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City of West Allis

Matter Summary

7525 W. Greenfield Ave.
West Allis, WI 53214

File Number	Title	Status
R-2004-0224	Resolution	In Committee
Resolution relative to determination of Special Use Application submitted by Steven W. Dunn, d/b/a Korbely's, Inc., for an expansion to the existing tavern located at 7408 W. Walker St.		
Introduced: 7/6/2004		Controlling Body: Safety & Development Committee

COMMITTEE RECOMMENDATION

ADOPT AS AMENDED

ACTION
DATE:

8/3/04

MOVER SECONDER

_____	_____	Barczak
_____	_____	Czaplewski
_____	_____	Dobrowski
_____	_____	Kopplin
_____	_____	Lajsic
_____	_____	Narlock
_____	_____	Reinke
_____	_____	Sengstock
<i>✓</i>	_____	Vitale
_____	<i>✓</i>	Weigel

AYE	NO	PRESENT	EXCUSED
<i>✓</i>			
<i>✓</i>			
<i>✓</i>			
<i>✓</i>			
<i>✓</i>			

TOTAL

5

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SIGNATURE OF COMMITTEE MEMBER

Chair

Vice-Chair

Member

COMMON COUNCIL ACTION

ADOPT *as amended*

ACTION
DATE:

AUG 03 2004

MOVER SECONDER

_____	<i>✓</i>	Barczak
_____	_____	Czaplewski
_____	_____	Dobrowski
_____	_____	Kopplin
<i>✓</i>	_____	Lajsic
_____	_____	Narlock
_____	_____	Reinke
_____	_____	Sengstock
_____	_____	Vitale
_____	_____	Weigel

AYE	NO	PRESENT	EXCUSED
<i>✓</i>			
<i>✓</i>			
<i>✓</i>			
<i>✓</i>			
<i>✓</i>			
<i>✓</i>			
<i>✓</i>			
<i>✓</i>			
<i>✓</i>			

TOTAL

10

—

J. Stibel
S. Schaefer
B. Burke
A. P. L. L.

STANDING COMMITTEES OF THE CITY OF WEST ALLIS COMMON COUNCIL 2004

ADMINISTRATION & FINANCE

Chair: Michael J. Czaplewski
Vice-Chair: Martin J. Weigel
Gary T. Barczak
Thomas G. Lajsic
Rosalie L. Reinke

PUBLIC WORKS

Chair: Richard F. Narlock
Vice-Chair: Linda A. Dobrowski
Kurt E. Kopplin
Vincent Vitale
James W. Sengstock

SAFETY & DEVELOPMENT

Chair: Thomas G. Lajsic
Vice-Chair: Vincent Vitale
Gary T. Barczak
Martin J. Weigel
Rosalie L. Reinke

LICENSE & HEALTH

Chair: Kurt E. Kopplin
Vice-Chair: James W. Sengstock
Linda A. Dobrowski
Richard F. Narlock
Michael J. Czaplewski

ADVISORY

Chair: Rosalie L. Reinke
Vice-Chair: Gary T. Barczak
Linda A. Dobrowski
Vincent Vitale
Martin J. Weigel



City of West Allis

7525 W. Greenfield Ave.
West Allis, WI 53214

Resolution

File Number: R-2004-0224

Final Action:

Resolution relative to determination of Special Use Application submitted by Steven W. Dunn, d/b/a Korbely's, Inc., for an expansion to the existing tavern located at 7408 W. Walker St.

WHEREAS, Steven W. Dunn, d/b/a Korbely's, Inc., duly filed with the City Administrative Officer-Clerk/Treasurer an application for a special use permit, pursuant to Sec. 12.41(2), Sec. 12.49 and Sec. 12.16 of the Revised Municipal Code, to establish a restaurant; and,

WHEREAS, after due notice, a public hearing was held by the Common Council on July 6, 2004, at 7:00 p.m., and in the Common Council Chambers 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, Steven W. Dunn, d/b/a Korbely's, Inc., resides at 5435 Nicole Ct., New Berlin, WI 53151.
2. The applicant owns the existing mixed-use (tavern-residence) property at 7408 W. Walker St., West Allis, Milwaukee County, Wisconsin, more particularly described as follows:

The South 10 feet of Lot 8 and all of Lots 9 and 10, Block 3, Fairview Park Subdivision, in the Southwest One-quarter of Section 34, Township 7 North, Range 21 East

Tax Key No. 440-0030-002

Said land is located at 7408 W. Walker Street

3. The applicant is proposing to expand the existing tavern at 7408 W. Walker St. The expansion will include the infill/enclosure of approximately 400 square feet of existing front porch area that will be converted to tavern seating area. Additionally, a parking lot for about 8 vehicles will be constructed on the north side of the existing building which is currently utilized as grass/yard area.
4. The aforesaid premises is zoned C-2 Neighborhood Commercial District under the Zoning Ordinance of the City of West Allis, which permits restaurants, bars and mixed occupancies as a special use, pursuant to Sec. 12.41(2), Sec. 12.49, and Sec. 12.16 of the Revised Municipal Code.
5. The subject property is located on the northwest corner of W. Walker St. and S. 74 St. There is a tavern on the southeast corner as well. The remainder of the neighborhood is mainly developed as residential.

