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47.



City of West Allis Matter Summary

7525 W. Greenfield Ave.
West Allis, WI 53214

File Number	Title	Status
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2007-0310

Special Use Permit

In Committee

Special Use Permit to establish a dance school business within a portion of the existing multi-tenant commercial/industrial building located at 11331 W. Rogers St. (Tax Key No. 481-9994-003)

Introduced: 6/5/2007

Controlling Body: Safety & Development Committee

Plan Commission

COMMITTEE RECOMMENDATION

File

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<u>6/19/07</u>		<input checked="" type="checkbox"/>	Barczak	<input checked="" type="checkbox"/>			
			Czaplewski				
			Dobrowski				
			Kopplin				
			Lajsic	<input checked="" type="checkbox"/>			
			Narlock				
			Reinke <i>exc</i>				<input checked="" type="checkbox"/>
	<input checked="" type="checkbox"/>		Sengstock				
			Vitale	<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>JUN 19 2007</u>			Barczak	<input checked="" type="checkbox"/>			
			Czaplewski	<input checked="" type="checkbox"/>			
		<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 <i>exc</i>				<input checked="" type="checkbox"/>
			Sengstock	<input checked="" type="checkbox"/>			
			Vitale	<input checked="" type="checkbox"/>			
			Weigel	<input checked="" type="checkbox"/>			
			TOTAL	<u>9</u>			<u>1</u>

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

Name DEBBIE BERRY
Company DANCE REPERTOIRE
Address 10633 WEST OKLAHOMA AVENUE
City WEST ALLIS State WI Zip 53227
Daytime Phone Number 414-315-7001
E-mail Address PUPSTER1616@SBCGLOBAL.NET
Fax Number -
Project Name/New Company Name (If applicable) _____

Agent is Representing (Owner/Leasee)

Name _____
Company _____
Address _____
City _____ State _____ Zip _____
Daytime Phone Number _____
E-mail Address _____
Fax Number _____

Agent Address will be used for all official correspondence.

Property Information

Property Address 11331 WEST ROGERS AVENUE
Tax Key Number 481-9994-003
Current Zoning M-1
Property Owner _____
Property Owner's Address _____
Existing Use of Property _____
Structure Size _____ 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 reapproval
- 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 _____

Date: 5/4/2007

Subscribed and sworn to me this _____ day of _____, 2007

Notary Public: _____

My Commission: 4-11-10

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: _____

City of West Allis
Planning Application Form Attachment

Property Owner:
Zion Property LLC
530 S. 11th Street
Milwaukee, WI 53204

Property:
11331 W. Rogers Street

Description of Proposal:

Building remodeling plans call for the construction of 4 floor-to-ceiling insulated demising walls to separate existing warehouse space into four 4,800-square foot tenant spaces. Each space will then be subsequently remodeled to meet the needs of the tenant. Utilities, to the extent possible, will be separated for each tenant.

The existing sprinkler system will be modified as required to provide appropriate coverage. Additional bathroom facilities will be constructed in accordance with use of space. Generally bathrooms will be shared by 2 tenants, although rough plumbing will be installed to enable each tenant to have a separate bathroom, if desired. The exterior of block building will be painted.

Landscaping for green space and screening will be placed along the east property boundary. The west property boundary landscaping will consist of the grass currently in place. The landscaping to the north of the building will remain as is.

The parking lot to the east of the building will be repaired, sealed, and striped. All parking spaces will be perpendicular to Rogers Street. The trash bin in the parking lot will be screened at the south end of the parking lot. The existing electrical power poles in the parking lot will be relocated to improve traffic flow in the parking lot. The environmental remediation shed located in the parking lot will also be removed.

See attached Building Use and Operation Summary.



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

June 22, 2007

Ms. Debbie Berry
Dance Repertoire
10633 W. Oklahoma Ave.
West Allis, WI 53227

Dear Ms. Berry:

On June 19, 2007 the Common Council approved a Resolution relative to determination of Special Use Permit to establish a dance school business within a portion of the existing multi-tenant commercial/industrial building located at 11331 W. Rogers St. (Tax Key No. 481-9994-003)

A copy of Resolution No. R-2007-0159 is enclosed.

Sincerely,

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

Monica Schultz
Assistant City Clerk

/jl

enc.

cc: John Stibal
Ted Atkinson
Steve Schaer
Barb Burkee
Zion Property LLC.



