

# Planning Application



Project Name Rezoning of Parcels Near 91st and Maple

## Applicant or Agent for Applicant

Name Debby Tomczyk  
 Company Reinhart Boerner Van Deuren  
 Address 1000 N Water Street, Suite 1700  
 City Milwaukee State WI Zip 53202  
 Daytime Phone Number 414-298-8331  
 E-mail Address dtomczyk@reinhartlaw.com  
 Fax Number \_\_\_\_\_

## Agent is Representing (Tenant/Owner)

Name Timothy Oleszczuk  
 Company T&G Properties, L.L.C.  
 Address PO Box 1085  
 City Brookfield State WI Zip 53008  
 Daytime Phone Number 414-375-2660  
 E-mail Address timo@tkomiller.com  
 Fax Number \_\_\_\_\_

## Property Information

Property Address See Exhibit A  
 Tax Key No. See Exhibit A  
 Aldermanic District 3  
 Current Zoning RB-2  
 Property Owner T&G Properties, L.L.C.  
 Property Owner's Address PO Box 1085  
Brookfield, WI 53008  
 Existing Use of Property Residential  
 Previous Occupant \_\_\_\_\_  
 Total Project Cost Estimate \_\_\_\_\_

## Application Type and Fee

(Check all that apply)

- Special Use: (Public Hearing Required) \$500
- Level 1: Site, Landscaping, Architectural Plan Review \$100  
(Project Cost \$0-\$1,999)
- Level 2: Site, Landscaping, Architectural Plan Review \$250  
(Project Cost \$2,000-\$4,999)
- Level 3: Site, Landscaping, Architectural Plan Review \$500  
(Project Cost \$5,000+)
- Site, Landscaping, Architectural Plan Amendment \$100
- Extension of Time \$250
- Signage Plan Appeal \$100
- Request for Rezoning \$500 (Public Hearing Required)  
Existing Zoning: RB-2 Proposed Zoning: M-1
- Request for Ordinance Amendment \$500
- Planned Development District \$1,500  
(Public Hearing Required)
- Subdivision Plats \$1,700
- Certified Survey Map \$725
- Certified Survey Map Re-approval \$75
- Street or Alley Vacation/Dedication \$500
- Transitional Use \$500 (Public Hearing Required)
- Formal Zoning Verification \$200

In order to be placed on the Plan Commission agenda, the Department of Development **MUST** receive the following by the last Friday of the month, prior to the month of the Plan Commission meeting.

- Completed Application
- Corresponding Fees
- Project Description
- One (1) set of plans (24" x 36") - check all that apply
  - Site/Landscaping/Screening Plan
  - Floor Plans
  - Elevations
  - Certified Survey Map
  - Other
- One (1) electronic copy of plans
- Total Project Cost Estimate

Please make checks payable to:  
 City of West Allis

### FOR OFFICE USE ONLY

Plan Commission \_\_\_\_\_  
 Common Council Introduction \_\_\_\_\_  
 Common Council Public Hearing \_\_\_\_\_

Applicant or Agent Signature [Signature] Date 5/23/18

Property Owner Signature [Signature] Date 5-23-18





Reinhart Boerner Van Deuren s.c.  
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May 23, 2018

Alexandria Neal  
Direct Dial: 414-298-8352  
aneal@reinhartlaw.com

Mr. Steven Schaer  
City Planning & Zoning  
7525 W Greenfield Avenue, Room 220  
West Allis, Wisconsin 53214

Dear Mr. Schaer:

Re: 91<sup>st</sup> and Maple, LLC Planning  
Application

This firm represents 91<sup>st</sup> and Maple, LLC, whose sole member is Chr Hansen, Inc. ("Chr Hansen"), and is assisting them with obtaining the required approvals to rezone parcels of land near 91<sup>st</sup> and Maple. Chr Hansen operates its US headquarters on adjacent land and is seeking to control its perimeter by purchasing eleven parcels of improved land owned by T&G Properties, LLC.

