



# City of West Allis Matter Summary

7525 W. Greenfield Ave.  
West Allis, WI 53214

File Number	Title	Status
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R-2004-0243 Resolution In Committee

Resolution relative to determination of Special Use Application submitted by Ralph Fleege for an expansion of the existing tavern within the mixed use building located at 6540 W. Grant St. and 2190 S. 66 St.

Introduced: 08/03/2004

Controlling Body: Safety & Development Committee

### COMMITTEE RECOMMENDATION

*Deferring ADOT*

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<u>8/3/04</u>			Barczak	✓			
			Czaplewski				
			Dobrowski				
			Kopplin				
			Lajsic	✓			
			Narlock				
			Reinke	✓			
			Sengstock				
			Vitale	✓			
	✓		Weigel	✓			
			TOTAL	5	-		

### SIGNATURE OF COMMITTEE MEMBER

Chair Vice-Chair Member

### COMMON COUNCIL ACTION **ADOPT**

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<u>AUG 03 2004</u>		✓	Barczak	✓			
			Czaplewski	✓			
			Dobrowski	✓			
	✓		Kopplin	✓			
			Lajsic	✓			
			Narlock	✓			
			Reinke	✓			
			Sengstock	✓			
			Vitale	✓			
			Weigel	✓			
			TOTAL	10	-		

J. Stuse  
S. Schaefer  
B. Burkee  
Applicant

**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

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**ADVISORY**

Chair: Rosalie L. Reinke  
Vice-Chair: Gary T. Barczak  
Linda A. Dobrowski  
Vincent Vitale  
Martin J. Weigel



# City of West Allis

7525 W. Greenfield Ave.  
West Allis, WI 53214

## Resolution

**File Number: R-2004-0243**

**Final Action:**  
**AUG 03 2004**

Resolution relative to determination of Special Use Application submitted by Ralph Fleege for an expansion of the existing tavern within the mixed use building located at 6540 W. Grant St. and 2190 S. 66 St.

WHEREAS, Ralph Fleege, owner, Dirty Martini Bar, 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 restaurant; and,

WHEREAS, after due notice, a public hearing was held by the Common Council on August 3, 2004, 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, Ralph Fleege, owner, Dirty Martini Bar, resides on premise (second floor) at 2190 S. 66 St., West Allis, WI 53219.
2. The applicant owns the property at 6540 W. Grant Street and 2190 S. 66 St., West Allis, Milwaukee County, Wisconsin, more particularly described as follows:

All the land of the owner being located in the Southeast  $\frac{1}{4}$  of Section 3, Township 6 North, Range 21 East, City of West Allis, Milwaukee County, Wisconsin, described as follows:

Lot 22 in Block 2 in the Juneau Highlands Subdivision.

Tax Key No. 475-0131-000

Said land is located at 6540 W. Grant Street and 2190 S. 66 Street

3. The applicant is proposing to expand the existing tavern at 6540 W. Grant Street.
4. The aforesaid premises is zoned C-2 Neighborhood Commercial District under the Zoning Ordinance of the City of West Allis, which permits taverns 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 on the northeast corner of S. 66 St., S. Livingston Pl., W. Grant St., and W. Beloit Rd. The area along W. Beloit Rd. is developed as both residential and commercial. The remainder of the neighborhood is mainly developed as residential. Properties to the north, south and east are developed as residential, properties to the west are developed as

commercial and residential.

6. The proposed development should not adversely contribute to traffic volumes or traffic flow in the area as the site is currently used as a tavern.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of West Allis that the application of Ralph Fleege, owner, Dirty Martini Bar, to build an addition to the existing tavern 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, screening and architectural plans approved on June 23, 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. **Seating Capacity:** Seating capacity shall be limited to 80 people.
3. **Hours of Operation.** The tavern will be open from 2:30 p.m. to 2:00 a.m. daily . The bar will be open in accordance with the closing hours mandated by state law.
4. **Off-Street Parking.** Off-street parking spaces for 3 vehicles will be provided on site. The Zoning Code requires 12 spaces. Street parking is available along W. Beloit Road.
5. **Litter.** Employees shall inspect the site and immediate vicinity and pick up litter on a daily basis.
6. **Refuse Collection.** Refuse collection to be provided by commercial hauler.
7. **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.
8. **Pagers, Intercoms.** The use of outdoor pagers, intercoms, or loud speakers shall not be permitted on site.
9. **Monitoring.** The area shall be adequately monitored by staff.
10. **Window Signage.** Any building window signage shall not exceed twenty (20) percent of each window's area

11. 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.

12. Outdoor Lighting. All outdoor lighting fixtures shall be shielded in such a manner that no light spills from the property boundaries.

13. Sidewalk Repair. The grant of this special use is subject to compliance with Policy No. 2806 of the Revised Municipal Code relative to the City's sidewalk improvement policy as it relates to damaged (if any), abutting sidewalk.

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  
9<sup>th</sup> day of August 2004

Monica Schultz

Assistant City Clerk

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

ZON-R-443\bjb\8-3-04

**ADOPTED**

August 3, 2004

Paul M. Ziehler

Paul M. Ziehler, City Admin. Officer, Clerk/Treas.

**APPROVED**

August 6, 2004

Jeannette Bell

Jeannette Bell, Mayor