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68.



City of West Allis

Matter Summary

7525 W. Greenfield Ave.
West Allis, WI 53214

File Number	Title	Status
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2007-0393

Special Use Permit

In Committee

Special Use Permit for proposed Paint 'N Place auto repair and body shop establishment to be located within the vacant building at 1811 S. 84 St. (Tax Key No. 452-0442-001)

Introduced: 6/19/2007

Controlling Body: Safety & Development Committee

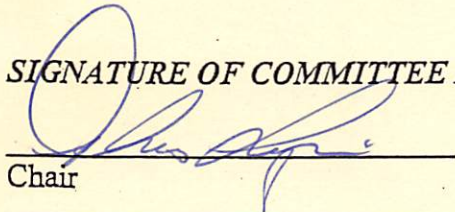
Plan Commission

COMMITTEE RECOMMENDATION

File

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<u>8/7/07</u>			Barczak				<input checked="" type="checkbox"/>
			Czaplewski				
			Dobrowski				
			Kopplin				
			Lajsic	<input checked="" type="checkbox"/>			
			Narlock				
			Reinke	<input checked="" type="checkbox"/>			
			Sengstock				
		<input checked="" type="checkbox"/>	Vitale	<input checked="" type="checkbox"/>			
	<input checked="" type="checkbox"/>		Weigel	<input checked="" type="checkbox"/>			
			TOTAL	<u>4</u>	<u>0</u>		<u>1</u>

SIGNATURE OF COMMITTEE MEMBER


Chair

Vice-Chair

Member

COMMON COUNCIL ACTION **PLACE ON FILE**

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<u>AUG - 7 2007</u>			Barczak				<input checked="" type="checkbox"/>
			Czaplewski	<input checked="" type="checkbox"/>			
			Dobrowski	<input checked="" type="checkbox"/>			
			Kopplin	<input checked="" type="checkbox"/>			
	<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>9</u>			<u>1</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

Planning Application Form

City of West Allis ■ 7525 West Greenfield Avenue, West Allis, Wisconsin 53214
414/302-8460 ■ 414/302-8401 (Fax) ■ <http://www.ci.west-allis.wi.us>

Applicant or Agent for Applicant

Agent is Representing Owner
Leasee

Name CARL STOLZE
 Company PAINT'N PLACE
 Address 905 W WINDLURE AVE
 City MILWA WI State WI Zip 53204
 Daytime Phone Number 645-8527
 E-mail Address -
 Fax Number -
 Project Name/New Company Name (If applicable) Same

Name Robert Stensberg
 Company DBI, Inc.
 Address 1265 E. Wisconsin Ave.
 City Pewaukee State WI Zip 53072
 Daytime Phone Number 262-691-2121
 E-mail Address roberts@dbibuilds.com
 Fax Number 262-691-1159

Agent Address will be used for all official correspondence.

Property Information

Property Address 1811 S 84
 Tax Key Number 4520442001
 Current Zoning C-2 and M-1
 Property Owner _____
 Property Owner's Address _____
 Existing Use of Property Vacant
 Structure Size 4,430 sq ft Addition _____
 Construction Cost Estimate: Hard _____ Soft _____ Total _____
 Landscaping Cost Estimate _____
 Total Project Cost Estimate: _____
 Previous Occupant _____

Application Type and Fee

(Check all that apply)

- Request for Rezoning: \$500.00 (Public Hearing required)
Existing Zoning: _____ Proposed Zoning: _____
- Request for Ordinance Amendment \$500.00
- Special Use: \$500.00 (Public Hearing required)
- Transitional Use \$500.00 (Public Hearing Required)
- Level 1 Site, Landscaping, Architectural Plan Review \$100.00
- Level 2 Site, Landscaping, Architectural Plan Review \$250.00
- Level 3 Site, Landscaping, Architectural Plan Review \$500.00
- Site, Landscaping, Architectural Plan Amendments \$100.00
- Extension of Time: \$250.00
- Certified Survey Map: \$500.00 + \$30.00 County Treasurer
- Planned Development District \$1500.00(Public Hearing required)
- Subdivision Plats: \$1500.00 + \$100.00 County Treasurer + \$25.00 for reappraisal
- Signage Plan Review \$100.00
- Street or Alley Vacation/Dedication: \$500.00
- Signage Plan Appeal: \$100.00

*** Attach detailed description of proposal.**

In order to be placed on the Plan Commission agenda, the Department of Development must receive a completed application, appropriate fees, a project description, 6 sets of scaled, folded and stapled plans (24" x 36") and 1 electronic copy (PDF format) of the plans by the first Friday of the month.