6. The proposed development should not adversely contribute to traffic volumes or traffic flow in the area as the site is currently used as a mixed occupancy use and a tavern. A new parking lot will be paved to the north of the existing building and will be heavily screened from the abutting residence.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of West Allis that the application of Steven W. Dunn, d/b/a Korbelly's, Inc, to build an addition to the existing tavern 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:

1. Site, Landscaping, Screening and Architectural Plans. The grant of this special use permit is subject to and conditioned upon the site, landscape, screening and architectural plans approved on June 23, 2004, 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.
2. Seating Capacity: Seating capacity shall be limited to 65 people.
3. Hours of Operation. The tavern will be open from 11:00 a.m. to 2:00 a.m. daily . The bar will be open in accordance with the closing hours mandated by state law.
4. Off-Street Parking. Off-street parking spaces for ⁸~~10~~ vehicles will be provided on site, including one ADA space. The Zoning Code requires 13 spaces. *A three foot landscaping bed will be developed on the north property line.*
5. Litter. Employees shall inspect the site and immediate vicinity and pick up litter on a daily basis.
6. Refuse Collection. Refuse collection to be provided by commercial hauler.
7. Marketing Displays. The use of pennants, special lighting, flags, streamers or other signage typically temporary in nature, hanging, floating or attached to a structure or vehicle shall not be permitted.
8. Pagers, Intercoms. The use of outdoor pagers, intercoms, or loud speakers shall not be permitted on site.
9. Monitoring. The area shall be adequately monitored by staff.
10. Window Signage. Any building window signage shall not exceed twenty (20) percent of each window's area

11. 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 Zoning and by the Fire Department.

12. Paving and Drainage. The grant of this special use is subject to a paving and drainage plan being submitted to and approved by the Department of Building Inspections and Zoning.

13. Outdoor Lighting. All outdoor lighting fixtures shall be shielded in such a manner that no light splays from the property boundaries.

14. 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.

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.

The grant of this special use shall become null and void within one year of the date thereof, unless construction is under way or the current owner possesses a valid building permit under which construction is commenced, within sixty (60) days of the date thereof and which shall not be renewed unless construction has commenced and is being diligently pursued. No extension of these time limitations will be permitted under any circumstances, including the applicant's failure to obtain other necessary building and zoning approvals.

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.

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.

Mailed to applicant on the
_____ day of _____ 2004

Assistant City Clerk

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

ZON-R-440\jmg\7-6-04

Resolution

ADOPTED

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

APPROVED

Jeannette Bell, Mayor



City of West Allis

7525 W. Greenfield Ave.
West Allis, WI 53214

Resolution

File Number: R-2004-0224

Final Action: 8/3/2004

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Mailed to applicant on the
9th day of August 2004

Marcia Schulte
Assistant City Clerk

cc: Dept. of Development

Dept. of Building Inspections and Zoning
Div. of Planning

ZON-R-440-amd\jmg\7-6-04

ADOPTED AS AMENDED 08/03/2004



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

APPROVED AS AMENDED 8-6-04



Jeannette Bell, Mayor



CITY OF WEST ALLIS

WISCONSIN



City Clerk/Treasurer Office

Paul M. Ziehler
*City Administrative Officer
Clerk/Treasurer*

Dorothy E. Steinke
Deputy City Treasurer

Monica Schultz
Assistant City Clerk

August 9, 2004

Steven W. Dunn
d/b/a Korbely's, Inc.
5435 Nicole Ct.
New Berlin, WI 53151

Dear Mr. Dunn:

On August 3, 2004 the Common Council adopted the resolution relative to determination of Special Use Application submitted by Steven W. Dunn on behalf of Korbely's Inc., for expansion to the existing tavern located at 7408 W. Walker St.

A copy of Resolution No. R-2004-0224 is enclosed.

Sincerely,

Monica Schultz
Assistant City Clerk

/dm
enc.

cc: John Stibal
Ted Atkinson
Steve Schaer
Barb Burkee