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City of West Allis

Matter Summary

7525 W. Greenfield Ave.
West Allis, WI 53214

File Number	Title	Status
R-2004-0267	Resolution	In Committee
Resolution relative to determination of Special Use Application for proposed addition to Hometown Gas Station located at 7202 W. Lincoln Ave., submitted by Suhas Pawar, Architect.		
Introduced: 09/07/2004		Controlling Body: Safety & Development Committee

COMMITTEE RECOMMENDATION

ADOPT

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
9/7/04			Barczak	✓			
			Czaplewski				
			Dobrowski				
			Kopplin				
			Lajsic	✓			
			Narlock				
			Reinke	✓			
			Sengstock				
	✓		Vitale	✓			
		✓	Weigel	✓			
			TOTAL	5	0		

SIGNATURE OF COMMITTEE MEMBER

Chair

Vice-Chair

Member

COMMON COUNCIL ACTION

ADOPT

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
SEP 07 2004		✓	Barczak	✓			
			Czaplewski	✓			
			Dobrowski	✓			
			Kopplin	✓			
	✓		Lajsic	✓			
			Narlock	✓			
			Reinke	✓			
			Sengstock	✓			
			Vitale	✓			
			Weigel	✓			
			TOTAL	10	—		

**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

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Kurt E. Kopplin
Vincent Vitale
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Chair: Thomas G. Lajsic
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Linda A. Dobrowski
Vincent Vitale
Martin J. Weigel



City of West Allis

Resolution

7525 W. Greenfield Ave.
West Allis, WI 53214

File Number: R-2004-0267

Final Action:

SEP 07 2004

Resolution relative to determination of Special Use Application for proposed addition to Hometown Gas Station located at 7202 W. Lincoln Ave., submitted by Suhas Pawar, Architect.

WHEREAS, Suhas Pawar, architect and agent for Sajid Bashir of Choudry Petroleum, Inc., duly filed with the City Administrative Officer, Clerk/Treasurer an application for a Special Use Permit, pursuant to Sec. 12.41(2) and Sec. 12.16 of the Revised Municipal Code, for proposed addition to Hometown Gas Station at 7202 W. Lincoln Ave.; and,

WHEREAS, after due notice, a public hearing was held by the Common Council on September 7, 2004, at 7:00 p.m., 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, Choudry Petroleum, Inc., has offices located at 4401 S. 13 Street, Milwaukee, WI 53221.
2. The applicant owns said premises located at 7202 W. Lincoln Ave., West Allis, Milwaukee County, Wisconsin, more particularly described as follows:

All the land of the owner being located in the Southwest $\frac{1}{4}$ of Section 3, Township 6 North, Range 21 East, in the City of West Allis, Milwaukee County, State of Wisconsin, described as follows:

Lots 15, 16, 17, and East 15.00 feet of Lot 18, all being part of Agnew's Highland Acres Subdivision, Block 12.

Tax Key No. 476-0563-001

Said Property being located at 7202 W. Lincoln Ave.

3. The applicant is proposing to expand the existing gas station and convenience store and construct a new gas station with convenience store. The expansion of the existing use requires a special use permit.
4. The aforesaid premises is zoned C-2 Neighborhood Commercial District under the Zoning Ordinance of the City of West Allis, which permits gas stations and convenience stores, pursuant to Sec. 12.41(2) of the Revised Municipal Code.
5. The subject property is located on the northwest corner of W. Lincoln Ave. and S. 72 St.

Properties to the north are developed as residential uses, properties to the south, east and west are developed as commercial and residential uses.

6. The use, value and enjoyment of other property in the surrounding area for permitted uses will not be substantially impaired or diminished by the establishment, maintenance or operation of the special use.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of West Allis that the application submitted by Suhas Pawar, architect and agent for Sajid Bashir of Choudry Petroleum, Inc., owner, be and 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 and Sec. 12.41(2) 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, Signage and Architectural Plans.** The grant of this special use permit is subject to and conditioned upon the approval of site, landscape, and architectural plans approved July 28, 2004, by the City of West Allis Plan Commission. No alteration or modification of the approved plan shall be permitted without approval by the West Allis Plan Commission.

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 Zoning and by the Fire Department.

3. **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.

4. **Parking.** A total of eight (8) parking stalls, including one (1) ADA stall, are required per the Zoning Code. Eight (8) parking stalls will be provided on site including one (1) ADA stall.

5. **Hours of Operation.** Hours of operation for the gas station and convenience store shall be 24 hours per day, 7 days per week.

6. **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.

7. **Outdoor Lighting.** All outdoor lighting fixtures and canopy fixtures shall be shielded in such a manner that light rays emitted by the fixture, either directly from the lamp or indirectly from the fixture, so that no light splays from the property boundaries. Canopy lighting shall be recessed within the canopy structure to limit light splay.

8. **Outdoor Storage and Display.** No outdoor storage, sales, or display of merchandise shall be

permitted on site unless enclosed within a four-sided masonry enclosure to match the building.

9. 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, abutting sidewalk.

10. Window Signage. Window signage shall not exceed 20% of the window area.

11. Gas Station Operations. Intercoms, pagers and audio voice-guided menu systems are not permitted at point of sale areas.

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 special 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 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
13th day of September, 2004
Monica Schulte
Assistant City Clerk

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

ZON-R-453\bjb\9-7-04

ADOPTED

September 7, 2004

Paul M. Ziehler

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

APPROVED

September 10, 2004

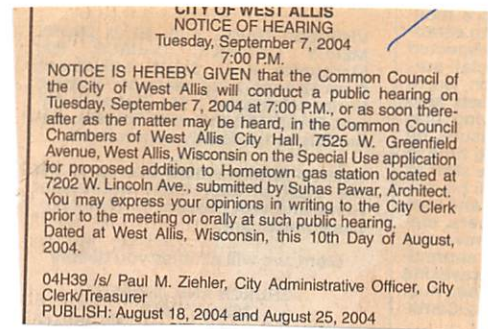
Jeannette Bell

Jeannette Bell, Mayor

1540823

AFFIDAVIT OF PUBLICATION

West Allis City Of Legal
Attn: Clerks Office
7525 W Greenfield Ave
West Allis, WI 53214




Patti Guerrero hereby states that she is authorized by Journal Sentinel Inc. to certify on behalf of Journal Sentinel Inc., publisher of the Milwaukee Journal Sentinel and The Sunday Journal Sentinel, public newspapers of general circulation, printed and published in the city and county of Milwaukee; that a notice of which the printed one hereto attached is a true copy, was published in the Daily Edition on the eighteenth, of August 2004. That the Milwaukee Journal Sentinel and The Sunday Journal Sentinel are newspapers printed in the English language and that said printed copy was taken from said printed newspaper(s).



Patti Guerrero

State of Wisconsin)
) SS:
County of Milwaukee)

Subscribed and sworn before me this 18 day
of Aug, 2004.



Notary Public State of Wisconsin
My Commission Expires 1-16-05



