

71



# City of West Allis Matter Summary

7525 W. Greenfield Ave.  
West Allis, WI 53214

File Number	Title	Status
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R-2007-0203      Resolution      In Committee

Resolution relative to determination of Special Use Permit for proposed private school, d/b/a the Institute of Advanced Technique, to be located within a portion of the existing commercial building located at 8410 W. Cleveland Ave. (Tax Key No. 487-0250-002)

Introduced: 8/7/2007

Controlling Body: Safety & Development Committee

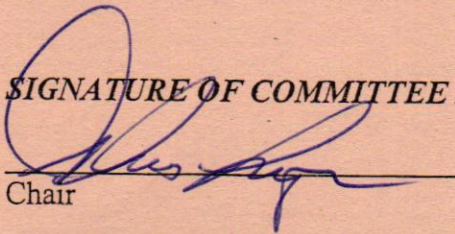
Sponsor(s): Safety & Development Committee

### COMMITTEE RECOMMENDATION

*ADOPT*

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<u>8/7/07</u>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Barczak				<input checked="" type="checkbox"/>
			Czaplewski				
			Dobrowski				
			Kopplin				
			Lajsic	<input checked="" type="checkbox"/>			
	<input checked="" type="checkbox"/>		Narlock	<input checked="" type="checkbox"/>			
			Reinke	<input checked="" type="checkbox"/>			
			Sengstock				
			Vitale	<input checked="" type="checkbox"/>			
		<input checked="" type="checkbox"/>	Weigel	<input checked="" type="checkbox"/>			
			TOTAL	<u>4</u>	<u>0</u>		<u>1</u>

### SIGNATURE OF COMMITTEE MEMBER

  
Chair

Vice-Chair

Member

### COMMON COUNCIL ACTION

**ADOPT**

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<u>AUG - 7 2007</u>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	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-2007-0203**

**Final Action:**

**Sponsor(s):** Safety & Development Committee

AUG - 7 2007

Resolution relative to determination of Special Use Permit for proposed private school, d/b/a the Institute of Advanced Technique, to be located within a portion of the existing commercial building located at 8410 W. Cleveland Ave. (Tax Key No. 487-0250-002)

WHEREAS, Russell Vollmer, owner of a 16,800 sq. ft. office building, duly filed with the City Administrative Officer- Clerk/Treasurer an application for a special use permit, pursuant to Sec. 12.41(2) and Sec. 12.16 of the Revised Municipal Code, to place a spa and salon personnel training center within the office building located at 8410 W. Cleveland Ave.; and,

WHEREAS, after due notice, a public hearing was held by the Common Council on August 7, 2007, 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, Russell Vollmer, owner, has offices at 8410 W. Cleveland Ave., West Allis, WI 53227.
2. The applicant, Russell Vollmer owns the property at 8410 W. Cleveland Ave., West Allis, Milwaukee County, Wisconsin, more particularly described as follows:

All the land of the owner being located in the Northwest  $\frac{1}{4}$  of Section 9, Township 6 North, Range 21 East, City of West Allis, Milwaukee County, State of Wisconsin, describes as follows:

Lots 6, 7 and adjacent vacated off street parking, Block 1 in the Kroupa Manor No. 1 subdivision.

Tax Key No. 487-0250-002

Said land being located at 8410 W. Cleveland Ave.

3. The applicant is proposing to occupy 820 sq. ft. of office space in a 16,800 sq. ft. office building.
4. The aforesaid premises is zoned C-2 Neighborhood Commercial District under the Zoning Ordinance of the City of West Allis, which permits training facilities as a special use, pursuant to Sec. 12.41(2) and Sec. 12.16 of the Revised Municipal Code.

5. The subject property is located on the northwest corner of S. 84 St. and W. Cleveland Ave. Properties to the south and west are developed as commercial. Properties to the east are developed as single-family residential and park space. Properties to the north are developed as single-family residential.

6. The proposed development should not adversely contribute to traffic volumes or traffic flow in the area.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of West Allis that the application of Russell Vollmer, owner occupy 820 sq. ft. of space for spa and salon personnel training within an existing office building 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 and architectural plans approved on July 23, 2007, 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. 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.
3. Hours of Operation. The hours of operation will be 8:00 a.m. - 5:00 p.m., seven days a week. The hours of operation may be extended to 8:00 p.m. in the future without Public Hearing if an evening class is offered.
4. Off-Street Parking. Off-street parking spaces for 56 vehicles are required for the 16,800 sq. ft. office building. A total of 31 spaces will be provided, including two (2) ADA stalls. Street parking is available along W. Cleveland Ave. The site has historically been short of the provided parking requirements and the 820 sq. ft. use of existing office space will not trigger additional major vehicle parking demands.
5. Litter. Employees shall inspect the area and immediate vicinity and pick up litter on a daily basis.
6. 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.
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 as it relates to damaged (if any), abutting sidewalk.

9. 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.

10. Miscellaneous.

A. 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.

B. 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.

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  
13 day of August 2007

Monica Schultz  
Assistant City Clerk

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

ZON-R-633-8-7-07

ADOPTED AUG - 7 2007  
Paul M. Ziehler  
Paul M. Ziehler, City Admin. Officer, Clerk/Treas.

APPROVED August 9, 2007  
Jeannette Bell  
Jeannette Bell, Mayor



7525 West Greenfield Avenue  
West Allis, Wisconsin 53214-4648



**CITY CLERK/TREASURER'S OFFICE**

414/302-8200 or 414/302-8207 (Fax)

[www.ci.west-allis.wi.us](http://www.ci.west-allis.wi.us)

**Paul M. Ziehler**

*City Admin. Officer, Clerk/Treasurer*

**Monica Schultz**

*Assistant City Clerk*

**Rosemary West**

*Treasurer's Office Supervisor*

August 13, 2007

Russell Vollmer  
Institute of Advanced Technique  
8410 W. Cleveland Ave.  
West Allis, WI 53227

Dear Mr. Vollmer:

On August 7, 2007 the Common Council approved a Resolution relative to determination of Special Use Permit for proposed private school, d/b/a the Institute of Advanced Technique, to be located within a portion of the existing commercial building located at 8410 W. Cleveland Ave.

A copy of Resolution No. R-2007-0203 is enclosed.

Sincerely,

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

Monica Schultz  
Assistant City Clerk

/amn  
enc.

cc: John Stibal  
Ted Atkinson  
Steve Schaer  
Barb Burkee