Enclosed please find the following in connection with this Planning Application:

1. Planning Application
2. Exhibit A to Planning Application
3. Project Description
4. \$500 Application Fee

We look forward to working with the City of West Allis staff as proceed to Plan Commission. If you have any questions or concerns regarding this application, please do not hesitate to reach out.

Regards,

A handwritten signature in black ink that reads "Alex Neal". The signature is written in a cursive, flowing style.

Alexandria Neal

39674475

Enc.

EXHIBIT A TO PLANNING APPLICATION

**Parcel A:**

A part of Lots One (1) and Two (2) in Block Five (5) in CONRAD'S WEST ALLIS GARDENS, being a part of the Northwest One-quarter (1/4) of Section Four (4), in Township Six (6) North, Range Twenty-one (21) East, in the City of West Allis, County of Milwaukee, State of Wisconsin, bounded and described as follows: Commencing at the Southeast corner of Lot 2, Block 5 of said Conrad's West Allis Gardens, and running thence North 81°41' West along the North line of West Mitchell Street 89.78 feet to an angle point; thence North 85°55' West along the North line of West Mitchell Street 55.60 feet to a point in the South line of the Wisconsin Electric Power Company's right-of-way; thence Northeasterly along the South line of said right-of-way 166.38 feet on the arc of a curve having a radius of 1417 feet to the South; the chord bearing North 60°14' East, 166.30 feet to a point in the West line of South 91st Street; thence South along the West line of South 91st Street, 66.60 feet to the plat of beginning.

TOGETHER with that part of vacated West Mitchell Street in said subdivision, abutting between South 91st and the Electric Power Company right of way extended.

Tax Key No. 451-0395-001

Address: 9106 W. Mitchell Street

**Parcel B:**

Parcel B of CERTIFIED SURVEY MAP NO. 1064; being a part of the Northwest One-quarter (1/4) of Section Four (4), Township Six (6) North, Range Twenty-one (21) East, in the City of West Allis, County of Milwaukee, State of Wisconsin and recorded in the Office of the Register of Deeds for Milwaukee County on June 19, 1969 in Reel 484, Images 1723 to 1725, inclusive, as Document No. 4470381.

Tax Key No. 451-0393-005

Address: 9032 W. Mitchell Street

**Parcel C:**

The North Eighty-three and Fifty hundredths (83.50) feet of Lots One (1) and Two (2) and the East Nine

(9) feet of the North Eighty-three and Fifty hundredths (83.50) feet of Lot Three (3), in Block Six (6), in CONRAD'S WEST ALLIS GARDENS, being a subdivision of a part of the Northwest One-quarter (1/4) of Section Four (4), in Township Six (6) North, Range Twenty (21) East, in the City of West Allis, County of Milwaukee, State of Wisconsin.

Tax Key No. 451-0396-001

Address: 8905 W. Mitchell Street

**Parcel D:**

The North Eighty-three and Fifty hundredths (83.50) feet of Lot Three (3), excepting the East Nine (9) feet thereof, and the North Eighty-three and Fifty hundredths (83.50) feet of Lots Four (4) and Five (5) in Block Six (6) in CONRAD'S WEST ALLIS GARDENS, being a subdivision of a part of the Northwest One-quarter (1/4) of Section Four (4), in Township Six (6) North, Range Twenty (21) East, in the City of West Allis, County of Milwaukee, State of Wisconsin.

Tax Key No. 451-0400-001

Address: 8917 W. Mitchell Street

**Parcel E:**

The East One Hundred Five (105) feet of Lot Nine (9), excepting the North One and Forty Hundredths (1.40) feet thereof, and the East One Hundred Five (105) feet of Lot Ten (10) in Block Six (6) in CONRAD'S WEST ALLIS GARDENS, being a subdivision of a part of the Northwest One-quarter (1/4) of Section Four (4), in Township Six (6) North, Range Twenty (21) East, in the City of West Allis, County of Milwaukee, State of Wisconsin.

