



# City of West Allis

## Meeting Agenda

### Plan Commission

7525 W. Greenfield Ave.  
West Allis, WI 53214

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Wednesday, July 28, 2021

6:00 PM

City Hall, Room 128  
7525 W. Greenfield Ave.

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#### REGULAR MEETING

#### A. CALL TO ORDER

#### B. ROLL CALL

#### C. APPROVAL OF MINUTES

1. [21-0309](#) June 23, 2021 Draft Minutes

**Attachments:** [June 23, 2021 Draft Minutes](#)

#### D. NEW AND PREVIOUS MATTERS

2. [21-0300](#) Site, Landscaping and Architectural review for Rogers Behavioral Health, an existing hospital use, to construct a building addition on their facility at 11101 W. Lincoln Ave. submitted by Barbara Whitstone of Rogers Behavior Health and Matthew Edwards of Quorum Architects (Tax Key No. 484-9999-017).

**Attachments:** [\(SLA\) Rogers Hospital addition](#)

3. [21-0301](#) Site, Landscaping, and Architectural Plans for Lincoln Crest Apartments, an existing multi-tenant building, located at 2017-2092 S. 102 St., submitted by Blake Capital, d/b/a Lincoln Crest Apartments. (Tax Key No. 480-9970-000).

**Attachments:** [\(SLA\) Lincoln Crest Dog Area](#)

4. [21-0302](#) Master sign plan for All Kind Smiles, a proposed dentist office, located at 7030 W. National Ave., submitted by Rosie Olle on behalf of Max Meinerz (Tax Key No. 453-272-001).

**Attachments:** [\(SIGN\) Master signage All Kind Smiles 7030 W National Ave](#)

- 5A. [21-0303](#) Special Use permit to establish a mixed use (commercial and residential), an existing residential duplex property, located at 1416-18 S. 81 St.

- 5B. [21-0304](#) Site, Landscaping and Architectural plan to establish a mixed use (commercial and residential) an existing residential duplex property, located at 1416-18 S. 81 St. submitted by Paul and Kristine Budiak (Tax Key No. 452-0255-001).

**Attachments:** [\(SUP-SLA\) Paulies mixed use \(1416-18 S 81\)](#)

6. [21-0305](#) Ordinance to amend the definition of medical service facility and establish a definition and regulations for narcotic treatment service facility.  
**Attachments:** [\(ORD\) 12.06&12.43 medical services](#)
7. [21-0306](#) Ordinance to convert site plan improvement sureties from mandatory to optional amending section 12.13(14).  
**Attachments:** [\(ORD\) 12.13\(14\)](#)
8. [21-0307](#) Discussion item focusing upon the land use, existing zoning and zoning of properties within the Hwy 100 corridor.
9. [21-0308](#) Discussion on recent site, landscaping and architectural enforcement updates.

## E. ADJOURNMENT



All meetings of the Plan Commission are public meetings. In order for the general public to make comments at the committee meetings, the individual(s) must be scheduled (as an appearance) with the chair of the committee or the appropriate staff contact; otherwise, the meeting of the committee is a working session for the committee itself, and discussion by those in attendance is limited to committee members, the mayor, other alderpersons, staff and others that may be a party to the matter being discussed.

### NOTICE OF POSSIBLE QUORUM

It is possible that members of, and possibly a quorum of, members of other governmental bodies of the municipality may be in attendance at the above-stated meeting to gather information. No action will be taken by any governmental body at the above-stated meeting other than the governmental body specifically referred to above in this notice.

### NON-DISCRIMINATION STATEMENT

The City of West Allis does not discriminate against individuals on the basis of race, color, religion, age, marital or veterans' status, sex, national origin, disability or any other legally protected status in the admission or access to, or treatment or employment in, its services, programs or activities.

### AMERICANS WITH DISABILITIES ACT NOTICE

Upon reasonable notice the City will furnish appropriate auxiliary aids and services when necessary to afford individuals with disabilities an equal opportunity to participate in and to enjoy the benefits of a service, program or activity provided by the City.

### LIMITED ENGLISH PROFICIENCY STATEMENT

It is the policy of the City of West Allis to provide language access services to populations of persons with Limited English Proficiency (LEP) who are eligible to be served or likely to be directly affected by our programs. Such services will be focused on providing meaningful access to our programs, services and/or benefits.



# City of West Allis Meeting Minutes Plan Commission

7525 W. Greenfield Ave.  
West Allis, WI 53214

Wednesday, June 23, 2021

6:30 PM

City Hall, Room 128  
7525 W. Greenfield Ave.

## REGULAR MEETING (draft minutes)

### A. CALL TO ORDER

### B. ROLL CALL

- Present** 8 - Wayne Clark, Kathleen Dagenhardt, Brian Frank, Rossi Manka, Amanda Nowak, David Raschka, Eric Torkelson, and Jessica Katzenmeyer
- Excused** 1 - Ben Holt

### Others Attending

Scott Cowman, Tanner Root, Beth Rummel

### Staff

Steve Schaer, AICP, Manager of Planning and Zoning  
Tony Giron, AICP, Planner

### C. APPROVAL OF MINUTES

- [21-0259](#) May 26, 2021 Draft Minutes

**Attachments:** [May 26, 2021 Draft Minutes](#)

A motion was made by Nowak, seconded by Frank, that this matter be Approved.  
The motion carried unanimously.

### D. NEW AND PREVIOUS MATTERS

- 2A. [21-0260](#) Special Use Permit for Cobalt Partners parking lot, a proposed parking lot, to be located at 23\*\* S. 102 St.

