



# City of West Allis

## Matter Summary

7525 W. Greenfield Ave.  
West Allis, WI 53214

File Number	Title	Status
R-2004-0067	Resolution	In Committee
Resolution relative to determination of Special Use Application submitted by Matt Rupena, d/b/a Rupena's Cafe, to establish a restaurant within the Summit Place Office Building located at 6737 W. Washington St.		
Introduced: 2/18/2004		Controlling Body: Safety & Development Committee

### COMMITTEE RECOMMENDATION

ADOPT

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<u>2/18/04</u>			Barczak				
			Czaplewski	✓			
			Kopplin				
			Lajsic	✓			
			Narlock	✓			
	✓	✓	Reinke	✓			
			Sengstock				
			Trudell				
			Vitale				
	✓	✓	Weigel	✓			
			TOTAL	5	-		

### SIGNATURE OF COMMITTEE MEMBER (RECORDER)

[Signature]

Chair

Vice-Chair

Member

### COMMON COUNCIL ACTION

**ADOPT**

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<u>FEB 18 2004</u>		✓	Barczak	✓			
			Czaplewski	✓			
			Kopplin	✓			
	✓		Lajsic	✓			
			Narlock	✓			
			Reinke	✓			
			Sengstock	✓			
			Trudell	✓			
			Vitale	✓			
			Weigel	✓			
			TOTAL	10	-		



Steve S.  
Dev.

## COMMITTEES OF THE WEST ALLIS COMMON COUNCIL 2003

### ADMINISTRATION AND FINANCE

Chair: Alderperson Czaplewski  
V.C.: Alderperson Kopplin  
Alderpersons: Barczak  
Lajsic  
Reinke

### ADVISORY

Chair: Alderperson Reinke  
V.C.: Alderperson Vitale  
Alderpersons: Kopplin  
Lajsic  
Narlock

### LICENSE AND HEALTH

Chair: Alderperson Barczak  
V.C.: Alderperson Sengstock  
Alderpersons: Kopplin  
Trudell  
Vitale

### SAFETY AND DEVELOPMENT

Chair: Alderperson Lajsic  
V.C.: Alderperson Weigel  
Alderpersons: Czaplewski  
Narlock  
Reinke

### PUBLIC WORKS

Chair: Alderperson Narlock  
V.C.: Alderperson Trudell  
Alderpersons: Sengstock  
Weigel  
Vitale



# City of West Allis

## Resolution

7525 W. Greenfield Ave.  
West Allis, WI 53214

**File Number: R-2004-0067**

**Final Action:**

**FEB 18 2004**

Resolution relative to determination of Special Use Application submitted by Matt Rupena, d/b/a Rupena's Cafe, to establish a restaurant within the Summit Place Office Building located at 6737 W. Washington St.

WHEREAS, Matt Rupena, d/b/a Rupena's Cafe, duly filed with the City Administrative Officer-Clerk/Treasurer an application for a special use permit, pursuant to Sec. 12.45(2) and Sec. 12.16 of the Revised Municipal Code, to establish a restaurant within Summit Place Office Building and,

WHEREAS, after due notice, a public hearing was held by the Common Council on February 18, 2004, at 7:00 p.m., in the Common Council Chamber 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, Matt Rupena, d/b/a Rupena's Cafe, has an office at 7641 W. Beloit Rd., West Allis, WI 53219.
2. The applicant has a valid offer to lease space at 6737 W. Washington St., West Allis, Milwaukee County, Wisconsin, more particularly described as follows:

All that land of the owner being located in the Southeast  $\frac{1}{4}$  and Southwest  $\frac{1}{4}$  of Section 34, Township 7 North, Range 21 East, City of West Allis, Milwaukee County, State of Wisconsin describes as follows:

Parcel 1 of the Certified Survey Map No. 7256.

Said land being located at 6737 W. Washington St.

Tax Key No. 439-0001-031

3. The aforesaid premises is zoned M-1 Manufacturing District under the Zoning Ordinance of the City of West Allis, which permits restaurants as a special use, pursuant to Sec. 12.45(2) and Sec. 12.16 of the Revised Municipal Code.

4. The subject property is part of a block adjacent to S. 70 St. and perpendicular to W. Washington St., which is zoned for commercial and manufacturing purposes. Properties to the north, west, and east are developed as manufacturing; properties to the south are developed for commercial and manufacturing.

5. The proposed development should not adversely contribute to traffic volumes or traffic flow in the area.

6. The applicant proposes to establish a restaurant with seating, to be constructed over two phases: Phase 1 will consist of 1,207 square feet and Phase 2 will consist of 1,184 square footage.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of West Allis that the application of Matt Rupena, d/b/a Rupena's Cafe, to establish a restaurant within Summit Place Office Building 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, Signage and Architectural Plans.** The grant of this special use permit is subject to and conditioned upon the site, landscape, screening, signage and architectural plans approved on January 28, 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. **Hours of Operation.** The hours of operation will be 4:00 a.m. to 12:00 p.m. (midnight). seven days a week.
3. **Off-Street Parking.** Sixteen parking stalls are required for Phase 1 and Phase 2 of the proposed restaurant and a total of 768 are provided by the Whitnall Summit master parking plan.
4. **Signage.** The grant of this special use is subject to all signage and lighting plans being submitted to the Plan Commission for approval within one year.
5. **Litter.** Employees shall inspect the area and immediate vicinity and pick up litter on a daily basis. Refuse, recyclables, grease and other waste materials will be fully enclosed within an approved structure.
6. **Window Signage.** Any building window signage shall not exceed twenty (20) percent of each window's area. Any existing signage on site shall be removed.
7. **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.
8. **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.



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  
24<sup>th</sup> day of February, 2004

Monica Schulte  
Assistant City Clerk

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

ZON-R-414\jmg\2-18-04

ADOPTED February 18 2004  
Paul M. Ziehler  
Paul M. Ziehler, City Admin. Officer, Clerk/Treas.

APPROVED February 23 2004  
Jeannette Bell  
Jeannette Bell, Mayor



# CITY OF WEST ALLIS

WISCONSIN



City Clerk/Treasurer Office

February 24, 2004

Matthew S. Rupena  
db/a Rupena's Summit Cafe  
7641 W. Beloit Rd.  
West Allis, WI 53214

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

**Dorothy E. Steinke**  
*Deputy City Treasurer*

**Monica Schultz**  
*Assistant City Clerk*

Dear Mr. Rupena:

On February 18, 2004 the Common Council approved your Special Use Application to establish a restaurant within the Summit Place Office Building located at 6737 W. Washington St.

A copy of Resolution No. R-2004-0067 is enclosed.

Sincerely,

Monica Schultz  
Assistant City Clerk

/dm  
enc.

cc: John Stibal  
Ted Atkinson  
Steve Schaer  
Barb Burkee  
Jason Williams  
Shaun Mueller