

70.

89.



# City of West Allis Matter Summary

7525 W. Greenfield Ave.  
West Allis, WI 53214

File Number	Title	Status
2007-0020	Special Use Permit	In Committee
Special Use Permit Application for proposed martial art school to be located within a mixed use building located at 9108 W. National Ave. (478-0281-000)		
Introduced: 1/16/2007		Controlling Body: Safety & Development Committee <b>Plan Commission</b>

### COMMITTEE RECOMMENDATION

*File*

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<u>2/6/07</u>			Barczak	✓			
			Czaplewski				
			Dobrowski				
			Kopplin				
			Lajsic	✓			
			Narlock				
		✓	Reinke	✓			
			Sengstock				
	✓		Vitale	✓			
			Weigel	✓			
			TOTAL	<u>5</u>	<u>0</u>		

### SIGNATURE OF COMMITTEE MEMBER

Chair

Vice-Chair

Member

### COMMON COUNCIL ACTION

**PLACE ON FILE**

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<u>FEB 06 2007</u>		✓	Barczak	✓			
			Czaplewski	✓			
			Dobrowski				✓
			Kopplin	✓			
	✓		Lajsic	✓			
			Narlock	✓			
			Reinke	✓			
			Sengstock	✓			
			Vitale	✓			
			Weigel	✓			
			TOTAL	<u>9</u>	<u>0</u>		<u>1</u>

**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

# Planning Application Form

City of West Allis ■ 7525 West Greenfield Avenue, West Allis, Wisconsin 53214  
414/302-8460 ■ 414/302-8401 (Fax) ■ <http://www.ci.west-allis.wi.us>

**Applicant or Agent for Applicant**

**Agent is Representing (Owner/Leasee)**

Name Angelo J. Fati Jr. of Wisconsin  
Company Traditional Wing Chun Academy, LLC  
Address 9108 W. National Ave  
City West Allis State WI Zip 53214  
Daytime Phone Number 414-405-0776  
E-mail Address Sifu@WisconsinWingChun.com  
Fax Number —

Name David Schneider  
Company DAS Real Estate  
Address P.O. Box 13873  
City Wauwatosa State WI Zip 53213  
Daytime Phone Number 414-364-3831  
E-mail Address —  
Fax Number —

Project Name/New Company Name (If applicable) \_\_\_\_\_

Traditional Wing Chun Academy of Wisconsin, LLC

Agent Address will be used for all official correspondence.

### Property Information

Property Address 9108 W. National Ave  
Tax Key Number \_\_\_\_\_  
Current Zoning \_\_\_\_\_  
Property Owner David Schneider (DAS Real Estate)  
Property Owner's Address 5105 W. National Ave  
West Milwaukee, WI 53214  
Existing Use of Property Rental  
Structure Size \_\_\_\_\_ Addition \_\_\_\_\_  
Construction Cost Estimate: Hard \_\_\_\_\_ Soft \_\_\_\_\_ Total \_\_\_\_\_  
Landscaping Cost Estimate \_\_\_\_\_  
Total Project Cost Estimate: \_\_\_\_\_  
Previous Occupant Phat Beat Records

### Application Type and Fee

(Check all that apply)

- Request for Rezoning: \$500.00 (Public Hearing required)  
Existing Zoning: \_\_\_\_\_ Proposed Zoning: \_\_\_\_\_
- Request for Ordinance Amendment \$500.00
- Special Use: \$500.00 (Public Hearing required)
- Transitional Use \$500.00 (Public Hearing Required)
- Level 1 Site, Landscaping, Architectural Plan Review \$100.00
- Level 2 Site, Landscaping, Architectural Plan Review \$250.00
- Level 3 Site, Landscaping, Architectural Plan Review \$500.00
- Site, Landscaping, Architectural Plan Amendments \$100.00
- Extension of Time: \$250.00
- Certified Survey Map: \$500.00 + \$30.00 County Treasurer
- Planned Development District \$1500.00 (Public Hearing required)
- Subdivision Plats: \$1500.00 + \$100.00 County Treasurer + \$25.00 for reapproval
- Signage Plan Review \$100.00
- Street or Alley Vacation/Dedication: \$500.00
- Signage Plan Appeal: \$100.00

## Attach detailed description of proposal.

In order to be placed on the Plan Commission agenda, the Department of Development must receive a completed application, appropriate fees, a project description, 6 sets of scaled, folded and stapled plans (24" x 36") and 1 electronic copy (PDF format) of the plans by the first Friday of the month.

Attached Plans Include: (Application is incomplete without required plans, see handout for requirements)

- Site Plan
- Floor Plans
- Elevations
- Signage Plan
- Legal Description
- Certified Survey Map
- Landscaping/Screening Plan
- Grading Plan
- Utility System Plan
- Other \_\_\_\_\_

Applicant or Agent Signature Angelo Fati

Date: 12/29/06

Subscribed and sworn to me this 29<sup>th</sup> day of December, 20 06

Notary Public: Darlyn M. Adams

My Commission: 1/10/24/10

Please make checks payable to:  
City Of West Allis

**Please do not write in this box**

Application Accepted and Authorized by: \_\_\_\_\_

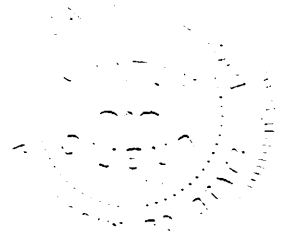
Date: \_\_\_\_\_

Meeting Date: \_\_\_\_\_

Total Fee: \_\_\_\_\_

Oper: GNRCDLV  
Type: OC Drawer: 1  
Date: 1/05/07 01 Receipt no: 113904  
GM CLR LVL 1 SITE-A 1 \$100.00  
GM CLR SPECIAL USE 1 \$500.00  
CA CASH PAYMENT \$600.00  
Total tendered \$600.00  
Total payment \$600.00