**This matter was Approved on a Block Vote.**

- 2B. [21-0261](#) Site, Landscaping, and Architectural Plans for Cobalt Partners parking lot, a proposed parking lot, to be located at 23\*\* S. 102 St., submitted by Bill Ohm, d/b/a Cobalt Partners. (Tax Key No. 485-9996-014).

**Attachments:** [\(SUP-SLA\) 2300 block S 102 St parking lot](#)

*Items 2A & 2B were taken together.*

*Steve Schaer presented.*

**Recommendation:** Common Council approval of Special Use Permit for Cobalt Partners parking lot, a proposed parking lot, to be located at 23\*\* S. 102 St. and approval of the site, landscaping and architectural for Cobalt Partners proposed parking lot, to be located at 23\*\* S. 102 St., submitted by Bill Ohm, d/b/a Cobalt Partners. (Tax Key No.

485-9996-014). Subject to the following conditions:

*(Items 1 thru 3 are required to be satisfied prior to the issuance of building permits associated with the proposed work reviewed by Plan Commission. Contractors applying for permits should be advised accordingly.)*

1. Common Council approval of the special use permit (public hearing scheduled for July 13, 2021).
2. Revised Site, Landscaping, and Architectural Plans being submitted to the Department of Development to City Forester approval of the landscaping species type and quantity; Contact Steven Schaer, Manager of Planning and Zoning at 414-302-8466.
3. Documentation and approval showing compliance with the City of West Allis Storm water Management Ordinance, per Building Inspections and Neighborhood Services Department. Contact Mike Romans, Plumbing Inspector at 414-302-8413.

**This matter was Approved on a Block Vote.**

### Passed The Block Vote

**A motion was made by Clark, seconded by Dagenhardt, to approve all the actions on item nos. 2A & 2B on a Block Vote. The motion carried unanimously.**

### 3. [21-0262](#)

Site, Landscaping, and Architectural Plans for improvements on an existing manufacturing property located at 6048 W. Beloit Rd., submitted by Michael Hajek on behalf of Phoenix Investors, property owner. (Tax Key No. 475-0038-002).

**Attachments:** [Phoenix Investors \(SLA\) 6048 W Beloit Rd](#)

Steve Schaer presented.

*(Items 1 through 3 are required to be satisfied prior to the issuance of building permits associated with the proposed work reviewed by Plan Commission. Contractors applying for permits should be advised accordingly.)*

1. Revised Site, Landscaping, and Architectural Plans being submitted to the Department of Development to show the following: (a) a detailed landscaping plan being provided to show plantings within proposed and recommended landscape areas (tree and perennial plantings recommended throughout). Four (4) landscaping areas being added to the site (at the parking row end caps and east side of site). Landscaping species subject to City Forester review/approval; (b) a black vinyl coated chain-link fence or similar being provided around the perimeter of the site; (c) extent of paving work being shown on plans and coordinated with City Engineering grades along W. Beloit Rd.; (d) relocate 30 yard dumpsters on site (away from W. Beloit Rd.) and indicate method of screening; (e) details of repairs to dock area on the SE side of the building. Contact Steven Schaer, Manager of Planning and Zoning (414) 302-8466 with any questions.
2. An estimated cost of landscaping and screening being submitted to the Department of Development for approval.

**A motion was made by Clark, seconded by Frank, that this matter be Approved. The motion carried unanimously.**

4. [21-0263](#) Ordinance to amend the official zoning map by rezoning property located at 10200 W. National Ave. (unoccupied former Bakers Square) from C-4 Regional Commercial to C-3 Community Commercial.

**Attachments:** [\(Rezone\) 10200 W National Ave](#)

*Tony Giron presented.*

**Recommendation:** Approval of ordinance to amend the official zoning map by rezoning property located at 10200 W. National Ave. (unoccupied former Bakers Square) from C-4 Regional Commercial to C-3 Community Commercial, submitted by City of West Allis. (Tax Key No. 485-9990-013)

**A motion was made by Katzenmeyer, seconded by Clark, that this matter be Approved. The motion carried unanimously.**

- 5A. [21-0264](#) Special Use Permit for a haunted house to be located within an existing commercial building (former Michael's) located at 11135 W. National Ave.

**This matter was Approved on a Block Vote.**

- 5B. [21-0265](#) Site, Landscaping and Architectural for a haunted house to be located within an existing commercial building (former Michael's) located at 11135 W. National Ave. submitted by Scott Cowman d/b/a Root of All Evil (Tax Key No. 520-9965-036)

**Attachments:** [SUP-SLA\) Haunted House \(former Michael's\)](#)

*Items 5A & 5B were taken together.*

*Tony Giron presented.*

**Recommendation:** Council approval of the Special use permit for a haunted house to be located within an existing commercial building (former Michael's) located at 11135 W. National Ave., and approval of the site, landscaping and architectural plans submitted by Scott Cowman d/b/a Root of All Evil (Tax Key No. 520-9965-036), subject to the following conditions:

*(Items 1 through 2 are required to be satisfied prior to the issuance of building permits associated with the proposed work reviewed by Plan Commission. Contractors applying for permits should be advised accordingly.)*

1. *Revised Site, Landscaping, and Architectural Plans being submitted to the Planning & Zoning program to show the following: (a) details and proof of contract with security services; (b) confirmation of any shared parking arrangements; (c) plans to indicate trash and recyclable containers on site and waste hauler/removal services contract; (d) ADA parking being provided and properly designed; (e) scope of work to detail the date when removal of fencing and other apparatus will be removed from the site after the completion of the event. Contact Tony Giron, Planner at 414-302-8469.*

2. Common Council approval of the Special Use (scheduled for July 13, 2021) and applicant's acknowledgement of the Special Use Permit Resolution.

