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Monica Schultz
City Clerk
City Clerk's Office
414.302.8220
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December 29, 2016

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CITY OF WEST ALLIS
CITY CLERK

Rogers Memorial Hospital
Attn: Mr. Patrick Hammer
11101 W. Lincoln Avenue
West Allis, WI 53227

Dear Mr. Hammer,

On December 20, 2016 the Common Council adopted a Resolution relative to determination of Special Use Permit for Rogers Memorial Hospital to construct a proposed addition to their current facility located at 11101 W. Lincoln Ave.

Please sign and return the enclosed copy of Resolution No. R-2016-0296 to the Clerk's Office within ten (10) days upon receipt of this letter.

Sincerely,

Monica Schultz
City Clerk

/jl

enclosure

cc: Ed Lisinski
Development



City of West Allis

Resolution: R-2016-0296

7525 W. Greenfield Ave.
West Allis, WI 53214

File Number: R-2016-0296

Final Action:

Sponsor(s): Safety & Development Committee

DEC 20 2016

Resolution relative to determination of Special Use Permit for Rogers Memorial Hospital to construct a proposed addition to their current facility located at 11101 W. Lincoln Ave.

WHEREAS, Rogers Memorial Hospital has duly filed with the City Clerk an application for a Special Use Permit, pursuant to Sec. 12.16 and Sec. 12.45 of the Revised Municipal Code of the City of West Allis for a proposed hospital addition to the existing building, located at 11101 W. Lincoln Ave.; and,

WHEREAS, after due notice, a public hearing was held by the Common Council on December 20, 2016, 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, Rogers Memorial Hospital, is an existing hospital and owns the property at 11101 W. Lincoln Ave., West Allis, Milwaukee County, Wisconsin, more particularly described as follows:

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

Parcels 1, 2 and 3 of the Certified Survey Map No. 4926.

Tax Key No. 484-9999-017

Said land being located at 11101 W. Lincoln Ave.

2. This proposed amendment to the existing special use represents an intensification and change in parking requirements from the existing special use. The existing special use permit was adopted by the Common Council under R-2007-0087 on March 20, 2007.

3. The scope of this project consists of a 1-story infill addition and renovation of existing interior space to accommodate an expansion of their children's residential care center (RCC) within the hospital. The current hospital space associated with this project contains (4) double sleeping rooms (2 beds each). The proposed addition will be approximately 2,770 SF and will contain (1) double sleeping room (2 beds) along with a Day Room, Group Room, and other miscellaneous support spaces. The renovation of the existing interior hospital space will add (1) double sleeping room (2 beds) as well.

4. The aforesaid area is zoned M-1 Manufacturing District under the Zoning Ordinance of the City of West Allis, which permits hospitals and additions as a special use, pursuant to Sec. 12.16 and Sec. 12.45(2) of the Revised Municipal Code.

5. The subject property is located on the south side of W. Lincoln Ave. and west of S. 111 St. Properties located to the north, south and east are used as commercial and manufacturing. Properties to the west are city-owned and utilized as the West Allis Police Department.
6. Rogers Memorial Hospital has agreed to rezone their property from M-1 Manufacturing District to C-4 Regional Commercial District. The rezoning would be consistent with the 2030 Comprehensive land use plan and the hospital use would be conforming within the parameters of C-4 Commercial District of the zoning ordinance.
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 of Rogers Memorial Hospital, to construct a proposed addition to their current 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 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 and Architectural. The grant of this Special Use Permit is subject to and conditioned upon a Site, Landscaping/Screening and Architectural plan approved December 12, 2016 by the West Allis Plan Commission. No alteration or modification of the approved plan shall be permitted without approval by the West Allis Plan Commission.
2. Building Plans, Fire Codes and Licenses. The grant of this Special Use is subject to building plans being submitted to and approved by the Department of Building Inspections and Neighborhood Services and by the Fire Department. All applicable State and local licenses being applied for and approved.
3. Off-Street Parking. Required parking for the existing building is 224 spaces. The addition will require an additional 9 parking stalls for a total of 233 required off-street parking stalls. A total of 176 parking stalls will be provided on-site including 10 ADA stalls. On street parking for approximately 50 vehicles is also available along S. 111 St.

