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City of West Allis Matter Summary

7525 W. Greenfield Ave.
West Allis, WI 53214

File Number	Title	Status
2009-0666	Special Use Permit	Introduced
	Special Use Permit to establish auto repair at Romero's Auto Sale, an existing business located at 5600 W. Burnham St.	
	Introduced: 10/20/2009	Controlling Body: Safety & Development Committee
		Plan Commission

COMMITTEE RECOMMENDATION

File

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<u>11/3/09</u>			Barczak				
			Czaplewski				
			Kopplin				
			Lajsic				
		<input checked="" type="checkbox"/>	Narlock				
			Reinke				
			Roadt				
			Sengstock				
	<input checked="" type="checkbox"/>		Vitale				
			Weigel				
			TOTAL	5	6		

SIGNATURE OF COMMITTEE MEMBER

Chair Vice-Chair Member

COMMON COUNCIL ACTION

PLACE ON FILE

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<u>NOV 03 2009</u>			Barczak	<input checked="" type="checkbox"/>			
			Czaplewski	<input checked="" type="checkbox"/>			
			Kopplin	<input checked="" type="checkbox"/>			
	<input checked="" type="checkbox"/>		Lajsic	<input checked="" type="checkbox"/>			
		<input checked="" type="checkbox"/>	Narlock	<input checked="" type="checkbox"/>			
			Reinke	<input checked="" type="checkbox"/>			
			Roadt	<input checked="" type="checkbox"/>			
			Sengstock	<input checked="" type="checkbox"/>			
			Vitale	<input checked="" type="checkbox"/>			
			Weigel	<input checked="" type="checkbox"/>			
			TOTAL	10	-		

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 Francisco Romero
 Company Romerros Auto Sale LLC
 Address 5600 W Burnham
 City West Allis State WI Zip 53209
 Daytime Phone Number 414-241-5584
 E-mail Address _____
 Fax Number 414-321-6300
 Project Name/New Company Name (If applicable) _____

Name Hugo L. Alarcon
 Company H-TAX-Accounting LLC
 Address 1016 W National Ave
 City Milwaukee State WI Zip 53204
 Daytime Phone Number 414-803-2340
 E-mail Address H-TAX-Accounting@Bizwire.com
 Fax Number 414-383-0677

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 (REAPPLICATION)
- 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 reapproval
- Signage Plan Review \$100.00
- Street or Alley Vacation/Dedication: \$500.00
- Signage Plan Appeal: \$100.00

Agent Address will be used for all official correspondence.

Property Information

Property Address 5600 W BURNHAM
 Tax Key Number 455-0033-000
 Current Zoning C-2: NEIGHBORHOOD COMMERCIAL
 Property Owner _____
 Property Owner's Address _____
 Existing Use of Property AUTO SALES
 Structure Size _____ Addition _____
 Construction Cost Estimate: Hard _____ Soft _____ Total _____
 Landscaping Cost Estimate _____
 Total Project Cost Estimate: _____
 Previous Occupant _____

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 last Friday of the month, prior to the month of the Plan Commission meeting.

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

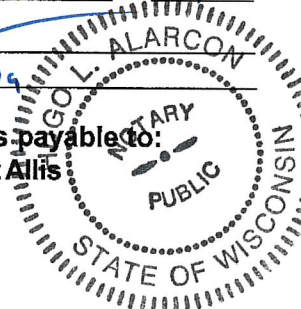
- Site Plan Floor Plans Elevations Signage Plan Legal Description Certified Survey Map
 Landscaping/Screening Plan Grading Plan Utility System Plan Other _____

Applicant or Agent Signature _____ Date: 9/29/09

Subscribed and sworn to me this 29 day of September, 2009

Notary Public: Hugo L. Alarcon
 My Commission: 11/22/09

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: _____

250



DEPARTMENT OF DEVELOPMENT

John F. Stibal
Director

414/302-8460
414/302-8401 (Fax)

City Hall
7525 West Greenfield Avenue
West Allis, Wisconsin 53214

www.ci.west-allis.wi.us
jstibal@ci.west-allis.wi.us

November 5, 2009

Mr. Francisco Romero
Romero's Auto Sale
5600 W. Burnham St.
West Allis, WI 53214

RE: Special Use Application to establish auto repair at Romero's Auto Sale, an existing business located at 5600 W. Burnham St. (Tax Key No. 455-0033-000)

Dear Mr. Romero:

This letter is to inform you that while the Plan Commission, at its meeting of October 28, 2009, conditionally approved the above-referenced plan, the Common Council unanimously denied your Special Use application at the November 3, 2009 public hearing. The denial was based on the following rationale:

- Prior to obtaining a Special Use Permit (as required per the City of West Allis' Revised Municipal Code Sec. 12.41(2)) the applicant began to operate illegally as an auto repair facility, despite notification has continued to do so throughout the application process.
- Approval of the application would intensify an already non-conforming use, which is incompatible with the surrounding residential neighborhood. The applicant was not willing to agree to work on vehicles within the garage with garage doors closed to mitigate noise. Instead, they are seeking to only be required to work within the garage with doors closed when "noisy" operations are being performed, which is ambiguous and hard to enforce.
- The City has received noise and light pollution, and parking complaints pertaining to the business. Prior to 2008, the Common Council is not aware of any complaints generated when operated solely as a used car dealership.
- The ability to keep the doors and windows closed during operation is certainly compromised by the lack of ventilation equipment in the building.

Mr. Fransisco Romero
November 3, 2009
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Enclosed please find the Plan Commission approval letter of November 2, 2009. Again, please be aware that even though the Plan Commission approved the Special Use on October 28, 2009, the Common Council unanimously voted to deny the Application on November 3, 2009.

If you have any question please contact me at 414-302-8466.

Sincerely,



Steven J. Schaer, AICP
Manager, Planning and Zoning Division

SJS:dls

enc.

cc: John F. Stibal, Director, Department of Development
Ted Atkinson, Director, Department of Building Inspections and Zoning
Michael Lewis, City Engineer
Terry Tauschmann, Zoning Inspector
Mr. Hugo Alarcon, H-Tax Accounting