Trans date: 12/29/06 Time: 16:29:15





# City of West Allis

7525 W. Greenfield Ave.  
West Allis, WI 53214

## Resolution

**File Number: R-2007-0058**

**Final Action:**

**Sponsor(s):** Safety & Development Committee

**FEB 06 2007**

Resolution relative to determination of Special Use Permit Application for proposed martial arts school to be located within a mixed use building located at 9106-10 W. National Ave. (Tax Key No. 478-0281-000)

WHEREAS, Angelo Foti, Jr. d/b/a Traditional Wing Chun Academy of Wisconsin, LLC 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, to establish a martial arts training school facility within a portion of the existing mixed use building located at 9106-10 W. National Ave.; and,

WHEREAS, after due notice, a public hearing was held by the Common Council on February 6, 2007, 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, Angelo Foti, Jr. d/b/a Traditional Wing Chun Academy of Wisconsin, LLC, resides at 5105 W. National Ave., West Milwaukee WI, 53214.

2. The applicant has a valid offer to lease the the commercial portion of floor space at 9108 W. National 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 34, Township 7 North, Range 21 East, City of West Allis, Milwaukee County, State of Wisconsin, describes as follows:

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

Lot 5 and east 15 feet of Lot 6 in Block 9 in the McGeoch's Woodlawn Addition.

Tax Key No. 478-0281-000440-0231-000

Said land being located at 9106-10 W. National Ave.

3. The applicant is proposing to occupy approximately 1,200 sq. ft. of the commercial portion of the building with a martial arts school.

Ordinance of the City of West Allis, which permits martial arts schools as a special use, pursuant to Sec. 12.41(2) and Sec. 12.16 of the Revised Municipal Code.

5. The subject property is located along the north side of W. National Ave. between S. 91 St. and S. 92 St. Properties to the north, south, east and west are developed as commercial and mixed-use.
6. The use, value and enjoyment of other property in the surrounding area 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 of Angelo Foti, Jr. d/b/a Traditional Wing Chun Academy of Wisconsin, LLC, to establish a martial arts school 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, and screening plans approved by the City of West Allis Plan Commission on January 24, 2007, 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. A signage plan approved by the Department of Development is also required.
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. **Off-Street Parking.** Parking for nine (9) vehicles is required as follows: four (4) stalls required for the commercial/martial arts use and five (5) spaces required for the residential uses. Off-street parking for eight (8) vehicles, including one (1) ADA stall will be provided on site.
4. **Hours of Operation.** The martial arts school will be open Monday through Friday 9:00 a.m. to 9:00 p.m. and Saturday 9:00 a.m. to 4:00 p.m.
5. **Class Size.** Maximum class size at any one time will be 10 students.
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 Paging Speakers.** Outdoor pagers or speakers shall not be permitted on site.

8. Window Signage. Any building window signage shall not exceed twenty (20) percent of each window's area.
9. Sidewalk Repair: The grant of this special use is subject to compliance with Section 2814 of the City's Policy and Procedures Manual relative to that policy as it relates to the replacement and repair to City walkways of damaged or defective (if any) abutting sidewalk.
10. Expiration of Special Use Permit. Any special use approved by the Common Council shall lapse and become null and void one (1) year from and after that approval if the use has not commenced, construction is not underway, or the owner has not obtained a valid building permit. An extension of these time limitations may be granted without a public hearing by the Common Council by resolution reauthorizing the special use in accordance with the following criteria:
  - A. The applicant requesting the extension shall complete a planning application available from the Department of Development and shall submit a \$250.00 extension fee.
  - B. A written explanation for the extension of time shall accompany the planning application along with a timeline/schedule for obtaining necessary permits, zoning, state and municipal approvals and a target date for construction start;
  - C. The request for extension shall be submitted within sixty (60) days of the expiration of the special use permit;
  - D. The extension, if granted, shall be valid for a period of six (6) months. If no building permit has been issued and construction has not commenced within six (6) months from and after the extension has been granted, the special use shall become null and void.
11. Miscellaneous.
  - A. 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.
    - B. 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.
    - C. 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  
12<sup>th</sup> day of February, 2007

Monica Schultz  
Assistant City Clerk

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

ZON-R-597\2-6-07\dlm

ADOPTED FEB 06 2007  
Paul M. Ziebler  
Paul M. Ziebler, City Admin. Officer, Clerk/Treas.

APPROVED February 8, 2007  
Jeannette Bell  
Jeannette Bell, Mayor





7525 West Greenfield Avenue  
West Allis, Wisconsin 53214-4688



**CITY CLERK/TREASURER OFFICE**

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

**Rosemary West**  
*Treasurer's Office Supervisor  
Senior Accountant*

**Monica Schultz**  
*Assistant City Clerk*

414/302-8200  
414/302-8207 (Fax)

City Hall  
7525 West Greenfield Avenue  
West Allis, Wisconsin 53214

[www.ci.west-allis.wi.us](http://www.ci.west-allis.wi.us)

February 12, 2007

DAS Real Estate  
David Schneider  
PO Box 13873  
Wauwatosa, WI 53213

Dear Mr. Schneider:

On February 6, 2007 the Common Council approved a Resolution relative to determination of Special Use Permit Application for proposed martial arts school to be located within a mixed use building located at 9106-10 W. National Ave.

A copy of Resolution No. R-2007-0058 is enclosed.

Sincerely,

A handwritten signature in cursive script that reads "Monica Schultz".

Monica Schultz  
Assistant City Clerk

/amn  
enc.

cc: John Stibal  
Ted Atkinson  
Steve Schaer  
Barb Burkee  
Angelo J. Foti, Jr.