(Remaining conditions of approval to be satisfied by the property owner within one year of Plan Commission approval)

3. Sign permit being applied for with Planning and Zoning for compliance review in accordance with the signage ordinance.

**This matter was Approved on a Block Vote.**

### Passed The Block Vote

A motion was made by Frank, seconded by Dagenhardt, to approve all the actions on item nos 5A & 5B on a Block Vote. The motion carried unanimously.

6. [21-0266](#) Certified Survey Map to split the existing parcel located at 27\*\* S. Waukesha Rd. into two parcels, submitted by Jarrod Barber, Claire Childre, Rebecca Childre, Cory Kannenberg (Tax Key No. 521-9937-002).

**Attachments:** [\(CSM\) 27\\*\\* S Waukesha Rd](#)

Tony Giron presented.

**Recommendation:** Recommend Common Council approval of the Certified Survey Map to split the existing parcel located at 27\*\* S. Waukesha Rd. into two parcels, submitted by Jarrod Barber, Claire Childre, Rebecca Childre, Cory Kannenberg (Tax Key No. 521-9937-002).

A motion was made by Clark, seconded by Frank, that this matter be Approved. The motion carried unanimously.

7. [21-0267](#) Signage Plan Appeal for Carries Crispies an existing business located at 7133 W. Becher St. submitted by Brian Cieslak, owner (Tax Key No. 453-1057-000).

**Attachments:** [Carrie's Crispies \(Sign\) 7133 W Becher St](#)

Tony Giron presented.

**Recommendation:** Recommend approval of the Signage plan appeal for Carries Crispies an existing business located at 7133 W. Becher St. submitted by Brian Cieslak, owner (Tax Key No. 453-1057-000).

A motion was made by Clark, seconded by Katzenmeyer, that this matter be Approved. The motion carried unanimously.

8. [21-0268](#) Site, Landscaping and Architectural Plan amendment (new exterior siding) for Dollar General, an existing business, located at 1715-17-23 S 76 ST., submitted by Shaunti Althoff, Legacy Commercial Property on behalf of Highland Ventures Ltd., property owner (Tax Key No. 453-0433-002).

**Attachments:** [Dollar General \(SLA\) 1715 S 76 St](#)

Tony Giron presented.

**Recommendation:** Denial of the Site, Landscaping, and Architectural Plans for an existing multi-tenant commercial property, located at 1715 S. 76 St., submitted by Shaunti Althoff, d/b/a Legacy Commercial Property. (Tax Key No. 453-0433-001).

- Staff recommends working with Planning and Building Inspections staff through the design review and building permit process. Metal siding is not the recommended design solution for this building.

**A motion was made by Clark, seconded by Dagenhardt, that this matter be Denied. The motion carried unanimously.**

**E. ADJOURNMENT**

There being no other business, a motion was made by Wayne Clark and seconded by Brian Frank to adjourn the Plan Commission meeting at 7:15 p.m.

The motion carried unanimously



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**STAFF REPORT  
WEST ALLIS PLAN COMMISSION  
Wednesday, July 28, 2021  
6:00 PM  
City Hall – Room 128**

Watch: <https://www.youtube.com/user/westalliscitychannel>

- 2. Site, Landscaping and Architectural plan for Rogers Behavioral Health, an existing hospital use, to construct a building addition on their facility at 11101 W. Lincoln Ave. submitted by Barbara Whitstone of Rogers Behavior Health and Matthew Edwards of Quorum Architects (Tax Key No. 484-9999-017).**

**Overview and Zoning**

Rogers Behavior Health has presented a small addition project for City Plan Commission review. The proposed scope of work includes a café and entry expansion project that will add 1,300-sf to the existing north entry of the hospital. This expansion will provide a family café for patient, visitor and staff use. The scale and setting of the space will be like a Starbucks, offering healthy food selections and premium coffee. The intent for the new area created will also open to the existing lobby and a new patio area. The entry will be expanded slightly to the north to create a new vestibule. In addition to these two functions a new family consult room will be integrated and offer visiting family members a less institutional area to speak with health care professionals and also offer a retreat. This expansion will provide for a new positive experience for all hospital visitors.

The property is zoned M-1, light manufacturing and a hospital has been in operation at this location since 1989. Rogers has been in operation here since 2000 and under an existing special use permit from 2007. The hospital functions as a conforming use within this zoning district. The addition does not prompt an amendment to the existing special use.

Zoning: M-1 Manufacturing District

Lot Size: 5.2 acres

Existing property use: Hospital

Proposed project area: one story 1,300-sf addition

Parking Provided: 173 spaces (includes 10 ADA) plus shared off-street parking with nearby Gordon Flesh business (20 spaces)

