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City of West Allis

Matter Summary

7525 W. Greenfield Ave.
West Allis, WI 53214

File Number	Title	Status
R-2004-0222	Resolution	In Committee
Resolution relative to determination of Special Use Application submitted by the Albion Group, on behalf of the applicant, HKM, Inc. for the construction of a mixed-use residential-commercial development on City-owned land located at 58** W. Burnham St.		
Introduced: 7/6/2004		Controlling Body: Safety & Development Committee

COMMITTEE RECOMMENDATION

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<u>7/8/04</u>	<input checked="" type="checkbox"/>		Barczak	<input checked="" type="checkbox"/>			
			Czaplewski				
			Dobrowski				
			Kopplin				
			Lajsic	<input checked="" type="checkbox"/>			
			Narlock				
			Reinke	<input checked="" type="checkbox"/>			
			Sengstock				
			Vitale	<input checked="" type="checkbox"/>			
		<input checked="" type="checkbox"/>	Weigel	<input checked="" type="checkbox"/>			
TOTAL				<u>5</u>	<u>0</u>		

SIGNATURE OF COMMITTEE MEMBER

Chair

Vice-Chair

Member

COMMON COUNCIL ACTION **ADOPT**

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<u>JUL 06 2004</u>	<input checked="" type="checkbox"/>		Barczak	<input checked="" type="checkbox"/>			
			Czaplewski	<input checked="" type="checkbox"/>			
			Dobrowski	<input checked="" type="checkbox"/>			
			Kopplin	<input checked="" type="checkbox"/>			
			Lajsic	<input checked="" type="checkbox"/>			
			Narlock	<input checked="" type="checkbox"/>			
			Reinke	<input checked="" type="checkbox"/>			
			Sengstock	<input checked="" type="checkbox"/>			
		<input checked="" type="checkbox"/>	Vitale	<input checked="" type="checkbox"/>			
			Weigel	<input checked="" type="checkbox"/>			
TOTAL				<u>10</u>	<u>0</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



City of West Allis

7525 W. Greenfield Ave.
West Allis, WI 53214

Resolution

File Number: R-2004-0222

Final Action:
JUL 06 2004

Resolution relative to determination of Special Use Application submitted by the Albion Group, on behalf of the applicant, HKM, Inc. for the construction of a mixed-use residential-commercial development on City-owned land located at 58** W. Burnham St.

WHEREAS, the Albion Group, on behalf of the applicant, HKM, Inc., duly filed with the City Administrative Officer-Clerk/Treasurer an application for a Special Use Permit, pursuant to Sec. 12.16, Sec. 12.41(2) and Sec. 12.49 of the Revised Municipal Code of the City of West Allis, for construction of a mixed-use residential-commercial development on City-owned land located at 58** W. Burnham St.; and,

WHEREAS, after due notice, a public hearing was held by the Common Council on July 6, 2004, at 7:00 p.m., and 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 Albion Group, on behalf of the applicant, HKM, Inc., has offices at 338 N. Milwaukee Street, Milwaukee, WI 53222.
2. The applicant has offered to purchase the City-owned property located at 58** W. Burnham St., West Allis, Milwaukee County, Wisconsin, more particularly described as follows, to-wit:

Lots 1 and 2 in Block 8, in McGeoch Farm Subdivision No. 1, except commencing in the northeast corner of Lot 1, thence west 18 feet, southeasterly 13.05 feet, thence northeasterly 18 feet to the beginning for street, in the southwest One-quarter of Section 2, Township 6 North, Range 21 East, in the City of West Allis, Milwaukee County, State of Wisconsin.

TAX KEY NO.: 455-0095-000

Said land being located at 58** W. Burnham St.

3. The aforesaid premise is zoned C-2 Neighborhood Commercial District under the Zoning Ordinance of the City of West Allis, which permits mixed residential and commercial uses, pursuant to Sec. 12.16, Sec. 12.41(2) and Sec. 12.49 of the Revised Municipal Code.
4. The applicant is proposing to construct a mixed-use residential-commercial development on City-owned land located at 58** W. Burnham St. The commercial portion of the building will be located on the first floor and will consist of approximately 3,600 square feet. The residential portion of the building will be located on the second floor and will consist of 4 two-bedroom units.

5. The subject property is part of a block on the south side of W. Burnham St. between S. 58 St. and S. 59 St., which is zoned for commercial purposes. Properties to the north, south, east and west are developed as commercial, residential and mixed use.

6. 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.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of West Allis that the application submitted by Albion Group, on behalf of HKM, Inc., 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, Screening and Architectural Plans. The grant of this Special Use Permit is subject to and conditioned upon the site, screening and architectural plans approved on June 23, 2004, by the West Allis Plan Commission. No alterations or modification to the approved plan shall be permitted without approval by the West Allis Plan Commission. Signage Plans to be approved by the West Allis Plan Commission.
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 eighteen (18) vehicles is required. A total of sixteen (16) parking stalls are being provided on-site, including one (1) ADA stall. Parking for residences shall be located on site and delineated on plan.
4. Grant of Privilege. This special use is conditioned upon a Grant of Privilege being applied for and approved by the Board of Public Works to provide proposed for landscaping improvements and outdoor dining in the City's right of way. Any such area approved in the Grant of Privilege is subject to the terms and conditions set forth herein.
5. Refuse Collection. To be provided by a commercial hauler. All refuse, recyclables and other waste material shall be screened from view within a four-sided enclosure to match the building.
6. Licenses and Permits: Future tenants/occupants (currently unknown) of the mixed-use building will be subject to applicant obtaining all required local and State of Wisconsin licenses and permits. Future commercial tenants are subject to special use review.

7. Paving and Drainage. Paving and Drainage Plan being submitted to the Department of Building Inspections for approval.
8. Window Signage. Window signage shall not exceed twenty (20) percent of the glazed portion of each window frame.
9. 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.
10. Litter. Employees shall inspect the site and immediate vicinity and pick up litter on a daily basis. Refuse, recyclables, grease, and other waste materials will be fully enclosed within an approved structure.
11. 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.
12. Outdoor Lighting. All outdoor lighting fixtures shall be shielded in such a manner that no light spills from the property boundaries.
13. Outdoor Dining/Storage and Display. Outdoor dining is permitted on site. No outdoor storage, sales, or display of merchandise shall be permitted on site.

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 (1) 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 special 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 approval of the Common Council, following public hearing, as provided in Sec. 12.16 of the Revised Municipal Code.

Mailed to applicant on the

Resolution

19th day of July 2004

Monica Schulte
Assistant City Clerk

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

ZON-R-438-7-6-04\jmg

ADOPTED

July 6 2004
Paul M. Ziehler
Paul M. Ziehler, City Admin. Officer, Clerk/Treas.

APPROVED

July 9 2004
Jeannette Bell
Jeannette Bell, Mayor



CITY OF WEST ALLIS

WISCONSIN



City Clerk/Treasurer Office

July 19, 2004

Steven R. Gartman
Albion Group
338 N. Milwaukee St.
Milwaukee, WI 53222

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

Dorothy E. Steinke
Deputy City Treasurer

Monica Schultz
Assistant City Clerk

Dear Mr. Gartman:

On July 6, 2004 the Common Council approved the Special Use Application submitted by the Albion Group, on behalf of the applicant, HKM, Inc., for the construction of a mixed-use residential-commercial development on City-owned land located at 58** W. Burnham St.

A copy of Resolution No. R-2004-0222 is enclosed.

Sincerely,

Monica Schultz
Assistant City Clerk

/hc
enc.

cc: John Stibal
Ted Atkinson
Steve Schaer
Barb Burkee