



**STAFF REPORT
WEST ALLIS PLAN COMMISSION
Wednesday, September 25, 2019
6:00 PM**

Room 128 – City Hall – 7525 W. Greenfield Ave.

- 3A. Special Use Permit for The LifeWay Church, a proposed religious institution – house of worship, to be located at 7515 W. National Ave.**
- 3B. Site, Landscaping and Architectural Plans for The LifeWay Church, a proposed religious institution – house of worship, to be located at 7515 W. National Ave., submitted by Andrew McLean on behalf of The LifeWay Church (Tax Key No. 453-0408-001)**

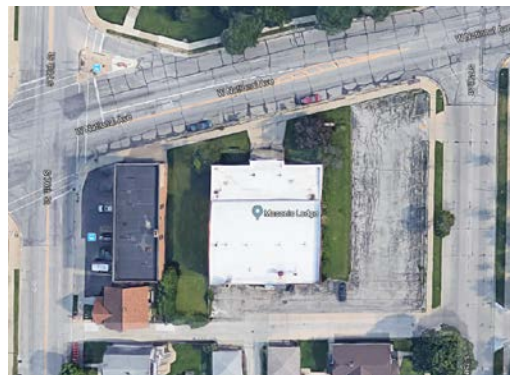
Items 3A and 3B may be considered together.

Overview & Zoning

The LifeWay Church is proposing to occupy the former Masonic Temple at 7515 W. National Ave. Please refer to Exhibit A for a project overview and outline of work proposed for the property prepared by The LifeWay Church.



The property is currently divided into two parcels; Lot 1 is where the building resides and Lot 2 is the parking lot. Built in 1929; the building has had the same use until the Freemasons decided to sell the property this year. The property is on the National Register of Historic Places.

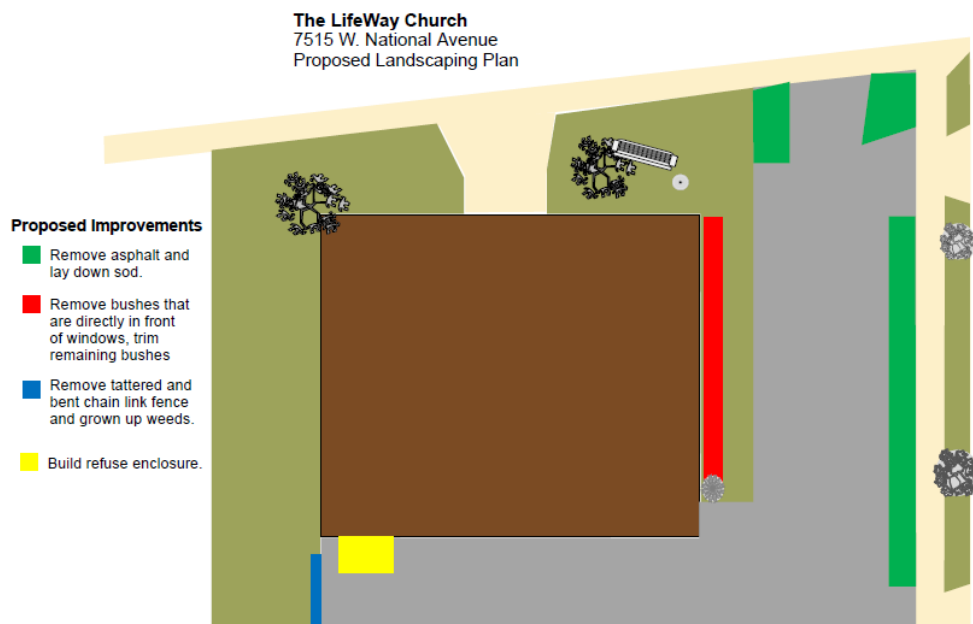


The property is currently zoned C-2 Neighborhood Commercial District. A religious institution is considered a Special Use in the C-2 District and requires a Special Use Permit. A public hearing regarding the Special Use Permit application is scheduled for October 1, 2019.

The applicant's project description is included at the end of this report.

Site, Landscaping, and Architectural Plans

The proposed LifeWay Church is seeking to operate their church and is proposing to update the overall property and building. As part of the process, The Lifeway Church is also seeking approval to make site and exterior building improvements to the overall property. Currently, the site features minimal landscaping surrounding the parking lot with pavement up to the public sidewalk along W. National Ave. and S. 75 St. The proposed site and landscaping improvements would increase the amount of pervious area and improve curb appeal of the site.



