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City of West Allis Matter Summary

7525 W. Greenfield Ave.
West Allis, WI 53214

File Number	Title	Status
R-2004-026 <i>R-2004-0265</i>	Resolution Resolution relative to determination of Special Use Application submitted by Scott DeBell, architect, Woolpert, LLP, for proposed addition to Target, located at 2600 S. 108 St.	In Committee
	Introduced: 09/07/2004	Controlling Body: Safety & Development Committee

COMMITTEE RECOMMENDATION

ADOPT

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<i>10/5/04</i>			Barczak				<input checked="" type="checkbox"/>
			Czaplewski				
			Dobrowski				
			Kopplin	<input checked="" type="checkbox"/>			
			Lajsic	<input checked="" type="checkbox"/>			
		<input checked="" type="checkbox"/>	Narlock				
			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	<i>4</i>	<i>0</i>		<i>1</i>

SIGNATURE OF COMMITTEE MEMBER

[Signature] _____
 Chair Vice-Chair Member

COMMON COUNCIL ACTION *adopt*

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<i>10-5-04</i>			Barczak <i>mc</i>				<input checked="" type="checkbox"/>
			Czaplewski	<input checked="" type="checkbox"/>			
			Dobrowski	<input checked="" type="checkbox"/>			
	<input checked="" type="checkbox"/>		Kopplin	<input checked="" type="checkbox"/>			
			Lajsic	<input checked="" type="checkbox"/>			
		<input checked="" type="checkbox"/>	Narlock	<input checked="" type="checkbox"/>			
			Reinke	<input checked="" type="checkbox"/>			
			Sengstock	<input checked="" type="checkbox"/>			
			Vitale	<input checked="" type="checkbox"/>			
			Weigel	<input checked="" type="checkbox"/>			
			TOTAL	<i>9</i>	<i>1</i>		<i>1</i>

**STANDING COMMITTEES OF THE
CITY OF WEST ALLIS COMMON COUNCIL
2004**

ADMINISTRATION & FINANCE

Chair: Michael J. Czaplewski
Vice-Chair: Martin J. Weigel
Gary T. Barczak
Thomas G. Lajsic
Rosalie L. Reinke

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Vincent Vitale
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Linda A. Dobrowski
Vincent Vitale
Martin J. Weigel



City of West Allis

7525 W. Greenfield Ave.
West Allis, WI 53214

Resolution

File Number: R-2004-0265

Final Action: 10/5/2004

Resolution relative to determination of Special Use Application submitted by Scott DeBell, architect, Woolpert, LLP, for proposed addition to Target, located at 2600 S. 108 St.

WHEREAS, Scott DeBell of Woolpert, LLP, on behalf of Target Corporation, duly filed with the City Administrative Officer-Clerk/Treasurer an application for a special use permit, pursuant to Sec. 12.43(2) and Sec. 12.16 of the Revised Municipal Code, to expand an existing restaurant within the Target Store; and,

WHEREAS, after due notice, a public hearing was held by the Common Council on September 7, 2004, 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, Scott DeBell, Woolpert, LLP, has an office at S. Meyers Rd., Suite 120, Oakbrook Terrace, IL 60181. Alice Roberts-Davis, on behalf of Target Corporation, has an office at 1000 Nicollet Mall, TPN-12H, Minneapolis, MN 55403.
2. Target Corporation owns the property located at 2600 S. 108 St., West Allis, Milwaukee County, Wisconsin, more particularly described as follows:

All that land of the owner being located in the Northwest $\frac{1}{4}$ of Section 8, Township 6 North, Range 21 East, City of West Allis, Milwaukee County, State of Wisconsin described as follows:

Parcel 2 of the Certified Survey Map No. 4210. Said Parcel 2 is subject to easement per Doc. No. 4684043.

Tax Key No. 485-9990-015

Said Property being located at 2600 S. 108 St.

3. The applicant is proposing to expand the existing restaurant within the Target Store. The increase in size and intensification in use requires a special use permit.

4. The aforesaid premise is zoned C-4 Regional Commercial District under the Zoning Ordinance of the City of West Allis, which permits restaurants as a special use, pursuant to Sec. 12.43(2) and Sec. 12.16 of the Revised Municipal Code.

5. The subject property is located on the northeast corner of S. 108 St. and W. Cleveland Ave. All surrounding properties are zoned for commercial use.

6. The proposed development should not adversely contribute to traffic volumes or traffic flow in the area, as the area is utilized for regional commercial shopping.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of West Allis that the application of Scott DeBell, on behalf of Target Corporation, to expand a restaurant within the Target Store, 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 Secs. 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, Screening, Signage and Architectural Plans.** The grant of this special use permit is subject to and conditioned upon the site, landscape, screening, signage and architectural plans approved on August 25, 2004, by the City of West Allis Plan Commission 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. **Hours of Operation.** The hours of operation will be 6:00 a.m. to 11:00 p.m. seven days per week.

3. **Off-Street Parking.** 430 parking stalls are required for the proposed development expansion and a total of 497 are provided.

4. **Litter.** 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 structure.

5. **Window Signage.** Any building window signage shall not exceed twenty (20) percent of each window's area. Any existing signage on site shall be removed.

6. **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.

7. **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.

8. **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 for damaged (if any), abutting sidewalk.

9. Outdoor Storage and Display. No outdoor storage or display is proposed as part of this special use. Any outdoor storage and display will require an amendment to this special use, in accordance with 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 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
11th day of October, 2004.

Monica Schultz
Assistant City Clerk

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

ZON-R-451\jmg\9-7-04

ADOPTED October 5, 2004
Paul M. Ziehler
Paul M. Ziehler, City Admin. Officer, Clerk/Treas.

APPROVED October 8, 2004
Jeannette Bell
Jeannette Bell, Mayor