



**STAFF REPORT
WEST ALLIS PLAN COMMISSION
Wednesday, July 28, 2021
6:00 PM
City Hall – Room 128**

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

- 5A. Special Use permit to establish a mixed use (commercial and residential), an existing residential duplex property, located at 1416-18 S. 81 St.**
- 5B. 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 5A and 5B 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 more flexibility of certain entertainment events including 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).

Background

- Earlier this year at the May 4th Common Council meeting, Paulies Pub had received License and Health approval for a temporary extension of their licensed premise outdoors (within the parking lot of the 8031 W. Greenfield Ave. pub property). Subsequent revisions were revised June 15. The licensed premises doesn't extend to the subject 1416-1418 S. 81st St. (duplex) property. That means no alcohol storage, sales, or carrying of alcohol on the duplex property. This limitation relates only to the service of alcohol.
- Paulies Pub may use the duplex property in a manner that is connected to Paulie's Pub if the activity 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).

- Planning met with Mr. Budiak and the 2nd District Alderpersons to discuss the tent and band stage placement on the duplex property as it currently does not comply with the zoning. A few options were discussed. 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 second tent and stage would then be located upon the licensed premise); or,
 - b. Apply for a special use permit for a mixed use (commercial and residential use) on the duplex property in order to create a second primary use which would allow live music; or,
 - c. Raze the duplex and combine that parcel with Paulie's Pub via Certified Survey Map.

Mr. Budiak has decided to apply for option “b,” special use to establish the duplex property as a mixed use. Planning has worked with him to come before Plan Commission this month with Council hearing in September.




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. Budiach would need to remove the tent and stage from the property and the subject area could only be used for its 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 the existing temporary extension license that runs May 29 - September 6, 2021.



Licensing Period:
Saturday, May 29, 2021 through Monday, September 6, 2021.

Temporary Extension of "Class B" Licensed Premise Permit

Extensions will not be valid unless the license extension permit is posted in the licensed area.

ISSUED TO:
PAULIE'S PUB & EATERY
8031 W. GREENFIELD AVENUE
WEST ALLIS, WI 53214

Premises - Building at 8025, 8027, 8029 and 8031 W. Greenfield Avenue and 1408 S. 81st Street.

Extension- Entire outdoor parking lot to the south and east of license premise.

- Hours of Operation for the area are limited to 10:00 AM to 10:00 PM

APPROVED EXCEPTION REQUESTS:
*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.

Objections:
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.

While the above referenced license offers four (4) weekly events from 10am to 10pm, Paul has 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.

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, is proposing to replace an existing chain link fence with a solid screen fence that spans from the Paulies Pub site south to Field Trip site. The fence will be 6-8 ft tall and either wood or composite material.

The current installation of a tent and stage on the duplex property meet the Fire Department tent permit requirements.

3 porta-potties (one being ADA) and a wash station are provided on the adjacent Paulies Pub site.

Exterior improvements/garage – Part of the existing garage on site has been resided to repair the exterior. Remaining side(s) will be painted to match new siding. A roll up service



door has been installed on the north elevation of the garage. This will need to remain closed as it cannot be used for service. Otherwise, there are no additional 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).