



**STAFF REPORT  
WEST ALLIS PLAN COMMISSION  
Wednesday, February 23, 2022  
6:00 PM  
City Hall – Room 128**

Watch: <https://www.youtube.com/user/westalliscitychannel>

- 4A. **Special Use permit to establish a mixed use (commercial and residential), an existing residential duplex property, located at 1416-18 S. 81 St.**
- 4B. **Site, landscaping and architectural plan to establish a mixed use (commercial and residential) an existing residential duplex pr operty, located at 1416-18 S. 81 St. submitted by Paul and Kristine Budiad (Tax Key No. 452-0255-001).**

Items 3A and B may be considered together.



### **Overview and Zoning**

The subject property is a duplex that is owned by Paul and Kristine Budiad and located on a separate abutting lot to the south of Paulies Pub. Like other properties within the area, the subject property is zoned C-2, neighborhood commercial district. The Budiad's are requesting that the primary use of the property be changed from solely residence to a mixed use (residence and commercial) to allow for a tent and stage for live bands associated with Paulies Pub premise located just north at 8031 W. Greenfield Ave. (an abutting property to the north).

- Mr. Budiad will be applying for the necessary license for the tavern property (temporary extension of their licensed premise outdoors within the parking lot of the 8031 W. Greenfield Ave. pub property).
- The licensed premises doesn't extend to the subject duplex property (1416-1418 S. 81st St.) That means no alcohol storage, sales, or carrying of alcohol on the duplex property.
- If the special use is approved by Common Council, Paulies Pub may use the duplex property in a manner that is connected to Paulie's Pub, but that does not include service, sale, or carrying of alcohol **and** complies with zoning for that parcel. This Plan Commission item focuses upon the zoning (licensing is offered for informational purposes and will be considered by the License and Health Committee of the Common Council).


- Planning met with Mr. Budiak and the 2<sup>nd</sup> District Alderpersons to discuss the tent and band stage placement for the '22 season. Mr. Budiak would like to place the stage and tent on the duplex property
- If not approved by Council, there are some other options. The three (3) options to bring the duplex site into compliance with the existing zoning include:
  - a. Relocate the tent and stage to the Paulies Pub property (the tent and stage would then be located upon the licensed premise); or,
  - b. Raze the duplex and combine that parcel with Paulie's Pub via Certified Survey Map.

Planning has worked with him to come before Plan Commission this month with Council hearing in March.

If the zoning/special use is approved by the Plan Commission and Common Council (public hearing required), he would be allowed to maintain the accessory tent and live band stage on the duplex property to coincide with the outdoor activities at the Paulies Pub site. If the special use is not approved, Mr. Budiak could not legally install the tent and stage on the duplex property and the subject area could only be used for it's existing purpose as a residential duplex.



Paulies Pub outdoor events employ sound technicians and there are a number of musicians that perform over the summer. Below is a copy of last year's (2021) temporary extension license that ran May 29 - September 6, 2021.

	<b>Licensing Period:</b> Saturday, May 29, 2021 through Monday, September 6, 2021.	
	<b><u>Temporary Extension of "Class B" Licensed Premise Permit</u></b>	
Extensions will not be valid unless the license extension permit is posted in the licensed area.		
<b><u>ISSUED TO:</u></b>		
<b>PAULIE'S PUB &amp; EATERY</b>		Premises - Building at 8025, 8027, 8029 and 8031 W. Greenfield Avenue and 1408 S. 81st Street.
<b>8031 W. GREENFIELD AVENUE</b>		Extension- Entire outdoor parking lot to the south and east of licenses premise.
<b>WEST ALLIS, WI 53214</b>		
<ul style="list-style-type: none"><li>Hours of Operation for the area are limited to 10:00 AM to 10:00 PM</li></ul>		
<b>APPROVED EXCEPTION REQUESTS:</b>		
*Applicant is allowed to have no more than four (4) events with amplified music per week.		
*Property is less than 200 feet from a residential premises.		
*Exception from the sound limitations, subject to a decibel reading being equal to or less than 100db from 100 feet; allowable for 14 weeks.		
<b>Objections:</b>		
<b>If objection is received, the council will consider the special extension application at its next regular meeting just like any new license application and may reject it or place special restrictions on the extended premises (hours, number of people, etc.</b>		

Last year, the above referenced license offered four (4) weekly events from 10am to 10pm, Paul had voluntarily reduced the number of events to three (3) per week (Saturday 3pm to 8pm, Sunday 2pm to 7pm and Monday 5:30pm to 8:30pm).

Sound level measurements are to be under the 100-decibel threshold at 100-ft from the source. The Common Council may consider rejecting or placing special restrictions on the license if it is determined to be objectionable.

#### **Proposed 2022 Event schedule**

Mr. Budiak proposes the following event schedule for 2022. With the submittal of a license application, the License and Health Committee will give consideration. The yellow highlighted rows would not include an outdoor band. ***Planning notes that the term of the special use for the duplex property may be limited to run with the season or any licensing term.***



## PAULIE'S SUMMER 2022 EVENT SCHEDULE

### MAY – MAX OF 3 DATES

- FRIDAY MAY 27<sup>TH</sup> OR SATURDAY MAY 28<sup>TH</sup>
- SUNDAY MAY 29<sup>TH</sup>
- MONDAY MAY 30<sup>TH</sup>

