

51



City of West Allis Matter Summary

7525 W. Greenfield Ave.
West Allis, WI 53214

File Number	Title	Status
R-2003-0205	Resolution	In Committee
	Resolution relative to determination of Special Use Application submitted by SBC to install controlled environment vault on a portion of the Lincoln Elementary School site located at 7815 W. Lapham St.	
	Introduced: 07/01/2003	Controlling Body: Safety & Development Committee

COMMITTEE RECOMMENDATION

Adopt

MOVER: Reinke AYES 5 NOES 0

SECONDER: Weigel EXCUSED _____

COMMITTEE ACTION DATE 7/1/03

SIGNATURES OF COMMITTEE MEMBERS

Chair

Vice-Chair

COMMON COUNCIL ACTION adopted

FINAL ACTION DATE 7-1-03

MOVER:

Lajszic

SECONDER:

Narlock

	AYE	NO
1. Barczak	<input checked="" type="checkbox"/>	_____
2. Czaplewski	<input checked="" type="checkbox"/>	_____
3. Kopplin	<input checked="" type="checkbox"/>	_____
4. Lajszic	<input checked="" type="checkbox"/>	_____
5. [Redacted]	_____	_____
6. Narlock	<input checked="" type="checkbox"/>	_____
7. Reinke	<input checked="" type="checkbox"/>	_____
8. Sengstock	<input checked="" type="checkbox"/>	_____
9. Trudell	<input checked="" type="checkbox"/>	_____
10. Vitale	<input checked="" type="checkbox"/>	_____
<u>Weigel</u>	<input checked="" type="checkbox"/>	_____
TOTAL	<u>9</u>	<u>0</u>



City of West Allis

7525 W. Greenfield Ave.
West Allis, WI 53214

Resolution

File Number: R-2003-0205

Final Action:

7-1-03

Resolution relative to determination of Special Use Application submitted by SBC to install controlled environment vault on a portion of the Lincoln Elementary School site located at 7815 W. Lapham St.

WHEREAS, SBC Wisconsin duly filed with the City Administrative Officer-City Clerk/Treasurer an application for a Special Use Permit, pursuant to Sec. 12.16, and Sec. 12.36(2) of the Revised Municipal Code of the City of West Allis for the installation of a controlled environmental vault containing telephone electronic equipment at 7815 W. Lapham St. (Lincoln School); and,

WHEREAS, after due notice, a public hearing was held by the Common Council on July 1, 2003, 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, SBC Wisconsin, has principal offices N17 W24300 Riverwood Dr., Waukesha, WI 53188.
2. The applicant has a valid offer to purchase a permanent easement for the installation of the telephone electronic equipment. The equipment will be installed within a controlled environmental vault (CEV) which is located beneath grade. The installation of this equipment is part of a larger project in which SBC Wisconsin is upgrading network facilities by placing fiber optic cable and remote terminals closer to customers. The CEV, which is one type of remote terminal, will contain electronic equipment that will allow SBC Wisconsin to provide additional phone lines to customers and enhance and expand data communication services. The CEV structure is child-proof and vandal-proof. The entrance to the CEV is always locked for security and can only be accessed by authorized personnel. There are no hazardous materials stored in the CEV nor does the equipment emit any radiation. The property is located at 7815 W. Lapham St., West Allis, WI 53214, more particularly described as follows:

Lot 1, Block 3, Assessor's Plat No. 259, located in the Northeast 1/4 of Section 4, Township 6 North, Range 21 East, in the City of West Allis, County of Milwaukee, State of Wisconsin.

Tax Key No. 452-0595-00

Said parcel is located at 7815 W. Lapham Street.

3. The aforesaid property is zoned RB-2 Residence District under the Zoning Ordinance of the City of West Allis which permits public utilities, including telecommunication equipment and structures

as a special use, pursuant to Sec. 12.16, and Sec. 12.36(2) of the Revised Municipal Code of the City of West Allis.

4. The subject property is part of a block located on the south side of W. Lapham St. between S. 78 St. and S. 79 St., which is zoned for residential uses. Property to the north, east, and west is developed for residential uses and property to the south is developed for commercial uses.
5. The proposed development should not contribute to traffic volumes or traffic flow in the area as the site is existing and the proposed facility only requires minimal visitation by maintenance vehicles.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of West Allis that the application of SBC Wisconsin 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 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 25, 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. **Equipment Space/Storage Vault.** Will be located within a locked and below-grade controlled environmental vault.
3. **Equipment Removal.** The vault and accessory equipment shall be removed from the property by SBC, or current lessee, if the equipment becomes unusable, outdated or if the lease expires.

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
9 day of July, 2003

Monica Schult
Assistant City Clerk

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

ZON-R.389\7-1-03\jmg

ADOPTED

July 1, 2003

Paul M. Ziehler

Paul M. Ziehler, CAO, Clerk/Treasurer

APPROVED

July 3 2003

Jeannette Bell

Jeannette Bell, Mayor