



# City of West Allis

## Legislation Text

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**File #:** R-2012-0095, **Version:** 1

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Resolution relative to determination of Special Use Permit for the demolition/construction of Summit Credit Union, a financial institution with drive-thru facilities located at 10015 W. Greenfield Ave.

WHEREAS, Summit 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. 12.45(2) of the Revised Municipal Code of the City of West Allis to establish a financial institution with drive-thru lane; and,

WHEREAS, after due notice, a public hearing was held by the Common Council on May 1, 2012 at 7:00 p.m. in the Common Council Chambers to consider the application to adopt the special use resolution; and,

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

1. The applicant, Mr. Jeremy Eppler, on behalf of Summit Credit Union, has offices at 4800 American Way, Madison, WI 53718. Summit Credit Union is also the property owner of the site.
2. The property consists of a 1.811 acre parcel situated between W. Greenfield Ave., W. Orchard St. and S. 101 St. and I-894. Summit Credit Union will demolish the existing building and construct a new 13,974 square foot financial institution including a drive-thru along with office tenant space.
3. The applicant has made an application for special use to construct a new 13,974 sq. ft. building, with offices for both the credit union and another tenant(s) with three (3) covered drive-thru lanes. An ATM will also be on site.

The subject property is located at 10015 W. Greenfield Ave., 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 5, Township 6 North, Range 21 East, City of West Allis, Milwaukee County, State of Wisconsin, describes as follows:

Lot B of Certified Survey Map No. 877.

Tax Key Numbers: 449-0031-009

4. The aforesaid area is currently zoned M-1 Manufacturing District. A separate rezoning ordinance has been prepared and will be considered by the Council at the May 15, 2012 hearing date to rezone the property to C-3 Community Commercial District. If the rezoning were approved the site would be consistent with the City's 2030 Land Use Plan which indicates Commercial Use for this site. The City of West Allis Zoning Ordinance permits financial institutions with drive-thru facilities as a special use, pursuant to C-3 Zoning District Zoning per Sec. 12.42 (2) of the Revised Municipal Code of the City of West Allis.

5. The property is situated between W. Greenfield Ave., W. Orchard St. and S. 101 St. and I-894. Properties to the south are zoned and used as residential, to the north are zoned and used for commercial purposes, to the west are zoned for manufacturing and used for commercial purposes and to the east is I-894. are developed as commercial.

6. The proposed development should not adversely contribute to traffic volumes or traffic flow in the area as the property offers off-street parking and is served by public transit.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of West Allis that the application of Summit Credit Union to establish a new credit union with drive thru at 10015 W. Greenfield Ave., 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, Architectural. The grant of this Special Use Permit is subject to and conditioned upon a site, screening, landscaping plan and architectural plan approved April 25, 2012 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. Hours of Operation. Lobby: 8:00 AM - 5:00 PM Monday through Friday; 8:00 AM to noon on Saturday  
Drive Up: 7:00 AM - 6:00 PM Monday through Friday; 8:00 AM to noon on Saturday; ATM: 24 hours/day, every day
4. Window Signage. Building window signage shall not exceed 20% of each window area and be located within the building.
5. Building and Fire Codes. The grant of this special use is subject to and conditioned upon compliance with all applicable building and fire codes.
6. Parking. Off-street parking for 57 vehicles are required per code. A total of 66 parking stalls will be provided on site.
7. 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.
8. Litter and Monitoring. Employees shall inspect the area 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 four-sided structure. The restaurant and property area shall be adequately monitored by staff.
9. Deliveries and Refuse Pickup. All refuse to be provided by a commercial hauler. All refuse, recyclables

and other waste material shall be screened from view within an enclosure approved by the Department of Development. All tenants of the property will be required to abide by the City of West Allis health/public nuisance rules per Chapter 7 of the Revised Municipal Code. Because there is a residential neighborhood adjacent to the site, delivery operations and refuse pick up shall only be permitted during daytime hours. These functions shall not be permitted between the hours of 9:00 p.m. and 7:00 a.m.

10. Outdoor Lighting. All outdoor lighting fixtures shall be shielded in such a manner that no light splays from the property boundaries.

11. 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.

12. 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.

13. Lapse. If the applicant does not meet all of the terms and conditions set forth in this grant of a special use within one year of the granting thereof, then the Special Use Permit shall lapse and become null and void and the applicant shall forfeit any right to use the property as conferred by the Special Use Permit. The failure of the applicant to meet the terms and conditions of the Special Use Permit shall subject the permit to being declared void by the Common Council after notice to the applicant and a hearing before the Safety and

Development Committee. Upon a finding and recommendation by the Committee to the Common Council on the matter, the applicant and/or any interested person may make comments regarding the matter to the Common Council prior to the Common Council's next regular meeting following the recommendation. Upon the Common Council's finding that the Special Use Permit has lapsed and become void, the applicant shall cease all operations at the property.

14. Termination of Special Use. If the person or entity granted the special use violates, allows or suffers the violation of the ordinances of the City of West Allis, the State of Wisconsin or the United States on the premises covered by the special use, the special use may be terminated.

15. Acknowledgement. That the applicants sign an acknowledgment that he has received these terms and conditions and will abide by them.

The undersigned applicant agrees to the terms and conditions and has agreed that the grant of the Special Use Permit is conditioned on meeting the terms and conditions of this resolution.

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Mr. Jeremy Eppler, on behalf of Summit Credit Union

Mailed to applicant on the  
\_\_\_\_\_ day of \_\_\_\_\_ 2012

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Assistant City Clerk

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

ZON-R-867-5-1-12-gmj