



# City of West Allis

## Meeting Minutes

### Plan Commission

7525 W. Greenfield Ave.  
West Allis, WI 53214

---

Wednesday, February 27, 2019

6:00 PM

City Hall, Room 128  
7525 W. Greenfield Ave.

---

#### REGULAR MEETING

#### A. CALL TO ORDER

The meeting was called to order at 6:00 p.m. in Room 128

*Wayne Clark, Vice Chair, chaired the meeting until Mayor Devine arrived.*

#### B. ROLL CALL

- Present** 6 - Mr. Wayne Clark, Mr. Jon Keckeisen, Mr. Jim Lisinski, Ms. Amanda Nowak, Mr. Eric Torkelson, and Mr. Brian Frank
- Excused** 2 - Ms. Erin Hirn, and Mr. Tom Rebstock

#### Staff

Steve Schaer, AICP, Manager of Planning and Zoning  
Katie Bennett, Planner  
Jill Gregoire, Planner

#### Others Attending

Ald. Roadt, Eddie Day, Luis Barbosa, Pabitra Halder, Al Jacobson, Adam Gerhard, Ryan Pliska, Stan Muvaes, Mark Timber, Edward David, Gene Eggert, Brian Cooley

#### C. APPROVAL OF MINUTES

1. [19-0116](#) January 23, 2019 Draft Minutes

**Attachments:** [January 23, 2019 \(draft minutes\)](#)

A motion was made by Mr. Keckeisen, seconded by Mr. Lisinski, that this matter be Approved.  
The motion carried unanimously.

#### D. NEW AND PREVIOUS MATTERS

- 2A. [19-0117](#) Site, Landscaping and Architectural Plans for exterior building alterations and site improvements to an existing office building located at 1135 & 1205 S. 70 St., submitted by Cobalt Partners, LLC. (Tax Key No. 440-0257-002 & 440-0256-002)

**Attachments:** [Cobalt Partners, LLC 1135 & 1205 S 70 St \(SLA & Signage Plan Appeal\)](#)

This matter was Approved on a Block Vote.

- 2B.** [19-0118](#) Signage Plan Appeal for an existing office building located at 1205 S. 70 St., submitted by Cobalt Partners, LLC. (Tax Key No. 440-0257-002 & 440-0256-002)

Attachments: [Cobalt Partners, LLC 1135 & 1205 S 70 St \(SLA & S](#)

Items 2A and 2B were considered together.

Discussion ensued with questions being answered by staff.

Jim Lisinski questioned and received an answer that the specific location of the “1205” sign will be located south of the entrance.

**Recommendation (2A):** Recommend approval of the Site, Landscaping and Architectural Plans for exterior building alterations and site improvements to an existing office building located at 1135 & 1205 S. 70 St., submitted by Cobalt Partners, LLC. (Tax Key No. 440-0257-002 & 440-0256-002), subject to the following conditions:

(Items 1 through 4 are required to be satisfied prior to any work being done that is associated with the proposal reviewed by Plan Commission. Contractors applying for permits should be advised accordingly.)

1. Revised Site, Landscaping, and Architectural Plans being submitted to the Department of Development to show the following: (a) City Forester approval of the landscaping plan. Contact Katie Bennett, City Planner at 414-302-8463.
2. An estimated cost of landscaping and screening being submitted to the Department of Development for approval. Contact Katie Bennett, City Planner at 414-302-8463.
3. A surety bond or other form of security as required under Sec. 12.13(14) of the Revised Municipal Code in the amount of 125% of the estimated cost of landscaping and screening shall be executed by the applicant prior to the issuing of a building permit. Contact Katie Bennett, City Planner at 414-302-8463.
4. Request for a Grant of Privilege with approved plans being submitted by applicant to the City Attorney’s Office, for issuance of an updated Grant of Privilege. Contact Margaret Jutz, Attorney’s Office, at 414-302-8445.

(Remaining conditions of approval to be satisfied by the property owner within one year of Plan Commission approval)

5. Compliance with Section 2814 of the City's Policy and Procedures Manual relative to that policy as it relates to the replacement and repair to City walkways of damaged or defective (if any) abutting sidewalk.

**Recommendation (2B):** Recommend approval of the Signage Plan Appeal for an existing office building located at 1205 S. 70 St., submitted by Cobalt Partners, LLC. (Tax Key No. 440-0256-002).

**This matter was Approved on a Block Vote.**

**Passed The Block Vote**

A motion was made by Mr. Torkelson, seconded by Ms. Nowak, to approve all the actions on the preceding items on a Block Vote. The motion carried unanimously.