Tax Key No. 451-0403-002

Address: 1717 S. 89th Street

**Parcel F:**

Lots One (1), Two (2), Three (3), Four (4) and Five (5), excepting the North Eighty-three and Fifty hundredths (83.50) feet thereof, also the East One Hundred Five (105) feet of Lot Eight (8) and the East One Hundred Five (105) feet of the North One and Forty Hundredths (1.40) feet of Lot Nine (9) in Block Six (6) in CONRAD'S WEST ALLIS GARDENS, being a subdivision of

a part of the Northwest One- quarter (1/4) of Section Four (4), in Township Six (6) North, Range Twenty (21) East, in the City of West Allis, County of Milwaukee, State of Wisconsin.

Tax Key No. 451-0403-003

Address: 1721 S. 89th Street

**Parcel G:**

Lot Twelve (12) in Block Six (6) in CONRAD'S WEST ALLIS GARDENS, being a subdivision of a part of the Northwest One-quarter (1/4) of Section Four (4), in Township Six (6) North, Range Twenty (21) East, in the City of West Allis, County of Milwaukee, State of Wisconsin.

Tax Key No. 451-0405-000

Address: 8902 W. Maple Street

**Parcel H:**

A part of Lots Eight (8), Nine (9), Ten (10) and Eleven (11), and all of Lots Thirteen (13), Fourteen (14), Fifteen (15) and Sixteen (16), in Block Six (6) in CONRAD'S WEST ALLIS GARDENS, being a subdivision of a part of the Northwest One-quarter (1/4) of Section Four (4), in Township Six (6) North, Range Twenty (21) East, in the City of West Allis, County of Milwaukee, State of Wisconsin, together with a part of Lot Five (5) in Block Three (3) in ASSESSOR'S PLAT NO. 255 in said One-quarter (1/4) Section, beginning at the Northeast corner of said Lot 11; thence South along the East line of said Block 6, 35.00 feet; thence West along the South line of said Lot 11, 31.00 feet; thence South along the East line of said Lot 13, 110.00 feet; thence West along the South line and its extension of said Block 6, 128.00 feet; thence North and parallel with the East line of said Block 6, 250.00 feet; thence East along the North line of said Lot 8, 54.00 feet; thence South and parallel with the East line of said Block 6; 105.00 feet; thence East along the North line of said Lot 11, 105.00 feet to the point of beginning.

Tax Key No. 451-0403-005

Address: 1700 Block S 89th Street

Tax Key No. 451-0404-001

Address: 1700 Block S 89th Street

Tax Key No. 451-0406-000

Address: 8908 West Maple Street

Tax Key No. 451-0407-001

Address: 8914 West Maple Street

## PROJECT DESCRIPTION

T&G Properties, LLC, a Wisconsin limited liability company, owns and operates eleven parcels of improved land consisting of approximately 1.7 acres (collectively, the "Property") as residential apartments. 91<sup>st</sup> and Maple, LLC, a Wisconsin limited liability company, has contracted to purchase the Property. 91<sup>st</sup> and Maple, LLC's sole member is Chr Hansen, Inc. ("Chr Hansen"), owner/operator of an adjacent US headquarters at 9105 West Maple Street. Chr Hansen formerly owned the Property and seeks to reacquire it to control its perimeter. While no plans have been finalized, Chr Hansen is considering an expansion of its West Allis headquarters.

Chr Hansen is a global bioscience company that focuses on delivering natural innovative solutions that address global challenges by advancing food, health and productivity. Chr Hansen develops and produces cultures, enzymes, probiotics and natural colors for a variety of foods, confectionery, beverages, dietary supplements, animal feed and plant protection. Chr Hansen was founded in 1874 and has over 3,000 employees across 30 countries, with its global headquarters in Hoersholm, Denmark.

Chr Hansen desires to have all the property it owns zoned M-1 Manufacturing District. Chr Hansen's rezoning and land use plan amendment request complies with applicable City Code and should be approved

Under Section 12.14(1)(a), the Property cannot be reasonably used as currently zoned. The Property is currently zoned RB-2, which is a Residence District. Chr Hansen cannot reasonably use the Property as a continuation of its US headquarters as it is currently zoned. Section 12.14(1)(b) is also met because Chr Hansen is concurrently seeking an amendment to the City Comprehensive Land Use Plan in addition to its rezoning request.

