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# City of West Allis

## Matter Summary

7525 W. Greenfield Ave.  
West Allis, WI 53214

File Number	Title	Status
R-2003-0231	Resolution	In Committee
Resolution relative to determination of Special Use Application submitted by Jeffrey Metz, West Allis Retail, LLC to include a classroom/training facility within a proposed Michael's Arts and Crafts store to be located at 11135 W. National Ave. (Tax Key No. 520-9965-036)		
Introduced: 08/05/2003		Controlling Body: Safety & Development Committee

### COMMITTEE RECOMMENDATION

Adopt

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<u>8/5/03</u>	<input checked="" type="checkbox"/>		Barczak				
			Czaplewski	<input checked="" type="checkbox"/>			
			Kopplin				
			Lajsic	<input checked="" type="checkbox"/>			
			Narlock	<input checked="" type="checkbox"/>			
			Reinke				<input checked="" type="checkbox"/>
			Sengstock				
			Trudell				
			Vitale				
		<input checked="" type="checkbox"/>	Weigel	<input checked="" type="checkbox"/>			
			TOTAL	<u>4</u>	<u>0</u>		<u>1</u>

### SIGNATURE OF COMMITTEE MEMBER (RECORDER)

Chair

Vice-Chair

Member

### COMMON COUNCIL ACTION

Adopt

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<u>8-5-03</u>		<input checked="" type="checkbox"/>	Barczak	<input checked="" type="checkbox"/>			
			Czaplewski	<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"/>			
			Trudell				<input checked="" type="checkbox"/>
			Vitale	<input checked="" type="checkbox"/>			
			Weigel	<input checked="" type="checkbox"/>			
			TOTAL	<u>8</u>			<u>2</u>

# COMMITTEES OF THE WEST ALLIS COMMON COUNCIL 2003

## ADMINISTRATION AND FINANCE

Chair: Alderperson Czaplewski

V.C.: Alderperson Kopplin

Alderspersons: Barczak

Lajsic

Reinke

## ADVISORY

Chair: Alderperson Reinke

V.C.: Alderperson Vitale

Alderspersons: Kopplin

Lajsic

Narlock

## LICENSE AND HEALTH

Chair: Alderperson Barczak

V.C.: Alderperson Sengstock

Alderspersons: Kopplin

Trudell

Vitale

## SAFETY AND DEVELOPMENT

Chair: Alderperson Lajsic

V.C.: Alderperson Weigel

Alderspersons: Czaplewski

Narlock

Reinke

## PUBLIC WORKS

Chair: Alderperson Narlock

V.C.: Alderperson Trudell

Alderspersons: Sengstock

Weigel

Vitale



# City of West Allis

7525 W. Greenfield Ave.  
West Allis, WI 53214

## Resolution

**File Number: R-2003-0231**

**Final Action:**

**08-05-03**

Resolution relative to determination of Special Use Application submitted by Jeffrey Metz, West Allis Retail, LLC to include a classroom/training facility within a proposed Michael's Arts and Crafts store to be located at 11135 W. National Ave. (Tax Key No. 520-9965-036)

WHEREAS, West Allis Retail, LLC, on behalf of Michael's Arts and Crafts, duly filed with the City Administrative Officer, Clerk/Treasurer an application for a special use permit, pursuant to Sec. 12.16 of the Revised Municipal Code, to construct a 25,000 square foot Michael's Arts and Crafts store with a training center at 11135 W. National Ave. (lot west of Home Depot); and,

WHEREAS, after due notice, a public hearing was held by the Common Council on August 5, 2003, at 7:00 p.m., 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, West Allis Retail, LLC, owns the property and will lease it to Michael's Arts and Crafts store, the tenant, whose corporate offices are located at 8000 Bent Branch Dr., Irving, TX 75063.
2. The applicant, on behalf of Michael's Crafts, the tenant, has made an application for special use to construct a Michael's Arts and Crafts store on the lot west of Home Depot. A training facility will be included within the Arts and Crafts store as part of the business operations. No outdoor storage or sidewalk sales or outdoor display areas are proposed as part of this special use. Michael's Arts and Crafts store will be located at 11135 W. National Ave., West Allis, Milwaukee County, Wisconsin, more particularly described as follows:

All the land of the owner being located in the Southeast  $\frac{1}{4}$  of Section 7, Township 6 North, Range 21 East, City of West Allis, Milwaukee County, State of Wisconsin, describes as follows:

Parcel 2 of Certified Survey Map No. 6450.

