



City of West Allis

Legislation Text

File #: R-2004-0341, **Version:** 1

Resolution approving a six-month extension of time for Lifetime Credit Union to obtain a building permit and to commence construction of a new financial institution with a drive through located on vacant property at 95** W. National Ave.

WHEREAS, William Kuter, d/b/a Lifetime Credit Union, duly filed with the City Administrative Officer-Clerk/Treasurer an application for a Special Use Permit, pursuant to Sec. 12.16 and Sec. 12.41(2) of the Revised Municipal Code of the City of West Allis to construct a new credit union with drive-through window and tenant lease space; and,

WHEREAS, after due notice, a public hearing was held and resolution No. R-2003-0340 was adopted by the Common Council on November 4, 2003, at 7:00 p.m., in the Common Council Chambers to consider the application; and,

WHEREAS, the Application was forwarded to the Plan Commission for review and recommendation on October 22, 2003, and its favorable recommendation has been received; and,

WHEREAS, the Common Council, having carefully considered the evidence presented at the public hearing and the following pertinent facts, noted:

1. The applicant, William Kuter, d/b/a Lifetime Credit Union, has offices at 8214 West National Avenue, West Allis, WI 53214.
2. The applicant has made an application for special use to construct a 15,270 sq. ft., two-level building on a 1.05-acre site. Lifetime Credit Union will occupy the majority of the building, but will lease a portion of the building to future tenants until it further expands its operations. Four drive-through lanes are proposed, one of which will be utilized for an ATM function. A total of 59 parking spaces, including 3 ADA stalls, are required by zoning and 51 will be provided on site.

A neighborhood planning meeting was conducted October 14, 2003, to introduce the proposed use and design to the surrounding neighborhood. Property owners within 200 feet were notified. Residents were in favor of the proposal and representatives of Lifetime Credit Union were available to answer questions. Site grading, location and height of retaining walls, street parking and landscaping were topics of concern addressed at the meeting.

3. Since the approval of said special use resolution No. R-2003-0340, the applicant has diligently pursued construction and a valid building permit, but due to hardships experienced by the applicant's original contractor (McCloud Construction), construction and satisfaction of a building permit has been delayed and said special use has lapsed.

The subject property is located at 95** W. National Ave., West Allis, Milwaukee County, Wisconsin, more particularly described as follows:

All the land of the owner being located in the Northeast ¼ of Section 8, Township 6 North, Range 21 East, City of West Allis, Milwaukee County, State of Wisconsin, describes as follows:

Lots 1, 2 and 3, being part of Block 4 in Fruitland Subdivision, and vacated alley adjoining said Lots 1, 2 and 3.

Said land being located at 95** W. National Ave

TAX KEY NO. 486-0099-001.

4. The applicant owns the property at 95** W. National Ave.
5. The owner of the site is requesting a six-month extension of time to diligently pursue obtaining a valid building permit and the commencement of construction.
6. The aforesaid area is zoned C-2 Neighborhood Commercial District under the Zoning Ordinance of the City of West Allis, which permits drive-through facilities as a special use, pursuant to Sec. 12.41(2) of the Revised Municipal Code of the City of West Allis.
7. The Property is located on the southwest corner of S. 95 St. on the south side of W. National Ave. Properties located to the west are multi-family, to the south single-family residential, and to the north and east commercial.
8. The use, value and enjoyment of other property in the surrounding area will not be substantially impaired or diminished by the establishment, maintenance or operation of the special use.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of West Allis that the request of William Kuter, d/b/a Lifetime Credit Union, for a six-month extension of time, be and is hereby approved subject to the original conditions set forth in Resolution No. R2003-0340.

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 Sec. 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, Architectural and Signage. The grant of this Special Use Permit is subject to and conditioned upon a site, screening, landscaping plan and architectural plan approved October 22, 2003, and August 28, 2004, (revised Architectural Plans) by the West Allis Plan Commission. No alteration or modification of the approved plan shall be permitted without approval by the West Allis Plan Commission.
2. Paving and Drainage. The grant of this Special Use Permit is subject to paving and drainage plans being submitted to and approved by the Department of Building Inspections and Zoning. The grant of this special use is subject to and conditioned upon compliance with all applicable building and fire codes.

3. 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.
4. Hours of Operation. Hours of operation are Monday through Friday from 9:00 a.m. to 6:00 p.m.; Saturday 9:00 a.m. to 12:00 noon (drive-through only); and closed on Sunday.
5. Window Signage. Building window signage shall not exceed 20% of each window area.
6. Building and Fire Codes. The grant of this special use is subject to and conditioned upon compliance with all applicable building and fire codes.
7. Parking. Off-street parking for at least 51 vehicles shall be provided and maintained on site, including 3 ADA spaces.
8. Expiration of Special Use Permit. 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. 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 supplying written explanation for extension of time;
 - B. a timeline/schedule for obtaining necessary permits, state and municipal approvals and target date for construction start;
 - C. the request for extension shall be submitted within 60 days of the expiration of the special use permit;
 - D. the extension, if granted, shall be valid for a period of six months. If no building permit has been issued and construction has not commenced within six months from the date the extension has been granted, the special use shall become null and void.
9. Miscellaneous.
 - A. Applicants are 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 applicants' 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
day of , 2004

Assistant City Clerk

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

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