The property at 7515 W. National Ave. is a 2 story building with an assembly hall on the first floor, a commercial kitchen and gathering space in the lower level, and 38 on-site parking spaces. The total building area is 21,000 square feet. The main church entrance will be located on the building's north side along National Ave.



Staff recommends that the parking lot be repaved in order to provide a more aesthetically pleasing lot without cracks and loose pavement. Additionally, staff recommends replacing the wheel stops with a curb, in order to better delineate the landscaped area between the parking lot and sidewalk. Staff also recommends adding trees or shrubs in the landscaped area between the parking lot and sidewalk.



Parking

Vehicle access for the church will be available from the site's existing S. 75 St. driveways. There is also an alley between S. 76 St. and S. 75 St. that would offer access to the site from S. 76 St. (this alley currently does not allow exit onto S. 76 St.). Initially, the church expects to park up to 30 vehicles per service. As their service grows they can expect a maximum of up to 100 vehicles. The existing parking lot can accommodate 38 vehicles.

According to zoning code chapter 12.19, the parking requirements for a 21,000 square foot church is 210 stalls, which leaves a deficit of 172 stalls. The LifeWay Church has indicated that they will not need 172 extra parking stalls, but will try to find more than the existing 38 spaces provided on their premise. They have expressed a desire to use the public library's parking lot across S. 75 St. Zoning code chapter 12.19(9)(b)(iii) states that "up to 100% of the parking spaces required by this Section for a church may be supplied by the parking spaces provided by primarily daytime uses."

When this request to use the library's parking lot was introduced in a tech review meeting, City staff suggested a P.I.L.O.T. (Payment in Lieu of Taxes) for use of the Library parking lot.

Below are three options to request payment in lieu of tax and the City Attorney's thoughts on each one:

- Pay based on the assessed value of the property - Payments based on assessed value unnecessarily adds a layer of complication. If the parties can agree to a rental rate, there is no purpose in inserting another valuation factor. That other factor would only add work to the assessor's office, create uncertainty in the payment amounts for both sides, and mix the city's assessment power with its interest in generating revenue. That arrangement usually leads to accusations such as "of course your assessor raised the value, you benefit from it." Rather than give someone the impression of collusion, it is best to leave this factor out of the arrangement.
- Pay the cost of construction and maintenance of the parking lot - Payment through construction and maintenance puts the onus on them and creates a fuzzy line regarding whether the lot is properly maintained. I'd need to see the terms of the arrangement, but it would probably be the option that is most favorable to the church and least favorable to the city in the long-term. Plus this would be work done for consideration and not a donation, so public bidding laws would potentially preclude this type of strategy.
- Pay based on the market rate of existing parking lots - Payment through a market-rate lease of the parking lot is likely the best option for the city because the payments would be pure rent. It would be simplest to administer and enforce and result in the city receiving cash flow based on the value of its asset without losing any equity in the asset. The city could maintain it to the standard that it deems appropriate. If either party is not satisfied with the relationship, it's a clean break upon terminating the lease. I'd prefer this route.

Recommendation

Recommend Common Council approval of The LifeWay Church, a proposed religious institution – house of worship, to be located at 7515 W. National Ave., and approval of the Site, Landscaping and Architectural Plans for The LifeWay Church, a proposed

religious institution – house of worship, to be located at 7515 W. National Ave., submitted by Andrew McLean d/b/a The LifeWay Church (Tax Key No. 453-0408-001), subject to the following conditions:

(Items 1 through 4 are required to be satisfied prior to the issuance of building permits associated with the proposed work 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) detailed and scaled site and landscaping plan; (b) updated parking details, including the dimensions of parking stalls and handicap parking stalls; (c) details being added to show a four-sided wood refuse enclosure and location on site; (d) a floor plan indicating the floor areas (and square footages) within the building, and identifying entrances; (e) details of parking lot repairs/resurfacing and striping; (f) removal of concrete wheel stops and poured curb details being provided (at minimum along street frontages); (g) landscape buffered areas around the perimeter of the parking lot; (h) remove post at southeast part of parking lot; (i) a schedule indicating the proposed start and completion date of the scope of site, landscaping and architectural improvements; Contact Tony Giron, City Planner at 414-302-8469.
2. Combine the two parcels on the property into one parcel via a Certified Survey Map. Contact Tony Giron, 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 both landscaping and screening shall be executed by the applicant prior to the issuing of a building permit. Contact Tony Giron, City Planner at 414-302-8469.
4. Common Council approval of the special use (scheduled for October 1, 2019) and applicant's acknowledgement of the special use resolution.

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

5. A signage and lighting 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.