Attached Plans Include: (Application is incomplete without required plans, see handout for requirements)

- Site Plan
- Floor Plans
- Elevations
- Signage Plan
- Legal Description
- Certified Survey Map
- Landscaping/Screening Plan
- Grading Plan
- Utility System Plan
- Other _____

Applicant or Agent Signature Carl Stolz Date: 6/7/07

Subscribed and sworn to before me this _____ day of _____, 2007
 Notary Public Christin D. Palmer
 My Commission Expires 4/08
 STATE OF WISCONSIN

Please make checks payable to:
City Of West Allis

Please do not write in this box

Application Accepted and Authorized by: _____

Date: _____

Meeting Date: _____

Total Fee: _____

User: GNRDEV Type: OC Drawer: 1
Date: 6/15/07 01 Receipt no: 51730
GH DEV SPECIAL USE 1 \$500.00
CARL STOLZE
GP DEV SITE-ARCH PL 1 \$100.00
CARL STOLZE
CK CHECK PA 3083 \$500.00
Total tendered \$500.00
Total payment \$500.00

Trans date: 6/07/07 Time: 9:45:48



- July 6 Plan - Deadline

- July 25 Plan Comm. Meeting

- August ? Common Council Meeting

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Paint 'N Place (1811 S 84th Street)**STATEMENT OF USE AND OPERATION****PROJECT DESCRIPTION**

The approximate 0.328acre site is located at 1811 S 84th Street. The proposed project will consist of a tenant improvement for the existing 4,430 square foot facility, fencing and parking improvements. The facility will consist of a shop/garage space of approximately 2,189 square with the remainder consisting of support storage and office space.

Paint 'N Place's day to day operations consist of work related to collision repair, frame repair and auto body resoration & painting. Shop and office hours are Monday through Friday, 8 a.m. to 5 p.m.; closed Saturday and Sunday with 2-4 employees. Temporary vehicle storage will be designated to the west area of the lot and to be screened by a decorative vinyl fence 6' in height.



City of West Allis

7525 W. Greenfield Ave.
West Allis, WI 53214

Resolution

File Number: R-2007-0201

Final Action:

Sponsor(s): Safety & Development Committee

AUG - 7 2007

Resolution relative to determination of Special Use Permit for proposed Paint 'N Place auto repair and body shop establishment to be located within the vacant building at 1811 S. 84 St. (Tax Key No. 452-0442-001)

WHEREAS, Carl Stolze, the prospective property owner, duly filed with City Administrative Officer-Clerk/Treasurer an application for a Special Use Permit, pursuant to Sec. 12.16 and Sec. 12.41(2) of the Revised Municipal Code to establish a vehicle repair, auto body restoration and paint shop/garage facility within the existing building located at 1811 S. 84 St.; and,

WHEREAS, after due notice, a public hearing was held by the Common Council on August 7, 2007, 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 Carl Stolze currently has offices at 905 W. Wind Lake Ave., Milwaukee, WI 53204.
2. Carl Stolze has an offer to purchase said premises located at 1811 S. 84 St., West Allis, Milwaukee County, Wisconsin, more particularly described as follows:

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

Lots 1, 3 and 4 in Block 2, in the Assessors Plat No. 256.

TAX KEY NO. 452-0442-001

Said Property being located at 1811 S. 84 St.

3. The aforesaid area is zoned M-1 Manufacturing District and C-2 Neighborhood Commercial District under the Zoning Ordinance which permits collision repair, frame repair and auto body restoration and painting as a special use, pursuant to Sec. 12.16 and Sec. 12.41(2) of the Revised Municipal Code.