The rezoning is also compliant with Section 12.14(1)(c), because the change in the zoning is consistent with the currently established land use pattern. Rezoning the Property, which currently abuts Chr Hansen's US headquarters, will make the entire area have consistent zoning.

Under Section 12.14(1)(d), the existing infrastructure supports the rezoning because Chr Hansen operates its current business on the adjacent parcel and the infrastructure can accommodate a continuation of the same. Section 12.14(1)(e) is met because the continuation of Chr Hansen's existing business does not have a negative impact on the natural environment within and adjacent to West Allis.

The rezoning is compliant with Section 12.14(f) because the request constitutes a continuation of the M-1 Zoning District onto adjacent property. Section 12.14(g) is similarly met because Chr Hansen's current business operation in the area supports the proposed amendment and is consistent with the current needs of the community in that area in compliance with Section 12.14(1)(h).

**From:** Steve Schaer  
**Sent:** Wednesday, May 30, 2018 1:49 PM  
**To:** Dan Devine; Michael May; Gary T. Barczak; Thomas G. Lajsic  
**Cc:** John Stibal; Shaun Mueller; Trent Schultz; Patrick Schloss  
**Subject:** CHR Hansen intro to Council on 6/5

Mayor and Alderpersons May and Barczak,  
Planning has received the attached Planning Application for a requested land use map amendment and rezoning of lands surrounding CHR Hansen. T&G Properties currently owns the eleven subject properties (CHR Hansen had once owned them but then sold them to T&G), and has an accepted offer to sell them back to CHR Hansen. CHR Hansen has indicated that their intent is to acquire additional land for a potential future expansion in order to stay competitive and located in West Allis.

The following will be introduced to Council on 6/5 and the first publication (for the requested land use map amendment) will be June 6.

**Request for an Ordinance to amend the Future Land Use Map within the City's Comprehensive Plan (Chapter 10 Land Use) for properties, located at 9106 W. Mitchell St. (451-0395-001), 9032 W. Mitchell St. (451-0393-005), 8905 W. Mitchell St. (451-0396-001), 8917 W. Mitchell St. (451-0400-001), 1717 S. 89 St. (451-0403-002), 1721 S. 89 St. (451-0403-003), 1700 Block S. 89 St. (451-0403-005), 1700 Block S. 89 St. (451-0404-001), 8902 W. Maple St. (451-0405-000), 8908 W. Maple St. (451-0406-000) and 8914 W. Maple St. (451-0407-001) from Low Density Residential to Industrial and Office Land Use submitted by T&G Properties, the current property owner.**

The following will also be introduced to Council on 6/5 and the publications (for requested rezoning) will be June 27 and July 4.

**Ordinance to amend the Official West Allis Zoning Map by rezoning property located at 9106 W. Mitchell St. (451-0395-001), 9032 W. Mitchell St. (451-0393-005), 8905 W. Mitchell St. (451-0396-001), 8917 W. Mitchell St. (451-0400-001), 1717 S. 89 St. (451-0403-002), 1721 S. 89 St. (451-0403-003), 1700 Block S. 89 St. (451-0403-005), 1700 Block S. 89 St. (451-0404-001), 8902 W. Maple St. (451-0405-000), 8908 W. Maple St. (451-0406-000) and 8914 W. Maple St. (451-0407-001) from RB-2, Residence District to M-1, Manufacturing District submitted by T&G Properties, the current property owner.**

Between now and the expected July 17 public hearing date, there would also be time to conduct a neighborhood meeting.

Any questions please let me know.



**Steve Schaer, AICP**  
**Manager of Planning & Zoning**  
**Development Department - Planning & Zoning Division | City of West Allis**  
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Office: 414-302-8466 | Dept: 414-302-8460  
f t y g i @ in **Notify Me Sign-Up**