



City of West Allis

Matter Summary

7525 W. Greenfield Ave.
West Allis, WI 53214

File Number	Title	Status
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R-2003-0103

Resolution

In Committee

Resolution relative to determination of Special Use Application submitted by Wireless Facilities, Inc. on behalf of Cingular Wireless to install telecommunication antennas and equipment to an existing building located at 10201 W. Lincoln Ave.

Introduced: 03/04/2003

Controlling Body: Safety & Development Committee

COMMITTEE RECOMMENDATION

APPROVE & ADOPT SUBJECT TO REC. OF PLANS BY DOD

MOVER: CZAPLEWSKI

AYES 4 NOES 0

SECONDER: KOPPLIN

EXCUSED NARLOCK

COMMITTEE ACTION DATE 3/4/03

SIGNATURES OF COMMITTEE MEMBERS

[Signature]
Chair

Vice-Chair

COMMON COUNCIL ACTION

adopted subject to receipt & approval of plans by Dept. of Development.

FINAL ACTION DATE 3-4-03

MOVER:
Lajszic

SECONDER:
Reinke

	AYE	NO
1. Barczak	<u>✓</u>	_____
2. Czaplewski	<u>✓</u>	_____
3. Kopplin	<u>✓</u>	_____
4. Lajszic	<u>✓</u>	_____
5. Murphy	<u>✓</u>	_____
6. Narlock	<u>ex</u>	_____
7. Reinke	<u>✓</u>	_____
8. Sengstock	<u>✓</u>	_____
9. Trudell	<u>✓</u>	_____
10. Vitale	<u>✓</u>	_____

TOTAL 8



City of West Allis

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Resolution

File Number: R-2003-0103

Final Action:

Resolution relative to determination of Special Use Application submitted by Wireless Facilities, Inc. on behalf of Cingular Wireless to install telecommunication antennas and equipment to an existing building located at 10201 W. Lincoln Ave.

WHEREAS, Wireless Facilities, Inc., on behalf of Cingular Wireless, duly filed with the City Clerk/Treasurer an application for a Special Use Permit, pursuant to Sec. 12.16 and 12.43(2) of the Revised Municipal Code for a wireless communication installation on an existing building at 10201 W. Lincoln Ave.; and,

WHEREAS, after due notice, a public hearing was held by the Common Council on March 4, 2003, 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, Wireless Facilities, Inc., on behalf of Cingular Wireless, has offices at 207 E. Buffalo St., Suite 610, Milwaukee, WI 53045.
2. The applicant has a lease pending with the owner of the building located at 10201 W. Lincoln Ave., more particularly described as follows:

A tract of land being located in the Northwest $\frac{1}{4}$ of Section 8, Township 6 North, Range 21 East, City of West Allis, Milwaukee County, Wisconsin, described as follows:

Commencing at the Northeast corner of said Northwest $\frac{1}{4}$; thence South $88^{\circ}27'05''$ West along north line of said Northwest $\frac{1}{4}$, 497.00 feet; thence South $1^{\circ}32'55''$ East, 55.00 feet to the Point of Beginning ; thence South $00^{\circ}43'27''$ East, 325.00 feet; thence South $88^{\circ}27'04''$ West, 429.01 feet to the east line of 102nd Street and point on curve concave to the left , said curve having radius of 445.00 feet, chord length 33.81 feet and chord bearing North $01^{\circ}21'04''$ East; thence Northeasterly 33.82 along the arc of said curve and east line of 102nd Street; thence North $00^{\circ}45'59''$ West, 281.22 feet; thence North $43^{\circ}50'39''$ East, 14.25 feet to the south line of West Lincoln Avenue; thence North $88^{\circ}27'04''$ East, 418.00 feet along said south line to the Point of Beginning.

Tax Key Number: 485-9996-007

Said land being located at 10201 W. Lincoln Ave. (Wehr Building)

3. The applicant is proposing to install telecommunication equipment to the building. The antennas shall be screened behind a stealth screen feature. The equipment room will be located within the building.

4. The Property is zoned C-4 Regional Commercial District under the Zoning Ordinance, which permits co-location of telecommunication equipment as a special use, pursuant to Section 12.16, and 12.43(2) of the Revised Municipal Code. The property is also located within the West Allis Office and Research Park which is governed by subdivision restrictions, Document 4480137, recorded August 7, 1969.
5. The abutting properties on the south and west are developed as commercial. Properties to the north are developed for commercial and residential and property to the east is an expressway (I-894).
6. The proposed development will not generate a significant amount of traffic
7. 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 as it complies with zoning and the subdivision restrictions. Furthermore, the antenna applications will be screened from view behind flush-mounted stealth screens.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of West Allis that the application of Wireless Facilities, Inc., on behalf of Cingular Wireless, 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 Sec. 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 and Architectural. The grant of this Special Use Permit is subject to and conditioned upon a screening and landscaping plan and architectural elevation plans approved on February 26, 2003, by the 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 West Allis Plan Commission.
2. Building Plans and Fire Codes. The grant of this Special Use Permit is subject to building plans being submitted to and approved by the Department of Building Inspection and Zoning and the West Allis Fire Department.
3. Antenna Screening. The proposed antennas shall be flush mounted to the structure and be screened from view behind a stealth screen architectural feature.
4. Color. The antennas/stealth screening to be painted to match/blend with the existing color of the existing structure.
5. Equipment Removal. Telecommunication equipment shall be removed from the property if the equipment becomes unusable, outdated, or if the lease expires.

Applicant is advised that the foregoing conditions are reasonably necessary to protect the public interest and 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/or 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
7th day of Mar., 2003

Dorothy E. Steinke
Deputy City Clerk/Treasurer

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

ZON-R-370\3-4-03\jmg

ADOPTED 3/4/03

Dorothy E. Steinke
Dorothy E. Steinke
Deputy City Clerk/Treasurer

APPROVED March 6, 2003

Jeannette Bell
Jeannette Bell, Mayor