4. The applicant is proposing to occupy newly renovated 4,430 sq. ft. garage/shop for frame repair

collision repair and auto body restoration and painting.

5. The subject property is located on the southwest corner of S. 84 St. and W. Maple St. Properties to the west are developed as single-family residential. Properties to the east are developed as commercial. Properties to the north are developed a single and multi-family residential. Properties to the south are developed as commercial and residential.

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. A solid screen of both a fence and landscaping is required along abutting residential land uses as a condition of special use approval. Additionally, any vehicles waiting to be repaired or which already have been repaired will be subject to the outside storage limits indicated on the approved site and landscaping plan.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of West Allis that the application of James Stevenson (the property owner), 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 and Sec. 12.41(2) 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 Plans. The grant of this Special Use Permit is subject to and conditioned upon the site, landscape and architectural plan submitted to and approved by the West Allis Plan Commission on June 27, 2007. 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 is subject to building plans being submitted to and approved by the Department of Building Inspections and Zoning and by the Fire Department.
3. Parking. Off-street parking spaces for 10 vehicles will be provided on site, including one (1) ADA stall. Zoning requires parking for 29 vehicles on site. The Common Council shall have the authority to change the minimum parking requirements in accordance with Sec. 12.16(9)(a) of the Revised Municipal Code. Parking/storage of repair vehicles or vehicles awaiting repair is not permitted within City right of way.
4. Business Hours. Hours of operation will be Monday through Friday from 8:00 a.m. to 5:00 p.m. During operation all doors and windows will be closed to help control noise pollution.
5. Deliveries. Because there is a residential use adjacent to the site, delivery operations shall not be permitted from 9:00 p.m. to 6:00 a.m.

6. Outside Storage. No outside storage of junk vehicles, vehicle parts or vehicles for sale or lease will be permitted.
7. Noxious Odors, Etc. The business shall not emit foul, offensive, noisome, noxious, or disagreeable odors, gases or effluvia into the air. Mechanical systems shall be maintained to efficiently remove noxious odors.
8. Outdoor Lighting. All outdoor lighting fixtures shall be shielded in such a manner that no light spills from the property boundaries.
9. Pagers, Intercoms. The use of outdoor pagers, intercoms, or loud speakers shall not be permitted on site as the land use to the east consists of residential uses.
10. 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.
11. Window Signage. Any building window signage shall not exceed twenty percent (20%) of each window's area.
12. 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.
13. 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.
14. 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.

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 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

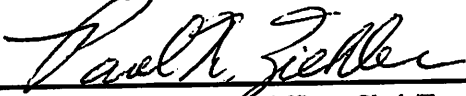
13 day of August, 2007

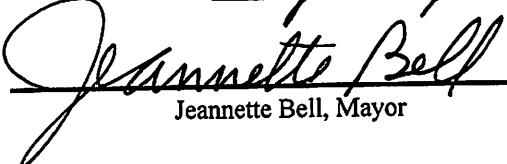
Monica Schultz
Assistant City Clerk

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

Div. of Planning and Zoning

ZON-R-631/8-7-07

ADOPTED AUG - 7 2007

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

APPROVED August 9, 2007

Jeannette Bell, Mayor



7525 West Greenfield Avenue
West Allis, Wisconsin 53214-4648



CITY CLERK/TREASURER'S OFFICE

414/302-8200 or 414/302-8207 (Fax)

www.ci.west-allis.wi.us

Paul M. Ziehler

City Admin. Officer, Clerk/Treasurer

Monica Schultz

Assistant City Clerk

Rosemary West

Treasurer's Office Supervisor

August 13, 2007

Robert Stensberg
DBI, Inc.
1265 E. Wisconsin Ave.
Pewaukee, WI 53072

Dear Mr. Stensberg:

On August 7, 2007 the Common Council approved a Resolution relative to determination of Special Use Permit for proposed Paint 'N Place auto repair and body shop establishment to be located within the vacant building at 1811 S. 84 St.

A copy of Resolution No. R-2007-0201 is enclosed.

Sincerely,

Monica Schultz
Assistant City Clerk

/amn
enc.

cc: John Stibal
Ted Atkinson
Steve Schaer
Barb Burkee
Carl Stolze