

66



City of West Allis

Matter Summary

7525 W. Greenfield Ave.
West Allis, WI 53214

File Number	Title	Status
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R-2006-0170

Resolution

In Committee

Resolution relative to determination of Special Use Permit for Wilde Toyota to expand its existing vehicle sales operations at 3225 S. 108 St. and the property at 3193 S. 108 St. (former Crawford Animal Hospital) and a portion of the property at 3161 S. 108 St. (Gordie Boucher). (Tax Key Nos.: 523-9946-009; 523-9949-002; 523-9992-001 and 523-9986-009)

Introduced: 6/6/2006

Controlling Body: Safety & Development Committee

COMMITTEE RECOMMENDATION

ADOPT AS AMENDED

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<u>6/6/06</u>	<input checked="" type="checkbox"/>		Barczak	<input checked="" type="checkbox"/>			
			Czaplewski				
			Dobrowski				
			Kopplin				
			Lajsic	<input checked="" type="checkbox"/>			
			Narlock				
			Reinke	<input checked="" type="checkbox"/>			
			Sengstock				
		<input checked="" type="checkbox"/>	Vitale	<input checked="" type="checkbox"/>			
			Weigel	<input checked="" type="checkbox"/>			
			TOTAL	<u>5</u>	<u>0</u>		

SIGNATURE OF COMMITTEE MEMBER

Chair

Vice-Chair

Member

COMMON COUNCIL ACTION

ADOPT as amended

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<u>JUN 06 2006</u>			Barczak	<input checked="" type="checkbox"/>			
			Czaplewski	<input checked="" type="checkbox"/>			
			Dobrowski	<input checked="" type="checkbox"/>			
			Kopplin				<input checked="" type="checkbox"/>
	<input checked="" type="checkbox"/>		Lajsic	<input checked="" type="checkbox"/>			
			Narlock	<input checked="" type="checkbox"/>			
			Reinke	<input checked="" type="checkbox"/>			
			Sengstock	<input checked="" type="checkbox"/>			
		<input checked="" type="checkbox"/>	Vitale	<input checked="" type="checkbox"/>			
			Weigel	<input checked="" type="checkbox"/>			
			TOTAL	<u>9</u>			<u>1</u>



City of West Allis

7525 W. Greenfield Ave.
West Allis, WI 53214

Resolution

File Number: R-2006-0170

Final Action: 6/6/2006

Resolution relative to determination of Special Use Permit for Wilde Toyota to expand its existing vehicle sales operations at 3225 S. 108 St. and the property at 3193 S. 108 St. (former Crawford Animal Hospital) and a portion of the property at 3161 S. 108 St. (Gordie Boucher). (Tax Key Nos.: 523-9946-009; 523-9949-002; 523-9992-001 and 523-9986-009)

WHEREAS, Wilde Toyota 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 expand their outdoor vehicle sales and display area at 3225 S. 108 St. onto the property at 3193 S. 108 St. (former Crawford Animal Hospital) and a portion of the property at 3161 S. 108 St. (Gordie Boucher); and,

WHEREAS, after due notice, a public hearing was held by the Common Council on June 6, 2006, 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, Wilde Toyota, has offices at 3211 and 3225 S. 108 St., West Allis, WI 53227 and has a valid offer to purchase property located at 3193 S. 108 St. and a portion of 3161 S. 108 St.
2. The applicant has made an application for special use to acquire and demolish the existing Budget Sales building and the Crawford Animal Hospital located at 3193 S. 108 St. and to establish the area as an outdoor sales and display area for vehicles at 3225, 3193, and 3161 S. 108 St. A new 5,100 square foot budget/used car sales building will be constructed upon the existing Crawford Animal Hospital property located at 3193 S. 108 St., West Allis, Milwaukee County, Wisconsin, more particularly described as follows:

All the lands of the owner, being part of located in the Northeast $\frac{1}{4}$ of the Section 18, Township 6 North, Range 21 East, City of West Allis, Milwaukee County, State of Wisconsin, describes as follows:

Beginning at the northeast corner of the Parcel 1, Certified Survey Map No. 5554; thence Southerly, 114.81 feet, along west right-of-way line of South 108th Street to the northeast corner of Parcel 1, Certified Survey Map No. 4789; thence, continue, Southerly, 1087.64 feet, along said west right-of-way line to a point; thence Westerly, 154.30 feet, to the east right-of-way line of South Wollmer Road; thence Northwesterly, 249.67 feet, along said easterly right-of-way line to the

southwest corner of Parcel 2, Certified Survey Map No. 6982; thence Northeasterly, 80.81 feet; thence Easterly, 16.05 feet; thence Northerly, 116.03 feet; thence Northwesterly, 19.60 feet; thence Northwesterly, 103.00 feet, to the southeast corner of Parcel 3, Certified Survey Map No. 5309; thence Northwesterly, 110.32 feet; thence Northwesterly, 323.97 feet; thence Northerly, 150.15 feet; thence Easterly, 84.43 feet; thence Northwesterly, 121.50 feet, to the southeast corner of Outlot A, Certified Survey Map No. 5554; thence Northwesterly, 52.00 feet, to the northeast corner of said Outlot A; thence Northwesterly, 74.45 feet, to the northwest corner of Outlot B of said Certified Survey Map No. 5554; thence Easterly, 476.05 feet to the Point of Beginning.