Said land being located at 11135 W. National Ave.

Tax Key No. 520-9965-036

3. The aforesaid premises is zoned C-4 Regional Commercial District under the Zoning Ordinance of the City of West Allis, which permits music, dance, martial arts, aerobics, trade, business and other similar instructional and training facilities as a special use, pursuant to Sec. 12.43(2) of the Revised Municipal Code.

4. The subject property is part of a block between S. 108 St. and S. Wollmer Rd. on the south side of W. National Ave. Properties located to the north and east are developed as commercial. Properties to the south and west are developed as residential.

5. 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.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of West Allis that the application of West Allis Retail, LLC, on behalf of Michael's Arts and Crafts, to construct a 25,000 square foot craft store with training facility 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 Secs. 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, landscape, screening and architectural plans approved on July 23, 2003, by the City of West Allis Plan Commission 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. Unified signage plans for the development (Michael's Arts and Crafts and Home Depot) will need to be submitted to and approved by the Plan Commission.
2. **Hours of Operation.** The store will be open Monday through Saturday, 9:00 a.m. – 9:00 p.m. and Sunday, 10:00 a.m. – 7:00 p.m.
3. **Off-Street Parking.** The number of off-street parking spaces required by zoning for Michael's Arts and Crafts use is eighty-two (82) spaces. A total of one hundred fifteen (115) spaces will be provided. Michael's will install a dedicated concrete pedestrian walkway through the parking lot to the front entrance.
4. **Deliveries.** Deliveries will be conducted during business hours from 9:00 a.m. – 5:00 p.m., Monday through Friday. Semi deliveries will be conducted twice a week and UPS/Federal Express deliveries will be conducted daily.
5. **Outdoor Storage and Display.** Outdoor storage, sales or display is not proposed as part of the special use.
6. **Litter.** Employees shall inspect the site and immediate vicinity and pick up litter on a daily basis.

7. Window Signage. Any building window signage shall not exceed twenty (20) percent of each window's area.

8. 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.

9. Marketing Displays. The use of pennants, special lighting, flags, streamers or other signage typically temporary in nature, hanging, floating or attached to a structure or vehicle shall not be permitted.

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 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  
12<sup>th</sup> day of August, 2003.

  
Assistant City Clerk

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

ZON-R-391\bjb\8-5-03

ADOPTED

August 5, 2003

Paul M. Ziehler

Paul M. Ziehler, CAO, Clerk/Treasurer

APPROVED

August 11, 2003

Jeannette Bell

Jeannette Bell, Mayor



# CITY OF WEST ALLIS

WISCONSIN



City Clerk/Treasurer Office

**Paul M. Ziehler**  
*City Administrative Officer  
Clerk/Treasurer*

**Dorothy E. Steinke**  
*Deputy City Treasurer*

**Monica Schultz**  
*Assistant City Clerk*

August 12, 2003

West Allis Retail, LLC  
Attn: Jeffrey Metz  
P.O. Box 223  
Oconomowoc, WI 53066

Dear Mr. Metz:

On August 5, 2003, the Common Council adopted the Resolution relative to determination of Special Use Application submitted by Jeffrey Metz, West Allis Retail, LLC to include a classroom/training facility within a proposed Michael's Arts and Crafts store to be located at 11135 W. National Ave. (Tax Key No. 520-9965-036)

A copy of Resolution No. R-2003-0231 is enclosed.

Sincerely,

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

Monica Schultz  
Assistant City Clerk

/ms  
encl.

cc: John Stibal  
Ted Atkinson  
Steve Schaer  
Barb Burkee  
Donald J. Frost, Jr.  
Michael's Arts and Crafts Store Corp. Offices