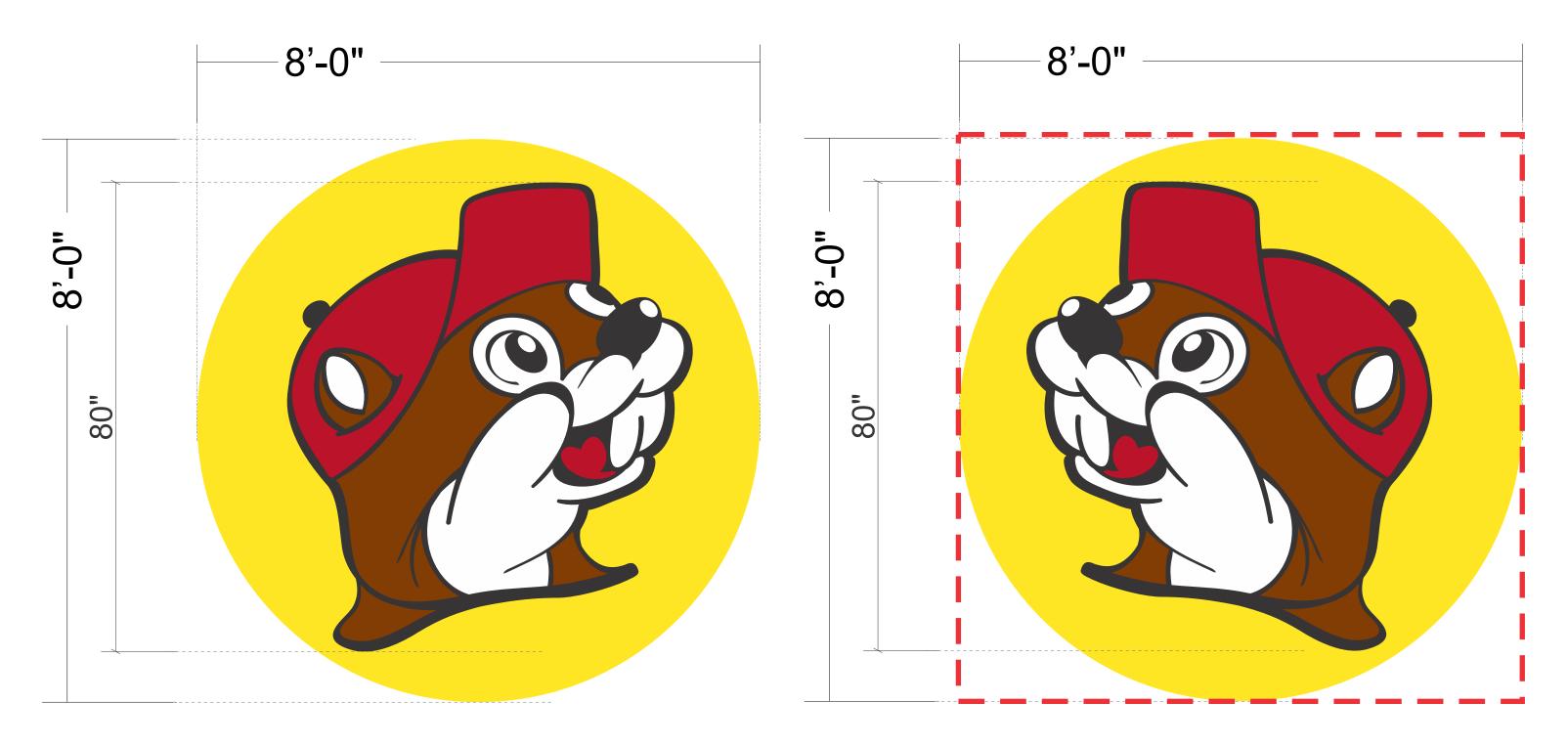
S 27th St & W Elm Road (I-94) Oak Creek, WI