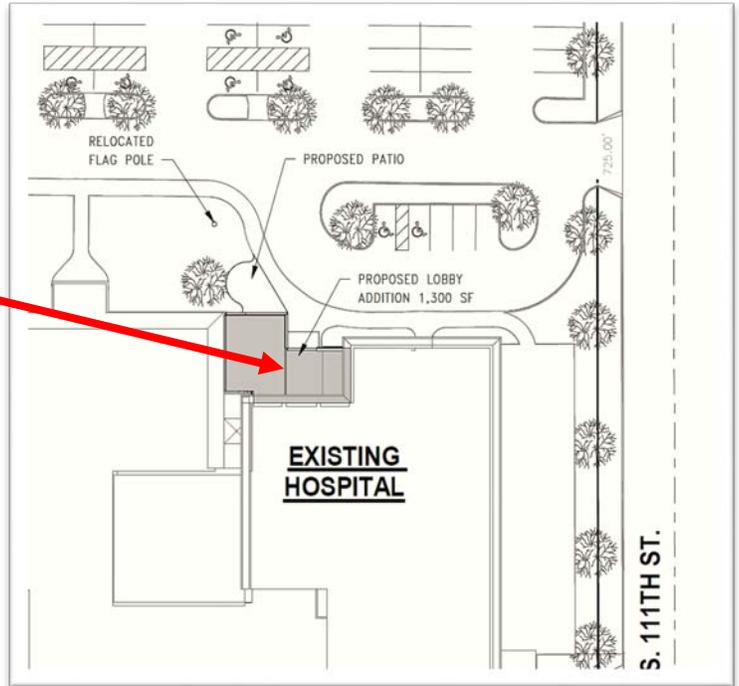
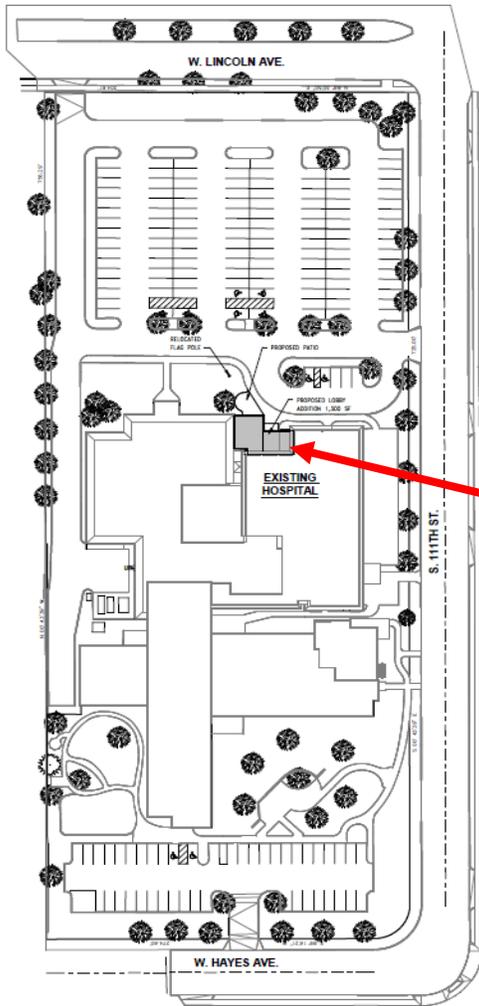
Staffing: about 140 employees during peak, varies dependent upon patient census

Hours: daily 24/7 operations

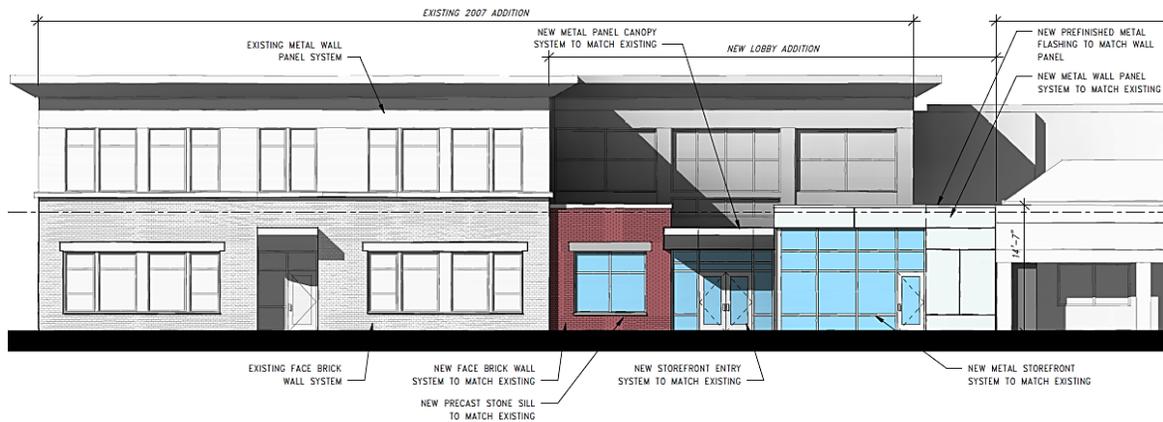
**Site, Landscaping and Architectural**

With the 2019 approved changes and implementation of a new healing garden on the east side of the building and a new storage garage on the south parking lot area, the property is in compliance with the Plan Commission approved site and landscaping plans.

With the proposed addition, a new patio area will be created near the new entrance vestibule and will pair nicely with the café experience.



1 PROPOSED SITE PLAN



1 PROPOSED NORTH ELEVATION



Architecturally, the exterior appearance of the proposed addition will be in keeping with the previous 2007 addition that was constructed. The new addition will consist of the following:

- a. a new metal storefront and entry system to match the existing
- b. new face brick wall system with precast sill to match existing
- c. a new metal panel canopy system to match existing
- d. prefinished flashing to match metal wall panels

The composition of textures will also feature some depth with the café portion of the building addition projecting north to align with the plane of the west side of the building and the entrance vestibule and family area aligning with the plane of the 2007 addition so as to be considerate of the existing building. The proposed addition will be 1 story high and generally the same height as the first floor of the existing hospital.

**Recommendation:** Staff recommends approval of the Site, Landscaping and Architectural plan for Rogers Behavioral Health, an existing hospital use, to construct a building addition on their facility at 11101 W. Lincoln Ave. submitted by Barbara Whitstone of Rogers Behavior Health and Matthew Edwards of Quorum Architects (Tax Key No. 484-9999-017).