### JUNE – MAX OF 7

- FRIDAY JUNE 3<sup>RD</sup> OR SATURDAY JUNE 4<sup>TH</sup>
- SUNDAY JUNE 5<sup>TH</sup>
- FRIDAY JUNE 10<sup>TH</sup> OR SATURDAY JUNE 11<sup>TH</sup>
- SUNDAY JUNE 12<sup>TH</sup>
- FRIDAY JUNE 17<sup>TH</sup> OR SATURDAY JUNE 18<sup>TH</sup>
- SUNDAY JUNE 19<sup>TH</sup>
- FRIDAY JUNE 24<sup>TH</sup> / SATURDAY JUNE 25<sup>TH</sup> NO REQUEST NO OUTDOOR BAND
- SUNDAY JUNE 26<sup>TH</sup>

### JULY - MAX OF 9

- FRIDAY JULY 1<sup>ST</sup> / SATURDAY JULY 2<sup>ND</sup> NO REQUEST NO OUTDOOR BAND
- SUNDAY JULY 3<sup>RD</sup>
- MONDAY JULY 4<sup>TH</sup>
- FRIDAY JULY 8<sup>TH</sup> / SATURDAY JULY 9<sup>TH</sup> NO REQUEST NO OUTDOOR BAND
- SUNDAY JULY 10<sup>TH</sup>
- FRIDAY JULY 15<sup>TH</sup> OR SATURDAY JULY 16<sup>TH</sup>
- SUNDAY JULY 17<sup>TH</sup>
- FRIDAY JULY 22<sup>ND</sup> OR SATURDAY JULY 23<sup>RD</sup>
- SUNDAY JULY 24<sup>TH</sup>
- FRIDAY JULY 29<sup>TH</sup> OR SATURDAY JULY 30<sup>TH</sup>
- SUNDAY JULY 31

### AUGUST – MAX OF 4

- FRIDAY AUGUST 5/ SATURDAY AUGUST 6<sup>TH</sup> NO REQUEST NO OUTDOOR BAND
  - SUNDAY AUGUST 7<sup>TH</sup> NO REQUEST NO OUTDOOR BAND
  - FRIDAY AUGUST 12<sup>TH</sup> / SATURDAY AUGUST 13<sup>TH</sup> NO REQUEST NO OUTDOOR BAND
  - SUNDAY AUGUST 14<sup>TH</sup> NO REQUEST NO OUTDOOR BAND
  - FRIDAY AUGUST 19<sup>TH</sup> OR SATURDAY AUGUST 20<sup>TH</sup>
  - SUNDAY AUGUST 21<sup>ST</sup>
  - FRIDAY AUGUST 26<sup>TH</sup> OR SATURDAY AUGUST 27<sup>TH</sup>
  - SUNDAY AUGUST 28<sup>TH</sup>
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**SEPTEMBER – MAX OF 7**

- FRIDAY SEPTEMBER 2<sup>ND</sup> OR SATURDAY SEPTEMBER 3<sup>RD</sup>
- SUNDAY SEPTEMBER 4<sup>TH</sup>
- MONDAY SEPTEMBER 5<sup>TH</sup>
- FRIDAY SEPTEMBER 9<sup>TH</sup> OR SATURDAY SEPTEMBER 10<sup>TH</sup>
- SUNDAY SEPTEMBER 11<sup>TH</sup>
- FRIDAY SEPTEMBER 16<sup>TH</sup> OR SATURDAY SEPTEMBER 17<sup>TH</sup>
- SUNDAY SEPTEMBER 18<sup>TH</sup>.

DATES IN YELLOW ARE EITHER SUMMEREST OR WI STATE FAIR THAT WE WILL **NOT** BE HAVING OUTDOOR ENTERTAINMENT THOSE DAYS. LISTED DUE TO THEM BEING WEEKENDS

MOST OF THE FRIDAY OR SATURDAY WOULD BE SATURDAY JUST NEED FLEXIBILITY IF BANDS CAN'T DO SATURDAY LAST YEAR HAD ONE BAND THAT HAD A CANCELLATION SO THEY NEEDED TO DO A FRIDAY WHICH WE DIDN'T DO A SATURDAY TO MAKE SURE WE HAD CORRECT AMOUNT OF DAYS PER WEEK PERMITTED.

15 EITHER FRIDAYS OR SATURDAYS, 15 SUNDAYS, 3 HOLIDAYS

HOURS HAVE BEEN PREVIOUSLY AS FOLLOWS:

FRIDAYS 6-10PM

SATURDAYS 4-8PM

SUNDAYS 3-7PM

MONDAYS/HOLIDAYS 3-7PM

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**Site, Landscaping and Architectural**

The placement of the tent and stage is within the rear yard of the existing duplex property between the house and the garage.

Site improvements/fencing - Mr. Budiak, has replaced an existing chain link fence with a solid screen fence that spans from roughly the Paulies Pub site south to Field Trip site. The fence is about 6-ft tall and constructed of a composite material.

Any tent and stage installation would meet the Fire Department tent permit requirements.

Porta-potties and a wash stations would be provided on the adjacent Paulies Pub site.

Exterior improvements/garage –The existing garage on the duplex site has been resided to repair the exterior. The garage cannot be used for service. Otherwise, there are no



additional site or architectural changes proposed to the duplex property and Mr. Budiak intends to continue to lease the duplex to residential tenants regardless of the zoning decision.

**Recommendation:** Common Council approval of the special use permit to establish a mixed use (commercial and residential), and approval of the site, landscaping and architectural plan to establish a mixed use (commercial and residential), at an existing residential duplex property, located at 1416-18 S. 81 St. submitted by Paul and Kristine Budiak (Tax Key No. 452-0255-001).