With the approval of this Special Use the Common Council has the authority to change the minimum parking requirements in accordance with Section 12.16(9)(a) of the Revised Municipal Code.

4. Storm Water Management. An updated storm water management plan being submitted to the Engineering Department for review and approval.
5. Deliveries and Refuse Collection. All refuse collection to be provided by commercial hauler and stored within a four-sided enclosure large enough for all outdoor storage of refuse and recyclable containers as approved by the Department of Development.

All tenants of the property will be required to abide by the City of West Allis health/public nuisance rules per Chapter 7 of the Revised Municipal Code. Because there are residents that live within the residential neighborhood adjacent to the site, delivery operations and refuse pick up shall only be permitted during daytime hours. These functions shall not be permitted between the hours of 9:00 p.m. and 7:00 a.m.

6. Rezoning Toward 2030 Future Land Use. With the grant of this special use the Common Council authorizes staff to prepare a rezoning ordinance for the subject property. The rezoning would include a change from the existing M-1 Manufacturing District to C-4 Regional Commercial District in accordance with the 2030 future land use map.
7. Pagers, Intercoms. The use of outdoor pagers, intercoms, or loud speakers shall not be permitted on site.
8. Hours of Operation. The hospital is open year round 365 days per year, 24 hours per day.
9. Signage. Signage to be in compliance with the City of West Allis Sign Ordinance. Any building window signage shall not exceed twenty percent (20%) of each window's area and be located internally.
10. Noxious Odors, Etc. The business shall not emit foul, offensive, noisome, noxious or disagreeable odors, gases or effluvia into the air. Mechanical systems shall be maintained to efficiently remove noxious odors.
11. Noise. The use shall not make, produce, allow or cause to be produced any noise which exceeds the noise limitations, as set forth in Ch. 7.035 of the Revised Municipal Code.

All overhead doors to vehicle repair areas shall be kept closed to prevent noise complaints.
12. Outdoor Lighting. All outdoor lighting fixtures shall be shielded in such a manner that no light splays from the property boundaries. Full-cut off fixtures and or house side shields utilized to minimize light splay.
13. Monitoring. The overall area shall be adequately monitored by staff.
14. 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.
15. 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.
16. 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.
17. 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.

18. Miscellaneous.

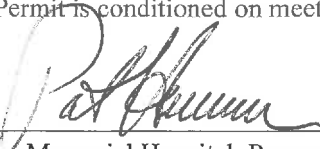
- A. Applicants are advised that the foregoing conditions are reasonably necessary to protect the public interest and to secure compliance with the standards and requirements specified in Sec. 12.16 of the Revised Municipal Code; that the issuance of the Special Use is expressly subject to compliance 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.

19. Lapse. If the applicant does not meet all of the terms and conditions set forth in this grant of a Special Use within one year of the granting thereof, then the Special Use Permit shall lapse and become null and void and the applicant shall forfeit any right to use the property as conferred by the Special Use Permit. The failure of the applicant to meet the terms and conditions of the Special Use Permit shall subject the permit to being declared void by the Common Council after notice to the applicant and a hearing before the Safety and Development Committee. Upon a finding and recommendation by the Committee to the Common Council on the matter, the applicant and/or any interested person may make comments regarding the matter to the Common Council prior to the Common Council's next regular meeting following the recommendation. Upon the Common Council's finding that the Special Use Permit has lapsed and become void, the applicant shall cease all operations at the property.

20. Termination of Special Use. If the person or entity granted the Special Use violates, allows or suffers the violation of the ordinances of the City of West Allis, the State of Wisconsin or the United States on the premises covered by the Special Use, then the Special Use may be terminated.

21. Acknowledgement. That the applicant signs an acknowledgment that he has received these terms and conditions and will abide by them.

The undersigned applicant agrees to the terms and conditions and has agreed that the grant of the Special Use Permit is conditioned on meeting the terms and conditions of this resolution.



Rogers Memorial Hospital, Property Owner

Mailed to applicant on the

29th day of December, 2016



City Clerk

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

ZON-R-1075-12-20-16

ADOPTED DEC 20 2016

APPROVED 12/22/16



Monica Schultz, City Clerk



Dan Devine, Mayor