**3A. [19-0119](#)**

Ordinance to amend the Future Land Use Map within the City's Comprehensive Plan (Chapter 10 Land Use) from "Public and Semi-Public" to "Commercial" land use classification for property located at 1000 S. 72 St., submitted by Cobalt Partners (Tax Key No. 440-0213-003).

Attachments: [Future Land Use Map & Amend Zoning Map of 8-- & 1000 S 72 St](#)

**This matter was Approved on a Block Vote**

**3B. [19-0120](#)**

Ordinance to amend the Official West Allis Zoning Map by rezoning the property located at 8\*\* S. 72 St. and 1000 S. 72 St. from P-1, Park District to C-3, Community Commercial District, submitted by Cobalt Partners (Tax Key No. 440-0004-001 and 440-0213-003).

Attachments: [Future Land Use Map & Amend Zoning Map of 8-- & 1000 S 72 St](#)

Items 3A and 3B were considered together.

Discussion ensued with questions being answered by staff.

**Recommendation (3A):** Common Council approval of the Ordinance to amend the Future Land Use Map within the City's Comprehensive Plan (Chapter 10 Land Use) from "Public and Semi-Public" to "Commercial" land use classification for property located at 1000 S. 72 St., submitted by Cobalt Partners (Tax Key No. 440-0213-003).

**Recommendation (3B):** Common Council approval of an Ordinance to amend the Official West Allis Zoning Map by rezoning the property located at 8\*\* S. 72 St. and 1000 S. 72 St. from P-1, Park District to C-3, Community Commercial District, submitted by Cobalt Partners (Tax Key No. 440-0004-001 and 440-0213-003).

**This matter was Approved on a Block Vote**

**Passed The Block Vote**

A motion was made by Mr. Lisinski, seconded by Ms. Nowak, to approve all the actions on the preceding items on a Block Vote. The motion carried by the following vote:

Aye: 5 - Mr. Clark, Mr. Lisinski, Ms. Nowak, Mr. Torkelson, and Mr. Frank

No: 1 - Mr. Keckeisen

- 4A. [19-0121](#) Special Use Permit to establish a catering service (food production, limited) and restaurant within the existing building located at 7412 W. Greenfield Ave.

Attachments: [Timber's 7412 W Greenfield Ave \(SUP & SLA\)](#)

**This matter was Approved on a Block Vote.**

- 4B. [19-0122](#) Site, Landscaping and Architectural Plans to establish a catering service (food production, limited) and restaurant within the existing building located at 7412 W. Greenfield Ave, submitted by Mark Timber (Tax Key No. 440-0414-000).

Attachments: [Timber's 7412 W Greenfield Ave \(SUP & SLA\)](#)

Mayor Dan Devine arrived

Items 4A and 4B were considered together.

Discussion ensued with questions being answered by staff.

**Recommendation:** Recommend approval of the Special Use Permit and approval of the Site, Landscaping and Architectural Plans to establish a catering service (food production, limited) and restaurant within the existing building located at 7412 W. Greenfield Ave. submitted by Mark Timber (Tax Key No. 440-0414-000) subject to the following conditions:

(Items 1 through 4 are required to be satisfied prior to any work being done that is associated with the proposal reviewed by Plan Commission. Contractors applying for permits should be advised accordingly.)

1. Revised Site, Landscaping, and Architectural Plans being submitted to the Department of Development to show the following: (a) removal of projecting sign; (b) location and screening details for refuse enclosure; (c) lighting details being provided to the Department of Development for review.
2. An estimated cost of landscaping and screening being submitted to the Department of Development for approval. Contact Jill Gregoire, City Planner at 414-302-8469.
3. A surety bond or other form of security as required under Sec. 12.13(14) of the Revised Municipal Code in the amount of 125% of the estimated cost of landscaping and screening shall be executed by the applicant prior to the issuing of a building permit. Contact Jill Gregoire, City Planner at 414-302-8469.
4. A Grant of Privilege application being submitted to the City Attorney's Office for encroachments into the public right of way.

(Remaining conditions of approval to be satisfied by the property owner within one year of Plan Commission approval)

5. Signage plan being provided to the Department of Development for review and approval.
6. Compliance with Section 2814 of the City's Policy and Procedures Manual relative to that policy as it relates to the replacement and repair to City walkways of damaged or defective (if any) abutting sidewalk.

