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**Via Email Only**

Mayor Devine, Members of the City Council &  
Members of the Plan Commission  
City of West Allis  
7525 W. Greenfield Avenue  
West Allis, WI 53214

**Re: Request for Removal of 1650 S. 108<sup>th</sup> Street from Proposed Rezoning**

**Dear Mayor Devine, Members of the City Council and Members of the Plan Commission:**

I am submitting this letter on behalf of my client, **1650 S. 108<sup>th</sup> Street, LLC** to request that the City remove the property it owns at 1650 S. 108<sup>th</sup> Street from the list of properties that are being considered for rezoning as part of the City's long-term planning process.

You may recall that we discussed the zoning for this property and its long-term development and use 5 years ago. Back then, the entire parcel was zoned M-1. After thorough discussion and review, we reached a compromise resolution that modified the zoning from all M-1 Zoning to partial C-3 Zoning for the front 1/3 of the property; while the back 2/3 of the property remained M-1 Zoning. We assured the City that the front 1/3 of the property would be the subject of major renovations and improvements. That is exactly what my client did: the front 1/3 is occupied by a plumbing showroom, design center, retail space, and office space. Thus, my client followed through with its promise to perform a major remodel of the front 1/3 of the property, and particularly the portion of the property visible from South 108<sup>th</sup> Street.

The outcome of our prior discussions was that the front 1/3 of the 1650 building was rezoned to C-3 zoning and the rear 2/3 of the property remained as M-1. This result was, and remains to this day, consistent with the highest and best use of the property. My client was able to accommodate its tenant's needs for retail, showroom, office and warehouse space. Of great significance is the fact that my client completely renovated the front exterior façade of the building to meet the goal of the City to improve the aesthetic appearance of the properties bordering 108<sup>th</sup> Street. This is truly a case where split zoning makes sense for all parties concerned.

Note also: the compromise that was reached recognized the unique nature of the property; including the fact that the building takes up nearly the entire lot that it sits on. The compromise also respected the capital investment made by my clients into the property and the proposed

renovations, which were quickly accomplished. The current C-3 and M-1 zoning for this property allows the occupancy of the building by a highly respected national plumbing supply company that provides both a retail and commercial environment. The front of the property provides a showroom masterpiece that is regularly visited by retail customers and contractors. The large bank of windows provides an attractive and inviting view of the plumbing products offered for sale by my client's tenant.

I am sure that most, if not all of you, have seen my client's property: which is occupied by an Able kitchen and bath showplace. The location boasts a design center that is frequented by both consumers and contractors. Able is a national distributor of plumbing, heating and industrial products and supplies. Able's West Allis location serves as a showcase for the company and is a central hub for its Southeast Wisconsin business operations.

I respectfully submit now, as I did five years ago, that this property is a sample of both curb appeal and economic success that can be pointed to as incentive for other businesses and retailers to move into the area. My client has been a good citizen and I respectfully suggest that 1650 S. 108<sup>th</sup> Street is a property that the City can point to in promoting the City's long-term vision for the area.

My client and I ask you to recognize the unique nature of this property, the configuration of the improvements on the lot, the tremendous advantages of the current zoning for both the property owner and for the City and the fact that my client has been a good citizen and followed through on its promise to provide a very attractive retail location for its tenant's business operations. Without the current zoning for this parcel, the property would never be able to attract a company like Able and provide the diverse uses that are required by this Tenant. The West Allis show room and front façade of the building serve as a model for other retailers to follow as the City works to encourage more retail usage of the real estate bordering the 108<sup>th</sup> Street commercial corridor.

In closing, we respectfully submit that the 1650 property presents a unique situation and it has attracted a unique tenant which has a strong national presence. As a result of the current zoning, my client has been able to provide and maintain the use, the aesthetic appearance and positive economic impact that the City is seeking in its efforts to improve the properties and economic development along the 108<sup>th</sup> Street Corridor.

Based upon these circumstances and facts, we ask that you remove the 1650 S. 108th St. property from consideration for rezoning. Thank you for your time.

Sincerely,  
***Dagen Law Office***

***Brad Dagen***  
**Bradley J. Dagen**  
*BJD/str*