

61



City of West Allis

Matter Summary

7525 W. Greenfield Ave.
West Allis, WI 53214

File Number	Title	Status
-------------	-------	--------

R-2003-0232

Resolution

In Committee

Resolution relative to determination of Special Use Application submitted by Robert B. Peregrine, Jr. on behalf of the Equitable Bank, SSB, to install an automatic teller machine at 7400 W. Oklahoma Ave.

Introduced: 08/05/2003

Controlling Body: Safety & Development Committee

COMMITTEE RECOMMENDATION

Adopt

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<u>8/5/03</u>		<input checked="" type="checkbox"/>	Barczak				
			Czaplewski	<input checked="" type="checkbox"/>			
			Kopplin				
			Lajsic	<input checked="" type="checkbox"/>			
			Narlock	<input checked="" type="checkbox"/>			
			Reinke				<input checked="" type="checkbox"/>
			Sengstock				
			Trudell				
			Vitale				
	<input checked="" type="checkbox"/>		Weigel	<input checked="" type="checkbox"/>			
			TOTAL	<u>4</u>	<u>0</u>		<u>1</u>

SIGNATURE OF COMMITTEE MEMBER (RECORDER)

[Signature]
Chair

Vice-Chair

Member

COMMON COUNCIL ACTION

Adopt

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<u>8-5-03</u>		<input checked="" type="checkbox"/>	Barczak	<input checked="" type="checkbox"/>			
			Czaplewski	<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"/>			
			Trudell				<input checked="" type="checkbox"/>
			Vitale	<input checked="" type="checkbox"/>			
			Weigel	<input checked="" type="checkbox"/>			
			TOTAL	<u>8</u>			<u>2</u>

COMMITTEES OF THE WEST ALLIS COMMON COUNCIL 2003

ADMINISTRATION AND FINANCE

Chair: Alderperson Czaplewski
V.C.: Alderperson Kopplin
Alderpersons: Barczak
 Lajsic
 Reinke

ADVISORY

Chair: Alderperson Reinke
V.C.: Alderperson Vitale
Alderpersons: Kopplin
 Lajsic
 Narlock

LICENSE AND HEALTH

Chair: Alderperson Barczak
V.C.: Alderperson Sengstock
Alderpersons: Kopplin
 Trudell
 Vitale

SAFETY AND DEVELOPMENT

Chair: Alderperson Lajsic
V.C.: Alderperson Weigel
Alderpersons: Czaplewski
 Narlock
 Reinke

PUBLIC WORKS

Chair: Alderperson Narlock
V.C.: Alderperson Trudell
Alderpersons: Sengstock
 Weigel
 Vitale



City of West Allis

7525 W. Greenfield Ave.
West Allis, WI 53214

Resolution

File Number: R-2003-0232

Final Action:

08-05-03

Resolution relative to determination of Special Use Application submitted by Robert B. Peregrine, Jr. on behalf of the Equitable Bank, SSB, to install an automatic teller machine at 7400 W. Oklahoma Ave.

WHEREAS, Equitable Bank, SSB, through its representative, Robert B. Peregrine, Jr., duly filed with the City Administrative Officer, Clerk/Treasurer an application for a Special Use Permit, pursuant to Sec. 12.42(2) and Sec. 12.16 of the Revised Municipal Code, to establish a drive-thru automatic teller machine (ATM).

WHEREAS, after due notice, a public hearing was held by the Common Council on August 5, 2003, at 7:00 p.m. in the Common Council Chamber 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, Robert B. Peregrine, Jr., on behalf of Equitable Bank, SSB, has offices at 2290 N. Mayfair Road, Wauwatosa, WI 53226.
2. The applicant, Equitable Bank, SSB, owns the property located at 7400 W. Oklahoma Ave., West Allis, Milwaukee County, Wisconsin, more particularly described as follows:

All the land of the owner being located in the Southwest $\frac{1}{4}$ of Section 10, Township 6 North, Range 21 East and Southeast $\frac{1}{4}$ of Section 34, Township 7 North, Range 21 East City of West Allis, Milwaukee County, Wisconsin, described as follows:

All of the Block 2 of Honey Creek Parkway Estates and adjoining vacated public service street on the south side of said Block 2.

Said land being located at 7400 W. Oklahoma Ave.

Tax Key No. 515-0123-000

3. The applicant is requesting to install a drive-thru automatic teller machine (ATM) in the existing bank parking lot.
4. The aforesaid premises is zoned C-3 Community Commercial District under the zoning ordinance of the City of West Allis, which permits a drive-thru as a special use, pursuant to Sec. 12.42(2) of the Revised Municipal Code.

5. The property is serviced by all necessary public utilities.
6. The subject property is part of a block between S. 74 St. and S. 76 St. on the north side of W. Oklahoma Ave., which is zoned for commercial purposes. Properties to the north and east are developed as residential commercial, properties to the south are in the City of Milwaukee and properties to the west are commercial.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of West Allis that Equitable Bank, SSB, be and is hereby granted a special use for the proposed drive-thru automatic teller machine (ATM) hereinabove described 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 Section 12.42(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, Screening and Architectural Plans. The grant of this special use permit is subject to and conditioned upon the site, landscape, and screening and architectural plans approved by the City of West Allis Plan Commission on June 24, 2003, as provided in Sec. 12.13 of the Revised Municipal Code of the City of West Allis. No alteration or modification of the approved plan shall be permitted without approval by the Plan Commission.
2. Construction. Building type and location on the subject property shall be in accordance with the representations contained in the application and in accordance with all building and fire codes.
3. Hours of Operation. The automatic teller machine (ATM) will be open 24 hours per day, seven days per week.
4. Refuse Collection. Refuse collection will be done by a commercial hauler.
5. Building Plans and Fire Codes. The grant of this Special Use Permit is subject to building plans being submitted to and approved by the Department of Building Inspection and Zoning and by the Fire Department.
6. 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.
7. Window Signage. Window signage shall not exceed twenty (20) percent of the glazed portion of each window frame.
8. Pagers/Intercoms. The use of outdoor pagers, intercoms or loudspeakers shall not be permitted on site.

9. Signage. The grant of this special use is subject to all signage plans being submitted to the Plan Commission for approval. The Plan Commission at its June 24, 2003 meeting approved an extension of time to the applicant to remove the existing pole sign and install a new monument sign, by October 1, 2004.

Applicant is advised that the foregoing conditions are reasonably necessary to protect the public interest and 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 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 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 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 August, 2003

Monica Schult

Assistant City Clerk

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

ZON-R-392\bjb\8-5-03

ADOPTED

August 5 2003

Paul M. Ziehler

Paul M. Ziehler, CAO, Clerk/Treasurer

APPROVED

August 11, 2003

Jeannette Bell

Jeannette Bell, Mayor