Tax Key Nos.: 523-9946-009; 523-9949-002; 523-9992-001 and 523-9986-009

Said land being located at 3211, 3225 and 3161 and 3193 S. 108 St.

3. The applicant has a valid offer to purchase the property at 3161 (a portion of Gordie Boucher property) and 3193 S. 108 St. (former Crawford Animal Hospital). The existing Wilde Toyota property is 7.28 acres. With the expansion and assemblage of the 3161 portion and 3193 S. 108 St. properties, the overall area of the dealership will be 8.48 acres (an additional 1.20 acres).
4. The aforesaid area is zoned C-4 Regional Commercial under the Zoning Ordinance of the City of West Allis, which permits outdoor vehicle sales and display as a special use, pursuant to Sec. 12.43(2) of the Revised Municipal Code of the City of West Allis.
5. The Property is part of a block between W. Oklahoma Ave. and S. Wollmer Rd. on the west side of S. 108 St. Properties located to the north and south are developed as commercial, and properties on the east and west of the proposed location are developed as multi-family and single family residences.
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.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of West Allis that the application of Wilde Toyota, 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 and Landscaping. The grant of this Special Use Permit is subject to and conditioned upon a screening and landscaping plan approved May 24, 2006, 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. Off Street Parking. A total of 244 spaces are required for the site; a total of 59 spaces (31 customer and 28 employee) will be provided on site. In addition, 60,000 square feet of rooftop vehicle storage is also provided. Loading and unloading of vehicles shall not be conducted in City right of way or in State Highway 100 right of way. Employee and customer vehicles shall not be parked in the public right of way or State Highway 100 (including vehicles being repaired, stored, and/or displayed on site). All loading and unloading of vehicles, equipment, or parts must be conducted on premises. 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. (Note-amended by the Common Council to add the following: South driveway to be kept as right turn only exit.)
3. 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.
4. 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.
5. Pagers, Intercoms. The use of outdoor pagers, intercoms, or loud speakers shall not be permitted on site.
6. Driveway Permits: Permit application and approved plans being submitted by applicant to the Engineering Dept. for necessary driveway permit to be granted by the Board of Public Works (and the Wisconsin Department of Transportation, if applicable)
7. Hours of Operation. The dealership will be open 9:00 a.m. to 9:00 p.m. on weekdays; Saturdays from 9:00 a.m. to 5:00 p.m. and closed on Sundays. The Parts and Service departments open two hours earlier on weekdays and one hour earlier on Saturday.
8. Signage. All signage to be in compliance with the April, 2006, Plan Commission approval. Building window signage shall not exceed 20% of each window area.
9. Marketing Display. The use of pennants, special lighting, flags, streamers or other signage, typically temporary in nature, hanging, floating or attached to a structure or vehicle display shall not be permitted.
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.

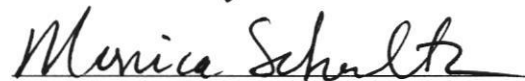
11. Miscellaneous.

A. 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.

Mailed to applicant on the
12th day of June, 2006


Assistant City Clerk

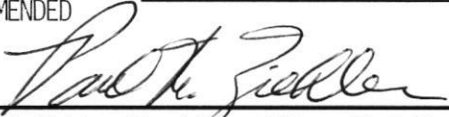
cc: Dept. of Development
Dept. of Building Inspections and Zoning
Div. of Planning & Zoning

ZON-R-561-AMD-6-6-06\jmg\bjb

ADOPTED

06/06/2006

AS AMENDED



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

APPROVED

AS AMENDED

June 9, 2006



Jeannette Bell, Mayor



City of West Allis

7525 W. Greenfield Ave.
West Allis, WI 53214

Resolution

File Number: R-2006-0170

Final Action:

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SOUTH DRIVEWAY TO BE KEPT AS RIGHT TURN ONLY EXIT
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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.

Mailed to applicant on the
_____ day of _____, 2006

Assistant City Clerk

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

ZON-R.561\jmg\6-6-06

ADOPTED

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

APPROVED

Jeannette Bell, Mayor



CITY OF WEST ALLIS

WISCONSIN



City Clerk/Treasurer Office

PAUL M. ZIEHLER
*City Administrative Officer
Clerk/Treasurer*

ROSEMARY WEST
*Treasurer's Office Supervisor
Senior Accountant*

MONICA SCHULTZ
Assistant City Clerk

June 12, 2006

Patrick J. Donahue
Wilde Toyota
3225 S. 108 St.
West Allis, WI 53227

Dear Mr. Donahue:

On June 6, 2006 the Common Council approved a Resolution relative to determination of Special Use Permit for Wilde Toyota to expand its existing vehicle sales operations at 3225 S. 108 St. and the property at 3193 S. 108 St. (former Crawford Animal Hospital) and a portion of the property at 3161 S. 108 St. (Gordie Boucher). (Tax Key Nos.: 523-9946-009; 523-9949-002; 523-9992-001 and 523-9986-009)

A copy of Resolution No. R-2006-0170 is enclosed.

Sincerely,

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

Monica Schultz
Assistant City Clerk

/dlm
enc.

cc: John Stibal
Ted Atkinson
Steve Schaer
Barb Burkee