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**WEST ALLIS PLAN COMMISSION**  
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3. **Site, Landscaping, and Architectural Plans for Lincoln Crest Apartments, an existing multi-tenant building, located at 2017-2092 S. 102 St., submitted by Blake Capital, d/b/a Lincoln Crest Apartments. (Tax Key No. 480-9970-000).**

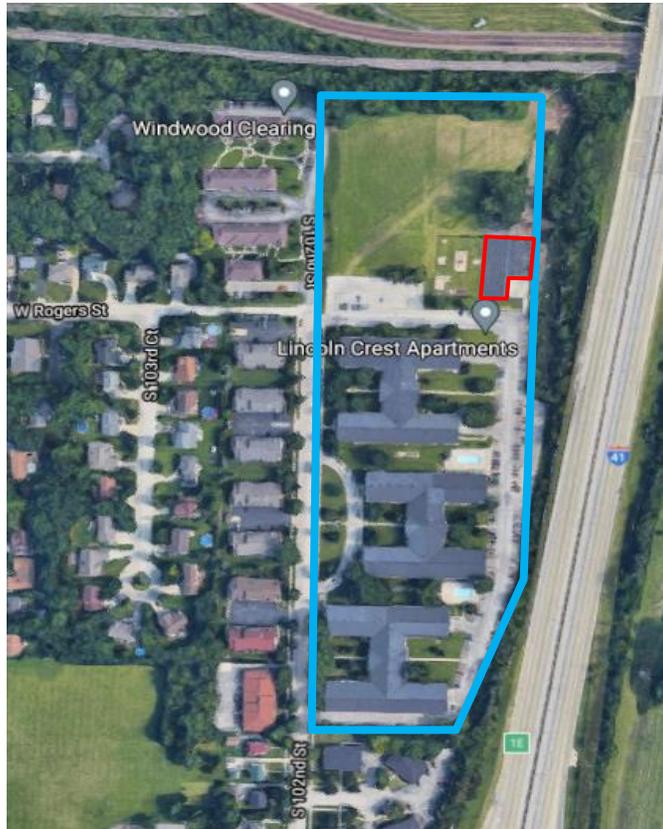
**Overview and Zoning**

Lincoln Crest is a 110 unit apartment development built in 1969 and features a set of three three-story buildings. The property is over 13 acres and located north of W. Lincoln Ave. and west of I-41/894.

Community amenities include a fitness center, two swimming pools, a playground, and a large open field. They are now proposing to add a fenced dog area in place of the basketball and tennis court. The property is zoned RC-1 and its existing and future land use is high density residential.

**Fenced Dog Area**

The existing use of this part of the property is a basketball and tennis court. The proposed fenced in areas are two rectangular spaces (45-ft x 138-ft = 6,210 sq. ft.) and (45-ft x 85-ft = 3,825 sq. ft.) for a combined 10,035 sq. ft. The 12-foot-high existing fence is a black aluminum chain-link style. Existing concrete will be removed to install artificial pet turf. Waste stations and benches will be installed. The dog park will be allowed to be used by residents only. Hours of operation will be 9am to 9pm.



**Recommendation:** Approve the Site, Landscaping, and Architectural Plans for Lincoln Crest Apartments, an existing multi-tenant building, located at 2017-2092 S. 102 St., submitted by Blake Capital, d/b/a Lincoln Crest Apartments. (Tax Key No. 480-9970-000) subject to a revised Site, Landscaping, and Architectural details/plans being submitted to and approved by the Planning & Zoning office to show the following: (a) indication of hours of operation; and (b) confirmation of waste stations and any fixtures. Contact Tony Giron, at 414-302-8460 with any questions.



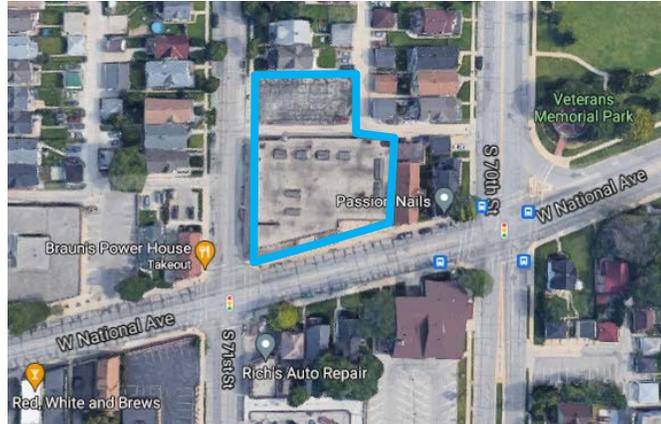
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4. **Master sign plan for All Kind Smiles, a proposed dentist office, located at 7030 W. National Ave., submitted by Rosie Olle on behalf of Max Meinerz (Tax Key No. 453-272-001).**