Project Mgr: Brenda Beams

Designer: JR Created on: 00/07/2025

Fuel Canopy 2 SG-07





MFG. THREE (3) RIGHT FACING LOGOS

MFG. THREE (3) LEFT FACING LOGOS

FULL BLEED FLEX FACES 1'-0" INSTALLED USING EMS ALUM. EXTRUSION

FLEX FACE RETRO FRAME - DETAIL

EMS 305 RETRO

& EMS 320 FULL

BLEED RETAINER

WHITE FLEX FACE

W/ VARIOUS CUT VINYL GRAPHICS

FRAME EXTRUSION

#66 RIVET

SQ. TUBING

WHITE FLEX FACES W/ CUT VINYL GRAPHICS AS PER COLOR KEY

1½"x 1½" T.S. ALUM.— FRAME & UPRIGHTS

Single Sided WHITE GE Tetra Power Strip

GE -Power supply-

8'-0" LOGO CABINET DETAIL - NTS

Electrical Detail:

White LEDs

General Notes:

(X) 60w Power Supplies
Total Amps: X.XX

(1) 20 amp 120V Circuit Req.

ELECTRICAL REQUIREMENTS

- 8 Single Face Cabinet
- (1) 120 volt circuit
- (1) @ 2.13 amps per cabinet



This sign is to be installed in accordance with the requirements of Article 600 of the National Electrical Code.

- Grounded and bonded per NEC 600.7/NEC 250
- Existing branch circuit in compliance with NEC 600.5, not to exceed 20 amps
- Sign is to be UL listed per NEC 600.3
- UL disconnect switch per NEC 600.6- required per sign component before leaving manufacturer. For multiple signs, a disconnect is permitted but not required for each section
- The location of the disconnect switch after installation shall comply with article 600.6 (A) (1) per NEC

• MFG. & INSTALL: SIX (6) INTERN. ILLUM. CABINETS W/ FLEX FACES. THREE (3) LOGOS FACING RIGHT - THREE (3) LOGOS FACING LEFT TO BE INSTALLED FLUSH ONTO GAS STATION CANOPY

- FACES: FULL BLEED WHITE FLEX FACE W/ CUT VINYL GRAPHICS AS PER COLOR KEY
- RETURNS: ALUM., 12" DEEP PTD. BLACK
- BACKS: ALUM. PTD. BLACK
- ILLUMINATION: GE Tetra Max Power Strips
- INSTALLATION: FLUSH MOUNT TO WALL FASCIA

(GAS STATION CANOPY)

COLOR SPECS

- ARLON 33 RED PMS 485c
- ARLON 63 RUST PMS 483c
- ARLON 15 YELLOW PMS 109c



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Buc-ee's

S 27th St & W Elm Road (I-94) Oak Creek, WI Project ID#:

ID#: 138859

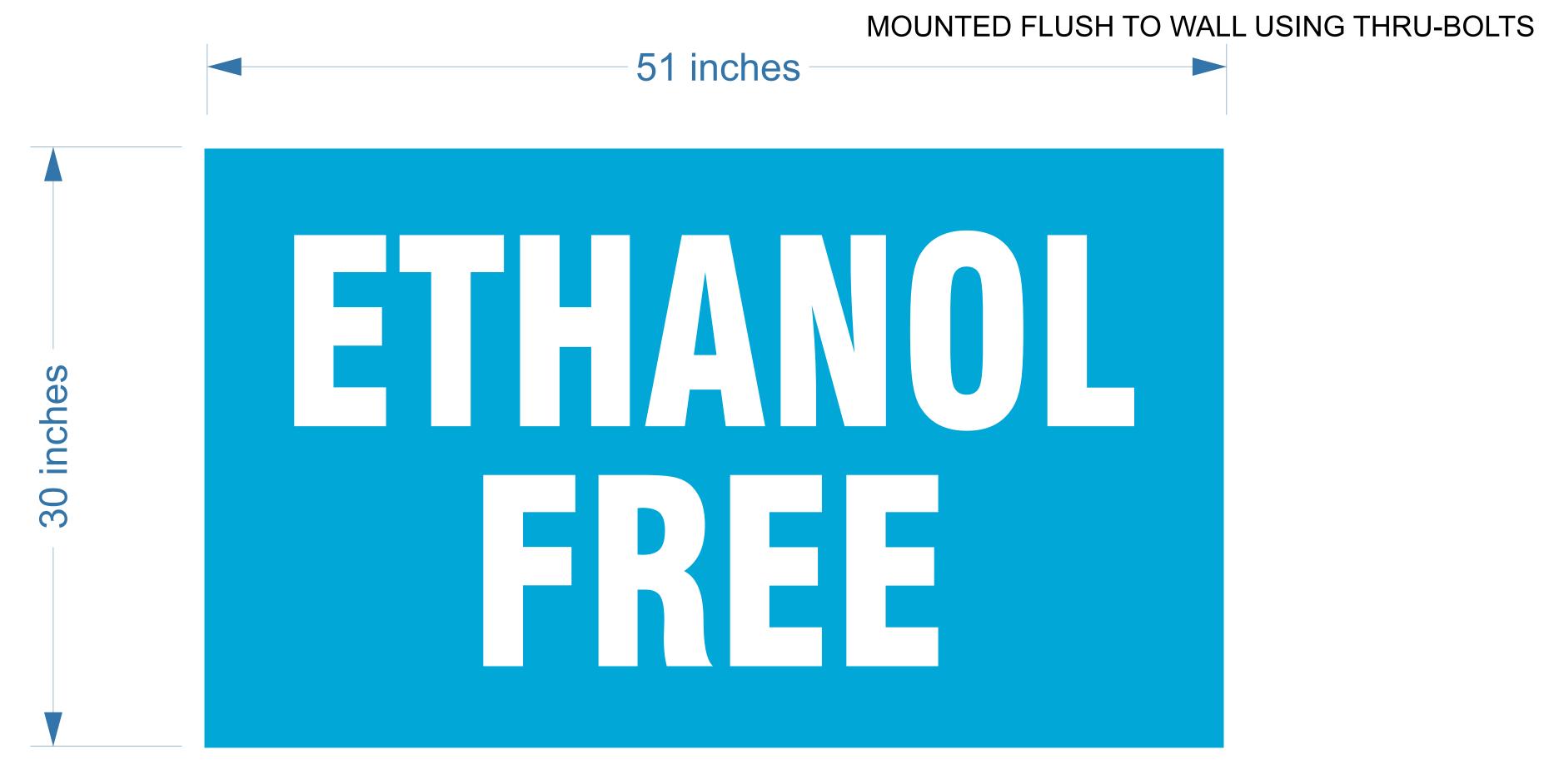
Project Mgr: Brenda Beams

Designer: JR

Created on: 00/07/2025

R1 04/15/25 JR - Updated site plan & full sq ft on pylon & bldg signs / added masonry on pylon

Canopy Logo SG-08



QTY: FIVE (5)

ETHANOL FREE SIGN

• MFG. & INSTALL:

FIVE (5) ETHANOL FREE SIGNS
NON-ILLUMINATED .125" ALUM. PANEL PTD BLUE
W/ WHITE VINYL LETTERING APPLIED
INSTALL FLUSH ON EXISTING GAS CANOPY

COLOR SPECS

- PROCESS CYAN
- \square WHITE



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Buc-ee's

S 27th St & W Elm Road (I-94) Oak Creek, WI Project ID#: 13

†: 138859

Project Mgr: Brenda Beams

Designer: JR

Created on: 00/07/2025

R1 04/15/25 JR - Updated site plan & full sq ft on pylon & bldg signs / added masonry on pylon

Ethanol Free SG-09



QTY: FIVE (5)

DEF SIGN

• MFG. & INSTALL:

FIVE (5) DEF SIGNS
NON-ILLUMINATED .125" ALUM. PANEL PTD BLUE
W/ WHITE VINYL LETTERING APPLIED
INSTALL FLUSH ON EXISTING GAS CANOPY

COLOR SPECS

- PMS 072 BLUE
- \square WHITE



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Buc-ee's

S 27th St & W Elm Road (I-94) Oak Creek, WI Project ID#: 138859

Project Mgr: Brenda Beams

Designer: JR

Created on: 00/07/2025

7	R1 04/15/25 JR - Updated site plan & full sq ft on pylon & bldg signs / added masonry on pylon
O	
<u>S</u>	DEF Panels
>	G-10
	G-10