



# City of West Allis

7525 W. Greenfield Ave.  
West Allis, WI 53214

## Resolution

**File Number: R-2012-0043**

**Final Action:**

**Sponsor(s):** Safety & Development Committee

**MAR 06 2012**

Resolution relative to determination of Special Use Permit to establish a branch office for the UW Credit Union, a financial institution with drive-thru facilities, to be located at 2525 S. 108 St.

WHEREAS, the UW Credit Union, duly filed with the City Administrative Officer-Clerk/Treasurer an application for a Special Use Permit, pursuant to Sec. 12.16 and Sec. 12.43(2) of the Revised Municipal Code of the City of West Allis to establish a financial institution with drive-thru lane; and,

WHEREAS, after due notice, a public hearing was held by the Common Council on March 6, 2012 at 7:00 p.m. in the Common Council Chambers to consider the application to adopt the special use resolution; and,

WHEREAS, the Common Council, having carefully considered the evidence presented at the public hearing and the following pertinent facts, noted:

1. The applicant, Mr. Brad McClain, CFO, on behalf of UW Credit Union, has offices at 3500 University Ave., Madison, WI 53705. The property owner is S & H Company, 1800 E Capital Dr., Milwaukee, WI 53211.
2. The property consists of a 1.13 acre corner parcel situated between W. Arthur Ave. and W. Cleveland Ave. on the west side of S. 108 St. The property was formerly occupied by Blockbuster Video and a Halloween Express retail store. UW Credit Union will demolish the existing building and construct a new 5,500 square foot financial institution with a drive-thru. The Credit Union will lease the land from the property owner.
3. The applicant has made an application for special use to construct a new 5,500 sq. ft. credit union branch office building with four (4) covered drive-thru lanes. An ATM will also be installed on site.

The subject property is located at 2525 S. 108 St., 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 of Section 7, Township 6 North, Range 21 East, City of West Allis, Milwaukee County, Wisconsin, described as follows:

Lot 2 of the Certified Survey Map No. 4840.

Tax Key Numbers: 484-9986-010

4. The aforesaid area is currently split zoned both C-4 Regional Commercial District and M-1 Manufacturing District. A separate rezoning ordinance has been prepared and will be considered by the Council at the March 6 hearing date to unify the zoning to C-4 Commercial in accordance with the 2030 Comprehensive Plan. The City of West Allis Zoning Ordinance permits financial institutions with drive-thru facilities as a special use, pursuant to C-4 Zoning District Zoning per Sec. 12.43(2) of the Revised Municipal Code of the City of West Allis.

5. The property is located between W. Arthur Ave. and W. Cleveland Ave. on the west side of S. 108 St. Properties to the south, east and west are developed as commercial. Properties to the north are developed as institutional and residential.

6. The proposed development should not adversely contribute to traffic volumes or traffic flow in the area as the property offers off-street parking and is served by public transit.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of West Allis that the application of UW Credit Union to establish a new credit union with drive thru at 2525 S. 108 St., 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, Architectural. The grant of this Special Use Permit is subject to and conditioned upon a site, screening, landscaping plan and architectural plan approved February 22, 2012 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. Paving and Drainage. The grant of this Special Use Permit is subject to paving and drainage plans being submitted to and approved by the Department of Building Inspections and Zoning. The grant of this special use is subject to and conditioned upon compliance with all applicable building and fire codes.
3. Hours of Operation. Hours of operation are Monday through Friday from 7:00 a.m. to 7:00 p.m. Saturday 9:00 a.m. to 5:00 p.m. ATM daily - 24 hours per day and 7 days per week.
4. Window Signage. Building window signage shall not exceed 20% of each window area and be located within the building.
5. Driveway Permits. The grant of this Special Use is subject to necessary driveway permits being granted by the Board of Public Works and the State of Wisconsin (WisDOT) if modifying the

existing driveway along S. 108 St./Hwy 100.

6. Building and Fire Codes. The grant of this special use is subject to and conditioned upon compliance with all applicable building and fire codes.

7. Parking. Off-street parking for 18 vehicles is required for the proposed credit union. A total of 38 parking stalls will be provided on site. Cross access agreements being maintained to support access into the subject property from W. Cleveland Ave. and W. Arthur Ave.

8. 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.

9. Litter and Monitoring. Employees shall inspect the area 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 four-sided structure. The restaurant and property area shall be adequately monitored by staff.

10. Deliveries and Refuse Pickup. All refuse to be provided by a commercial hauler. All refuse, recyclables and other waste material shall be screened from view within an enclosure 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 building and 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.

11. Outdoor Lighting. All outdoor lighting fixtures shall be shielded in such a manner that no light splays from the property boundaries.

12. 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.

13. 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.

14. 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.

15. 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, the special use may be terminated.

16. Acknowledgement. That the applicants sign 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.

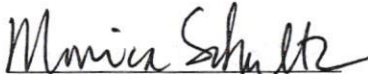


Mr. Brad McClain, CFO, on behalf of UW Credit Union

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Property owner/agent for S & H Company

Mailed to applicant on the  
12<sup>th</sup> day of March 2012



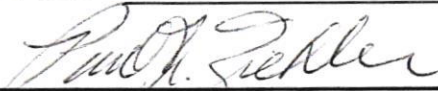
Assistant City Clerk

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

ZON-R-852-3-6-12

**ADOPTED**

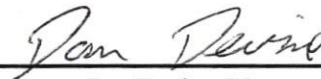
MAR 06 2012



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

**APPROVED**

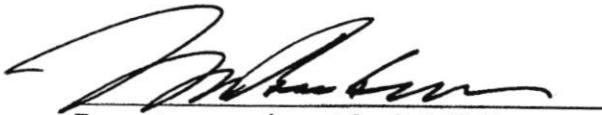
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Dan Devine, Mayor

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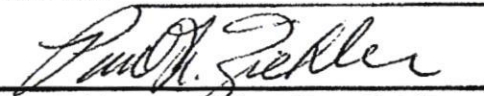
  
Property owner/agent for S & H Company  
**MARK E. BRIDGMAN**


Mailed to applicant on the  
12<sup>th</sup> day of March 2012

  
Assistant City Clerk

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

ZON-R-852-3-6-12

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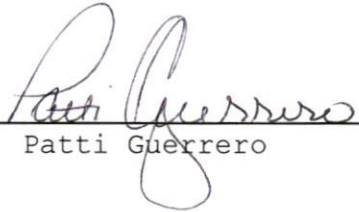
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7525 W GREENFIELD AVE  
JANEL LEMANSKE  
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Patti Guerrero hereby states that she is authorized by Journal Communications Inc. to certify on behalf of Journal Community Publishing Group, publisher of Community Newspapers, public newspapers of general circulation, printed and published in city and county of Milwaukee; was published in the My Community Now- Midwest on 2/16/2012 and 2/23/2012 ;that said printed copy was taken from said printed newspaper(s).

  
Patti Guerrero

State of Wisconsin )  
 ) SS:  
County of Milwaukee)

Subscribed and sworn before me this 27 day of Feb, 2012.  
Jerril Rose

Notary Public State of Wisconsin  
My Commission Expires 1.25.15



**NOTICE OF HEARING**

Tuesday, March 6, 2012,  
7:00 P.M.

NOTICE IS HEREBY GIVEN that  
the Common Council of the City

of West Allis will conduct a public hearing on Tuesday, March 6, 2012 at 7:00 P.M., or as soon thereafter as the matter may be heard, in the Common Council Chambers of West Allis City Hall, 7525 W. Greenfield Avenue, West Allis, Wisconsin on the Special

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