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City of West Allis Matter Summary

7525 W. Greenfield Ave.
West Allis, WI 53214

File Number	Title	Status
R-2003-0102	Resolution	In Committee
Resolution relative to determination of Special Use Application submitted by Jim Weinmann on behalf of US Cellular to attach/co-locate cellular antennas and equipment to an existing structure at 1501 S. 83 St., Milwaukee Gray Iron.		
Introduced: 03/04/2003		Controlling Body: Safety & Development Committee

COMMITTEE RECOMMENDATION

MOVER: Kopplin AYES 4 NOES 0
SECONDER: Reinke EXCUSED Narlock
COMMITTEE ACTION DATE 3/4/03

SIGNATURES OF COMMITTEE MEMBERS

Chair

Vice-Chair

COMMON COUNCIL ACTION adopted

FINAL ACTION DATE 3-4-03

MOVER:

Lajszic

SECONDER:

Reinke

	AYE	NO
1. Barczak	<u>ex</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	<u>8</u>	



City of West Allis

7525 W. Greenfield Ave.
West Allis, WI 53214

Resolution

File Number: R-2003-0102

Final Action:

Resolution relative to determination of Special Use Application submitted by Jim Weinmann on behalf of US Cellular to attach/co-locate cellular antennas and equipment to an existing structure at 1501 S. 83 St., Milwaukee Gray Iron.

WHEREAS, Jim Weinmann, on behalf of U.S. Cellular, duly filed with the City Clerk/Treasurer an application for a Special Use Permit, pursuant to Sec. 12.16 and 12.45(2) of the Revised Municipal Code for a wireless communication installation on the existing Milwaukee Gray Iron sand tower structure located at 1501 S. 83 St.; 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, Jim Weinmann, on behalf of U.S. Cellular, has principal offices at 3545 North 124 Street, Brookfield, WI 53005.
2. The applicant has a lease pending with Milwaukee Gray Iron for the establishment of the proposed use at 1501 S. 83 St., more particularly described as follows:

Lots 1, 2, 3 and 4 in Henderson Park subdivision Block 5, Lots 14, 15, 16, 17, 18 and 19 in Henderson Park subdivision Block 1, Lot 3 and south 136.10 feet of Lot 4 Assessor's Plat No. 257 subject to the rights of the owners due to the overlapping deed descriptions described in documents No. 4291382, 4311885 and 5391921, and part of vacated Honey Creek adjacent to Lot 3 Assessor's Plat No. 257. Said land being in the Northeast $\frac{1}{4}$ of the Section 4, in Township 6 North, Range 21 East, City of West Allis, Milwaukee County, Wisconsin.

Tax Key No. 452-0419-002

Said land being located at Milwaukee Gray Iron, 1501 S. 83 St.

3. The applicant is proposing to install flush-mounted panel antennas to the existing sand tower structure on Milwaukee Gray Iron property. The antennas will be screened from view behind a stealth screening feature. An equipment structure will be constructed at the base of the sand tower and screened from view.
4. The Property is zoned M-1 Manufacturing District under the Zoning Ordinance, which permits co-location of telecommunication equipment as a special use, pursuant to Section 12.16, and 12.45(2) of the Revised Municipal Code.

5. The abutting properties on the west and north are developed as commercial. Properties to the east and south are developed as residential.
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 the site is zoned and developed for manufacturing uses. The equipment attachment will be screened from view and flush mounted to the structure. Antennas will be screened from view behind a stealth screen mounted to the structure.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of West Allis that the application of Jim Weinmann, on behalf of U.S. Cellular, 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 by the Fire Department.
3. Color. The antennas/stealth screening and accessory equipment cabinets to be painted to match/blend with the existing color of the existing tower.
4. 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, 2001 2003

Deputy Dorothy E. Steinke
Acting City Clerk/Treasurer

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

ZON-R.369\jmg\3-4-03

ADOPTED 3/4/03

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

APPROVED March 6, 2003

Jeannette Bell
Jeannette Bell, Mayor