

31.



City of West Allis Matter Summary

7525 W. Greenfield Ave.
West Allis, WI 53214

File Number	Title	Status
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R-2006-0382 Resolution In Committee

Resolution relative to determination of Special Use Permit for proposed demolition of a mixed-use building located at 7624-28-30 W. Lincoln Ave. and 2244 S. 77 St. and proposed addition to the existing Spirit of 76th Veterinary Clinic, located at 7606 W. Lincoln Ave. (Tax Key Nos. 477-0542-000 and 477-0822-000)

Introduced: 12/19/2006

Controlling Body: Safety & Development Committee

Sponsor(s): Safety & Development Committee

COMMITTEE RECOMMENDATION ADOPT

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<u>12/19/06</u>			Barczak	✓			
			Czaplewski				
			Dobrowski				
			Kopplin				
			Lajsic	✓			
			Narlock				
		✓	Reinke	✓			
			Sengstock				
			Vitale				
	✓		Weigel	✓			1
			TOTAL	<u>4</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>DEC 19 2006</u>			Barczak	✓			
			Czaplewski	✓			
		✓	Dobrowski	✓			
			Kopplin	✓			
	✓		Lajsic	✓			
			Narlock	✓			
			Reinke	✓			
			Sengstock	✓			
			Vitale <i>exc</i>				
			Weigel	✓			1
			TOTAL:	<u>9</u>	<u>-</u>	<u>-</u>	<u>1</u>



City of West Allis

7525 W. Greenfield Ave.
West Allis, WI 53214

Resolution

File Number: R-2006-0382

Final Action:

DEC 19 2006

Sponsor(s): Safety & Development Committee

Resolution relative to determination of Special Use Permit for proposed demolition of a mixed-use building located at 7624-28-30 W. Lincoln Ave. and 2244 S. 77 St. and proposed addition to the existing Spirit of 76th Veterinary Clinic, located at 7606 W. Lincoln Ave. (Tax Key Nos. 477-0542-000 and 477-0822-000)

WHEREAS, Dr. Troy Semandel, on behalf of the Spirit of 76 Veterinary Clinic duly filed with the City Clerk/Treasurer an application for a Special Use Permit, pursuant to Sec. 12.16 and Sec. 12.41(2) of the Revised Municipal Code of the City of West Allis for the proposed demolition of the existing mixed use building and construction of an addition to the existing veterinary clinic on the northwest corner of S. 76 St. and W. Lincoln Ave. (7606 W. Lincoln Ave., 7624-30 W. Lincoln Ave. and 2244 S. 77 St.); and,

WHEREAS, after due notice, a public hearing was held by the Common Council on December 19, 2006 at 7:00 p.m., and 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, Dr. Troy Semandel, on behalf of the Spirit of 76 Veterinary Clinic, is requesting approval of the project which includes a 2100 sq. ft. addition to Spirit of 76 Veterinary Clinic at 7606 W. Lincoln Ave., 7624-30 W. Lincoln Ave. and 2244 S. 77 St. No outdoor boarding kennels or dog runs are proposed.
2. The applicant has an offer to purchase the property located at 7606 W. Lincoln Ave. and owns the property located at 7624-30 W. Lincoln Ave. and 2244 S. 77 St., West Allis, Milwaukee County, Wisconsin. The property is more particularly described as follows:

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

Lot 8 in Block 3 of the Assessors Plat No.261. Also, south 15.00 feet of Lot 11, and Lot 12 in Block 1 of the Tolle's Subdivision.

(Tax Key Nos.: 477-0822-000 and 477-0542-000)

3. The existing building at 7606 W. Lincoln Ave. is currently occupied and permitted as a

veterinary clinic within the C-2 Neighborhood Commercial District. The proposed addition requires a Special Use Permit.

4. The aforesaid premises is zoned C-2 Neighborhood Commercial District under the Zoning Ordinance of the City of West Allis, which permits veterinary clinics as a special use, pursuant to Sec. 12.16 and Sec. 12.41(2) of the Revised Municipal Code. Outdoor kennels or dog runs are not permitted.

5. The subject property is part of an area on the north side of W. Lincoln Ave. between S. 76 St. and S. 77 St., which is zoned for commercial purposes. Properties to the south, east and west are developed as commercial and mixed use. Properties to the north are developed as residential.

6. The proposed development should not contribute to adverse traffic volume or traffic flow in the area as the site is currently used as a veterinary clinic and the new site layout will provide off-street parking on site.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of West Allis that the application of Dr. Troy Semandel, on behalf of the Spirit of 76 Veterinary Clinic, 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 December 6, 2006, 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
2. Parking. Parking for fifteen (15) vehicles is required. A total of sixteen (16) spaces will be provided, which includes one (1) ADA stall.
3. Hours of Operation. The hours of operation to be as follows: Monday thru Friday, 7:00 a.m. to 7:00 p.m.; Saturday, 7:00 a.m. to 2:00 p.m.
4. Grant of Privilege. The grant of this special use is subject to Grant of Privilege being approved by the Board of Public Works.
5. Signage. All signage for the site will be in accordance with the West Allis Signage Ordinance.
6. 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.

7. Paving and Drainage. Paving and Drainage Plan being submitted to the Department of Building Inspections for approval.

8. 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.

9. Outdoor Lighting. A light splay shall be contained on site.

10. 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.

11. 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 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 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.

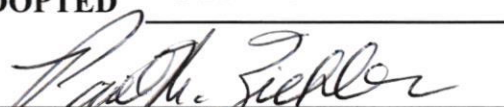
The use, as granted herein, will not be altered or extended (including structural alterations and/or additions) without approval of the Common Council, following public hearing, as provided in Sec. 12.16 of the Revised Municipal Code.

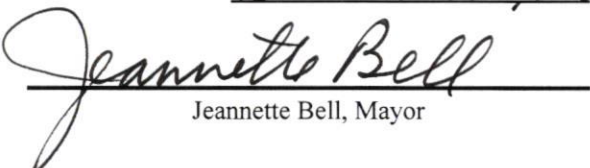
Mailed to applicant on the
21st day of December, 2006


Assistant City Clerk

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

ZON-R592\dlm\12-19-06

ADOPTED DEC 19 2006

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

APPROVED December 21, 2006

Jeannette Bell, Mayor



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

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

City Hall
7525 West Greenfield Avenue
West Allis, Wisconsin 53214

www.ci.west-allis.wi.us

December 21, 2006

Dr. Troy Semandel
Spirit of 76th Veterinary Clinic
7606 W. Lincoln Avenue
West Allis, WI 53219

Dear Dr. Semandel:

On December 19, 2006 the Common Council approved a Resolution relative to determination of Special Use Permit for proposed demolition of a mixed-use building located at 7624-28-30 W. Lincoln Ave. and 2244 S. 77 St. and proposed addition to the existing Spirit of 76th Veterinary Clinic, located at 7606 W. Lincoln Ave.

A copy of Resolution No. R-2006-0382 is enclosed.

Sincerely,

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

Monica Schultz
Assistant City Clerk

/jl

Enclosure

cc: John Stibal
Ted Atkinson
Steve Schaer
Barb Burkee