



City of West Allis

Legislation Text

File #: R-2006-0180, **Version:** 1

Resolution relative to determination of Special Use Permit for proposed Healthcare Waste Solutions motor freight terminal to be located within the existing building at 127 S. 116 St. (Tax Key No. 413-9999-034)

WHEREAS, Lewis Renfro, d/b/a HWS of Minnesota, LLC, duly filed with the City Administrative Officer-Clerk/Treasurer an application for a Special Use Permit, pursuant to Sec. 12.16 and Sec. 12.45(2) of the Revised Municipal Code of the City of West Allis to establish a motor freight terminal within a portion of the existing building located at 127 S. 116 St. and,

WHEREAS, after due notice, a public hearing was held by the Common Council on July 5, 2006, 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, Lewis Renfro of HWS of Minnesota, LLC, has offices at 7593 Hwy 65 NE, Fridley MN 55432.
2. The applicant has a valid offer to lease a portion of the property for a motor freight terminal at 127 S. 116 St., West Allis, Milwaukee County, Wisconsin, more particularly described as follows:

All the land of the owner being located in the Northwest $\frac{1}{4}$ of Section 31, Township 7 North, Range 21 East, City of West Allis, Milwaukee County, Wisconsin, described as follows:

Commencing at the Northeast corner of the said Northwest $\frac{1}{4}$; thence Southerly, 109.96 feet, along east line of said Northwest $\frac{1}{4}$; thence Westerly, 30.00 feet to the Point of Beginning; thence, continue, Westerly, 342.10 feet; thence Northerly, 166.52 feet; thence Easterly, 330.00 feet, to the east right-of-way line of South 116th Street; thence Southerly, 167.76 feet, along said east line to the Point of Beginning.

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Said land being located at 127 S. 116 St.

3. The applicant will be leasing a portion of the building at 127 S. 116 St. for a motor freight terminal. A description of the proposal and typical business activities follows:

Healthcare Waste Solutions (HWS) collects medical waste from healthcare facilities throughout southeastern Wisconsin and delivers this waste to a processing facility in Minnesota. The waste is collected from area hospitals made up of things like gloves, linens, towels, bandages, sharps containers and DOES NOT include hazardous materials, hazardous drugs, or radiation material. HWS already handles this pre-packaged waste at

each of these types of customers, wheeling it through each facility to the route truck, which is many times parked on city streets. The West Allis warehouse facility is a much more controlled environment - essentially a place with docks that allows HWS to easily move the containers from the route trucks and onto the semi trailers for transport to the treatment facility in Minnesota. HWS delivers clean packaging and picks up full packages much like any other delivery service.

The filling and packaging of the containers is conducted by fully trained employees within each healthcare facility. From the moment it leaves the healthcare facility, to the moment it leaves the city, the product is fully sealed and packaged in DOT approved plastic bags (primary containers) and placed within DOT approved reusable plastic (secondary) containers. The product is offloaded from the route trucks and onto the semi-trailers usually without ever even touching the warehouse floor. There is no processing or re-packaging of the waste within the warehouse in West Allis, rather the containers are simply moved from the route trucks, semi trailers or the warehouse at all times.

The warehouse will be used to store clean, unused containers, which are delivered to the healthcare facilities where they are filled and packaged before returning to the warehouse for transfer back onto the semi trailer. HWS expects to run three of these route trucks per day and the semis will go out when they are filled - two or three times/week. This level of trucking activity will be minimal compared to the other tenants in the park around this site.

HWS has already applied for and received the necessary approval from The State of Wisconsin DNR for this site pending licensure with formal occupancy from the City of West Allis. HWS is fully compliant with all federal, state, and municipal guidelines regarding the handling of our product. HWS intends to hire drivers and a supervisor from the surrounding community and train them in the safe and proper handling of our product.

4. The aforesaid area is zoned M-1 Manufacturing District under the Zoning Ordinance of the City of West Allis, which permits motor freight terminals as a special use, pursuant to Sec. 12.16 and Sec. 12.45(2) of the Revised Municipal Code of the City of West Allis.

5. The Property is part of a block between W. Fairview Ave. and W. Dixon St. on the west side of S. 116 St. Properties located to the north are developed as Interstate 94. Properties to the east, west and south are developed as manufacturing.

6. The use, value and enjoyment of other property in the surrounding area for permitted uses 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 application of Lewis Renfro, d/b/a HWS of Minnesota, LLC, 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. Site, Landscaping and Screening Plans. The grant of this Special Use Permit is subject to and conditioned upon a site, screening and landscaping plan approved June 28, 2006, 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. 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.
3. Off Street Parking. A total of 19 spaces are required for the site; a total of 12 spaces will be provided on site. All loading and unloading of vehicles, equipment, or parts must be conducted on premises. The Common Council has the authority to waive the minimum parking requirements in accordance with Section 12.16(9)(a) of the Revised Municipal Code.
4. Hours of Operation. Typical hours of operation will be 5:00 a.m. to 6:00 p.m. daily, but the motor freight terminal business operation will be on call 24 hours per day, 7 days per week.
5. 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.
6. Pagers, Intercoms. The use of outdoor pagers, intercoms, or loud speakers shall not be permitted on site.
7. Driveway Permits: Permit application and approved plans being submitted by applicant to the Engineering Dept. for necessary driveway permit to be granted by the Board of Public Works (and the Wisconsin Department of Transportation, if applicable)
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.
9. Litter. Employees shall inspect the site and immediate vicinity and pick up litter on a daily basis. Refuse, recyclables, grease, and other waste materials will be fully enclosed within an approved structure.
10. Outdoor Lighting. All outdoor lighting fixtures shall be shielded in such a manner that no light spays from the property boundaries.
11. Signage. All signage in accordance with the signage Ordinance.
12. Expiration of Special Use Permit. Any special use approved by the Common Council shall lapse and become null and void one (1) year from and after that approval if the use has not commenced, construction is not underway, or the owner has not obtained a valid building permit. 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 shall complete a planning application available from the Department of Development and shall submit a \$250.00 extension fee.
 - B. A written explanation for the extension of time shall accompany the planning application along with a timeline/schedule for obtaining necessary permits, zoning, state and municipal approvals and a target date for construction start;

C. The request for extension shall be submitted within sixty (60) days of the expiration of the special use permit;

D. The extension, if granted, shall be valid for a period of six (6) months. If no building permit has been issued and construction has not commenced within six (6) months from and after the extension has been granted, the special use shall become null and void.

11. 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 _____, 2006

Assistant City Clerk

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

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