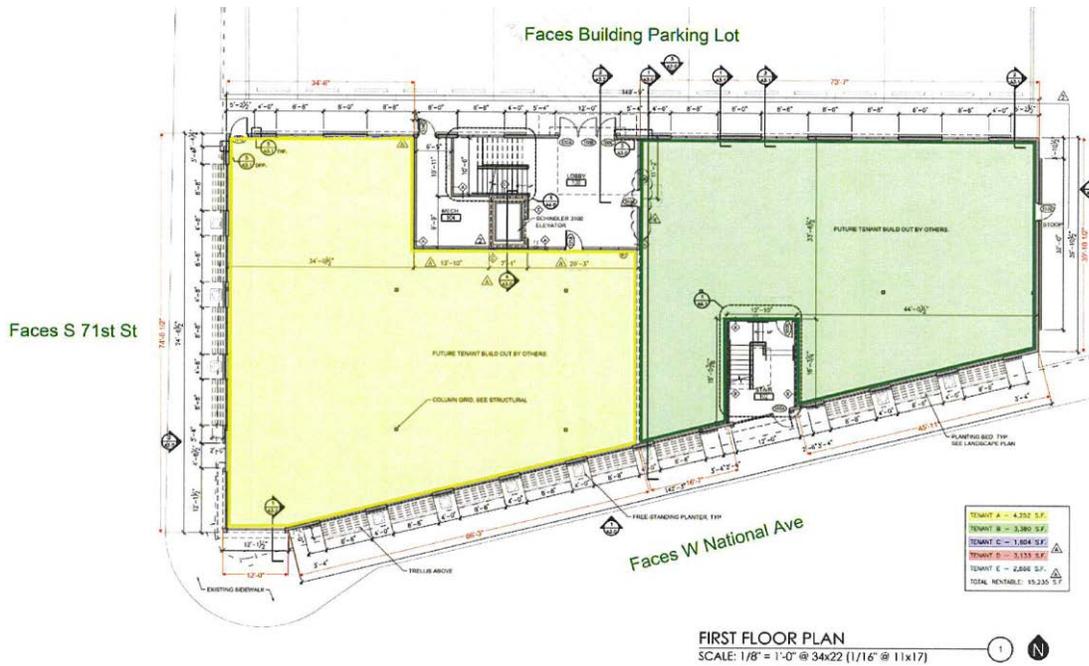
**Signage Plan**

Max Meinerz recently developed a five-tenant commercial building at 7030 W. National Ave. The building has been constructed and the first business, All Kind Smiles, a dentist office, has occupied the eastern tenant space on the first floor. They applied for a sign permit for the first of 5 new tenants, but the plans were over the square footage limit. The plans were revised to meet the sign code.

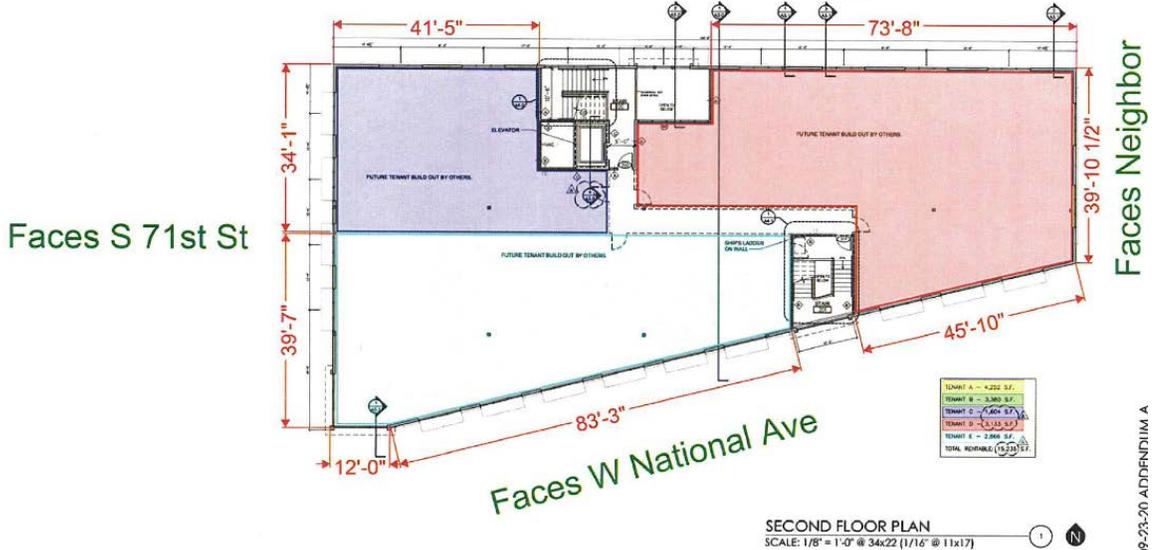


- Being a multi-tenant commercial building, staff encouraged them to apply for a Master Sign Plan, which will not only advance the first sign proposal, but also sets the stage for future signage submittals that may be approved administratively by staff if they meet the approved plan.
- Under the master sign code the frontage of each tenant is measured and is granted an allowance of up to 1.5-sf x the width of the tenant space. For the All Smiles this means 1.5-sf x 75-ft of frontage = 112.5-sf of signage. This area may be apportioned between up to two signs in this case one on the front and one on the backside of the tenant space/building.

The signage review is being considered under the master signage program where “Multi-tenant commercial buildings or centers of three (3) or more individual tenants” have the option to obtain Plan Commission approval for their signage plans - section [13.21\(13\) Sign Code](#).



Faces Building Parking Lot



**Wall Signage** – The signage ordinance indicates the following (*italicized*):  
*Number. Total number of wall signage permitted for a building or center or multi-tenant commercial building may be apportioned over two (2) building facades, but no more than one (1) sign per facade. Wall signage must be placed on an exterior wall of the business in which the sign identifies.*

*Area. The maximum allowable area of wall signs for eligible multi-tenant commercial buildings shall be computed as one and five-tenths (1.5) square feet per lineal foot of each tenant's frontage.*

*Design. Artistic qualities, design relief and articulation of signage including raised letters, framing, insets/offsets and unique shapes are encouraged.*

- A. *The sign face shall be constructed of aluminum, masonry, or similar product or polycarbonate with an opaque background or other approved durable materials. If internally illuminated, the sign face must be constructed of an opaque background.*
  - B. *Exclusively flat wall signs shall not be acceptable. Acceptable alternatives include:*
    - a. *Raised/channeled letters;*
    - b. *Individual letters;*
    - c. *Oddly shaped signs; and*
    - d. *Two-inch thick (minimum) border around the wall sign.*
- The applicant has indicated on their Master Sign Plan that they will adhere to the Building Code relating to the Master Sign Plan.