City of West Allis

7525 W. Greenfield Ave.
West Allis, WI 53214

Resolution

File Number: R-2007-0159

Final Action:
JUN 19 2007

Sponsor(s): Safety & Development Committee

Resolution relative to determination of Special Use Permit to establish a dance school business within a portion of the existing multi-tenant commercial/industrial building located at 11331 W. Rogers St. (Tax Key No. 481-9994-003)

WHEREAS, Jeff Bretzmann of Zion Property, LLC (property owner) and Debbie Berry d/b/a Dance Repertoire, duly filed with the City Administrative Officer, Clerk/Treasurer an application for a Special Use Permit, pursuant to Sec. 12.16 and Sec. 12.45(2) of the Revised Municipal Code, to establish a dance center within a portion of the existing multi-tenant commercial/industrial building located at 11331 W. Rogers St.; and,

WHEREAS, after due notice, a public hearing was held by the Common Council on June 19, 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, Debbie Berry d/b/a Dance Repertoire will have offices on site. The property is owned by Zion Property, LLC, 530 S. 11 St., Milwaukee, Wisconsin 53204.
2. The applicant has a valid offer to lease the subject property at 11331 W. Rogers St., 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 6, Township 6 North, Range 21 East, City of West Allis, Milwaukee County, State of Wisconsin describes as follows:

Lot 1 of Certified Survey Map No. 651.

Tax Key Number: 481-9994-003

3. The applicant has proposed to establish an instructional school for dance within a portion of the building.
4. The aforesaid premises is zoned M-1 Manufacturing District under the zoning ordinance of the City of West Allis, which permits the location of a public and private instructional facilities and physical health and cultural facilities as a special use, pursuant to Sec. 12.45(2) of the Revised Municipal code.

5. The property is serviced by all necessary public utilities.
6. The subject property is part of an area between S. 114 St. and S. 108 St., on the south side of W. Rogers St. Properties located to the north, south, east and west are zoned for industrial.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of West Allis that Debbie Berry d/b/a Dance Repertoire, be, and is hereby granted a special use:

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 Section 12.16 and Section 12.45(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, Screening, Signage and Architectural Plans. The grant of this special use permit is subject to and conditioned upon a site, landscape, and screening and architectural plans submitted to and approved by the City of West Allis Plan Commission on May 23, 2007 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.
2. Extension of Time. The owner of the property, Zion Property, LLC has requested a one-year extension of time to complete the approved Site, Landscaping and Screening improvements. A pre-existing environmental condition exists on site that the Department of Natural Resources has not granted closure on yet. The underground monitoring wells and vents must remain in place until closure is received from the Department of Natural Resources. Upon receiving closure in one-year, the wells/vents will be abandoned and removed, and the approved landscaping and site improvements installed on site.
3. Hours of Operation. Classes may be provided daily from 3:00 p.m. to 10:00 p.m. Staff will maintain office hours Monday - Friday from 9:00 a.m. to 2:00 p.m. Typical class hours of operation on weekdays are offered in the evenings and on weekends during daytime hours.
4. 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.
5. Parking. Based upon a 4,800 sq. ft. lease space, 32 parking spaces are required for the use. A total of 88 parking spaces are required for the overall building. Off-street parking for 32 spaces will be provided on site (including 2 ADA). Common Council may modify the parking requirements and accept the deficiency of on site parking based upon the following rational:
 - a) Section 12.19(9)(b) The hours of operation of the proposed nighttime uses are not in conflict with the principal operating hours of other daytime uses on site. Other uses on site include an insurance

office and horizon electric.

b) Credit may be given for obtaining a shared parking agreement or lease of off-street parking with other commercial or industrial uses within 800-ft. of the subject property.

c) Street parking along both W. Rogers St. and S. 114 St. is available along S. 114 St. and W. Rogers St. and should not generate conflicts, as this area is within an industrial district.

6. Pagers, Intercoms. The use of outdoor pagers, intercoms, or loud speakers shall not be permitted on site.

7. Litter. Employees shall inspect the site and immediate vicinity and pick up litter on a daily basis. Refuse, recyclables, and other waste materials will be fully enclosed within an approved structure.

8. Refuse Collection. Refuse collection to be provided by commercial hauler and stored within a four-sided enclosure large enough to accommodate all outdoor storage of refuse and recyclable containers.

9. 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, abutting sidewalk.

10. Outdoor Lighting. All outdoor lighting fixtures shall be shielded in such a manner that no light splays from the property boundaries.

11. 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.

12. Miscellaneous.

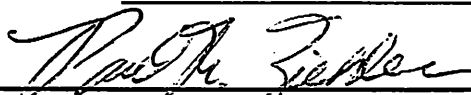
- A. Applicants are advised that the foregoing conditions are reasonably necessary to protect the public interest and to secure compliance with the standards and requirements specified in Sec. 12.16 of the Revised Municipal Code; that the issuance of the special use is expressly subject to compliance with said conditions.
- B. The use, as granted herein, is subject to applicants' 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.

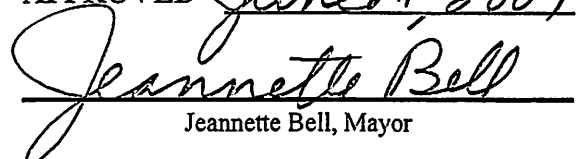
Mailed to applicant on the
22 day of June, 2007


Assistant City Clerk

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

ZON-R-624\6-19-07

ADOPTED JUN 19 2007

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

APPROVED June 21, 2007

Jeannette Bell, Mayor