**This matter was Approved on a Block Vote.**

### Passed The Block Vote

**A motion was made by Mr. Lisinski, seconded by Mr. Torkelson, to approve all the actions on the preceding items on a Block Vote. The motion carried unanimously.**

- 5A. [19-0123](#)** Special Use Permit to establish a restaurant with drive-thru within the existing multi-tenant commercial building located at 1606 S. 84 St., submitted by Pete Agnos d/b/a Agnos Enterprises on behalf of J & L Enterprises of WI (Tax Key No. 452-0431-001 and 452-9999-010).

**Attachments:** [Pizzeria 1606 S 84 St \(SUP-SLA\)](#)

**This matter was Approved on a Block Vote.**

- 5B. [19-0124](#)** Site, Landscaping and Architectural Plans to establish a restaurant with drive-thru within the former credit union tenant space located at 1606 S. 84 St. (Tax Key No. 452-0431-001)

**Attachments:** [Pizzeria 1606 S 84 St \(SUP-SLA\)](#)

Items 5A and 5B were considered together.

Discussion ensued with questions being answered by staff.

Additional greenspace recommendation to be worked out with staff. Plan Commission directed that at a minimum, enhancing the landscaping areas along the street frontages near the intersection with S. 84 St. and W. Lapham St. and along the east property line.

**Recommendation:** Approval of the Special Use and Site, Landscaping and Architectural Plans to establish a restaurant with drive-thru within the existing multi-tenant commercial building located at 1606 S. 84 St., submitted by Pete Agnos d/b/a Agnos Enterprises on behalf of J & L Enterprises of WI (Tax Key No. 452-0431-001 and 452-9999-010) subject to the following conditions:

(Items 1-4 are required to be satisfied prior to the issuance of building permits associated with the proposed work reviewed by the Plan Commission. Contractors applying for permits should be advised accordingly.)

1. Revised Site, Landscaping, and Architectural Plans being submitted to the Department of Development to show the following: (a) closure of the W. Lapham St. driveway nearest the intersection (on the NW corner of the site); (b) removal of existing non-conforming signage on the pizzeria façades. Details of the underlying fascia material being provided on plan; (c) additional landscaping being incorporated into the site/landscaping plan. Specific areas include street frontages, the NW corner of the site and along the east property line; (d) updated site plan showing accurate depiction of parking stalls, lot lines, drive-lanes, etc.; (e) a bicycle rack being installed on site and noted on the site plan; (f) a project timeline being provided.
2. An estimated cost of landscaping and screening being submitted to the Department of Development for approval. Contact Jill Gregoire, City Planner at 414-302-8469.
3. A surety bond or other form of security as required under Sec. 12.13(14) of the Revised Municipal Code in the amount of 125% of the estimated cost of landscaping and screening shall be executed by the applicant prior to the issuing of a building permit. Contact Jill Gregoire at 414-302-8469.
4. Driveway permit being applied for with the City Engineering Department for closure of the driveway on W. Lapham St. nearest the intersection. Contact Greg Bartelme at (414) 302-8367.

(Remaining conditions of approval to be satisfied within one year of Plan Commission approval;)

5. Submittal of a Certified Survey Map combining the two properties at 452-0431-001 and 452-9999-010 into one lot of record.
6. Signage plan for any new signage and awnings being submitted to the Department of Development for review and consideration.
7. Compliance with Section 2814 of the City's Policy and Procedures Manual relative to that policy as it relates to the replacement and repair to City walkways of damaged or defective (if any) abutting sidewalk.

**This matter was Approved on a Block Vote.**

**6A. [19-0125](#)**

Special Use Permit for State Fair Liquor & Food, Inc., a proposed liquor store to be located at 9127 W Lincoln Ave.

**Attachments:** [State Fair Liquor & Food 9127 W Lincoln Ave \(SUP-SLA\)](#)

**This matter was Approved on a Block Vote.**

**Passed The Block Vote**

**A motion was made by Mr. Lisinski, seconded by Mr. Clark, to approve all the actions on the preceding items on a Block Vote. The motion carried unanimously.**

- 6B.** [19-0126](#) Site, Landscaping and Architectural Plans for a proposed liquor store to be located at 9127 W. Lincoln Ave., submitted by Pabitra Halder, d/b/a State Fair Liquor & Food, Inc. (Tax Key No. 487-0091-000)

Attachments: [State Fair Liquor & Food 9127 W Lincoln Ave \(SUP-SLA\)](#)

Items 6A and 6B were considered together.

