



City of West Allis

Legislation Text

File #: R-2003-0176, **Version:** 1

Resolution relative to determination of Special Use Application submitted by Bruce Wydeven on behalf of VJS Investments to convert existing office space to residential apartment use at the existing building located at 6914 W. Lincoln Ave.

WHEREAS, VJS Investments duly filed with the Acting City 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 convert existing office space to residential apartment use; and,

WHEREAS, after due notice, a public hearing was held by the Common Council on May 20, 2003, at 7:30 p.m., and in the Common Council Chamber 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, VJS Investments, has offices at 3374 N. Hackett St., Milwaukee, WI 53211.
2. The applicant owns the property at 6914 W. Lincoln Avenue, West Allis, Milwaukee County, Wisconsin. The property is more particularly described as follows:

Lots 17 through 20, Block 10, Wood Dale Subdivision, being a part of the Southwest One-quarter of Section 3, Township 6 North, Range 21 East.

Tax Key No.476-0216-001

Said land being located at 6914 W. Lincoln Avenue.

3. The applicant is proposing to convert approximately 1,980 square feet of commercial space in the basement level of the existing building to four (4) units of residential apartments (2 efficiency units and 2 one-bedroom units).
4. The aforesaid premises is zoned C-2 Neighborhood Commercial District under the Zoning Ordinance of the City of West Allis, which permits multi-family structures as a special use, pursuant to Sec. 12.16 and Sec. 12.41(2) of the Revised Municipal Code.
5. The subject property is part of an area on the north side of W. Lincoln Ave. between S. 69 St. and S. 70 St. which is zoned for commercial purposes along W. Lincoln Ave. Properties to the south and east are developed as commercial and residential. Properties to the north and west are developed as residential. Properties to the east are developed for commercial purposes.

6. The proposed development should not contribute to traffic volume or traffic flow in the area as the majority of tenants use public transportation or have only one car.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of West Allis that the application of VJS Investments be and 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 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. Building Plans. The grant of this special use is subject to building plans being submitted to and approved by the Department of Building Inspections. All building and fire codes to be complied with.
2. Building and Fire Codes. The grant of this special use is subject to and conditioned upon compliance with all applicable building and fire codes to the satisfaction of the Department of Building Inspections and the Fire Department.
3. Off-Street Parking. The use is required to provide thirty (30) off-street parking spaces for the site; twenty-one spaces are provided on site. The Common Council has the authority to change the minimum parking requirements in accordance with Section 12.16(9)(a) of the Revised Municipal Code.
4. Site, Landscaping, and Screening Plan and Architectural Elevations. The grant of this Special Use Permit is subject to and conditioned upon the site and screening plan and architectural elevations approved on April 23, 2003, by the West Allis Plan Commission. No alterations or modification to the approved plan shall be permitted without approval by the West Allis Plan Commission.
5. Refuse Collection. Refuse collection shall be by commercial hauler. Refuse area is to be screened from view.

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 (1) 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 special 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 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 _____, 2003

Acting City Clerk/Treasurer

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

ZON-R-378-5-20-03\jmg