

CITY AT THE CENTER
WEST ALLIS
7525 West Greenfield Avenue
West Allis, Wisconsin 53214-4688



CITY CLERK/TREASURER OFFICE

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

Rosemary West
*Treasurer's Office Supervisor
Senior Accountant*

Monica Schultz
Assistant City Clerk

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7525 West Greenfield Avenue
West Allis, Wisconsin 53214

www.ci.west-allis.wi.us

October 30, 2006

Mike Walker
1 2 1 Workout LLC
4501 W. Chester Square
Milwaukee, WI 53214

Dear Mr. Walker:

On October 17, 2006 the Common Council approved your special use application for a one-on-one personal training center to be located within the existing multi-tenant commercial building at 7028 West Greenfield Avenue.

A copy of Resolution No. R-2006-0287 is enclosed.

Sincerely,

A handwritten signature in cursive script that reads "Monica Schultz".

Monica Schultz
Assistant City Clerk

MS/jl
Enc.

cc: Development
Planning and Zoning
Engineering
Building Inspections and Zoning



City of West Allis

7525 W. Greenfield Ave.
West Allis, WI 53214

Resolution

File Number: R-2006-0287

Final Action:

OCT 17 2006

Resolution relative to determination of Special Use Permit for 1 2 1 Workout, LLC, a one-on-one personal training center to be located within the existing multi-tenant commercial building at 7028 W. Greenfield Ave. (Tax Key No. 440-0231-000)

WHEREAS, Mike Walker, d/b/a 1 2 1 Workout, LLC, duly filed with the City Administrative Officer-Clerk/Treasurer an application for a special use permit, pursuant to Sec. 12.40(2) and Sec. 12.16 of the Revised Municipal Code, to establish a sport/health club training facility in the existing building located at 7028 W. Greenfield Ave.; and,

WHEREAS, after due notice, a public hearing was held by the Common Council on October 17, 2006, 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, Mike Walker, d/b/a 1 2 1 Workout, LLC, resides at 4501 W. Chester Sq., Milwaukee, WI 53214.
2. The applicant has a valid offer to lease the property at 7028 W. Greenfield Ave., West Allis, Milwaukee County, Wisconsin, more particularly described as follows:

All the land of the owner being located in the Southwest $\frac{1}{4}$ of Section 34, Township 7 North, Range 21 East, City of West Allis, Milwaukee County, State of Wisconsin, describes as follows:

Lots 19 and 20 in Block 1 of the Otjen Pullen And Shenner's Subdivision.

Tax Key No. 440-0231-000

Said land being located at 7028 W. Greenfield Ave.

3. The applicant is proposing to occupy 1,333 Sq. Ft of the existing 4,000 sq. ft. building with a personal training sport/health/fitness club facility. The facility's maximum operational occupant load will be four (4) persons.
4. The aforesaid premises is zoned C-1 Central Business District under the Zoning Ordinance of the City of West Allis, which permits sport/health club facilities as a special use, pursuant to Sec. 12.40(2) and Sec. 12.16 of the Revised Municipal Code.

5. The subject property is located along the north side of W. Greenfield Ave. between S. 70 St. and S. 71 St. Properties to the north, south, east and west are developed as commercial.

6. The use, value and enjoyment of other property in the surrounding area 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 of Mike Walker, d/b/a 1 2 1 Workout, LLC, to establish a sport/health club training facility 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, and screening plans approved by the City of West Allis Plan Commission on August 23, 2006, 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. A signage plan approved by the Department of Development is also required.
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 nine (9) vehicles is required for the sport/health club training facility, eighteen (18) parking stalls are required to be provided for the entire multi-tenant commercial building vehicles will be serviced including one (1) ADA stall. Off-street parking for eight (8) vehicles, including one (1) ADA stall will be provided on site.
4. **Hours of Operation.** The sport/health club training facility will be open Monday through Saturday from 6:00 a.m. to 6:00 p.m. and closed on Sunday.
5. **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.
6. **Outdoor Paging Speakers.** Outdoor pagers or speakers shall not be permitted on site.
7. **Window Signage.** Any building window signage shall not exceed twenty (20) percent of each window's area.
8. **Sidewalk Repair:** The grant of this special use is subject to compliance with Section 2814 of the

City's Policy and Procedures Manual relative to that policy as it relates to the replacement and repair to City walkways of damaged or defective (if any) abutting sidewalk.

9. Expiration of Special Use Permit. Any special use approved by the Common Council shall lapse and become null and void one (1) year from and after that approval if the use has not commenced, construction is not underway, or the owner has not obtained a valid building permit. An extension of these time limitations may be granted without a public hearing by the Common Council by resolution reauthorizing the special use in accordance with the following criteria:

A. The applicant requesting the extension shall complete a planning application available from the Department of Development and shall submit a \$250.00 extension fee.

B. A written explanation for the extension of time shall accompany the planning application along with a timeline/schedule for obtaining necessary permits, zoning, state and municipal approvals and a target date for construction start;

C. The request for extension shall be submitted within sixty (60) days of the expiration of the special use permit;

D. The extension, if granted, shall be valid for a period of six (6) months. If no building permit has been issued and construction has not commenced within six (6) months from and after the extension has been granted, the special use shall become null and void.

10. Miscellaneous.

A. 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.

B. 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.

C. 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
30th day of October, 2006

Monica Schulte
Assistant City Clerk

cc: Dept. of Development

Dept. of Building Inspections and Zoning
Div. of Planning

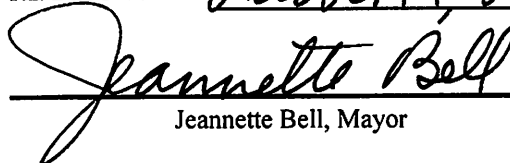
ZON-R-579\10-17-06\dlm

ADOPTED OCT 17 2006



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

APPROVED October 19, 2006



Jeannette Bell, Mayor