**Recommendation:** Staff recommends approval of the Master sign plan for All Kind Smiles, a proposed dentist office, located at 7030 W. National Ave., submitted by Rosie Olle on behalf of Max Meinerz (Tax Key No. 453-272-001). The signage is proportional to the individual tenants' frontages and number of tenants.



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- 5A. **Special Use permit to establish a mixed use (commercial and residential), an existing residential duplex property, located at 1416-18 S. 81 St.**
  
- 5B. **Site, landscaping and architectural plan to establish a mixed use (commercial and residential) an existing residential duplex pr operty, located at 1416-18 S. 81 St. submitted by Paul and Kristine Budiad (Tax Key No. 452-0255-001).**

Items 5A and 5B may be considered together.



### **Overview and Zoning**

The subject property is a duplex that is owned by Paul and Kristine Budiad and located on a separate abutting lot to the south of Paulies Pub. Like other properties within the area, the subject property is zoned C-2, neighborhood commercial district. The Budiad's are requesting that the primary use of the property be changed from solely residence to a mixed use (residence and commercial) to allow for more flexibility of certain entertainment events including a tent and stage for live bands associated with Paulies Pub premise located just north at 8031 W. Greenfield Ave. (an abutting property to the north).

### **Background**

- Earlier this year at the May 4<sup>th</sup> Common Council meeting, Paulies Pub had received License and Health approval for a temporary extension of their licensed premise outdoors (within the parking lot of the 8031 W. Greenfield Ave. pub property). Subsequent revisions were revised June 15. The licensed premises doesn't extend to the subject 1416-1418 S. 81st St. (duplex) property. That means no alcohol storage, sales, or carrying of alcohol on the duplex property. This limitation relates only to the service of alcohol.
  
- Paulies Pub may use the duplex property in a manner that is connected to Paulie's Pub if the activity does not include service, sale, or carrying of alcohol

**and** complies with zoning for that parcel. This Plan Commission item focuses upon the zoning (licensing is offered for informational purposes).

- Planning met with Mr. Budiak and the 2<sup>nd</sup> District Alderpersons to discuss the tent and band stage placement on the duplex property as it currently does not comply with the zoning. A few options were discussed. The three (3) options to bring the duplex site into compliance with the existing zoning include:
  - a. Relocate the tent and stage to the Paulies Pub property (the second tent and stage would then be located upon the licensed premise); or,
  - b. Apply for a special use permit for a mixed use (commercial and residential use) on the duplex property in order to create a second primary use which would allow live music; or,
  - c. Raze the duplex and combine that parcel with Paulie's Pub via Certified Survey Map.

Mr. Budiak has decided to apply for option “b,” special use to establish the duplex property as a mixed use. Planning has worked with him to come before Plan Commission this month with Council hearing in September.



If the zoning/special use is approved by the Plan Commission and Common Council (public hearing required), he would be allowed to maintain the accessory tent and live

band stage on the duplex property to coincide with the outdoor activities at the Paulies Pub site. If the special use is not approved, Mr. Budiach would need to remove the tent and stage from the property and the subject area could only be used for its existing purpose as a residential duplex.

Paulies Pub outdoor events employ sound technicians and there are a number of musicians that perform over the summer.

Below is a copy of the existing temporary extension license that runs May 29 - September 6, 2021.



**Licensing Period:**  
Saturday, May 29, 2021 through Monday, September 6, 2021.

**Temporary Extension of "Class B" Licensed Premise Permit**

Extensions will not be valid unless the license extension permit is posted in the licensed area.

**ISSUED TO:**  
**PAULIE'S PUB & EATERY**  
**8031 W. GREENFIELD AVENUE**  
**WEST ALLIS, WI 53214**

Premises - Building at 8025, 8027, 8029 and 8031 W. Greenfield Avenue and 1408 S. 81st Street.

Extension- Entire outdoor parking lot to the south and east of licensees premise.

- Hours of Operation for the area are limited to 10:00 AM to 10:00 PM

**APPROVED EXCEPTION REQUESTS:**  
\*Applicant is allowed to have no more than four (4) events with amplified music per week.  
\*Property is less than 200 feet from a residential premises.  
\*Exception from the sound limitations, subject to a decibel reading being equal to or less than 100db from 100 feet; allowable for 14 weeks.

**Objections:**  
**If objection is received, the council will consider the special extension application at its next regular meeting just like any new license application and may reject it or place special restrictions on the extended premises (hours, number of people, etc.**

While the above referenced license offers four (4) weekly events from 10am to 10pm, Paul has voluntarily reduced the number of events to three (3) per week (Saturday 3pm to 8pm, Sunday 2pm to 7pm and Monday 5:30pm to 8:30pm).

Sound level measurements are to be under the 100-decibel threshold at 100-ft from the source. The Common Council may consider rejecting or placing special restrictions on the license if it is determined to be objectionable.

**Site, Landscaping and Architectural**

The placement of the tent and stage is within the rear yard of the existing duplex property between the house and the garage.

Site improvements/fencing - Mr. Budiak, is proposing to replace an existing chain link fence with a solid screen fence that spans from the Paulies Pub site south to Field Trip site. The fence will be 6-8 ft tall and either wood or composite material.

