



# City of West Allis

## Legislation Details (With Text)

**File #:** R-2004-0317 **Version:** 1  
**Type:** Resolution **Status:** Adopted  
**File created:** 11/3/2004 **In control:** Safety and Development Committee (INACTIVE)  
**On agenda:** **Final action:** 11/3/2004  
**Title:** Resolution relative to determination of Special Use Application for an expansion to Grebe's Bakery located at 5132-5202 and 5000-50-5100-10-16 W. Lincoln Ave.  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. 2004-0317, 2. R-2004-0317

Date	Ver.	Action By	Action	Result
11/3/2004	1	Common Council		
11/3/2004	1	Common Council	Adopted	Pass
11/3/2004	1	Safety and Development Committee (INACTIVE)		Pass

Resolution relative to determination of Special Use Application for an expansion to Grebe's Bakery located at 5132-5202 and 5000-50-5100-10-16 W. Lincoln Ave.

WHEREAS, James W. Grebe, d/b/a Grebe's Bakeries, Inc., duly filed with the City Administrative Officer-Clerk/Treasurer an application for a special use permit, pursuant to Sec. 12.41(2), 12.45(2) and Sec. 12.16 of the Revised Municipal Code, to expand/establish a bakery facility within both their existing building and within a building located at 5000-50-5100-10-16 W. Lincoln Ave., immediately east of their existing location at 5132-5202 W. Lincoln Ave.; and,

WHEREAS, after due notice, a public hearing was held by the Common Council on November 3, 2004, at 7:00 p.m., in the Common Council Chambers 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, James W. Grebe, d/b/a Grebe's Bakeries, Inc., has an office at 5132-5202 W. Lincoln Ave., West Allis, WI 53214.
2. The applicant owns the property located at 5132-5202 W. Lincoln Ave. and has a valid offer to lease space (with an option to purchase) at 5000-50-5100-10-16 W. Lincoln Ave., West Allis, Milwaukee County, Wisconsin, more particularly described as follows:

The west 305 feet of the east 319 ft of Lot 1, Block 5, in Assessors Plat No 272, excepting the east 86 feet of the south 134 feet and excepting the west 54 ft of the south 134 feet but including a 5 foot strip lying

northeasterly of the southwesterly line of railroad right of way acquired in Document No. 7630410.

Said land being located at 5132-5202 W. Lincoln Ave.

Tax Key No. 474-0008-003

Part of Lot 1, Block 5, in Assessors Plat No. 272, and land adjoining in the Southeast 1/4 of Section 2, Township 6 North, Range 21 East, commencing at the intersection of Section line in the Southwest 1/4 of Section 2, Township 6 North, Range 21 East and the southwesterly railroad right-of-way line, thence south 61.17 feet, west 100.63 feet, south 167 feet, east 599.88 feet, thence northwesterly along said right-of-way line to beginning excepting portion for avenue and excepting a portion in the City of Milwaukee, also excepting 14 feet, excepting south 134 feet of said Lot 1.

Said land being located at 5000-50-5100-10-16 W. Lincoln Ave.

Tax Key No. 474-0007-003

3. The applicant proposes to expand the existing bakery facility on site and to the east. Grebe's has purchased the Crestwood Bakery business and seeks to consolidate all or portions of its business in West Allis. Within two years, approximately 125 new jobs are estimated to be created as part of the expansion. Grebe's currently has a lease with an option to purchase the 5000-50-5100-10-16 W. Lincoln Ave. property in January, 2006. Future business operations may require Grebe's to redistribute and expand existing operations on site, combine the two properties, and construct infill additions to link the two buildings. Future improvements, alterations, extensions or other modifications of such buildings and structures which do not increase, intensify, expand or substantially change the character of the special use will not require approval by the Common Council (Revised Municipal Code, Sec. 12.16).
4. The aforesaid premises is split zoned with a portion of the 5132-5202 W. Lincoln Ave. property being zoned C-2 Neighborhood Commercial District and M-1 Manufacturing District and the 5000-50-5100-10 W. Lincoln Ave. property being zoned entirely M-1 Manufacturing District. The 5116 W. Lincoln Ave. property is zoned C-2 Neighborhood Commercial District under the Zoning Ordinance of the City of West Allis, which permits bakeries as a special use pursuant to Sec. 12.41(2), 12.45(2) and Sec. 12.16 of the Revised Municipal Code.
5. The subject property is part of a block on the north side of W. Lincoln Ave between S. 54 St. and the eastern City limit, which is zoned for commercial and manufacturing purposes. Properties to the north and west are developed as commercial and manufacturing, properties to the south are developed as multi-family residential and commercial, and properties to the east are developed as manufacturing within the City of West Milwaukee.
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 James W. Grebe, d/b/a Grebe's Bakeries, Inc., to establish a bakery 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 October 27, 2004, 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. As part of the special use, the Plan Commission recommended a one-year extension (November, 2006) to comply with all approved site, landscaping and signage improvements (including removal of non-conforming signage).
2. Hours of Operation. The hours of operation will be 24 hours daily (operating 3 shifts), 7 days per week.
3. Off-Street Parking. Fifty-two parking spaces are required as follows: 20 spaces for the 5132-5202 W. Lincoln Ave. property and 32 spaces for the 5000-50-5100-10-16 W. Lincoln Ave. property. A total of 72 parking spaces are provided on site as follows: 30 spaces for the 5132-5202 W. Lincoln Ave. property and 42 spaces for the 5000-50-5100-10-16 W. Lincoln Ave. property. On-street parking is also available on both sides of the block along W. Lincoln Ave.
4. Signage. The grant of this special use is subject to all signage and lighting plans being submitted to the Plan Commission for approval.
5. Litter. Employees shall inspect the area and the immediate vicinity and pick up litter on a daily basis. Refuse, recyclables, and other waste materials will be fully enclosed within the approved structure.
6. Window Signage. Any exterior building window signage shall not exceed twenty (20) percent of each window's area.
7. 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.
8. 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.

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.

The grant of this special use shall become null and void within one year of the date thereof, unless construction is under way or the current owner possesses a valid building permit under which construction is commenced, within sixty (60) days of the date thereof and which shall not be renewed unless construction has commenced and is being diligently pursued. No extension of these time limitations will be permitted under any circumstances, including the applicant's failure to obtain other necessary building and zoning approvals.

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.

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  
\_\_\_\_\_ day of \_\_\_\_\_, 2004

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Assistant City Clerk

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

ZON-R-467-11-3-04\jmg