

48.



City of West Allis Matter Summary

7525 W. Greenfield Ave.
West Allis, WI 53214

File Number	Title	Status
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R-2007-0138

Resolution

In Committee

Resolution relative to determination of Special Use Permit for proposed construction of a shop/garage facility, to be located at 111** W. Becher St. (Tax Key No. 481-9992-005)

Introduced: 6/5/2007

Controlling Body: Safety & Development Committee

Sponsor(s): Safety & Development Committee

COMMITTEE RECOMMENDATION

Adopt

ACTION DATE:

6/5/07

MOVER SECONDER

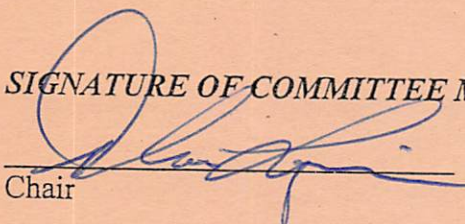
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		Czaplewski
		Dobrowski
		Kopplin
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		Narlock
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		Sengstock
	<input checked="" type="checkbox"/>	Vitale
		Weigel

AYE	NO	PRESENT	EXCUSED
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TOTAL

5 0 _____ 1

SIGNATURE OF COMMITTEE MEMBER



Chair

Vice-Chair

Member

COMMON COUNCIL ACTION

ADOPT

ACTION DATE:

JUN 05 2007

MOVER SECONDER

<input checked="" type="checkbox"/>		Barczak
		Czaplewski
		Dobrowski
		Kopplin
<input checked="" type="checkbox"/>		Lajsic
		Narlock
		Reinke
		Sengstock
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		Weigel

AYE	NO	PRESENT	EXCUSED
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TOTAL:

9 - _____ 1



City of West Allis

7525 W. Greenfield Ave.
West Allis, WI 53214

Resolution

File Number: R-2007-0138

Final Action:

Sponsor(s): Safety & Development Committee

JUN 05 2007

Resolution relative to determination of Special Use Permit for proposed construction of a shop/garage facility, to be located at 111** W. Becher St. (Tax Key No. 481-9992-005)

WHEREAS, James Stevenson, the property owner, duly filed with City Administrative Officer-Clerk/Treasurer an application for a Special Use Permit, pursuant to Sec. 12.16 and Sec. 12.45(2) of the Revised Municipal Code to construct a 5,501 sq. ft. vehicle service and repair shop/garage facility on a newly created/divided lot located at 111** W. Becher St. (formerly a part of 11139 W. Becher St.); and,

WHEREAS, after due notice, a public hearing was held by the Common Council on June 5, 2007, 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/the owner James Stevenson has offices at 11139 W. Becher St., West Allis, WI 53227.
2. James Stevenson owns said premises located at 11139 W. Becher St. (1.9 acres), and 111** W. Becher St. (3.1 acres), 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 6, Township 6 North, Range 21 East, in the City of West Allis, Milwaukee County, State of Wisconsin, described as follows:

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

Parcel 1 of Certified Survey Map No. 3344.

TAX KEY NO. 481-9992-005

Said Property being located at 111** W. Becher St. formerly a part of 11139 W. Becher St. Common Council Resolution No. R-2007-0110 adopting Certified Survey Map (May 15, 2007).

3. The aforesaid area is zoned M-1 Manufacturing District under the Zoning Ordinance which

permits vehicle service, repair and storage as a special use, pursuant to Sec. 12.16 and Sec. 12.45(2) of the Revised Municipal Code.

4. The applicant is proposing to construct a new 5,501 sq. ft. garage/shop for commercial vehicle service and repair on a newly created/divided 3.1 acre lot formerly a part of 11139 W. Becher St. Outdoor storage will also be present on site in accordance with a site, landscaping and screening plan.

5. The subject property is located on the south side of W. Becher St. between S. 111 St. and S. 114 St. Properties to the north, south and west are developed as manufacturing. Properties to the east are developed as single family residential.

6. 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. A solid screen of both a fence and landscaping is required along abutting residential land uses as a condition of special use approval. Additionally, landscaping and screening of all outdoor storage and parking areas on site shall be required.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of West Allis that the application of James Stevenson (the property owner), 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 and Sec. 12.45(2) 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 Plans. The grant of this Special Use Permit is subject to and conditioned upon a site, landscape and architectural plan submitted to and approved 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 on March 28, 2007. All outdoor storage areas on site shall be screened and landscaped from abutting properties.

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. Paving and Drainage. The grant of this special use is subject to a paving and drainage plan being submitted to and approved by the Department of Building Inspections and Zoning.

4. Parking. Off-street parking spaces for 14 vehicles will be provided on site, including one (1) ADA stall. Zoning requires parking for 14 vehicles on site.

5. **Business Hours.** Hours of operation will be Monday through Friday from 7:30 a.m. to 7:30 p.m.; Saturday and Sunday from 7:30 a.m. to 5:00 p.m.
6. **Pagers, Intercoms.** The use of outdoor pagers, intercoms, or loud speakers shall not be permitted on site as the land use to the east consists of residential uses.
7. **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.
8. **Easement Agreement.** Grant of the special use is subject to the applicant obtaining an easement for utilities through City owned property located at 2179 S. 111 St.
9. **Outdoor Lighting.** All outdoor lighting fixtures shall be shielded in such a manner that no light splays from the property boundaries.
10. **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.
11. **Miscellaneous.**
 - A. 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.
 - B. The 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.

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.

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 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.

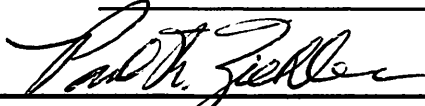
Mailed to applicant on the

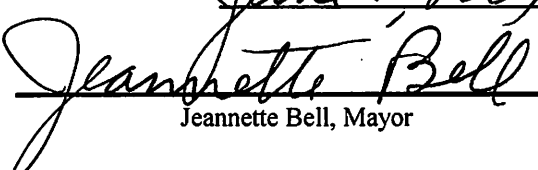
8th day of June, 2007

Monica Schultz
Assistant City Clerk

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

ZON-R-620/6-5-07

ADOPTED JUN 05 2007

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

APPROVED June 7, 2007

Jeannette Bell, Mayor



7525 West Greenfield Avenue
West Allis, Wisconsin 53214-4648



CITY CLERK/TREASURER'S OFFICE
414/302-8200 or 414/302-8207 (Fax)
www.ci.west-allis.wi.us
Paul M. Ziehler
City Admin. Officer, Clerk/Treasurer
Monica Schultz
Assistant City Clerk
Rosemary West
Treasurer's Office Supervisor

June 8, 2007

Robert R. Stensberg
DBI, Inc.
1265 W. Wisconsin Ave.
Pewaukee, WI 53072

Dear Mr. Stensberg:

On June 5, 2007 the Common Council approved a Resolution relative to determination of Special Use Permit for proposed construction of a shop/garage facility, to be located at 111** W. Becher St.

A copy of Resolution No. R-2007-0138 is enclosed.

Sincerely,

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

Monica Schultz
Assistant City Clerk

/amn
enc.

cc: John Stibal
Ted Atkinson
Steve Schaer
Barb Burkee
James Stevenson