Discussion ensued with questions being answered by staff.

**Recommendation:** Recommend Common Council approval of the Special Use Permit for State Fair Liquor & Food, Inc., a proposed liquor store to be located at 9127 W Lincoln Ave. and approval of the Site, Landscaping and Architectural Plans for a proposed liquor store to be located at 9127 W. Lincoln Ave., submitted by Pabitra Halder, d/b/a State Fair Liquor & Food, Inc. (Tax Key No. 487-0091-000), subject to the following conditions:

(Items 1-4 are required to be satisfied prior to the issuance of building permits associated with the proposed work reviewed by the Plan Commission. Contractors applying for permits should be advised accordingly.)

1. Revised Site, Landscaping and Architectural Plans being submitted to the Department of Development to show the following: (a) an updated floor plan layout of the new store; (b) increase the width of the proposed planting area to at least 4-ft wide and provide poured concrete curb details on plans; (c) color details of new exterior materials and paint colors; (d) a bicycle rack being incorporated into the site plan; (e) a note on the building elevations that window signage shall not exceed 20% of each window's area; (f) exterior lighting details of any new light fixtures being provided; (g) incorporate the City Forester's landscaping recommendations around the base of the sign; (h) a schedule indicating the proposed start and completion date of the scope of site, landscaping and architectural improvements. Contact Steven Schaer, City Planner at (414) 302-8460 with any questions.
2. An estimated cost of landscaping and screening being submitted to the Department of Development for approval. Contact Steven Schaer, City Planner at (414) 302-8460 with any questions.
3. A surety bond or other form of security as required under Sec. 12.13(14) of the Revised Municipal Code in the amount of 125% of the estimated cost of landscaping and screening shall be executed by the applicant prior to the issuing of a building permit. Contact Steve Schaer, City Planner at 414-302-8460.
4. Common Council approval of the Special Use Permit and applicant's acknowledgement signature on the Special Use Resolution being submitted to the Clerk's Office. (A public hearing is scheduled for March 5, 2019).

(Remaining conditions of approval to be satisfied by the property owner within one year of Plan Commission approval)

5. Sign Plan details via a Sign Permit Application to be submitted to the Department of Development for review and approval.
6. Compliance with Section 2814 of the City's Policy and Procedures Manual relative to that policy as it relates to the replacement and repair to City walkways of damaged or defective (if any) abutting sidewalk.

**This matter was Approved on a Block Vote.**

#### Passed The Block Vote

**A motion was made by Mr. Clark, seconded by Mr. Lisinski, to approve all the actions on the preceding items on a Block Vote. The motion carried unanimously.**

7. [19-0127](#) Site, Landscaping and Architectural Plans for Arby's, an existing fast food restaurant located at 10743 W. National Ave., submitted by Brian Cooley, d/b/a SEH, Inc. (Short Elliott Henrickson Inc.) (Tax Key No. 519-9995-004)

**Attachments:** [Arby's 10743 W National Ave \(SUP-SLA\)](#)

Discussion ensued with questions being answered by staff.

**Recommendation:** Recommend approval of the Site, Landscaping and Architectural Plans for Arby's, an existing fast food restaurant located at 10743 W. National Ave., submitted by Brian Cooley, d/b/a SEH, Inc. (Short Elliott Henrickson Inc.) (Tax Key No. 519-9995-004), subject to the following conditions:

(Items 1 through 3 are required to be satisfied prior to any work being done that is associated with the proposal reviewed by Plan Commission. Contractors applying for permits should be advised accordingly.)

1. Revised Site, Landscaping, and Architectural Plans being submitted to the Department of Development to show the following: (a) two additional sets of Karl Forester grass plantings along the west property line.
2. An estimated cost of landscaping and screening being submitted to the Department of Development for approval. Contact Katie Bennett, City Planner at 414-302-8463.
3. A surety bond or other form of security as required under Sec. 12.13(14) of the Revised Municipal Code in the amount of 125% of the estimated cost of landscaping and screening shall be executed by the applicant prior to the issuing of a building permit. Contact Katie Bennett, City Planner at 414-302-8463.

(Remaining conditions of approval to be satisfied by the property owner within one year of Plan Commission approval)



4. Signage plan being provided to the Department of Development for review and approval.
5. Compliance with Section 2814 of the City's Policy and Procedures Manual relative to that policy as it relates to the replacement and repair to City walkways of damaged or defective (if any) abutting sidewalk.

