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City of West Allis Matter Summary

7525 W. Greenfield Ave.
West Allis, WI 53214

File Number	Title	Status
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R-2004-0241 Resolution In Committee

Resolution relative to determination of Special Use Application submitted by Ed Wistl, d/b/a Wistl Builders, for the establishment of a mixed-use residential-commercial development at 7200-06 W. Greenfield Ave.

Introduced: 08/03/2004

Controlling Body: Safety & Development Committee

COMMITTEE RECOMMENDATION

ADOPT

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<u>8/3/04</u>			Barczak	✓			
			Czaplewski				
			Dobrowski				
			Kopplin				
			Lajsic	✓			
			Narlock				
			Reinke	✓			
			Sengstock				
		✓	Vitale	✓			
	✓		Weigel	✓			
			TOTAL	5	-		

SIGNATURE OF COMMITTEE MEMBER

 _____
 Chair Vice-Chair Member

COMMON COUNCIL ACTION **ADOPT**

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<u>AUG 03 2004</u>		✓	Barczak	✓			
			Czaplewski	✓			
			Dobrowski	✓			
			Kopplin	✓			
	✓		Lajsic	✓			
			Narlock	✓			
			Reinke	✓			
			Sengstock	✓			
			Vitale	✓			
			Weigel	✓			
			TOTAL	10	-		

B. Burke
J. Stibal
S. Schae
Applicant

**STANDING COMMITTEES OF THE
CITY OF WEST ALLIS COMMON COUNCIL
2004**

ADMINISTRATION & FINANCE

Chair: Michael J. Czaplewski
Vice-Chair: Martin J. Weigel
Gary T. Barczak
Thomas G. Lajsic
Rosalie L. Reinke

PUBLIC WORKS

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Kurt E. Kopplin
Vincent Vitale
James W. Sengstock

SAFETY & DEVELOPMENT

Chair: Thomas G. Lajsic
Vice-Chair: Vincent Vitale
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Vice-Chair: Gary T. Barczak
Linda A. Dobrowski
Vincent Vitale
Martin J. Weigel



City of West Allis

7525 W. Greenfield Ave.
West Allis, WI 53214

Resolution

File Number: R-2004-0241

Final Action:
AUG 03 2004

Resolution relative to determination of Special Use Application submitted by Ed Wistl, d/b/a Wistl Builders, for the establishment of a mixed-use residential-commercial development at 7200-06 W. Greenfield Ave.

WHEREAS, Ed Wistl, d/b/a Wistl Builders, duly filed with the City Administrative Officer-Clerk/Treasurer an application for a Special Use Permit, pursuant to Sec. 12.16, Sec. 12.40(2) and Sec. 12.49 of the Revised Municipal Code of the City of West Allis, for the establishment of a mixed-use residential-commercial development at 7200-06 W. Greenfield Ave.; and,

WHEREAS, after due notice, a public hearing was held by the Common Council on August 3, 2004, 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. Ed Wistl, d/b/a Wistl Builders, has offices at 210 Oakton Ave., Pewaukee, WI 53072.
2. The applicant owns the property located at 7200-06 W. Greenfield Ave., West Allis, Milwaukee County, Wisconsin, more particularly described as follows, to-wit:

All the land of the owner being located in the Southwest $\frac{1}{4}$ of Section 34, Township 7 North, Range 21 East, City of West Allis, Milwaukee County, State of Wisconsin, describes as follows:

Lot 24 in Block 7 of the Otjen Pullen and Shenner's Subdivision.

TAX KEY NO.: 440-0350-000

Said land being located at 7200-06 W. Greenfield Ave.

3. The aforesaid premise is zoned C-1 Central Business District under the Zoning Ordinance of the City of West Allis, which permits mixed residential and commercial uses, pursuant to Sec. 12.16, Sec. 12.40(2) and Sec. 12.49 of the Revised Municipal Code.
4. The applicant is proposing to establish a mixed-use residential-commercial development in a building located at 7200-06 W. Greenfield Ave. The commercial portion of the building will be located in the basement and on the first floor and will consist of approximately 5,400 square feet. The residential portion of the building will be located on the second and third floors and will consist of 8 one-bedroom units.

5. The building is being constructed/remodeled without any specific lease commitment from commercial tenant. Any future commercial tenant will be required to apply for an occupancy permit and may be required to obtain a special use permit in accordance with Sec. 12.16 and 12.40(2) of the Revised Municipal Code.
6. The subject property is part of a block on the north side of W. Greenfield Ave. between S. 72 St. and S. 73 St., which is zoned for commercial purposes. Properties to the north, south, east and west are developed as commercial, residential and mixed use.
7. 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 submitted by Ed Wistl, d/b/a Wistl Builders, 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 July 28, 2004, 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. Signage Plans to be approved by the West Allis Plan Commission.
2. 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.
3. Off-Street Parking. Thirty (30) parking spaces are required for the property (18 commercial use and 12 residential use). Parking to be provided within the municipal parking lots abutting the site.
4. Refuse Collection. To be provided by a commercial hauler. All refuse, recyclables and other waste material shall be screened from view within a four-sided enclosure to match the building.
5. Licenses and Permits. Future tenants/occupants (currently unknown) of the mixed-use building will be subject to applicant obtaining all required local and State of Wisconsin licenses and permits. Future commercial tenants are subject to special use review.
6. Window Signage. Window signage shall not exceed twenty (20) percent of the glazed portion of

each window frame.

7. 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.

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

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, (if any) 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. Outdoor Dining/Storage and Display. Outdoor dining is permitted on site and is subject to Plan Commission review of a revised site, landscaping and screening plan. No outdoor storage, sales, or display of merchandise shall be permitted on site.

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 approval of the Common Council, following public hearing, as provided in Sec. 12.16 of the Revised Municipal Code.

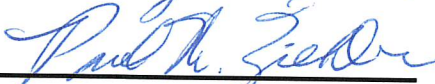
Mailed to applicant on the
9th day of August 2004

Monica Schultz
Assistant City Clerk

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

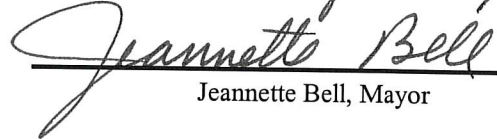
ZON-R-441-8-3-04\bjb

ADOPTED August 3, 2004



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

APPROVED August 6, 2004



Jeannette Bell, Mayor



CITY OF WEST ALLIS

WISCONSIN



Wisconsin
Award for
Municipal
Excellence

City Clerk/Treasurer Office

August 9, 2004

Edward Wistl
d/b/a Wistl Builders
210 Oakton Ave.
Pewaukee, WI 53072

Dear Mr. Wistl:

On August 3, 2004 the Common Council adopted the resolution relative to determination of Special Use Application submitted by Edward Wistl d/b/a Wistl Builders, for the establishment of a mixed-use residential-commercial development at 7200-06 W. Greenfield Ave.

A copy of Resolution No. R-2004-0241 is enclosed.

Sincerely,

Monica Schultz
Assistant City Clerk

/dm
enc.

cc: John Stibal
Ted Atkinson
Steve Schaer
Barb Burkee

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

Dorothy E. Steinke
Deputy City Treasurer

Monica Schultz
Assistant City Clerk