The current installation of a tent and stage on the duplex property meet the Fire Department tent permit requirements.

3 porta-potties (one being ADA) and a wash station are provided on the adjacent Paulies Pub site.

Exterior improvements/garage – Part of the existing garage on site has been resided to repair the exterior. Remaining side(s) will be painted to match new siding. A roll up service



door has been installed on the north elevation of the garage. This will need to remain closed as it cannot be used for service. Otherwise, there are no additional architectural changes proposed to the duplex property and Mr. Budiak intends to continue to lease the duplex to residential tenants regardless of the zoning decision.

**Recommendation:** Common Council approval of the special use permit to establish a mixed use (commercial and residential), and approval of the site, landscaping and architectural plan to establish a mixed use (commercial and residential), at an existing residential duplex property, located at 1416-18 S. 81 St. submitted by Paul and Kristine Budiak (Tax Key No. 452-0255-001).



STAFF REPORT  
WEST ALLIS PLAN COMMISSION  
Wednesday, July 28, 2021  
6:00 PM  
City Hall – Room 128

Watch: <https://www.youtube.com/user/westalliscitychannel>

6. **Ordinance to amend the definition of medical service facility and establish a definition and regulations for narcotic treatment service facility.**

Planning has prepared a sponsored ordinance for Common Council consideration. The amendment updates the definition of a medical service facility and also creates a new definition for narcotic treatment service (aligned with Wisconsin Statutes [Ch 51](#)).

The ordinance, as drafted, places narcotic treatment services within the C-4, regional commercial district of the City zoning ordinance as a permitted use with certain minimum separation conditions being stipulated from residential, parks, schools and other similar uses. The proposed 1,000-foot buffer has two standards for measurement: distance from the treatment facility to the lot lines for residential and parkland, but distance between buildings for schools and other treatment facilities.

1. The first section of the proposed ordinance amends the existing definition of a medical service facility and establishes a new term/definition of a Narcotic treatment service facility as highlighted below.

Medical Service Facility. An outpatient facility which provides specialized medical services ~~for the specialized diagnosis, testing and treatment of alcoholism or chemical substance abuse or including blood/plasma donation centers, dialysis centers, birth centers, facilities for treatment of sexually transmitted diseases. also including, but is not limited to, a birth center a facility where human material or matter, including blood or plasma is donated (i.e., blood banks).~~

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**Narcotic treatment service facilities. A facility that provides an opioid treatment system that includes a physician who administers or dispenses a narcotic drug to a narcotic addict for treatment or detoxification treatment with a comprehensive range of medical and rehabilitation services; that is approved by the state methadone authority and the designated federal government's regulatory authority; and that is registered with the U.S. drug enforcement administration to use a narcotic drug for treatment of a narcotic addiction.**

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2. The second section of the proposed ordinance establishes narcotic treatment service facility uses within the C-4 Regional Commercial District as a permitted use with the following conditions:

*Narcotic treatment service. No narcotic treatment service facility shall be located within one thousand (1,000) feet of the following:*

- 1. Parcels zoned or developed for residential;*
- 2. A public or private school for which attendance is compulsory under Wis. Stat. 118.15;*
- 3. Parcels Zoned parkland; or*
- 4. Another narcotic treatment service*

**Recommendation:** Common Council approval of an ordinance to amend the definition of medical service facility and establish a definition and regulations for narcotic treatment service facility. A public hearing date is anticipated to be scheduled for September 7.



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7. **Ordinance to convert site plan improvement sureties from mandatory to optional amending section 12.13(14).**

Planning and the City Attorney's office have been collaborating about reducing some of the hurdles to obtain zoning/site, landscaping and architectural approvals and ultimately a building permit.

One of these items is currently a zoning requirement in sec. 12.13(14) of the code that requires developers/applicants to obtain a surety bond or letter of credit as a condition of Plan Commission approval. Surety bond and letters of credit have been required/used for decades as they have been considered useful for prompting compliance with approved plans.

12.13(14) – it could be eliminated entirely or changed from a “will/shall” to a “may.”

*Security Bond: Site Plans. As a condition of approving a site plan, the Plan Commission **will may** require that the applicant provide a security bond, letter of credit or cash deposit to ensure the completion of all required site improvements including refuse enclosures, landscaping, and paving, stripping and signage of parking lots. The form of the bond or other security shall be prescribed by the Plan Commission. The amount of the bond or other security will not exceed one hundred twenty-five percent (125%) of the estimated cost of the site improvements and may be reduced over the life of the construction of the project as elements are completed; however, even if the amount is reduced, the bond or other security will remain in force until all required site improvements have been completed and approved by the Building Inspector. The Plan Commission may require more than one (1) estimate from licensed contractors to determine the value of the bond or security.*

However, depending on the insurance company or financial institution there is sometimes a financial burden and time constraint on the applicant to obtain the surety: the financial expense to obtain the surety up to 5% of the amount and a variable amount of the applicants time to secure the appropriate format and execute the surety (requires City Attorney review as to form and the Mayors signature).

- Therefore, Planning is questioning the value of this policy to be routinely applied especially for small business projects and recommend changing the policy to offer staff discretion in applying the requirement from a “shall” to a “may.”

While compliance with approved plans is always our goal, not all projects warrant the application of this policy as a requirement. Planning has considered eliminating it all-together, but for the time being, is opting to reduce the policy to discretionary use (for example larger more complex redevelopment projects like Mandel, UHS, Ogden).

**Recommendation:** Staff recommends approval of an ordinance to convert site plan improvement sureties from mandatory to optional amending section 12.13(14). A public hearing will be scheduled for September 7.