**A motion was made by Mr. Clark, seconded by Mr. Lisinski, that this matter be Approved. The motion carried unanimously.**

8. [19-0128](#) Site, Landscaping and Architectural plans for exterior building alterations to Qdoba, and existing restaurant, located at 2831 S. 108 St. submitted by Lisa Donmeyer, of the Lingle Design Group, Inc. (Tax Key No. 520-9960-000).

**Attachments:** [Arby's 10743 W National Ave \(SUP-SLA\)](#)

Discussion ensued with questions being answered by staff. Jim Lisinski questioned the need of a signage variance and if Plan Commission should approve the additional signage now. Staff indicated that Qdoba's signage package would be evaluated separately from the architectural proposal.

**Recommendation:** Approval of the Site, Landscaping and Architectural plans for exterior alterations to Qdoba, and existing restaurant, located at 2831 S. 108 St. (Tax Key No. 520-9960-000), subject to the following conditions:

(Item 1-2 is required to be satisfied prior to the issuance of building permits associated with the proposed work reviewed by the Plan Commission. Contractors applying for permits should be advised accordingly.)

1. Signage plan being submitted to the Department of Development for review and consideration with respect to the signage ordinance.
2. Submit materials and color specifications for architectural element on SE corner.

(Remaining conditions of approval to be satisfied within one year of Plan Commission approval;)

3. Compliance with Section 2814 of the City's Policy and Procedures Manual relative to that policy as it relates to the replacement and repair to City walkways of damaged or defective (if any) abutting sidewalk.

**A motion was made by Mr. Clark, seconded by Mr. Lisinski, that this matter be Approved. The motion carried unanimously.**

9. [19-0129](#) Ordinance to amend section 12.16 (14) of the Revised Municipal Code relative to setting a consistent timeframe for appeals of special use decisions by the Common Council.

**Attachment:** [Ordinance Amendment Section 12.16 \(ORD\)](#)

Discussion ensued with questions being answered by staff.

Wayne Clark asked and was answered that this has not been an issue in the past. Staff indicated that appeals of Common Council Special Use decisions has not been an issue previously.

**Recommendation:** Recommend Common Council approval of the Ordinance to amend section 12.16(14) of the Revised Municipal Code relative to setting a consistent timeframe for appeals of special use decisions by the Common Council (A public hearing is scheduled for March 19, 2019).

**A motion was made by Mr. Clark, seconded by Mr. Lisinski, that this matter be Approved. The motion carried unanimously.**

**10. [19-0130](#)**

Plan Commissioner Enrichment resources and items of interest:

- a) APA (American Planning Association) Zoning Practice newsletter items
  - i) Creative Signage
  - ii) Temporary Uses
  
- b) Planning Advisory Service – Short-Term Rentals: Regulation and Enforcement Strategies
  
- c) American Planning Association – The Commissioner

Attachments: [Zoning Practice - Creative Signage](#)  
[Zoning-Practice - Temporary uses](#)  
[Planning Advisory Service - Short-Term Rentals - Regulation & Enforcement Strategies](#)  
[American Planning Association The Commissioner](#)

Discussion ensued with questions being answered by staff.

## E. ADJOURNMENT

There being no other business, a motion was made by Wayne Clark and seconded by Jon Keckeisen to adjourn the Plan Commission meeting at 6:46 p.m.

The motion carried unanimously.



All meetings of the {bdName} are public meetings. In order for the general public to make comments at the committee meetings, the individual(s) must be scheduled (as an appearance) with the chair of the committee or the appropriate staff contact; otherwise, the meeting of the committee is a working session for the committee itself, and discussion by those in attendance is limited to committee members, the mayor, other alderpersons, staff and others that may be a party to the matter being discussed.

**NON-DISCRIMINATION STATEMENT**

The City of West Allis does not discriminate against individuals on the basis of race, color, religion, age, marital or veterans' status, sex, national origin, disability or any other legally protected status in the admission or access to, or treatment or employment in, its services, programs or activities.

**AMERICANS WITH DISABILITIES ACT NOTICE**

Upon reasonable notice the City will furnish appropriate auxiliary aids and services when necessary to afford individuals with disabilities an equal opportunity to participate in and to enjoy the benefits of a service, program or activity provided by the City.

**LIMITED ENGLISH PROFICIENCY STATEMENT**

It is the policy of the City of West Allis to provide language access services to populations of persons with Limited English Proficiency (LEP) who are eligible to be served or likely to be directly affected by our programs. Such services will be focused on providing meaningful access to our programs, services and/or benefits.